

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, OCTOBER 19, 2016
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 9:00 A.M.

II. INVOCATION.

Pastor C.J. Hill, with United Methodist Church, was in attendance to furnish 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 in attendance.

V. PUBLIC COMMENT ON AGENDA ITEMS

[9:01:40 am](#) Diane Ketchum was in attendance to request Council's support of City Attorney's Item F., regarding the request to submit to the courts for a Resolution by Declaratory Judgment the issue as to the validity of the Annexation agreement with Pelican Landing Golf Resort.

[9:03:46 am](#) Wayne Arnold stated he was present to respond to questions and concerns relating to Agenda Item XI. D., relating to the request addressing the Cube Smart storage facility.

[9:04:01 am](#) Mike Maurer, representing Bernwood Park of Commerce, was also in attendance to respond to concerns relating to Item XI. D., regarding the Cube Smart storage facility.

[9:04:23 am](#) John Paeno, with CGT Kayaks, stated he was representing the Downtown Alliance. He was in attendance to voice his support for Agenda Items VII. H., and XI. C.

[9:05:12 am](#) Alicia Rhodes stated she was in attendance to comment on Agenda Item XI. A., to address voice her support for the sale of alcohol for downtown. She needs to be able to walk from inside of the restaurant to her patio area per her license.

[9:05:40 am](#) Phyllis Blanchette stated she was present on behalf of Bonita Springs Historical Society and was here to ask for Council's support of their requested special event permit for the "Light the Way," event, which she briefly expanded on.

[9:06:53 AM](#) Rick Steinmeyer spoke in support of the Historical Society and their efforts to raise funds for the Mclain house.

VI. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF PROCLAMATION FOR FLORIDA GOVERNMENT WEEK

Mayor Simmons read aloud the Proclamation proclaiming October 16-22nd, 2016 as Florida Government Week in the City of Bonita Springs.

B. PRESENTATION OF FIVE YEARS OF SERVICE AWARD TO CITY EMPLOYEE MANDIE MARTIN.

Mayor Simmons next presented City employee Mandie Martin with a Five Years of Service Award. Ms. Martin was present to accept her award and to thank Mayor Simmons and City Council.

C. PRESENTATION AND DIRECTION TO STAFF BY DR. MARGRET BANYAN OF FLORIDA GULF COAST UNIVERSITY AND HER TEAM REGARDING THE OPTIONAL EVALUATION AND APPRAISAL (EAR) BASED AMENDMENTS (GREENSHEET 16-10-0349)

[9:10:53 am](#) Assistant City Manager Arleen Hunter furnished a brief overview of the request for City Council direction on various items. She introduced Dr. Margaret Banyan with FGCU to present.

[9:11:58 am](#) Dr. Banyan next furnished a PowerPoint Presentation (in Clerk's file) to address this Agenda Item involving the Evaluation and Appraisal Report (EAR). She explained they looked at three items, 1) the State mandated amendments, 2) anything that would have to change related to annexations, and 3) optional amendments, i.e., things the City Council could consider, i.e., strengthen the vision of the City, etc. She explained that the Local Planning Agency agreed to move forward with the State mandated amendments and support looking at any optional amendments. She also addressed the process going forward, stating that she will bring back a scope, a discussion of priorities, and a budget.

[9:17:16 AM](#) She would like to hear from City Council what they would like her to pursue and not pursue, and to communicate with the LPA on how to proceed. She would also like feedback on the maps.

[9:18:17 am](#) Council Member Quaremba stated that she felt that anything considered for additional amendments should be those things that would result in enhancements, i.e., the transportation element that addresses walkable communities. She agrees on keeping the height restrictions in the Comprehensive Plan rather than in the Land Development Code. She also feels density needs to be addressed. Regarding the maps, if updated she would consider putting them in the Comprehensive Plan.

[9:21:50 AM](#) Council Member DeWitt agreed with Council Member Quaremba on the need to update the maps and use the latest available, and to include wording to ensure they use the latest map. He feels there is a need to concentrate on housing and land use – housing for young professionals and affordable housing. He also addressed transportation and agrees that they should not touch the height limits.

[9:23:55 AM](#) Council Member Slachta stated he would support 1) land use 2) transportation and 3) housing.

