

CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, AUGUST 1, 2018
5:30 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. CALL TO ORDER

Mayor Peter Simmons called the meeting to order at 5:33 P.M.

II. INVOCATION:

Pastor Rob Sparrows, with Integrity Church, furnished the invocation.

III. PLEDGE OF ALLEGIANCE

At the request of Mayor Simmons, Council Member Steve Slachta led in the Pledge of Allegiance.

IV. ROLL CALL

Mayor Simmons and all Council Members were present, with Council Member Peter O'Flinn participating via telephone.

V. PUBLIC COMMENT ON AGENDA ITEMS

5:37:07 PM Rick Steinmeyer stated he was happy to see the 5.6 increase in taxable valuable in the city! He also commented on the line of credit agenda item, and the FPL and the CRT Ordinances.

5:40:56 PM Richard Donnelly read into the record a letter relating to the neighborhood meeting ordinance, with recommended revisions.

5:42:44 PM Kathy McGrath commented on the Film Festival, and urged residents to participate.

5:44:07 PM Linda Schwartz supports the tax increase. She also addressed Spring Creek and supports continuing this project.

5:45:57 pm Marvin Hancock voiced his support for the Spring Creek dredging project. He represents the Pelican Landing Community Association

5:47:00 pm Jerry Miller addressed item XII. and stated he was excited about his hotel. They plan to build an exceptional mixed-use project.

5:47:44 pm Robert Holland, a resident near Spring Creek, was in attendance to ask that Council support the Spring Creek project.

5:48:45 pm Steven Anderson, a resident of King Fish Street, was also in attendance to also voice his support for the Spring Creek project.

5:50:09 PM Rick Sims with SWACA A/C Contractors Association, was in attendance as was representatives from Conditioned Air and Haines Air Conditioning. He is very supportive of the community, and was here to address concerns they are having with replacement units. He further explained.

5:53:48 PM Tim with Conditioned Air also addressed concerns regarding encroachments/setback issues as it relates to the City's regulations.

5:56:50 PM Zack Davis, with America Infrastructure Services, asked when the electric poles overhead in the downtown area will be removed. It will make the downtown look much more attractive and safer.

5:58:53 PM Ron Pure addressed Spring Creek and oyster beds located in the creek. He recommends the City seek whatever funds they can from the SFWMD as partial reimbursement.

VI. CONSENT AGENDA: (NOTE: ITEMS ON THE CONSENT AGENDA WILL BE CONSIDERED AS ONE UNLESS A SPECIFIC ITEM IS REMOVED BY A COUNCIL MEMBER FOR SEPARATE DISCUSSION.)

6:02:39 pm Council Member Fred Forbes motioned to allow Council Member Peter O'Flinn participate in the meeting via telephone, finding an extraordinary circumstance; Council Member Amy Quaremba seconded; and the motion carried unanimously.

Council Member Forbes motioned approval of the Consent Agenda; Council Member Laura Carr seconded; and the motion carried unanimously.

- A. APPROVE GENERAL FUND BUDGET RESOLUTION TO TRANSFER BUDGET AMONG ACCOUNTS AND TO INCREASE THE BUDGET FOR CERTAIN REVENUE AND RELATED EXPENDITURE ACCOUNTS. (GREENSHEET NO. 18-08-0229) **RESOLUTION NO. 18-49**
- B. APPROVE THE NINTH ADDENDUM TO THE SECOND AGREEMENT TO THE INTERLOCAL AGREEMENT WITH LEE COUNTY SHERIFF'S OFFICE FOR ENHANCED LAW ENFORCEMENT SERVICES. (GREENSHEET NO. 18-08-0241)
- C. APPROVE THE INTERLOCAL AGREEMENT WITH LEE COUNTY FOR FIXED ROUTE TRANSIT SERVICE WITHIN THE CITY OF BONITA SPRINGS. (GREENSHEET NO. 18-08-0245)
- D. AUTHORIZE STAFF TO SIGN THE AGREEMENT WITH THE SKY FAMILY YMCA FOR THE BONITA SPRINGS RECREATION CENTER AFTERSCHOOL AND SUMMER CAMP PROGRAMS FOR THE 2018-2019 SCHOOL YEAR, WHICH WILL ALSO INCLUDE SUMMER CAMP FOR 2019. (GREENSHEET NO. 18-08-0242)
- E. APPROVE CHANGE TO THE STAFF'S DRAFT FY 2019 REQUESTED BUDGET. (GREENSHEET NO. 18-08-0224)
- F. APPROVE GENERAL FUND BUDGET RESOLUTION TO INCREASE THE BUDGET FOR CERTAIN REVENUE AND RELATED TRANSFERS IN AND OUT ACCOUNTS RELATING TO A REIMBURSEMENT FOR BEACH RENOURISHMENT. (GREENSHEET NO. 18-08-0243) **RESOLUTION NO. 18-50**
- G. REQUEST APPROVAL OF A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA, APPROVING THE DESIGNATED USE OF FUNDS FROM THE 2018 BONITA SPRINGS FILM FESTIVAL. (GREENSHEET NO. 18-08-0246) **RESOLUTION NO. 18-51**

