

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, NOVEMBER 16, 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 Russ Winn, with the Springs Church, furnished the invocation.

III. PLEDGE OF ALLEGIANCE

At the request of Mayor Simmons, Council Member Steven 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:

9:02:52 AM Rick Steinmeyer addressed Consent Agenda Item VII. A., regarding Movies in the Park.

9:03:38 AM Ed Fitzgerald voiced his opposition to the approval of Agenda Item X. A., regarding the Ordinance for the petition to extend the franchise for Bonita Springs Utilities.

9:06:34 AM Kathy McGrath voiced her support for Movies in the Park which is a wonderful event, with refreshments provided by Royal Scoop. She also asked that Council approve the Special Event Permit for Holiday in the Park.

9:07:29 AM John Paeno, with CGT Kayaks and the Downtown Business Alliance, was in attendance to address the issue of road closures.

9:09:23 AM Rod Brady, on behalf of Taste of Bonita, was present to support the proposed road closure for safety.

9:10:49 AM Susan Bridges, President for the Center of the Arts of Bonita Springs, along with the festival Director, also addressed the issue of street closures.

VI. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF PROCLAMATION FOR WORLD TOWN PLANNING DAY.

9:13:29 AM Mayor Simmons next presented a Proclamation to proclaim November 8, 2016 as World Town Planning Day in the City of Bonita Springs. Community Development Staff was in attendance to accept the Proclamation and thank Mayor Simmons and City Council.

B. PRESENTATION OF PROCLAMATION PROCLAIMING NOVEMBER 29, 2016 AS “GIVING TUESDAY” IN THE CITY OF BONITA SPRINGS.

Mayor Simmons next presented a Proclamation proclaiming November 29, 2016 as “Giving Tuesday” in the City of Bonita Springs. Representatives from the Pregnancy Resource Center were in attendance to accept the Proclamation and thank Mayor Simmons and City Council.

C. PRESENTATION OF PROCLAMATION IN CELEBRATION OF THE 50TH ANNIVERSARY OF THE ESTERO BAY AQUATIC PRESERVE.

Mayor Simmons next presented a Proclamation Celebrating the 50th Anniversary of the Estero Bay Aquatic Preserve. Terry Caine and Stephanie Erikson with the Estero Bay Aquatic Preserve were present to accept the Proclamation and to thank Mayor Simmons and City Council.

D. PRESENTATION ON MINORITY OUTREACH EFFORTS.

9:24:17 AM Communications Director Lora Taylor and Neighborhood Services Director Frank Cassidy next provided presentations on minority outreach efforts the City has done and is doing. They addressed public service announcements, work with Telemundo TV, Pueblo Bonita, the Bonita Assistance Office, etc. Mr. Cassidy informed Council of a Focus Group Meeting scheduled this evening at 6:00 P.M.

E. DISCUSSION ON EX PARTE COMMUNICATIONS (INFORMATIONAL PURPOSES ONLY) (GREENSHEET NO. 16-11-0382)

9:47:47 AM City Attorney Audrey Vance furnished a presentation on ex parte communications to City Council for informational purposes. PowerPoint presentation available in the Clerk’s file.

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.)

Pulled, Items C., D., E., F., and G. Council Member Slachta motioned to approve Items A. and B.; Council Member O’Flinn seconded; and the motion carried unanimously.

A. REQUEST APPROVAL OF A SPECIAL EVENT PERMIT FOR “MOVIES IN THE PARK” SERIES AT RIVERSIDE PARK. (GREENSHEET NO. 16-11-0387)

B. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND ROAD CLOSURE FOR THE ANNUAL HOLIDAY IN THE PARK AT RIVERSIDE PARK ON TUESDAY, DECEMBER 6, 2016. (GREENSHEET NO. 16-11-0380)

C. APPROVE RESOLUTION AWARDING THE WOODCHIP BIO-REACTOR PILOT PROJECT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, DEC CONTRACTING GROUP, INC., IN THE TOTAL BID AMOUNT OF \$596,381.84 UPON APPROVAL OF THE DOCUMENTS BY THE CITY ATTORNEY. (GREENSHEET NO. 16-11-0379)

10:21:50 am Council Member Greg DeWitt explained that he pulled this to question the bid amount, which was the lowest bid by \$200,000. His concern was if the City was getting what they want. Matt Feeney, Public Works Director, responded, explaining that this company has constructed projects of this scale, noting that the pricing was in line with the engineer’s estimate and the budget. He is confident everything will be all right. He further explained.