[9:24:10 AM](#) Council Member O'Flinn agreed with comments made by Council Member Quaremba. He would also suggest prioritizing and addressing things in some order. He would support, 1) transportation, 2) land use, and 3) housing. His concern is tackling everything at once – an overwhelming task.

[9:24:48 AM](#) Council Member Gibson agreed with comments made. He would support 1) transportation and 2) housing. He also feels they should keep the height limits as is.

[9:25:06 AM](#) Council Member Forbes addressed the maps and agreed they should use whatever map prevails. There are things in the existing map that may not be in the latest maps and so there is a need to do something so they don't lose those things when they adopt the new map. Secondly, he addressed the need to do something to reduce density around areas where density is to be increased. He also doesn't feel they should be looking at any of the options that would move things from the Comprehensive Plan to the Land Development Code. He would also support stretching this out 2 to 3 years. He also cautioned about changing definitions as there are conflicting definitions that need to be corrected. He also supports going before the LPA.

[9:28:46 am](#) Mayor Simmons addressed an email he received. Dr. Banyan responded to Mayor Simmons. Discussion followed, with Council Members prioritizing their choices.

[9:45:28 AM](#) Council Members Quaremba, O'Flinn, DeWitt and Gibson voiced their priorities as 1) transportation, 2) land use, and 3) housing. Council Member DeWitt also feels they should not look at height. Council Member Gibson also addressed the need for definitions.

[9:48:49 AM](#) Dr. Banyan stated she was here seeking Council's priorities and what they are not looking for. Council Member O'Flinn stated that he would approach it by not addressing what they haven't talked about.

[9:50:16 AM](#) Council Member DeWitt entered a motion to direct FGCU to look at the EAR with the main focus being land use, transportation and housing, in no particular order. Also, to not look at height limits or anything that would take items out of the Comprehensive Plan to place in the Land Development Code; Council Member Slachta seconded. Mayor Simmons suggested transportation be number one. Council Member DeWitt amended his motion to make transportation the No. 1 priority. The motion carried unanimously.

D. DISCUSSION AND DIRECTION TO STAFF ON HANDLING OF LONGFELLOW CLOSURE (GREENSHEET 16-10-0345)

[9:51:44 AM](#) City Manager Carl Schwing furnished an overview as set out on the Greensheet. The question is whether City Council wishes to open the road again, or allow it to remain closed. One proposal that's been made that's come forward is that Council order the road open to fully determine what traffic patterns and volume there would be, and to do this for maybe six to twelve months. He further explained. Staff is here for direction.

[9:54:25 am](#) Council Member DeWitt stated this was from a past Council who promised to look at this. He informed Council that he spoke with the residents and Mr. Gillette, the owner of American House, with the main concern of residents being construction traffic and speed. In speaking to a few of the residents in the area, the proposal is to remove the barricades for six months, with stipulations they will look at it on an on-going basis to see what kind of traffic on Longfellow, Jarvis and Allan. They received a commitment from Mr. Gillette that he will be a good neighbor and work out any problems that may occur. He also informed Council of Emails he received addressing the need for more lighting on Longfellow. He further explained.

John Dulmer, Community Development, explained that what was discussed was a year after the first Certificate of Occupancy, the Applicant had to petition City Council to open the road. That year has passed; however, development patterns have shifted and there have been three phases of development. Discussion followed.

[10:07:56 am](#) Council Member DeWitt motioned that upon the “CO” of American House that the barricades will be removed, making Longfellow a thru-street from Matheson to Imperial Parkway, and at such time, six and twelve months a traffic study will be done as to the safety of the road; Council Member Slachta seconded; and the motion carried unanimously.

E. DISCUSSION AND APPROVAL OF PROPOSED LEE TRAN SERVICE ADJUSTMENTS
(GREENSHEET 16-10-0346)

[10:08:50 am](#) City Manager Schwing furnished a brief history of Lee Tran, service and funding. During this year’s budget process, City Council asked Staff to look at a reduction of about \$50,000, which was adopted in the budget. Steve Myers and Dave Harner, with Lee County, were in attendance.

[10:13:50 am](#) Council Member O’Flinn stated he was not in support of this, as it was not his intent to cut services.

