

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, JUNE 21, 2017,
9:00 A.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 5:30 P.M.

I. INVOCATION

Pastor C.J. Hill, with First United Methodist Church, furnished the invocation.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Mayor Simmons and all Council Members were in attendance.

II. PUBLIC COMMENT ON AGENDA ITEMS

9:03:34 AM Bruce Hogue thanked Council for fixing their problem with Tennessee Street.

9:03:50 AM Barbara Craig addressed the Weeks Fish Camp and potential funding options. It is the last potential access to Estero Bay. She also addressed the super majority Ordinance and urged Council's support. Lastly, she addressed a concern regarding the increasing number of failing golf courses.

9:08:35 AM Daniel Drier, owner of a business on Old 41, addressed Consent Agenda item B., regarding the mural, which he sees as amazing. He urged Council's approval.

9:09:12 AM Jim Weeks was in attendance to address the Week's Fish Camp property.

9:11:34 AM Ron Pure addressed the BSU presentation, and suggested Council request the different tiers of those associated with BSU.

9:14:38 AM Chris Olney, a resident of Eldorado Acres representing the residents, and member of the Coconut Road West Coalition, was in attendance to also speak on the Weeks Fish Camp property agenda item. They want and need road access. If it isn't developed with a developer, he suggested perhaps a partnership with Estero or 2020, as it would be great, and the property be developed with a park with public boat access.

9:16:30 AM Peter Kane, Vice President of the Pelican Landing Community Association, also commented on Weeks Fish Camp and to hope that Council takes into account the entire area at the end of Coconut Road.

9:19:31 AM Joann Ribble also addressed the Weeks Fish Camp property, and stated that if it is developed with residential, that Council limit the density at the end of Coconut Road.

9:20:52 AM Rick Steinmeyer commented on the agreement with Cullum Hasty.

III. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF THE FPZA 2017 OUTSTANDING EDUCATION AWARD FOR THE BONITA BEACH ROAD VISIONING/QUADRANT STUDY/EAR BASED AMENDMENTS.

Mayor Simmons next presented Assistant City Manager Arleen Hunter, Community Development Staff, Waldrop Engineering, etc., with the 2017 Outstanding Education Award for the Bonita Beach Road Visioning/Quadrant Study/Ear Based Amendments.

B. PRESENTATION ON BEHALF OF THE ART IN PUBLIC PLACES BOARD REGARDING THE PROPOSED MURAL CONCEPT, DESIGN AND INSTALLATION OF AN ART IN THE SUN MURAL TO BE LOCATED AT 27657 OLD 41 ROAD, BONITA SPRINGS. (GREENSHEET NO. 17-06-0240)

9:28:05 AM Assistant City Manager Arleen Hunter, Chairman of the Art in Public Places Board Nigel Fullick and Artist Jared Stinchcomb were in attendance to address this item, involving the proposed mural to be located at 27657 Old 41 Road. Mr. Stinchcomb furnished a Powerpoint presentation on his proposed designs (copy in Clerk's file).

9:45:14 AM Council Member Amy Quaremba motioned to approve Consent Agenda Items B. and C.; Council Member Peter O'Flinn seconded; and the motion carried unanimously.

C. PRESENTATION ON BONITA SPRINGS UTILITIES BY ED FITZGERALD AND JUDE RICHVALE. (GREENSHEET NO. 17-06-0241)

9:47:23 AM Jude Richvale and Ed Fitzgerald were in attendance to furnish PowerPoint presentations (copies in Clerk's file) on "BSU Ballot Discrepancies" and "Does BSU Deserve a Franchise?"

10:00:22 AM John Jenkins, with Bonita Springs Utilities, responded to concerns by Mr. Fitzgerald and Mr. Richvale. Discussion followed.

10:14:20 AM Council Member O'Flinn motioned for the City Attorney to research the City's rights and responsibilities as it relates to Bonita Springs Utilities; Council Member DeWitt seconded; and the motion carried unanimously.

D. PRESENTATION BY HORIZON COUNCIL.

10:16:40 AM Chris Spiro furnished a PowerPoint presentation (copy in Clerk's file) to update City Council on work of the Horizon Council. Their goal is to reach out to businesses, government entities and other community partners to develop open lines of communication related to economic development and economic development issues throughout the region. He further touched on companies relocating to Lee County, job creation, wages, etc.