[10:24:13 am](#) Council Member DeWitt motioned approval; Council Member Slachta seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 16-64**

- D. AUTHORIZE MAYOR TO SIGN LETTER OF SUPPORT TO SEND TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION, FOR THE PROTECTION OF SIX PROPOSED NEW CRITICAL WILDLIFE AREAS IN LEE COUNTY – THREE MANGROVE ISLANDS IN ESTERO BAY AND THREE IN PINE ISLAND SOUND. (MAYOR SIMMONS; GREENSHEET NO. 16-11-0377)

[10:25:38 am](#) Mayor Simmons explained this was received from the Audubon Society, who has groups meeting in St. Petersburg to discuss this. He explained that City Manager Carl Schwing has also contacted Lee County.

[10:26:40 am](#) City Manager Carl Schwing, in response to Mayor Simmons, furnished an overview of discussions with Lee County, etc. He explained that the proposal is for a year-round ban of 100 feet around these islands with a goal to allow nesting birds to have safe and comfortable habitat. The Fish and Wildlife Commission is requesting its approval. Council discussion followed, with Council direction to get answers to their questions and bring back to vote on. Mayor Simmons reiterated that Council is generally supportive of this proposal.

Mayor Simmons motioned to table; Council Member O’Flinn seconded; and the motion carried unanimously.

- E. **ERRATA SHEET:** APPROVE A RESOLUTION FOR A BUDGET AMENDMENT TO TRANSFER BUDGETED AMOUNTS WITHIN THE CAPITAL PROJECTS FUND FOR FISCAL YEAR ENDED SEPTEMBER 30, 2016. (GREENSHEET NO. 11-16-0376)

[10:38:57 am](#) Council Member O’Flinn pulled this item to clarify that this was a detail of items and wasn’t changing any substance that Council has done in connection with the budget. Anne Wright, Finance Director, confirmed that was correct.

Council Member O’Flinn motioned approval of the Resolution; Council Member Amy Quaremba seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 16-65**

- F. APPROVE THE INTERLOCAL AGREEMENT WITH LEE COUNTY FOR FIXED ROUTE TRANSIT SERVICE WITHIN THE CITY OF BONITA SPRINGS. (GREENSHEET NO. 16-11-0386)

[10:39:51 am](#) Council Member O’Flinn pulled this item. He asked if this was the final stage of what was voted on by Council two weeks ago with respect to reducing some routes. City Manager Schwing responded as it relates to the City’s side. The County will still need to take action on this. Council Member O’Flinn stated he is not for cutting bus service. This is a County function and previous administrations worked very hard to get bus service. Council Member DeWitt agreed with comments made by Council Member O’Flinn. He would like to have a re-count done to see what the City deserves for the money they provide. Council Member O’Flinn stated he would like the County to provide more service which he feels will result in more people using the bus. A brief discussion was held.

[10:41:44 am](#) Council Member Quaremba motioned to approve; Council Member Mike Gibson seconded; and the motion carried 6-1 (Council Member O’Flinn opposed)

- G. **ERRATA SHEET – ADD-ON:** APPROVE BONITA SPRINGS LIBRARY ANCILLARY LOT LEASE AGREEMENT FOR THE ANCILLARY LIBRARY PARCEL REQUIRED BY THE INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE CITY OF BONITA

SPRINGS FOR THE DESIGN, CONSTRUCTION, FURNISHINGS AND OCCUPANCY OF A PUBLIC LIBRARY IN BONITA SPRINGS. (GREENSHEET NO. 16-11-0361)

10:45:55 am Council Member Gibson pulled this item to question what the ancillary uses were. City Manager Schwing explained that the original discussion indicated it was going to be green space or parking. The County is reluctant to provide a specific list. Council Member Gibson stated his bigger concern regarded letting them sublet the property. Council discussion was held. Staff to discuss further with Lee County.

