

CITY COUNCIL  
CITY OF BONITA SPRINGS  
WEDNESDAY, JANUARY 6, 2016  
5:30 P.M.  
CITY HALL  
9101 BONITA BEACH ROAD  
BONITA SPRINGS, FLORIDA 34135  
MINUTES

I. CALL TO ORDER:

Mayor Ben L. Nelson, Jr. called the meeting to order at 5:30 P.M.

II. INVOCATION:

Pastor Fred Walters, with New Life Church, furnished the invocation.

III. PLEDGE OF ALLEGIANCE:

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

IV. ROLL CALL:

Mayor Nelson and all Council Members were in attendance.

V. PUBLIC COMMENT ON AGENDA ITEMS

5:40:07 pm Carolyn Gallagher addressed Agenda Item VII. B., regarding the DRGR Water Monitoring Services item. She questioned the reason deep wells are need and how they might be adding to the cost.

5:42:26 pm Deborah Mclean also addressed the water monitoring Agenda Item. She does not support Johnson Engineering.

5:43:28 pm Rick Steinmeyer addressed Agenda Item VII. E., regarding the economic development grant as it relates to the landscaping and sod reimbursement from the City.

5:44:54 pm Cindy Burgess, with the Bonita Springs Chamber of Commerce, was in attendance to request Council's support of Agenda Item, VII. F., regarding the Chamber's Annual Business Expo Event at the Promenade.

5:45:25 pm Fred Forbes suggested that the successful bidder for the water monitoring item come and make a presentation.

5:46:31 pm Jesse Purdon expressed his support for all three Special Event Permits being requested in Agenda Items VII. A, B., and F.

5:47:15 pm John West also addressed the DRGR Water Monitoring Agenda Item, informing Council of research he conducted.

VI. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF CERTIFICATES OF CONGRATULATIONS TO THE WINNERS OF THE BONITA SPRINGS ESSAY CONTEST.

5:51:21 PM Deputy Clark with the Lee County Sheriff's Office, along with several other Deputies, were in attendance to present Certificates of Congratulations to the winners of the Bonita Springs Essay Contest. In attendance were the winners from Bonita Springs Elementary and Spring Creek Elementary.

B. PRESENTATION OF PROCLAMATION TO THE BAREFOOT BEACH CHAPTER OF DAR (DAUGHTERS OF THE AMERICAN REVOLUTION) PROCLAIMING JANUARY 6, 2016 THROUGH DECEMBER 31, 2017 AS THE COMMEMORATION OF THE 50<sup>TH</sup> ANNIVERSARY OF THE VIETNAM WAR.

Mayor Nelson next read aloud a Proclamation proclaiming January 6, 2016 through December 31, 2017 as the commemoration of the 50<sup>th</sup> Anniversary of the Vietnam War. Mary Musto, Chair of the Daughters of the American Revolution, along with several other members, were in attendance to accept the Proclamation and to thank Mayor Nelson and City Council Members.

VII. 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.)

5:59:47 pm Council Member Peter Simmons motioned approval of the Consent Agenda (Items A. through F.); Council Member Bill Lonkart seconded; and the motion carried unanimously.

A. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR THE SOUTHWEST FLORIDA MARINE INDUSTRIES ASSOCIATION FOR "THE BONITA SPRINGS BOAT SHOW" EVENT ON FEBRUARY 25, 2016 TO FEBRUARY 28, 2016 FROM 10:00 A.M. TO 6:00 P.M. AT THE NAPLES-FORT MYERS GREYHOUND TRACK, 10601 BONITA BEACH ROAD. (GREENSHEET NO. 16-01-003)

B. APPROVE BY RESOLUTION THE RANKING OF THE CONSULTANTS BY THE SELECTION COMMITTEE FOR BONITA SPRINGS DRGR WATER MONITORING SERVICES CN 15-015, AND AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM, SOUTH FLORIDA ENGINEERING AND CONSULTING, LLC. (GREENSHEET NO. 16-01-001)

6:00:43 pm Council Member Mike Gibson pulled item B. for Staff to address questions that were asked during public comment by a member of the public. Public Works Director Matt Feeny responded.