E. SUMMARIZATION OF 2016/2017 EVENT SEASON. (GREENSHEET NO. 17-06-0238; DEWITT)

10:22:58 AM Council Member Greg DeWitt introduced this agenda item, and Communications Director Lora Taylor furnished a brief overview, reporting that the City has had a successful event season that began with 4th of July and ending with Memorial Day. The City has hosted over 13 events, with approximately 50 community sponsors. She next introduced Bobbi Bird and Terri Lemaine, both members of the Special Events Committee members who addressed events, after which a video chip highlighting all the City events was played.

F. REVIEW AND DISCUSSION OF WEEK'S FISH CAMP PROPERTY – HISTORY – VISION. (GREENSHEET NO. 17-06-0239)

10:40:14 AM John Dulmer, Community Development, introduced this item which involves property that is very important to numerous residents. The discussion deals with general concepts and ideas for the property, how it was previously used, and how Council would like to move forward. The one theme to date has been public access. In terms of public access, the question regards how Council would like to see that play out.

10:44:03 AM Council Member Quaremba informed Council that developers have been going to Community Development asking what the City wants, to which the response was that they don't have an image or concept. Overall, since they didn't have an answer, she felt it would be good to have an answer. To respond to Mr. Dulmer's question, she stated that they want people who are not particularly associated with whatever development there to have access to launch mechanism or dockage. They definitely need to preserve the idea that it was accessible to so many people for so long, and had the fish camp atmosphere which she feels should be preserved in some way. She feels there is a need to ratify that original decision so that when someone goes to Community Development Staff can inform them that Council has reinforced that idea.

10:44:39 AM Council Member Forbes questioned entitlements, to which Mr. Dulmer responded that the entitlements are unique in that it was a slow assemblage of single family lots and an annexation for the overall property with a corresponding Future Land Use Map Amendment and zoning. The other half of the property is not yet in the city and is part of the combination of this in going forward.

10:46:41 AM Council Member O'Flinn stated low impact access for water and paddle craft is important. He referred to height and asked if that was something that could be looked at in terms of what is there. Mr. Dulmer stated it can be, and if Council chooses to examine that, there are Comprehensive Plan Amendments that will be sent to the state in the future. He further explained and suggested work with outside Counsel to prepare options. Council Member O'Flinn stated that would be a great idea.

10:49:27 AM Council Member Greg DeWitt stated he feels it's important to keep it open to the public, either with a nominal charge or free. Also, with its proximity so close to the Hyatt, he would suggest a place where people can dock a boat to dine at nearby restaurants.

10:50:48 AM Council Member Gibson agreed with comments by Council Member DeWitt for motor boats and power crafts, and that the marina have some public use. Also, an observation area and restaurant would be nice.

10:56:10 AM Council Member Quaremba stated she feels the emphasis needs to be on the marina, with restaurants and specialty retail relating to boating.

10:56:37 AM Mayor Simmons stated that another factor is the road and related expenses. He fully supports a marina.

ADDITIONAL ITEM:

11:01:00 AM Council Member Steve Slachta introduced Captain Blake Lee and addressing a recent incident that occurred in DC. He stressed the importance of our Community Policing unit.

- IV. 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.)

11:03:06 AM Council Member Gibson pulled Item H., to address timing.

Council Member DeWitt motioned to approve the remainder of the Consent Agenda; Council Member Slachta seconded; and the motion carried unanimously.