10:56:30 am Council Member Gibson motioned to table; Council Member O'Flinn seconded; and the motion carried unanimously.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. RECOGNIZE QUARTERLY OR SEMI-ANNUALLY BUSINESSES IN BONITA SPRINGS THAT ARE NEW, RELOCATED OR HAD MAJOR EXPANSIONS. (FORBES; GREENSHEET NO. 16-11-0381)

10:57:16 AM Council Member Forbes addressed this item which is for quarterly or semi-annual events, which would start about 45 minutes prior to Council's evening meeting. Businesses would be provided with a certificate during the "mix and mingle," portion with light refreshments and photo opportunities. Then, when the meeting begins the Mayor would call one person from each business up for a group photo. He would also recommend that the "mix and mingle" event be televised. Council Member Quaremba thanked Council Member Forbes for bringing this forward, and suggested this be a quarterly event. She is very supportive of this.

11:00:28 am Council Member Forbes motioned to move forward with the program as outlined in his Greensheet; Council Member Quaremba seconded.

Mayor Simmons stated he felt it needed to be from the date City Council was sworn in (April) as opposed to the day they were elected. Council agreed.

The motion carried unanimously.

- B. DISCUSS AND PROVIDE STAFF DIRECTION ON OLD 41 ROAD CLOSURES. (GIBSON; GREENSHEET NO. 16-11-0384)

11:04:31 am Council Member Gibson addressed this item as outlined in the Greensheet. His proposal is limiting the number of closures on Old 41 to just "Celebrate Bonita" and "July 4th". He feels it's better not having the bypass as they are sending cars over to more residential streets. There is the median there and so it is safer to cross. Even when they do the bypass people still have to cross through the same amount of traffic. Also, when they do a road closure, there are deputies at the road closure. Overall, for most of the events, he would like to stop the road closures. He further explained. Council discussion followed with direction for Council Member Gibson to meet with those involved to address. Council Member Gibson motioned to allow him to meet with those involved and an expert to figure it out; Mayor Simmons seconded. Ms. Taylor questioned whether this was to affect this year's event in January. Direction was given (no motion) for Council Member Gibson to meet with all to find a solution.

A break was taken to 11:40 A.M.

ADDITIONAL:

11:41:23 AM Council Member O'Flinn addressed the public meeting held the previous night, and requested Council consider asking Staff to think about whether they should institutionalize that with respect to Land

Development matters the way Estero has. He sees this as cathartic when members of the public and the Applicant can hear a presentation and learn more about the issue. Council Member DeWitt stated he felt it was a great idea. Mr. Dulmer explained that Estero and Collier County does this as well. Council Member Quaremba also feels it's a good idea. A brief discussion was held, with Council Member O'Flinn suggesting that Staff look at what Estero does and what the context is, and let Council know how they feel about the process. Council Member Forbes suggested taping these meetings so those Council Members who are unable to attend can watch it later. Council noted that sometimes these meetings are held at other locations. Mr. Dulmer stated that part of the discussion will be where to hold them.

[11:45:42 am](#) Council Member O'Flinn next referred to the Bike Committee and work with Assistant City Manager Arleen Hunter and Public Works Director Matt Feeney on the security aspect of bike paths. He explained that among the ideas are security cameras as well as sheriff's deputies on bicycles, and the possibility of appropriate fencing. He suggested scheduling a Council meeting on prioritization of the bike projects.