6:02:04 pm Council Member Gibson motioned approval; Council Member Simmons seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 16-01**

C. APPROVAL BY RESOLUTION THE RANKING BY THE SELECTION COMMITTEE OF THE PROPOSALS RECEIVED FOR THE CITY'S BANKING SERVICES RFP 15-022, AND AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED PROPOSER, BANKUNITED. (GREENSHEET 16-01-004) **ADOPTED RESOLUTION NO. 16-02**

- D. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE ROTARY CLUB OF BONITA SPRINGS AND FRIENDS OF LOVERS KEY STATE PARK'S "LOVERS KEY NAUTICAL FLEA MARKET AND BOAT SHOW" EVENT ON FRIDAY, MARCH 18, 2016 TO SUNDAY, MARCH 20, 2016 FROM 9:00 A.M. TO 5:00 P.M. ACROSS FROM 8700 ESTERO BLVD., IN THE EVENT FIELD WHICH IS SITUATED BETWEEN THE PARK'S BOAT RAMP AND LITTLE CARLOS PASS. (GREENSHEET NO. 16-01-005)
- E. CONCEPTUAL APPROVAL OF A PROPOSED ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY LOCATED AT 27081-27091 OLD 41 ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 16-01-0006)
- F. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR THE BONITA SPRINGS AREA CHAMBER OF COMMERCE TO HOST THEIR ANNUAL BUSINESS EXPO EVENT ON THURSDAY, MARCH 10, 2016 FROM 4:00 P.M. TO 7:00 P.M. AT THE PROMENADE CENTER IN BONITA SPRINGS. (GREENSHEET NO. 16-01-008)

VIII. PUBLIC COMMENT:

6:02:39 pm Mr. West and Deborah Maclean commented on the water monitoring Agenda Item.

IX. FIRST READING OF THE FOLLOWING ZONING ORDINANCES

- A. A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, CONSIDERING A REQUEST BY SLF IV-FL BONITA ALICO, LLC FOR THE BONITA EXCHANGE MIXED USE PLANNED DEVELOPMENT (MPD) PROJECT; REPEALING CITY OF BONITA SPRINGS ZONING ORDINANCE NO. 07-12; ON LAND LOCATED AT 28090, 28110, 28170, 28190, 28230, 28231, 28191, 28111, 28131 AND 28171 QUAILS NEST LANE AND 12025 BONITA BEACH RD BONITA SPRINGS, FL 34135, ON 26.4 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Vance read the title block of the Zoning Ordinance into the record.

Council Member Steve Slachta motioned to move forward with a second reading of the Zoning Ordinance on January 20, 2016; Council Member Peter Simmons seconded; and the motion carried unanimously.

- B. A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY PRESERVE EQUITY LLC, FOR A PROJECT KNOWN AS PRESERVE AT OAK CREEK, TO REZONE A MIXED USE PLANNED DEVELOPMENT (MPD) AND RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO A MIXED USE PLANNED DEVELOPMENT (MPD) TO ALLOW FOR UP TO 273 DWELLING UNITS (220 STANDARD DENSITY DWELLING UNITS AND 53 BONUS DENSITY DWELLING UNITS) AND 12,000 SF OF COMMERCIAL USES ON LAND LOCATED AT 10500, 10550, 10580, 10600, 10650, AND 10750 DEAN STREET, BONITA SPRINGS, FLORIDA, ON 17.46 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

6:07:37 PM City Attorney Vance read the title block of the Zoning Ordinance into the record.

6:08:06 pm Council Member McIntosh motioned to move forward with a second reading of the Zoning Ordinance on January 20, 2016; Council Member Janet Martin seconded; and the motion carried unanimously.

X. FIRST READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES (PUBLIC COMMENT ALLOWED)

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); CREATING SITE SPECIFIC BONUS DENSITY REGULATIONS FOR THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT; EXPANDING SUBDIVISION III OF DIVISION 12 OF THE SUPPLEMENTARY REGULATIONS TO ALLOW BONUS DENSITY FOR REASONS OTHER THAN AFFORDABLE HOUSING; AMENDING SECTIONS 4-868, 4-870, AND SECTIONS 4-1310 THROUGH 4-1319; CREATING 4-1320, REGULATIONS AND PROCESSES FOR BONUS DENSITIES WITHIN THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT (OPTION 3); PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 16-01-0002)

6:10:44 PM Audrey Vance, City Attorney, read the title block into the record.

Alexis Crespo, representing Staff, furnished a PowerPoint presentation. (Copy in Clerk's file). A brief discussion was held.

PUBLIC COMMENTS:

6:26:42 PM Christine Ross, with the Bonita Springs Chamber of Commerce, expressed her excitement regarding the Ordinance. Young professionals like the idea that they could be in the downtown area. She feels this is the right direction.

6:28:39 PM Fred Forbes also applauded the Ordinance, and suggested an opportunity to get credits for elevators for people.

6:29:58 PM Deborah Maclean agreed with comments made regarding the need or elevators.

6:30:22 PM Council Member McIntosh motioned to move forward with a second reading and public hearing of the Ordinance on January 20, 2016; Council Member Simmons seconded; and the motion carried unanimously.