[10:15:23 am](#) Steve Myers, Director of Lee Tran, was in attendance to address the history of service and the proposal today. If adopted it would go back to Board of County Commissioners for their consideration and decision.

[10:20:36 am](#) Council Member Quaremba stated that she would vote in favor of this, and direct Staff to see if they can use the \$50,000 to improve the access to the beach in a different way. Council Member Gibson agreed with the comment that waiting 90 minutes didn’t make it easy to rely on taking the bus. He favors Option 1. Council Member Slachta addressed the ridership for the veterans that have to go to the Veteran’s Administration, which requires them to wait three hours before they can catch another bus. He also informed Council that that previous Councilman Pat McCourt worked on this and tried to find some type of local ridership, and got nowhere.

[10:28:41 am](#) Council Member Forbes suggested that at the end of next year or the following year, they discuss this with Lee Tran to address a special run from Bonita Grande down Bonita Beach Road, to Barefoot Beach. He explained that his suggestions is a result of hotels that are being developed. Mayor Simmons stated that the concern is access and parking at the beach. If they can get people to and from the beach, or minimize the transfers and the amount of time of the transfers, he would look at that.

[10:32:39 am](#) Council Member Slachta motioned to approve. Council Member DeWitt stated he agreed with Council Member Forbe’s suggestion. Mayor Simmons stated he agreed with comments made by Council Member Quaremba. Council Member Quaremba feels they should move forward with this, and re-open exploring something directed towards the specific needs of the community to get to the beach and extend out Bonita Beach Road.

[10:35:14 am](#) Council Member DeWitt motioned to move forward; Council Member Forbes seconded.

City Attorney Vance clarified the motion, which was for Options 1 and 3 as recommended by Staff, and for adoption of the Resolution. Council agreed.

The motion carried 6-1 (Council Member O’Flinn opposed) **ADOPTED RESOLUTION NO. 16-53**

F. PRESENTATION ON BEACH ACCESS BY HANS WILSON, HANS WILSON & ASSOCIATES (GREENSHEET 16-10-0341)

[10:37:25 am](#) Hans Wilson, Hans Wilson & Associates, was in attendance to furnish a PowerPoint presentation (copy in Clerk’s file) to address options to provide additional beach access. He prepared an assessment matrix that ranked each location on a number of factors which he addressed. His

recommendations include Melody Lane Boat Ramp, Site E/F, Kings Kew and Bonita Commons, and the Dog Beach Fishing Platform, etc. Council discussion followed.

11:00:50 AM Council Member Gibson stated he would like to pursue the Big Hickory option and see what would be involved, the costs and what can be done. Council Member Slachta agreed. Nicole Perino, Parks and Recreation Director, reminded Council that funding was approved in this current budget year. Council Member Quaremba stated that one of the most important things and biggest constraint is parking, especially since there isn't bus or shuttle service. She feels that anything they address has to have a very robust parking situation, or transportation system. City Manager Schwing addressed parking and discussions with Lee County on parking and potential shuttle service.

11:09:42 AM Council Member O'Flinn stated he felt that Site "E" was worth looking into for paddle craft.

11:34:43 am Ms. Perino addressed Council direction and their top three choices to look further into, which include Dog Beach fishing platform, Big Hickory Island access, and Site "E".

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.)

11:45:58 AM Items G. and H. were pulled. Council Member Slachta motioned approval of the remainder of the Consent Agenda; Council Member Peter O'Flinn seconded; and the motion carried unanimously.