- A. APPROVE SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE AMERICAN LEGION POST 303 "BLESSING OF THE BIKES" ON SUNDAY, JANUARY 28, 2018 FROM 1:00 PM TO 4:00 PM AT 27678 IMPERIAL SHORES BLVD., BONITA SPRINGS. (GREENSHEET NO. 17-06-0204)
- B. APPROVE THE DRAFT AGREEMENT WITH THE CITY TO RETAIN ARTIST JARRETT STINCHCOMB FOR THE DESIGN AND INSTALLATION OF A MURAL TO BE LOCATED AT 27657 OLD 41 ROAD. (GREENSHEET NO. 17-06-0235)
- C. APPROVE THE FAÇADE AGREEMENT WITH 2 BLESSED LLC FOR THE PROPERTY LOCATED AT 27657 OLD 41 FOR THE INSTALLATION OF A MURAL AND PRESERVATION OF AN EASEMENT FOR TEN (10) YEARS. (GREENSHEET NO. 17-06-0236)
- D. ACCEPT THE LETTER FROM LEE COUNTY GOVERNMENT TO CONTINUE THE LEASE FOR 10520 REYNOLDS STREET FOR THE LEE COUNTY SHERIFF'S OFFICE SUBSTATION. (GREENSHEET NO. 17-06-0218)
- E. AUTHORIZE MAYOR AND STAFF TO EXECUTE THE CORRECTED SATISFACTION AND RELEASE OF STOREFRONT GRANT FUNDING MORTGAGES PREVIOUSLY PROVIDED TO JAKOB'S INTERLOCKING PAVING & DESIGN, INC. (GREENSHEET NO. 17-06-0223)
- F. APPROVE A PERMIT FOR THE SHOP LOCAL PRODUCTIONS TO OPERATE A FLEA MARKET AT 3756 BONITA BEACH ROAD, BONITA SPRINGS ON SATURDAYS, OCTOBER 7, 2017 – APRIL 28, 2018 FROM 9:00 A.M. – 2:00 P.M. (GREENSHEET NO. 17-06-0224)
- G. APPROVE RECOMMENDATIONS FROM THE VETERANS ADVISORY COMMITTEE TO DONATE TO THE AMERICAN LEGION POST 303, VFW POST 4254 AND THE BONITA SPRINGS ASSISTANCE OFFICE WITH FUNDS FROM THE VETERANS FUND. (GREENSHEET NO. 17-06-0233)
- H. AUTHORIZE MAYOR TO SIGN AN INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE CITY OF BONITA SPRINGS FOR TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION FOR THE OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS AND FLASHING WARNING SIGNALS ON THE CITY'S ROADWAYS. (GREENSHEET NO. 17-06-0220)

10:44:03 AM Council Member Gibson stated he pulled this item because on the back it listed the light at West Terry and Bay Landing Drive and being interconnected and monitored. He asked if they can work on the timing between that light at the light at 41 and Terry. Public Works Director Matt Feeney stated he would contact Lee County and have them look at it. In response to Council Member DeWitt, Director Feeney stated he would also check into the timing of the lights on Bonita Beach Road and get a more detailed update. It is in the works.

Council Member Gibson motioned to approve; Council Member O'Flinn seconded, and the motion carried unanimously.

- V. FIRST READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE (NO PUBLIC COMMENT):
 - A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS; SETTING FORTH THE PARKS AND RECREATION FEE SCHEDULE; PROVIDING FOR CONFLICTS OF LAW,

SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0222)

1:04:42 PM City Attorney Audrey Vance read the title block of the Ordinance into the record, and Parks and Recreation Director Nicole Perino furnished a brief overview.

1:06:13 PM Council Member Slachta motioned to move forward with a second reading of the Ordinance on July 5, 2017; Council Member Quaremba seconded; and the motion carried unanimously.

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

A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 3 (DEVELOPMENT STANDARDS); REVISING ARCHITECTURAL STANDARDS FOR NON-RESIDENTIAL BUILDINGS; AMENDING §3-488, ALTERNATE DESIGNS; §3-489, BUILDING DESIGN STANDARDS; §3-490, DESIGN STANDARDS FOR SPECIFIC BUILDING TYPES; §3-491, SITE DESIGN STANDARDS; §3-492, EXCEPTIONS AND INTERPRETATIONS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0213)

1:07:46 PM City Attorney Vance read the title block of the Ordinance into the record.

1:09:33 PM Council Member Gibson referred to the section addressing screening for generators and questioned the generator outside at City Hall.

Council Member Slachta motioned to adopt; Council Member O'Flinn seconded.

PUBLIC COMMENT:

1:10:05 PM Mike Maurer furnished a PowerPoint presentation. Need to define the term "visible" and how built-out developments are treated.

1:16:05 PM Stan Stouter, a resident of the City, addressed buffering. He feels the ordinance creates additional problems where there are uses that are transitory.