- H. APPROVE THE FIRST AMENDMENT TO THE TECHNICAL ASSISTANCE AGREEMENT BETWEEN SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL AND THE CITY OF BONITA SPRINGS REGARDING SERVICES PROVIDED FOR AFFORDABLE HOUSING (TIME EXTENSION). (GREENSHEET NO. 18-08-0249)
- I. APPROVE A LANDSCAPE MAINTENANCE AND HOLD HARMLESS AGREEMENT WITH HUNTER’S RIDGE COUNTRY CLUB FOR HUNTER’S RIDGE COURT. (GREENSHEET NO. 18-08-0247)
- **ADDENDUM:** APPROVE GENERAL FUND BUDGET RESOLUTION TO TRANSFER BUDGET FROM ASSIGNED FUND BALANCE FOR AN ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY LOCATED AT 10450 WEST TERRY ST., BONITA SPRINGS, FL. (GREENSHEET NO. 18-08-0254) **RESOLUTION NO. 18-52**
 - **ADDENDUM:** ADOPT AN EXTENSION TO THE RESOLUTION REMANDING THE BONITA GRANDE MINE IPD EXTENSION, CASE NO. PD-14-16327-BOS, FOR A PERIOD OF SIX (6) MONTHS AFTER THE CONCLUSION OF BG MINE LAWSUIT, INCLUDING ANY TIME NECESSARY FOR APPEALS, UNLESS FURTHER CONTINUED BY THE BONITA SPRINGS CITY COUNCIL AND THE APPLICANT. (GREENSHEET NO. 18-08-0255) **ZONING RESOLUTION NO. 18-05**

VII. PROCLAMATIONS AND PRESENTATIONS:

- A. CERTIFICATE OF CONGRATULATIONS TO CITY ATTORNEY AUDREY VANCE, RECIPIENT OF THE 2018 PAUL S. BUCHMAN AWARD.

Mayor Simmons next presented City Attorney Audrey Vance with a Certificate of Congratulations on receiving the 2018 Paul S. Buchman Award. Attorney Vance was in attendance to accept and thank Mayor Simmons and Council.

VIII. CONTINUATION OF DISCUSSION OF JULY 16, 2018 CITY COUNCIL BUDGET MEETING.

ADDENDUM, ITEM B. BELOW: ADDITIONAL INFORMATION ATTACHED TO ADDENDUM.

- A. DISCUSSIONS REGARDING A LINE OF CREDIT. (MAYOR SIMMONS; GREENSHEET NO. 18-08-0251)

[6:08:55 PM](#) Mayor Simmons addressed this agenda item, informing Council of discussions he had with Mayor Ruane of Sanibel, who suggested a line of credit if needed.

City Attorney Vance informed Council that the Charter requires an Ordinance if they decide to move forward. Council Member Forbes Gibson, Carr and O’Flinn voiced their support for a line of credit, and Council Member DeWitt stated he can support a line of credit as long as it used for a “rainy day.” He also believes the City can get a better rate.

[6:34:43 PM](#) Council Member DeWitt motioned to authorize Staff to begin shopping the loan and direction to staff to prepare and Ordinance once they know the bank; Council Member Carr seconded. Council Member Forbes asked if it was possible that it can say that the line of credit will be with either “x, y, or z” bank to provide a choice of three banks instead of just one. City Attorney Vance responded. Council consensus yes to including a requirement for any borrowing to require a super majority vote of Council.

Council Member Quaremba stated she would like to have Finance Staff to come back with something more specific.

The motion carried unanimously.

- B. ESTABLISH THE PROPOSED OPERATING AD VALOREM MILLAGE RATE FOR 2018 TAX YEAR. (GREENSHEET NO. 18-08-0248)

6:38:15 PM Council discussion was held on the millage rate.