- A. APPROVE THE SEVENTH ADDENDUM TO THE SECOND AGREEMENT TO THE INTERLOCAL AGREEMENT WITH LEE COUNTY SHERIFF'S OFFICE FOR ENHANCED LAW ENFORCEMENT SERVICES. (GREENSHEET NO. 16-10-0331)
- B. APPROVAL OF THE 2016-2017 INTERLOCAL AGREEMENT FOR STRAY ANIMAL CONTROL SERVICES BETWEEN LEE COUNTY AND THE CITY OF BONITA SPRINGS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT. (GREENSHEET NO. 16-10-0330)
- C. APPROVAL OF FY 2016 BUDGET RESOLUTION FOR UNANTICIPATED RESTRICTED REVENUES AND RECORDED IN THE BUILDING FEE FUND IN FY 2016 (GREENSHEET 16-10-0344) **ADOPTED RESOLUTION NO. 16-54**
- D. APPROVAL OF FY 2016 BUDGET RESOLUTION TO ALLOCATE TO THE APPROPRIATE COST CENTERS CERTAIN SALARY RELATED COSTS BUDGETING IN THE ORIGINAL FY 2016 BUDGET TO THE NON-DEPARTMENTAL COST CENTER (GREENSHEET 16-10-0339) **ADOPTED RESOLUTION NO. 16-55**
- E. **REVISED:** APPROVAL OF WRIGHT CONSTRUCTION AGREEMENT AMENDMENT FOR IMPERIAL RIVER BRIDGE IMPROVEMENTS IN THE AMOUNT OF \$285,278.22. AUTHORIZE BUDGET TRANSFER OF ~~\$93,847~~ \$147,972 FROM CIP# 30.270.519.4909 CONTINGENCY TO CIP# 31.000.552.6311 DOWNTOWN REDEVELOPMENT (GREENSHEET 16-10-0337) **ADOPTED RESOLUTION NO. 16-56**
- F. AUTHORIZE MAYOR TO SIGN A RESOLUTION ACCEPTING AMENDMENT TO THE TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY

OF BONITA SPRINGS FOR THE MAINTENANCE OF SEVEN (7) TRAFFIC SIGNALS ON US 41 (GREENSHEET 16-10-0334) **ADOPTED RESOLUTION NO. 16-57**

- G. APPROVAL OF AN AGREEMENT WITH PARTNERSHIP IN HOUSING, INC. TO UTILIZE THE CITY'S AUTHORIZED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION TO PARTIALLY FUND THE EXPANSION OF PUEBLO BONITA COMMUNITY CENTER, A FACILITY OWNED AND OPERATED BY PARTNERSHIP IN HOUSING, INC. A 503(C)(3) NONPROFIT ORGANIZATION (GREENSHEET 16-10-0351)

11:47:12 am Council Member O'Flinn pulled to commend all of these types of organizations and all the great work they do.

11:47:23 am Council Member O'Flinn motioned to approve the Agreement; Council Member Gibson seconded; and the motion carried unanimously.

- H. APPROVE SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE BONITA SPRINGS HISTORICAL SOCIETY'S "LIGHT THE WAY" EVENT ON FRIDAY, DECEMBER 9, 2016 FROM 5:00PM TO 9:00PM AT THE LILES HOTEL PLAZA (GREENSHEET 16-10-0343)

11:48:05 am Council Member Quaremba pulled this item per a suggestion that Council get involved in a more tangible with the festival of trees. She feels that this can work into an amazing event that will help brand our City. She sees this as a great way to raise money and help people work with different entities and organizations within a community. She requested \$15 from each Council Member to fund a tree for all of them to place a decoration on, and kick off the event for the Historic Society.

11:49:07 am Council Member Quaremba motioned to approve; Mayor Simmons seconded; and the motion carried unanimously.

- I. APPROVE EXTENSION OF AWARD TO MUNICIPAL CODE CORPORATION (MUNICODE) FOR CODIFICATION OF THE CITY OF BONITA SPRINGS CODE OF ORDINANCES, COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE FOR AN ADDITIONAL THREE (3) YEARS (GREENSHEET 16-10-0310)

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSSION AND DIRECTION TO STAFF ON CREATING A DIVERSITY COUNCIL (MAYOR SIMMONS; GREENSHEET 16-10-0347)

11:50:42 AM Mayor Simmons addressed this item, which he explained is a result of outreach in the community. He is requesting Council consider the creation of a Diversity Council, which he briefly expanded on. Council Member Forbes suggested the inclusion of term limits. Council Member Quaremba stated she would like to hear from Peggy Douglas, the City's Outreach Coordinator, address outreach that has been done by Neighborhood Services.