1:26:11 PM City Attorney Vance restated the motion.

Council Member O'Flinn motioned to adopt the Ordinance; Council Member Forbes seconded; and the motion carried unanimously. **ADOPTED ORDINANCE NO. 17-10**

B. AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-303, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN, CLARIFYING THE INTENT THAT COMMUNITY DEVELOPMENT DIRECTOR MAY OBTAIN ADDITIONAL INFORMATION DURING APPLICATIONS FOR REINSTATEMENTS AND EXTENSIONS OF MASTER CONCEPT PLANS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

AND

AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-303, DURATION OF RIGHTS CONFERRED BY

ADOPTED MASTER CONCEPT PLAN, PROHIBITING APPLICATIONS OF REINSTATEMENT OF EXPIRED MASTER CONCEPT PLANS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0215)

1:27:16 pm City Attorney Vance read the title block of both Ordinances into the record, informing City Council of a pending application.

1:30:48 pm Council Member O'Flinn motioned to adopt the second Ordinance; Council Member Forbes seconded.

No public comments were made.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 17-09**

C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-53, FUNCTIONS AND AUTHORITY OF CITY COUNCIL; REQUIRING AN AFFIRMATIVE VOTE OF FIVE OR MORE COUNCIL MEMBERS FOR A DECISION BY CITY COUNCIL TO AMEND THE COMPREHENSIVE PLAN SPECIFICALLY RELATED TO BUILDING HEIGHTS OVER SEVENTY-FIVE (75') FEET FOR APPLICATIONS RECEIVED AFTER A SPECIFIED DATE; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0214)

1:33:59 pm City Attorney Vance read the title block of the Ordinance into the record.

1:34:48 pm Council Member Quaremba motioned to adopt the Ordinance; Council Member O'Flinn seconded.

No public comments were made.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 17-11**

D. ERRATA SHEET – REVISED ORDINANCE: AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; DECLARING A TEMPORARY MORATORIUM RELATED TO THE BONITA BEACH ROAD VISIONING STUDY AND QUADRANT STUDY IN THE COMPREHENSIVE PLAN AMENDMENT APPROVED MAY 3, 2017 AS ORDINANCE NO. 17-06; ESTABLISHING A MORATORIUM ON THE PROCESSING OF ANY ZONING OR OTHER COMMUNITY DEVELOPMENT APPLICATIONS WITHIN THE BONITA BEACH ROAD QUADRANT MAP OR BONITA BEACH ROAD CORRIDOR AREA (NETWORK ZONE MAP); PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0216)

1:36:22 pm City Attorney Vance read the title block of the Ordinance into the record, addressing revisions made.

1:41:38 pm Council Member Gibson motioned to approve, as revised, to exempt Bonita Exchange and Bernwood; Council Member DeWitt seconded. Council discussion followed.

PUBLIC COMMENT:

2:02:55 pm Rick Steinmeyer addressed the Ordinance.

2:03:29 pm Mike Maurer, representing Bernwood, furnished a PowerPoint presentation (copy in Clerk's

file). He is here to request the Bernwood be exempt.

2:27:08 pm Attorney Charles Basinait, representing Mr. McGarvey, was in attendance to ask that it not affect Mr. McGarvey's project.

2:30:28 pm Keith Jennings asked that it also not affect his development and that he be afforded the same exemption as Bernwood.

2:38:10 pm Colin Roskin stated he is working with City Staff on a project next to Culver's and his project does comply with the vision. He has a car wash planned for the site.

2:54:25 pm Jim Fox, with Roetzel and Andress, representing Angler's Paradise, asked that this project also be exempt.

2:57:06 pm Stan Satur, with Oakland Park CPD, asked to be relieved from having to build right on the road.

2:59:48 pm Barbara Craig asked that any action on this Ordinance be postponed.

Discussion followed.

3:00:52 pm City Attorney Vance provided an overview of modifications.