Council Member Quaremba motioned to set the millage at .9173; Council Member O’Flinn seconded; and the motion failed 3-4 (Mayor Simmons and Council Members Mike Gibson, Forbes and Carr opposed)

Mayor Simmons motioned to keep the current millage rate at .8173; Council Member Gibson seconded; and the motion passed 4-3 (Council Members Quaremba, DeWitt and O’Flinn opposed)

- C. SET TENTATIVE DATE FOR THE FIRST BUDGET HEARING FOR WEDNESDAY, SEPTEMBER 5, 2018 AT 5:05 P.M.

Council Member Forbes motioned to set the first budget hearing for Wednesday, September 5, 2018 at 5:05 P.M.; Council Member DeWitt seconded; and the motion carried unanimously.

IX. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSSION AND DIRECTION TO STAFF REGARDING THE REPLACEMENT OF MECHANICAL EQUIPMENT REPLACEMENTS AT RESIDENTIAL PROPERTIES. (FORBES; GREENSHEET NO. 18-08-0251)

7:02:08 pm Council Member Forbes addressed this item addressing the issue relating to the interpretation of the City’s regulations for the replacement of mechanical equipment within the encroachment/setback of existing residential units as reflected in the Greensheet.

7:06:40 pm Council Member Forbes motioned for Interim Manager Hunter to instruct to staff to go back to the procedure and allow staff to look at revisions that need to be made to make it to where they do not need an interpretation; and to have clearly in the ordinance that in the event, even on a new installation, if the configuration of the house and lot, doesn’t allow them to do everything, that the Interim City Manager can do it, or authorize staff to work with the A/C contractor so that there can be a slight deviation but they don’t have to come back to Council to get it; Mayor Simmons seconded.

Interim Manager Hunter explained that it was discussed that the air conditioning would be the only thing temporary that Staff would look at, but there does need to be changes in the code if that’s the direction Council would like to go with these existing units in existing residential structures. John Dulmer, Community Development, stated that the only other thing Council may want to consider for replacement generators as well. For the short period of time, that might be the only things Council wants to consider, then Staff bring back something for Council to consider long term.

Council Member Quaremba commented, and stated she is in favor of Arleen handling this administratively until we can get something more substantial on the books.

The motion carried unanimously.

X. FIRST READING OF THE FOLLOWING ZONING ORDINANCE (NO PUBLIC COMMENT ALLOWED)

- A. A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BONITA OLD 41, LLC TO REZONE APPROXIMATELY 3.4+/- ACRES FROM SUB AREAS 3A (COMMERCIAL), 6B (MIXED USE), AND 4 (MULTI-FAMILY) WITHIN THE OLD U.S. 41 CORRIDOR REDEVELOPMENT MASTERPLAN IN THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT TO A MIXED USE PLANNED DEVELOPMENT TO ALLOW UP TO 80 MULTI-FAMILY DWELLINGS UNITS AND UP TO 29,000 SQUARE FEET OF COMMERCIAL USES; LOCATED AT 27041, 27080 AND 27092 OLD 41 ROAD, AND 27000 AND 27051 CENTER AVENUE, BONITA SPRINGS, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

7:15:26 pm Council Member Forbes motioned to move forward with a second reading of the Zoning Ordinance on August 15, 2018; Council Member DeWitt seconded; and the motion carried unanimously.

XI. FIRST READING OF THE FOLLOWING ORDINANCES (NO PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA RELATING TO INCREASING THE LOCAL COMMUNICATIONS SERVICES TAX RATE; PROVIDING FOR INTENT; PROVIDING FOR INCREASED LOCAL COMMUNICATIONS SERVICES TAX RATE; PROVIDING FOR NOTICE TO THE DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0239)

6:51:49 PM City Attorney Vance read the title block of the Ordinance and furnished an overview.

Council Member Quaremba motioned to move forward to a second reading on August 15, 2018; Council Member Forbes seconded; and the motion passed 4-3 (Mayor Simmons and Council Members Carr and Gibson opposed)

- B. AN ORDINANCE OF THE CITY OF BONITA SPRINGS AMENDING ORDINANCE NO. 00-08; ADJUSTING THE RATE OF THE FLORIDA POWER AND LIGHT COMPANY NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE, PROVIDING FOR PAYMENTS TO THE CITY OF BONITA SPRINGS, PROVIDING FOR PAYMENTS TO THE CITY OF BONITA SPRINGS, AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0238)

6:59:15 PM City Attorney Vance read the title block of the Ordinance into the record and provided a brief overview.