Lora Taylor, Communications Director, stated she can provide Council with information on how they perform outreach and how the City is connecting with its residents. She suggested perhaps a workshop to present what is already being done and for Council to see if there are areas they can do more outreach. They do try to include all Bonita Springs residents in all of their outreach efforts. Council Member O'Flinn feels that part of the issue is getting people more engaged. He would prefer develop an initiative for better citizen engagement. Council Member DeWitt voiced his support. Council Member O'Flinn stated citizen engagement initiatives are important and he supports what Council Member

Quaremba is doing in her district. He would rather work on citizen engagement initiatives of all sorts to get more people involved. Council Member Forbes supports a workshop as suggested by Ms. Taylor. He also suggested Council Members outreach to the different groups to come when she presents and let them make public comments. Council Member O'Flinn suggested the City Manager and Assistant City Manager meet with the people and have a focus group in terms of their perception – what they see. City Manager Schwing stated it would be very informal meeting. Direction to Staff to put together a meeting.

B. DISCUSSION AND DIRECTION TO STAFF ON GRO 1000 GRANT (MAYOR SIMMONS; GREENSHEET 16-10-0350)

[12:16:34 pm](#) Mayor Simmons addressed this item, which is for a general discussion regarding grants. City Manager Carl Schwing responded, and suggested targeting only those grants that they believe they have a chance of getting and moving towards the goals of the City. Council Member O'Flinn referred to the City's bike initiative and stated that there is the potential of applying for a TIGER (Transportation Investment Generating Economic Recovery) grant.

IX. PUBLIC HEARING:

A. ADOPT A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING BONITA SPRINGS ADMINISTRATIVE CODE NO. AC-06-06-02 ESTABLISHING PLAT PROCEDURES; AMENDING RULES 1.01 PURPOSE; 3.01 TITLE BLOCK; 5.01 ADDITIONAL MAPPING REQUIREMENTS; 6.01 DEDICATION; 7.01 INFRASTRUCTURE MAINTENANCE/PROPERTY OWNERS ASSOCIATION DOCUMENTS; 8.01 TITLE CERTIFICATION AND BOUNDARY SURVEY; 9.01 EASEMENTS; 10.01 NOTICES AND SIGNATURE BLOCKS; 12.01 INFRASTRUCTURE SURETY; 13.01 PLAT REVIEW ELEMENTS; 15.01 FINAL PLAT REVIEW SUBMITTAL; AND 17.01 EXECUTION; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN ADMINISTRATIVE CODE, AND PROVIDING FOR AN EFFECTIVE DATE (GREENSHEET 16-10-0336)

[12:27:05 pm](#) Assistant City Attorney Alex Boswell-Ebersole, furnished a brief overview as reflected in the Greensheet.

Council Member O'Flinn motioned adoption of the Resolution; Council Member DeWitt seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 16-58**

X. PUBLIC COMMENT:

[12:38:26 pm](#) Rick Steinmeyer commended Council Member Quaremba on all of her outreach efforts to her District.

[12:40:39 pm](#) Steve Braci, a resident of Collier County, was in attendance to address the Blue Zone Project.

[12:44:43 pm](#) Vicki Olson stated she was in attendance to address Agenda Item XI. Regarding the request to authorize the City Attorney to retain Special Land Use Council to submit to the Courts a Resolution by Declaratory Judgment relating to the Annexation Agreement with Pelican Landing Golf Resort.

[12:46:44 pm](#) Jerry Masters voiced his support for comments made by Ms. Olson.

[12:47:26 pm](#) Neale Montgomery addressed City Attorney Items E. and F., and urged City Council to support the City Attorney's recommendation on both. She also commented on the WCI Annexation Agreement.

[12:49:26 pm](#) Cassandra Earl addressed the Longfellow Road and stated they would like to see stop signs erected.

[12:53:56 pm](#) Chris Ali addressed beach access.

[12:57:11 pm](#) Kathy McGrath reminded everyone of Riverfest and the Film Festival.