The motion passed 6-1 (Council Member O'Flinn opposed)

ADOPTED ORDINANCE NO. 17-12

VII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. APPOINTMENT OF CHAIR TO THE BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND ZONING BOARD OF APPEALS. (GREENSHEET NO. 17-06-0221; MAYOR SIMMONS)

3:15:34 PM Mayor Simmons motioned to approve the Resolution appointing Lawrence Kurlander as Chair to the Board; Council Member O'Flinn seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 17-28**

- B. DISCUSSION OF STAFF FOLLOW UP - (MAYOR SIMMONS)

11:07:55 AM Mayor Simmons addressed concerns with Staff follow-up, and a specific situation with B & L Automotive, and the appointment of a Chair to the Zoning Board. Council discussion followed.

- C. DISCUSS WHAT EVER HAPPENED TO SO-CALLED "GOVERNMENT LITE" IN BONITA SPRINGS. (GREENSHEET NO. 17-06-0234; O'FLINN)

12:20:09 PM Council Member O'Flinn addressed this Greensheet and suggested having a discussion on "Government Lite." He suggested having this discussion during budget. Council Member Quaremba suggested discussing department by department or function by function basis.

- D. DISCUSS SUGGESTIONS TO IMPROVE TRANSPARENCY FOR BONITA SPRINGS TAXPAYERS IN THE BUDGET PROCESS, AND TO ENABLE CITY COUNCIL TO MAKE FULLY INFORMED BUDGET DECISIONS BASED ON REALISTIC BUDGET DECISIONS BASED ON REALISTIC BUDGET NUMBERS. (GREENSHEET NO. 17-06-0237; O'FLINN)

12:24:03 PM Council Member O'Flinn furnished an overview and discussion was held. He sees Staff's job is to provide realistic budget numbers that decisions can be made against. He'd like to see a presentation where Council will have the ability to realistically access what the increases are.

12:26:04 PM Council Member O'Flinn requested Community Development Staff to look at and brief Council on what Collier County is going with respect to golf course developments.

- E. **ERRATA SHEET – WALK-ON:** DISCUSSION AND DIRECTION TO STAFF ON PARKING FOR THE LAUNDROMAT LOCATED AT OLD 41 AND TERRY STREET. (GREENSHEET NO. 17-06-0242; GIBSON)

12:27:11 PM Council Member Gibson furnished an overview of the issue as set out in the Greensheet. Direction to Staff to see if there's anything that can be done to help move the 8 parking spots to his back lot. Assistant City Manager Arleen Hunter suggested also meeting with the City's architect and Jay Sweet on design guidelines and what might be appropriate and bring back.

12:43:01 PM Council Member Forbes next addressed a letter he furnished to Council addressed to Mayor Simmons and City Council regarding the Board of Directors of Hunters Ridge vote to close the median on Bonita Beach Road directly in front of Hunters Ridge Boulevard as quickly as possible.

Council Member Forbes motioned to send letter to Lee County DOT, FDOT and the Lee County MPO; Council Member O'Flinn seconded; and the motion carried unanimously.

12:45:18 PM Council Member Forbes updated everyone on the Policy Committee meeting he attended the previous week relating to local home rule and water quality. He also informed them of an upcoming bill relating to recycling. Discussion was also held on the July 5, 2017 City Council meeting, with Council Member O'Flinn suggesting a limited agenda.

- F. **ERRATA SHEET 3 – WALK-ON:** AUTHORIZE STAFF TO EXTEND THE CITY'S LOAN TO EVERGLADES WONDER GARDENS FOR 90 DAY PERIOD TO ALLOW APPROPRIATE TIME FOR FINALIZATION OF ARRANGEMENTS FOR STEWARDSHIP OF THE PROPERTY, UNDER CITY OWNERSHIP, BY BONITA WONDER GARDENS, INC. (GREENSHEET NO. 17-06-0244; O'FLINN)

11:55:52 AM Council Member O'Flinn furnished an overview of this agenda item, and discussion followed.

12:08:06 PM Council Member DeWitt motioned to approve the 90-day extension; Council Member Slachta seconded; and the motion carried unanimously.

ADDITIONAL ITEM:

12:19:29 PM Council Member O'Flinn reported that tomorrow he and Nick Batos will be meeting with a senior executive at a national non-profit on acquiring right-of-ways. They are taking him on a tour of Bonita Springs and Estero.