6:59:50 PM Council Member Forbes motioned to move forward with a second reading of the Ordinance on August 15, 2018; Council Member Quaremba seconded; and the motion passed 4-3 (Mayor Simmons and Council Member Carr and Gibson opposed)

XII. FIRST READING OF THE FOLLOWING ORDINANCES (PUBLIC COMMENT ALLOWED):

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE 4 (ZONING); CREATING §4-28, NEIGHBORHOOD MEETINGS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0225)

7:17:34 PM City Attorney Vance read the title block of the Ordinance into the record.

7:18:14 PM Council Member Forbes motioned to hold the second reading and public hearing on Wednesday, September 5, 2018; Council Member O'Flinn seconded.

Public comments:

7:24:41 PM Jerry Miller explained that he was unable to attend the September meeting.

The motion carried unanimously.

- B. AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE 4 (ZONING); AMENDING §4-326, DEVIATIONS FROM GENERAL ZONING REGULATIONS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0226)

Council Member Forbes motioned to move forward with a second reading and public hearing of the Ordinance on September 5, 2018; Council Member Quaremba seconded.

No public comments were made.

The motion carried unanimously.

- C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE 4 (ZONING); CREATING §4-371, ALLOCATION OF DENSITY AND INTENSITY FOR MIXED USE DEVELOPMENT; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0227)

7:28:44 PM City Attorney Vance read the title block and read title block into the record, and addressed revisions made.

Council Member DeWitt motioned to move forward with a second reading and public hearing on September 5, 2018; Council Member Quaremba seconded.

Public Comments:

7:29:48 PM Ron Pure asked if this has to do with an article he read relating to density downtown, suggested that if it does, he hopes Council addresses it further tonight so they know where this is going and what the impact could be on downtown of expanding the buildings that Council approved in the past.

The motion passed 6-1 (Council Member Gibson opposed)

- D. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING A PORTION OF THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, SO AS TO AMEND THE FUTURE LAND USE MAP, FOR THAT SMALL SCALE DEVELOPMENT AMENDMENT KNOWN AS THE "26385 HICKORY BOULEVARD COMPREHENSIVE PLAN AMENDMENT," CPA 18-47254-BOS, LOCATED IN SECTION 25, TOWNSHIP 47 SOUTH, RANGE 24 EAST, TO REDESIGNATE APPROXIMATELY 10,000 SQUARE FEET OF LAND FROM GENERAL COMMERCIAL TO MODERATE DENSITY RESIDENTIAL TO PERMIT THE DEVELOPMENT OF ONE (1) SINGLE FAMILY DWELLING UNIT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND

PLANNING AGENCY, PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (GREENSHEET NO. 18-08-0228)

7:31:48 pm City Attorney Vance read the title block of the Ordinance into the record for the Comprehensive Plan Amendment.

Council Member Carr motioned to move forward with a second reading on August 15, 2018; Council Member Forbes seconded; and the motion carried unanimously.

XIII. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES (PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR THE RECOVERY OF PROFESSIONAL FEES AND COSTS FOR THE REVIEW OF CERTAIN ENUMERATED DEVELOPMENT APPLICATIONS AND PROCEDURES THEREFORE; PROVIDING FOR FIXED FEES FOR THE REVIEW OF CERTAIN ENUMERATED DEVELOPMENT APPLICATIONS; PROVIDING FOR PAYMENT OF COST RECOVERY AND FIXED FEES; PROVIDING CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0230)

7:34:34 PM City Attorney Vance read the title block of the Ordinance into the record, and furnished a brief overview.

Council Member Quaremba motioned approval of the Ordinance; Council Member DeWitt seconded.

No public comments were made.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 18-11**

- B. AN ORDINANCE REPEALING AND REPLACING BONITA SPRINGS CODE SECTIONS 24-1 THROUGH 24-114, THE FLOOD ORDINANCE, TO ADOPT A FLOOD HAZARD REDUCTION ORDINANCE; SECTIONS 24-1 THROUGH 24-114; DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDE FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0231)
 - 1. DIRECTION RELATED TO THE INCLUSION OF A NONCONVERSION AGREEMENT IN CHAPTER 24 FLOOD HAZARD REDUCTION ORDINANCE AND CHAPTER 10 BUILDINGS AND BUILDING REGULATIONS. IF THE INCLUSION IS APPROVED, DIRECTION FROM COUNCIL IS REQUESTED TO WHICH AGREEMENT DOCUMENT IS IMPLEMENTED. (GREENSHEET NO. 18-08-0240)

7:37:27 PM City Attorney Vance read the title block of the Ordinance into the record. She explained that these changes needed to be made to the Ordinance to make it consistent with the NFIP requirements to stay within the insurance program.