[11:47:25 am](#) Council Member Forbes suggested at a future meeting going back to see how the fishing pier got so high on the priority list, and to look at when it was addressed and what the mechanism was – to discuss. Council Member Gibson stated he spoke with a few people who informed him that location was not actually the best spot for a fishing pier with the current which rips through that side of the pass faster than the other side. When the original committee wanted it in the gulf, the second place was under that bridge, but on the opposite side. Council Member O'Flinn stated that Council has not had a discussion on the TDC, and what their approach can be on TDC projects as to what they see appropriate.

[11:48:44 am](#) Council Member Forbes suggested Community Development come in soon and look at some things that need to be toughened up how it's almost going to be impossible to mess with the mangroves on Hickory Island, taking wetland, preserve areas and getting large tracts of land mitigated. He feels a lot of work needs to be done.

[11:49:49 am](#) Council Member O'Flinn reported that he met with Commissioner Kiker who indicated that he would like to see renewed focus on beach access and beach parking. The notion is having a five-year plan. It's something both Commissioner Kiker and he feels Council should be involved in. They spoke about remote access, buses, shuttles, etc. He also spoke to Commissioner Kiker about the end of Coconut Road/Viewer's Road and informed him that Council's general consensus was that being compatible with the private marina entrance was something they do not in any way want to infringe on, and whether there's a practical way to get some modest public access for paddle craft only with appropriate parking. Commissioner Kiker has offered to help with this as well.

IX. 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); READOPTING A PORTION OF ORDINANCE NO. 07-18; AMENDING §4-488 (USE REGULATIONS TABLE) SO AS TO PERMIT TWO FAMILY ATTACHED IN TFC-2 DISTRICTS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 16-11-0372)

[11:51:54 am](#) City Attorney Audrey Vance read the title block of the Ordinance into the record and addressed the revision made.

No public comments were made.

Council Member O'Flinn motioned to move forward with a second reading of the Ordinance on December 7, 2016; Council Member Quaremba seconded; and the motion carried unanimously.

- B. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 3 (DEVELOPMENT STANDARDS); AMENDING §3-292, TRAFFIC IMPACT STATEMENTS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 16-11-0373)

11:56:18 am City Attorney Vance read the title block of the Ordinance into the record and provided a brief overview.

11:57:20 am Jay Sweet, Community Development, addressed three letters received from residents concerned about the methodology, which he addressed, clarifying the intent which was to make it more specific to the City of Bonita Springs.

12:02:28 pm Council Member O'Flinn motioned to move forward with a second reading of the Ordinance December 7, 2016; Council Member Quaremba seconded; and the motion carried unanimously.

- C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING §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 REQUIREMENTS IN THE OLD 41 REDEVELOPMENT AREA; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 16-11-0374)

12:03:12 pm City Attorney Vance read the title block, informing Council that the Local Planning Agency reviewed the Ordinance on November 10, 2016 and found it to be consistent with the Comprehensive Plan.

12:04:27 pm Council Member O'Flinn motioned to move forward with a second reading of the Ordinance on December 7, 2016; Council Member DeWitt seconded.

PUBLIC COMMENTS:

12:04:37 pm Rick Steinmeyer commented on the consumption of alcohol.

The motion carried unanimously.

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

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS APPROVING THE PETITION OF BONITA SPRINGS UTILITIES, INC., EXTENDING THE TERM OF THE FRANCHISE IN BONITA SPRINGS ORDINANCE NO. 02-14; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 16-11-0368)

12:08:16 pm City Attorney Vance read the title block into the record.

Council Member Slachta motioned to move forward with a second reading of the Ordinance on December 7, 2016; Council Member O'Flinn seconded; and the motion carried unanimously.