XI. CITY ATTORNEY'S REPORT:

- A. PERMISSION TO ADVERTISE AN AMENDMENT TO THE LAND DEVELOPMENT CODE WHICH IS TO RE-ADOPT ORDINANCE NO. 07-18, WHICH WAS INADVERTENTLY NOT INCLUDED WHEN THE ZONING CODE WAS CODIFIED. IF COUNCIL AUTHORIZES TO GO FORWARD, THE ORDINANCES WILL BE SCHEDULED FOR PUBLIC HEARINGS ON NOVEMBER 16, 2016 AND DECEMBER 7, 2016. THE LOCAL PLANNING AGENCY WILL REVIEW THIS ORDINANCE AT ITS NOVEMBER 10, 2016 MEETING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN (GREENSHEET 16-10-0333)

[1:00:59 PM](#) City Attorney Vance read the title block into the record.

Council Member Slachta motioned to move forward with a first reading of the Ordinance on November 16, 2016; Council Member Quaremba seconded; and the motion carried unanimously.

- B. DIRECTION WHETHER TO PROCEED FORWARD WITH AMENDMENTS TO §3-292, TO REVISE THE CRITERIA FOR TRAFFIC IMPACT STATEMENTS, AND CONCURRENTLY ADOPT A RESOLUTION CREATING THE BONITA SPRINGS ADMINISTRATIVE CODE FOR TRAFFIC IMPACT STATEMENTS (GREENSHEET 16-10-0335)

[1:03:20 pm](#) City Attorney Vance read the title block and furnished a brief overview. Jay Sweet, Community Development, addressed the intent.

[1:15:48 pm](#) Council Member Gibson motioned to move forward with a first reading of the Ordinance on November 16, 2016; Council Member Quaremba seconded; and the motion carried unanimously.

- C. PERMISSION TO ADVERTISE LAND DEVELOPMENT CODE AMENDMENTS, TO AMEND §4-869, REGULATIONS AND PROCESSES FOR DEVELOPMENT WITHIN THE OLD U.S. 41 REDEVELOPMENT URBAN CORE, AND §4-1023, SALE OR SERVICE FOR ON-PREMISES CONSUMPTION, TO REVISE THE CONSUMPTION ON PREMISES (COP) REQUIREMENTS IN THE OLD 41 REDEVELOPMENT AREA. IF COUNCIL AUTHORIZES TO GO FORWARD, THE ORDINANCES WILL BE SCHEDULED FOR PUBLIC HEARINGS ON NOVEMBER 16, 2016 AND DECEMBER 7, 2016. THE LOCAL PLANNING AGENCY WILL REVIEW THIS ORDINANCE AT ITS NOVEMBER 10, 2016 MEETING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN (GREENSHEET 16-10-0342)

[1:16:38 pm](#) City Attorney Vance read the title block of the Ordinance. Alexis Crespo, with Waldrop Engineering, presented an overview and intent.

1:19:13 pm Council Member Gibson motioned to move forward with a first reading of the Ordinance on November 16, 2016, and to enter into a Compliance Agreement with the Twisted Tango Café; Council Member O’Flinn seconded; and the motion carried unanimously.

D. REVIEW LETTER FROM WAYNE ARNOLD, REPRESENTING THE CONTRACT PURCHASER OF LAND IN THE BERNWOOD PARK OF COMMERCE, AND PROVIDE DIRECTION WHETHER TO CUBE SMART STORAGE FACILITY MAY GO DIRECTLY TO DEVELOPMENT ORDER, CONSISTENT WITH SECTION 3 OF THE ZONING IN PROGRESS TO ESTABLISH ENHANCED REGULATIONS RELATED TO STORAGE FACILITY USES, CITYWIDE. (GREENSHEET NO. 16-10-0332)

1:20:08 pm City Attorney Vance read the request into the record and furnished a brief overview. She also referenced the most up to date drawings furnished to City Council. This relates to the Zoning in Progress for storage facilities. Community Development Staff does find them consistent.

John Dulmer, Community Development, stated that there have been several meetings with the Applicant with Staff and City Council Members, and Staff believes the changes that have come out of those discussions do work towards consistency with the proposed Ordinance. Wayne Arnold, representing John Development, clarified for the record that they are locked in and they are going to submit development order plans to deliver the building shown, and that they are submit to this set of plans with no further refinements. Council and Mr. Dulmer stated they were fine with what Mr. Arnold stated.

Council Member O’Flinn motioned to approve; Council Member Quaremba seconded; and the motion carried unanimously.