Council Member DeWitt motioned adoption of the Ordinance; Council Member Quaremba seconded.

7:38:43 PM Ayita Williams, Community Development, responded to Council questions.

Public Comments:

[7:41:22 PM](#) Kathy McGrath asked if this has to do with Community Rating System, and thanked Council.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 18-12**

Item 1. above:

[7:42:47 PM](#) Ron Pure posed several questions.

Council Member Quaremba motioned approval of Item 1.; Mayor Simmons seconded; and the motion carried unanimously.

- C. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; RELATING TO BUILDING AND CONSTRUCTION CODES; ADOPTING LOCAL TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE; ADDING DEFINITIONS FOR DETERMINING REPETITIVE LOSS, SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT; INCLUDING A FISCAL IMPACT STATE; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, INCLUSION IN CODE; SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-08-0232)

Council Member Quaremba motioned adoption of the Ordinance; Mayor Simmons seconded.

No public comments were made.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 18-13**

XIV. PUBLIC COMMENT:

[7:49:50 pm](#) Kathy McGrath informed all that Sean Gibbons with Community Development is helping with the film festival.

[7:52:19 pm](#) Bonnie Wittimore reported that the roundabouts were working great!

[7:53:21 pm](#) Ron Pure addressed Spring Creek and suggested giving thought to addressing with WCIND also. He also supports the idea of a line of credit.

XV. CITY ATTORNEY'S REPORT:

[7:56:22 pm](#) City Attorney Vance informed Council of a new lawsuit, and an executive session scheduled for August 14, 2018 at 1:00 P.M.

XVI. CITY MANAGER'S REPORT:

- A. REVIEW ATTACHED DOCUMENTATION FROM VARIOUS MUNICIPALITIES AND PROVIDE DIRECTION TO STAFF TO CONDUCT FURTHER RESEARCH AND DRAFT A GOLF COURSE REDEVELOPMENT ORDINANCE. (GREENSHEET NO. 18-07-0244)

[7:58:51 pm](#) Mike Fiigon, Community Development, furnished a PowerPoint presentation (copy in Clerk's file) in which Staff is seeking direction on how they would like Staff to move forward in the drafting of the Ordinance. Staff has provided three choices in their request for direction – no development, limited development, or complete development. To recap, the level of development is one of the area's Staff is

seeking direction, and the second area is how to tackle it within the code itself – create an overlay district, provide supplementary regulations in the code, or tackle the planned development process.

8:11:35 pm Council Member Forbes stated he would prefer some development, and include a large water retention area, and limit to residential. He doesn't feel that an overlay would work.

8:15:40 pm Council Member Quaremba stated she would support a more moderate approach. She also feels that they definitely need regulations.

8:19:18 pm Council Member O'Flinn addressed and stated he would support b. He would also want citizen input. In response to Mayor Simmons relating to Staff's timeframe, as he wants to make sure this is addressed when people are back from up north, as he would like to push this back into season to allow for input from those citizens. Mr. Fiigon stated there is a moratorium that expires in December for golf course redevelopment. Season is January through April, and they require a potential extension of the moratorium in that case.

Mayor Simmons motioned to extend the moratorium, and discussion followed.

8:24:49 pm Interim Manager Hunter suggested having Attorney Theriaque provide back to Council. She further suggested that late Fall, after Staff and special counsel have an opportunity to put more information into this, Staff can come back to Council for more direction before they begin the public hearing process so that they are on the same page of where Council would like to be before they do the outreach to the community. Council consensus yes.

direction - 8:25:29 pm give update to council and maybe extend moratorium

- B. PROVIDE DIRECTION TO STAFF WHETHER CERTAIN PROPERTY ON BONITA BEACH ROAD, WHICH HAS EXPERIENCED FLOODING, SHOULD REMAIN RESIDENTIAL OR PURSUE THE POTENTIAL OF COMMERCIAL REDEVELOPMENT. (GREENSHEET NO. 18-08-0250)

8:27:01 pm John Dulmer furnished a PowerPoint presentation to address the subject property. Other than the two commercial properties all the other properties have been developed as single-family in one of the older neighborhoods in the City. He further explained. Interim Manager Hunter informed Council of a conversation with DPZ and they do want to ensure that any development on the north side, the part that greets Chapman, that they would be completely buffered and that neighborhood entity would be intact. She further explained.