XI. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE (PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; RELATING TO SMOKING OF CANNABIS AND MARIJUANA IN OPEN AND PUBLIC PLACES; PROVIDING FOR

DEFINITIONS; PROVIDING THAT SMOKING OF MEDICAL MARIJUANA USE IS PROHIBITED IN CERTAIN OPEN AND PUBLIC AREAS; SPECIAL EVENT PERMITS FOR PARKS; PROVIDING FOR PENALTIES, CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY, CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS; PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 16-11-0370)

[12:11:44 pm](#) City Attorney Vance read the title block of the Ordinance into the record.

[12:13:06 pm](#) Council Member Forbes motioned to adopt; Council Member Quaremba seconded.

PUBLIC COMMENTS:

[12:13:26 pm](#) Rick Steinmeyer commented on driving near public places.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 16-18**

XII. PUBLIC COMMENT:

[12:14:23 pm](#) Kathy McGrath addressed the film fest and upcoming City events.

[12:17:58 pm](#) Rick Steinmeyer commented on cannabis.

[12:18:25 pm](#) Ben Hershenson addressed the process resulting in the meeting held the previous evening.

XIII. CITY ATTORNEY'S REPORT:

- A. PERMISSION TO ADVERTISE AN AMENDMENT TO LAND DEVELOPMENT CODE §4-53 TO REQUIRE FIVE OR MORE COUNCIL MEMBERS TO VOTE IN THE AFFIRMATIVE WHEN INCREASING HEIGHT AND / OR DENSITY. IF THE DRAFT ORDINANCE IS SATISFACTORY, THE AMENDMENT WILL BE SCHEDULED FOR REVIEW BY THE LOCAL PLANNING AGENCY ON DECEMBER 8, 2016, PERMISSION TO ADVERTISE ON JANUARY 4, 2017, AND THEN TENTATIVELY SCHEDULED FOR A FIRST READING AND PUBLIC HEARING ON JANUARY 18, 2017 AND A SECOND READING AND PUBLIC HEARING ON FEBRUARY 1, 2017. (GREENSHEET NO. 16-11-0369)

[12:22:35 PM](#) City Attorney Vance addressed this item, and the opinion received from Attorney Theriaque.

[12:23:21 PM](#) Council Member Quaremba stated that the Ordinance, as proposed, is confusing. She feels density and super majority for height are separate issues, which she would like separated. Discussion followed.

[12:44:11 pm](#) City Attorney Vance clarified direction on modifications to the Ordinance.

[12:46:34 pm](#) Council Member Quaremba motioned to bring back a revised Ordinance to City Council for City Council to decide whether to proceed; Council Member O'Flinn seconded; and the motion carried unanimously.

- B. PROVIDE DIRECTION TO CHANGE LAND DEVELOPMENT CODE RELATED TO PLANNED DEVELOPMENTS, TO REQUIRE SCHEMATIC DESIGNS AND AMEND THE CALCULATION OF DENSITY/INTENSITY FOR PLANNED DEVELOPMENTS APPLICATIONS. IF THE DRAFT ORDINANCE IS SATISFACTORY, THE AMENDMENT WILL BE SCHEDULED FOR REVIEW BY THE LOCAL PLANNING AGENCY ON DECEMBER 8, 2016, PERMISSION TO ADVERTISE ON JANUARY 4, 2017, AND THEN TENTATIVELY SCHEDULED FOR A FIRST

READING AND PUBLIC HEARING ON JANUARY 18, 2017 AND A SECOND READING AND PUBLIC HEARING ON FEBRUARY 1, 2017. (GREENSHEET NO. 16-11-0367)

[12:47:35 pm](#) City Attorney Vance introduced this item, and provided a brief overview. The intent is to provide a visual look at what a plan will do rather than just text and a narrative. She further explained.

[12:49:52 pm](#) Council Member Forbes entered a motion to delay discussing this and acting on it until special Council has looked at this. He feels they can improve upon it by reducing the hardship on the Applicant. It will also make it easier for everyone to get what they want. He is also proposing this for what is to be a minor straightforward amendment to the Comprehensive Plan on eliminating the sentences that raised some questions at the Local Planning Agency meeting. Overall, he would propose both be reviewed by Special Council. He suggested they also review any comments made by the LPA; Council Member O'Flinn seconded.