E. REVIEW THE SCHEDULING SHEET FOR ZONING BOARD FOR 2017 (GREENSHEET 16-10-0338)

1:28:58 PM Council Member Forbes stated he felt some of the cases could be handled at Council’s regular meetings that won’t be controversial and long.

Council Member Slachta motioned to cancel City Council’s December 21, 2016 (Wednesday); Mayor Simmons seconded; and the motion carried unanimously. (The December 19, 2016 City Council Zoning Meeting to remain as scheduled).

ADDITIONAL ITEM:

1:33:18 pm City Attorney Vance addressed the Pelican Landing Gold Resort Ventures remand, and addressed a request to continue the remanding of the rezoning request, for the case to be brought to hearing before the Zoning Board on March 14, 2017, unless further continued by City Council and the Applicant.

Council Member Slachta motioned to approve; Council Member Quaremba seconded; and the motion carried unanimously. **ADOPTED ZONING RESOLUTION NO. 16-R07**

F. AUTHORIZE CITY ATTORNEY, THROUGH SPECIAL LAND USE COUNSEL DAVID A. THERIAQUE OF THERIAQUE AND SPAIN, TO SUBMIT TO THE COURTS FOR RESOLUTION BY DECLARATORY JUDGMENT THE ISSUE AS TO THE VALIDITY OF THE ANNEXATION AGREEMENT WITH PELICAN LANDING GOLF RESORT VENTURES LIMITED PARTNERSHIP, ALONG WITH ANY ANCILLARY MOTIONS (GREENSHEET 16-10-0340)

1:34:52 PM Council Member Gibson motioned to approve; Council Member Quaremba seconded; and the motion carried unanimously.

XII. CITY MANAGER'S REPORT:

A. DISCUSSION AND PROVIDE STAFF DIRECTION ON WHETHER TO CONTINUE THE "HOMETOWN HEROES: AWARD IN THE SAME OR SOME MODIFIED FASHION (GREENSHEET 16-10-0348)

1:36:58 pm Mayor Simmons introduced this item, and furnished a brief overview. Discussion followed. City Manager Schwing stated it doesn't have to be a formal process. Typically when Council Members have heard of someone who has done something, receive some type of award, all it takes is a phone call to have placed on the agenda. It's a fairly informal process.

1:42:17 pm Council Member O'Flinn motioned to address as stated by City Manager Schwing; Mayor Simmons seconded – to develop a process that is more open and done more regularly. Council agreed with City Manager that they would be terminating a current program. Council Member Forbes suggested using the words "Hometown Hero" in the Proclamation.

The motion carried unanimously.

1:44:01 pm City Manager Schwing reminded everyone of Riverfest this weekend.

XIII. MAYOR AND COUNCIL MEMBER REPORTS:

1:44:26 PM Council Member Slachta reminded everyone of the Veteran's Day Ceremony at Riverside Park on November 11, 2016.

1:45:14 pm Council Member O'Flinn reported that there was a very nice EDC event last night at Coconut Pointe which included a very nice presentation on the quasi-hospital facility. There was also a very good presentation by Healthy Lee on the initiative – Lee Health. He is the Liaison for the Blue Zone project. Both are great initiatives.

1:46:17 pm Council Member Forbes reported on the Ethics training he attended in Sanibel, which was very informative. He also addressed the issue of ex parte communications; and motioned to continue with the ex parte process as it currently exists. Discussion followed with the City Attorney informing Council that she was planning on preparing a Greensheet on the subject for Council's meeting of November 16, 2016.

2:05:33 PM Mayor Simmons reported that Governor Scott was going to be in Bonita the following afternoon.

XIV. APPROVAL OF MINUTES: 10/05/16 WORKSHOP AND REGULAR MEETING

Council Member Slachta motioned approval of the Minutes; Council Member O'Flinn seconded; and the motion carried unanimously.

XV. PUBLIC COMMENT:

2:07:07 PM Rick Steinmeyer addressed ex parte communications.

XVI. ADJOURNMENT.


There being no further items to discuss the meeting adjourned at 2:10 P.M.

Respectfully submitted,


Debra Filipek, City Clerk

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 11/8/16

AUTHENTICATED:

Peter Simmons, Mayor