XI. CITY ATTORNEY'S REPORT.

6:30:56 pm City Attorney Vance addressed her memorandum to Council (Copy in Clerk's file) addressing the scheduling of several land use cases. A brief discussion was held with Council consensus to hold the zoning cases first and follow with the regular City Council meeting.

XII. CITY MANAGER'S REPORT:

6:43:01 pm City Manager Carl Schwing updated Council on upcoming workshops for the EAR and the Bonita Beach Road Visioning. He also addressed Council McIntosh's proposed Hometown Hero Program. City Council voted that the committee would not meet in the sunshine. He further explained, informing everyone that a nomination form is available on the City's website.

6:46:42 pm Assistant City Manager John Gucciardo furnished an update addressing issues regarding Advanced Disposal. Lee County is aware of the issues. Calls should be directed to him, and he will work with Lee County.

XIII. MAYOR AND COUNCIL MEMBER ITEMS AND REPORTS.

- A. A RESOLUTION APPOINTING/REAPPOINTING THREE MEMBERS TO THE BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND ZONING BOARD OF APPEALS. (MAYOR NELSON; GREENSHEET NO. 16-01-007)

6:48:09 pm Ballots were furnished to the Mayor and Council Members to cast their votes for both the Zoning Board and Local Planning Agency appointments/reappointments (Copy in Clerk's file).

6:52:39 pm Council Member Slachta motioned the reappointments of Roger Brunswick, Richard Donnelly, and Steven Kissinger; Council Member Martin seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 16-03**

- B. A RESOLUTION APPOINTING/REAPPOINTING TWO MEMBERS TO THE CITY OF BONITA SPRINGS LOCAL PLANNING AGENCY. (MAYOR NELSON; GREENSHEET NO. 16-01-010)

6:49:17 PM Council Member Simmons motioned the reappointment of Henry Bird and Sam Vincent; Council Member Lonkart seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 16-04**

6:50:50 PM Council Member McIntosh addressed the issue of postal addresses, explaining that some of the people in Estero have Bonita Springs addresses, and vice versa. He explained that one of the oddest addresses is at the tip of Bonita Springs, just before the overpass, where there are people who live near Lover's Key who have Fort Myers Beach addresses. He informed Council that the U.S. Postal Service is willing to make an effort to allow people to have the City addresses in which they live even though the zip code may remain the same. He would request Staff see how they can get the people who live on the Lover's Key area, in the condominiums, to have a City of Bonita Springs mailing address. He explained that the people in Tampa are willing to talk about this. Secondly, he expressed the importance of thanking members of EMS, law enforcement, and the Fire District, for all they do.

6:51:47 pm Council Member Lonkart wished everyone a healthy, prosperous, and safe New Year!

6:52:00 pm Council Member Janet Martin referred to the Bonita-Estero Magazine which showcased 'Cullum's Trail' and kayaking on the Imperial River.

6:53:45 pm Council Member Slachta reminded everyone that next Friday is the Wounded Warriors softball game. He thanked Mary Meima, with Bonita Springs Utilities, for BSU providing the water, Gatorade and the small towels for the players!

6:54:13 pm Council Member Simmons also addressed zip codes, explaining that Estero also had addresses that were Bonita Springs and other that were Fort Myers. The zip codes will remain the same, but the mailing addresses will be for Estero. He also addressed the high school, explaining that before Christmas, he learned that the site on Imperial Parkway is now back on the table. He also wished everyone a very happy 2016.

6:56:31 pm Mayor Nelson happily reported that for the very first time Governor Scott is hosting a baseball banquet at the Hyatt Coconut Point in Bonita Springs to start the baseball season.

#### XIV. APPROVAL OF MINUTES: 12/16/15

Council Member McIntosh motioned approval of the Minutes; Council Member Simmons seconded; and the motion carried unanimously.

#### XV. PUBLIC COMMENT:

6:58:54 pm Alex Grantt addressed passenger rail service.

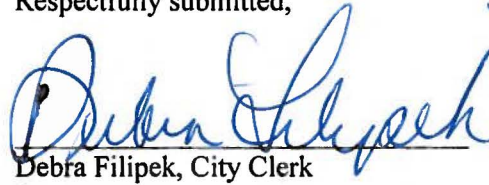
7:00:06 pm Deborah Maclean addressed the comprehensive plan process.

7:00:55 PM Greg Dewitt thanked Council for their support of Captain Phillips.

XVI. ADJOURNMENT.

There being no further items to discuss the meeting adjourned at 7:01 P.M.

Respectfully submitted,

  
Debra Filipek, City Clerk

APPROVED:  
BONITA SPRINGS CITY COUNCIL:

Date: 11/28/16  
AUTHENTICATED:

  
Ben L. Nelson, Jr., Mayor