VIII. PUBLIC COMMENT:

12:49:36 PM Rick Steinmeyer addressed the Weeks Fish Camp property and suggested looking at buying marina and developing it for the public. He also addressed the Bonita Wonder Gardens and commented on the laundromat.

12:52:14 PM Jude Richvale addressed BSU and ballots.

12:54:03 PM Ed Fitzgerald again commented on BSU and the City's. He would like to submit the names of 3 or 4 attorney's to the Mayor to contact.

12:55:34 PM Jim Weeks addressed public access on the Week's Fish Camp property.

12:57:18 PM Ann Cramer addressed the supermajority Ordinance. She encouraged Council to continue with the concept of "small town charm." She also addressed the Weeks Fish Camp property and was informed there may be a building exceeding the 75 feet. She also addressed a DRI development in the area.

1:00:45 PM Kathy McGrath expressed her support for Staff.

1:03:03 PM Carolyn also commented on the Weeks Fish Camp. Also supports the supermajority Ordinance.

IX. CITY ATTORNEY'S REPORT:

- A. PURSUANT TO FLORIDA STATUTES §166.045, APPROVE BY EXTRAORDINARY VOTE THE VACANT LAND CONTRACT FOR 27761 TAMIAMI. PARCEL IS NECESSARY FOR RIGHT-OF-WAY ACQUISITION FOR THE NE QUADRANT. (GREENSHEET NO. 17-06-0230)

3:25:02 PM Council Member DeWitt motioned to approve; Council Member Slachta seconded; and the motion carried unanimously.

- B. REVIEW REAL ESTATE "AS IS" RESIDENTIAL CONTRACT FOR SALE AND PURCHASE BY AND BETWEEN RICHARD BERTOLD, LUCY HAWKINS, RUSSELL A. BERTOLD AND BOEY RUSSELL BERTOLD (HEREIN COLLECTIVELY "SELLER") AND THE CITY OF BONITA SPRINGS, FOR PROPERTY LOCATED AT: 27675 KENT ROAD, SUBJECT TO A LIFE ESTATE WITH CULLUM HASTY. APPROVE AGREEMENT OR CONSIDER ADVANCING PURCHASE SO THAT CLOSING OCCURS WITHIN THIS FISCAL YEAR. (GREENSHEET NO. 17-06-0232)

3:25:40 PM City Attorney Vance furnished a brief overview as set out in the Greensheet.

3:26:35 PM Council Member Forbes motioned to approve; Council Member DeWitt seconded; and the motion carried unanimously.

- C. PROVIDE DIRECTION RELATIVE TO THE PETITION BY MEDITERRA NORTH TO MERGE THE BOUNDARIES OF ITS COMMUNITY DEVELOPMENT DISTRICT WITH MEDITERRA SOUTH COMMUNITY DEVELOPMENT DISTRICT, LOCATED IN COLLIER COUNTY. DETERMINE WHETHER TO HOLD THE OPTIONAL HEARING IN BONITA SPRINGS. (GREENSHEET NO. 17-06-0231)

3:27:53 PM City Attorney Vance addressed this item involving a request to waive any additional requirements of a public hearing, without participation in the case before the State of Florida Land and Water Adjudicatory Commission.

3:28:33 PM Council Member DeWitt motioned to approve; Council Member O'Flinn seconded; and the motion carried unanimously.

- D. PROVIDE DIRECTION REGARDING A DRAFT ORDINANCE DISSOLVING THE BEACH ROAD ESTATES COMMUNITY DEVELOPMENT DISTRICT (CDD). (GREENSHEET NO. 17-06-0225)

3:29:06 PM Council Member Quaremba motioned to move forward with the Ordinance to dissolve; Council Member O'Flinn seconded; and the motion carried unanimously.

- E. PERMISSION TO ADVERTISE AN ORDINANCE THAT WOULD AUTHORIZE ISSUANCE OF TRESPASS WARNINGS AND APPEAL PROCESS FOR TRESPASS ON CITY PROPERTY. IF APPROVED TO ADVERTISE, THE ORDINANCE WILL BE SCHEDULED FOR A FIRST READING ON JULY 19, 2017, WITH A SECOND READING AND FINAL PUBLIC HEARING ON AUGUST 2, 2017. (GREENSHEET NO. 17-06-0217)

3:30:25 PM Council Member O'Flinn motioned to move forward with the Ordinance; Council Member Quaremba seconded; and the motion carried unanimously.