8:32:41 pm Council Member Forbes stated he was in favor of this, and suggested having the stormwater people look at this. He feels they have to elevate the stores so water can go under and leave the parking lot down in the flood zone. Mr. Dulmer agreed, adding that if Council decide to rezone this property wherever you stop that commercial property, the impacts of that commercial, i.e., stormwater, aesthetics, traffic, need to be mitigated against that existing residential neighborhood.

8:35:22 pm Council Member DeWitt recommended doing the entire block.

8:36:15 pm Council Member O'Flinn expressed concerns about the houses on Chapman, as there are people who may want to keep their homes. He further addressed.

8:38:54 pm Interim Manager Hunter addressed a discussion with DPZ, explaining that there are different options of shared use parking and clustering, which she thinks this might be an opportunity if the City wants to look at a city-initiated that Staff will work with DPZ on that proceses to show what creates the least impact and provides the regulations that are needed. There are some suggestions that they had regarding opportunities in looking at sharing the uses there. John Dulmer Community Development, added that a couple of the options that they had looked at in terms of a design for access and redevelopment,

would include access along the north property line, which would work if you do the entire block or half the block. If Council started with half and decided they liked it they could always come back later, or Council can decide to go in right away and start from there. Council Member Quaremba stated she would not be in favor of placing any kind of regulation here until we have some kind of professional input into what we want to see here and how we want it to evolve. She would be in favor of just the front.

8:42:40 pm Council Member Forbes stated he would be in favor of having DPZ look at this right away and come back and present something to Council a little more thought out, including the raising. Interim Manager Hunter explained that this evening staff is looking for the direction of whether Council would like Staff to pursue a city-initiated rezoning, at which point Staff would work with DPZ and special counsel.

Mayor Simmons motioned for Staff to move forward with a city-initiated rezoning for the southern portion of the property, Council Member Carr seconded; and the motion carried unanimously.

C. REVIEW THE BID RESULTS FROM THE SPRING CREEK DREDGING PROJECT SOLICITATION, AND PROVIDE DIRECTION TO STAFF. (GREENSHEET NO. 18-08-0252)

8:45:39 PM Interim Manager Hunter introduced this item, in which Staff is seeking direction from City Council. Public Works Director Matt Feeny furnished an overview.

8:48:19 PM Council Member O’Flinn motioned to approve and do quickly; Council Member DeWitt seconded; and the motion carried unanimously.

8:53:09 PM Interim Manager Hunter next provided Council with updates on the LMS projects, a conference call she had with DPZ, and upcoming change orders, and a change order for a open house/workshop for the introduction of the form based code.

XVII. MAYOR AND COUNCIL MEMBER REPORTS:

8:55:16 pm Council Member Quaremba recognized police officer Adam Jobbers-Miller who lost his life in the line of service.

8:56:33 pm Council Member DeWitt addressed concerns he has regarding the millage rate.

8:57:48 pm Council Member Carr also recognized Adam Jobbers-Miller.

8:58:28 pm Council Member Forbes informed Council of a meeting he had with John Jenkins of BSU and a potential septic tank project. He also complimented Arleen on the great job she is doing!

9:00:26 pm Council Member O’Flinn informed Council of a Greensheet he will be bringing forward at Council’s next meeting to make Arleen the City Manager.

9:00:44 pm Mayor Simmons stated he would support making Arleen the permanent City Manager, which he addressed. Mayor Simmons, at the suggestion of Council Member O’Flinn to prepare Greensheet for Council’s next meeting. He also addressed viewing hours and fundraising events planned for Officer Adam Jobbers-Miller.

XVIII. APPROVAL OF MINUTES: 07/09/18 BUDGET AND 07/18/18

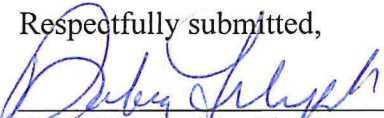
Council Member Forbes motioned approval of the Minutes; Council Member DeWitt seconded; and the motion carried unanimously.

XIX. PUBLIC COMMENT:

XX. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 9:09 P.M.

Respectfully submitted,



Debra Filipek, City Clerk

APPROVED:
CITY COUNCIL ZONING BOARD

Date: 8/21/18

AUTHENTICATED:



Peter Simmons, Mayor

Peter Simmons, Mayor