- F. PROVIDE DIRECTION AS TO HOW TO PROCEED WITH MEDICAL MARIJUANA TREATMENT CENTERS, IN LIGHT OF THE RESTRICTIONS IMPOSED ON LOCAL GOVERNMENTS WITH THE NEW AMENDMENTS TO STATE LAW. (GREENSHEET NO. 17-06-0229)

3:31:19 PM City Attorney Vance furnished a brief overview.

Council Member O'Flinn motioned to extend the Ordinance; Council Member DeWitt seconded; and the motion carried unanimously.

- G. PERMISSION TO ADVERTISE AN ORDINANCE THAT WOULD INCREASE THE FEES IMPOSED FOR RIGHT-OF-WAY CONNECTIONS BY PUBLIC WORKS. IF APPROVED TO ADVERTISE, THE ORDINANCE WILL BE SCHEDULED FOR A FIRST READING ON JULY 19, 2017, WITH A SECOND READING AND FINAL PUBLIC HEARING ON AUGUST 2, 2017. (GREENSHEET NO. 17-06-0228)

3:40:35 PM City Attorney Vance introduced this item, and Public Works Director Matt Feeney furnished a brief overview, explaining it is for cost recovery of Staff time involved in these events.

3:42:07 PM Council Member O'Flinn motioned to move forward with a first reading of the Ordinance on July 19, 2017; Council Member Slachta seconded; and the motion carried unanimously.

X. CITY MANAGER'S REPORT:

- A. REVIEW OF MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 17-06-0227)

Informational.

- B. REVIEW OF MONTHLY CAPITAL PROJECTS REPORT. (GREENSHEET NO. 17-06-0226)

Informational.

- C. COUNTY SOLID WASTE INCREASE ANNOUNCEMENT. (GREENSHEET NO. 17-06-0219)

3:43:48 PM City Manager Schwing informed City Council of a solid waste rate increase from \$195.21 to \$206.35 per year, an increase of about \$11.00 per year.

- D. **ERRATA SHEET – WALK- ON:** APPROVE BY RESOLUTION RANKINGS OF PRESENTATIONS MADE TO CITY COUNCIL ON JUNE 19, 2017 FOR THE *MULTI-USE PATHWAYS DESIGN, RFQ 17-012*, AND AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM, ALTA PLANNING & DESIGN.

3:45:02 PM Council Member Forbes motioned to approve the Resolution; Council Member O’Flinn seconded; and the motion carried unanimously. **ADOPTED RESOLUTION. 17-30**

XI. MAYOR AND COUNCIL MEMBER REPORTS:

3:46:09 PM Council Member Quaremba asked if something could be done with respect to residents getting responses from Toole Design Group. Mr. Dulmer responded.

3:47:13 PM Council Member DeWitt reported that the mural looks great that was placed on the side of Station 1.

3:47:40 PM Council Member Slachta reminded everyone of the 4th of July parade.

3:48:03 PM Council Member O’Flinn addressed the Wonder Gardens and the pursuit of stewardship and working together.

XII. APPROVAL OF MINUTES: 06/07/17

Council Member Slachta motioned to approve; Council Member DeWitt seconded; and the motion carried unanimously.

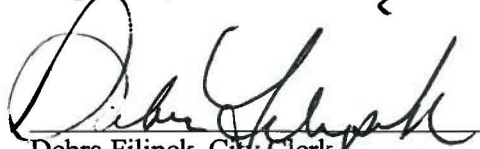
XIII. PUBLIC COMMENT:

4:09:48 PM Rick Steinmeyer commented on Wonder Gardens. Feels City should own the Wonder Gardens.

XIV. ADJOURNMENT:

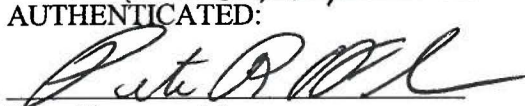
There being no further items to discuss the meeting adjourned at 4:11 P.M.

Respectfully submitted,


Debra Filipek, City Clerk

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 7/17/17

AUTHENTICATED:

Peter Simmons, Mayor