The motion carried unanimously.

- C. REVIEW DRAFT ORDINANCE FOR MEDICAL MARIJUANA MORATORIUM, AND AUTHORIZE CITY ATTORNEY TO ADVERTISE THE ORDINANCE FOR A FIRST READING ON DECEMBER 7, 2016 AND A SECOND READING ON JANUARY 4, 2017. (GREENSHEET NO. 16-11-0371)

[12:53:39 PM](#) City Attorney Vance introduced this item, and furnished an overview.

Council Member O'Flinn motioned to move forward with a first reading of the Ordinance on December 7, 2016; Council Member Forbes seconded; and the motion carried unanimously.

- D. **ERRATA SHEET: WALK-ON** – CANCEL THE 2008 DEVELOPMENT AGREEMENT WITH SLF IV-FL BONITA ALICO LLC AS SUCCESSORS TO BONITA REAL ESTATE PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE BONITA EXCHANGED MIXED USE PLANNED DEVELOPMENT, PURSUANT TO FLORIDA STATUTES §163.3227. TIME URGENT FOR DEVELOPER TO CLOSE ON THE PROPERTY BY NOVEMBER 30TH. (GREENSHEET NO. 16-11-0387)

[12:57:22 PM](#) Council Member O'Flinn motioned to approve; Council Member DeWitt seconded; and the motion carried unanimously.

XIV. CITY MANAGER'S REPORT: NO ITEMS.

XV. MAYOR AND COUNCIL MEMBER REPORTS:

- A. DISCUSS COUNCIL ACCOMPLISHMENTS THUS FAR. (FORBES; GREENSHEET NO. 16-11-0383)

[12:57:59 pm](#) Council Member Forbes addressed this item, and began by commending each Council Member on the great work they have done and continue to do. A list of accomplishments attached to Greensheet. Council Member Quaremba thanked Council Member Forbes for bringing this forward.

Council Member DeWitt also commended Staff on the great work they do. He had a great time at the Bonita Springs Film Festival. He wished everyone a happy Thanksgiving!

Council Member Slachta also wished everyone a very happy Thanksgiving and reminded everyone of Taste of Bonita and associated events. He asked everyone to come out and show their support.

1:10:59 pm Council Member O'Flinn thanked Council Member Forbes for all the comradery. He next referred to the comment made by Kathy McGrath relating to beach passes and suggested approaching Lee County on the possibility of having beach passes for 8 or 9 months of the year. He also referred to Ms. McGrath's comment on smoking and informed everyone that there's actually a State preemption of local law on smoking, noting that there are ways to deal with the issue, i.e., signage. City Attorney Vance suggested making it a legislative item with Council strategies. He next addressed bikes and suggested a City Council Workshop on bike mobility on December 21, 2016. He next addressed the Annexation Agreement for Weeks Fish Camp, which provided for building over 75 feet. He further explained. He concluded by asking Staff if they would be all right to take Jim Wurster to the MPO meeting. Council consensus yes.

Council Member Gibson thanked Council Member Forbes for all his kind words.

Council Member Forbes suggested Special Council review the 75-foot. The Veterans Ceremony was great!

1:16:08 pm Mayor Simmons wished his father a wonderful 70th birthday, and a happy belated birthday to his mom.

1:17:00 pm Council Member Quaremba reported on the Executive Board for the Horizon Council meeting, who want to interact with municipalities in helping to develop a scheme so that Lee County could be more amenable to economic development. She suggested that they (Council Members) get together to talk about some of the directions that the Horizon Council is going in so that they can get a Bonita Springs point of view for her to transmit to them.

B. RECOMMENDATION OF CITIZENS ADVISORY COMMITTEE (CAC) APPOINTMENT TO THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION. (MAYOR SIMMONS; GREENSHEET NO. 16-11-0385)

Council Member O'Flinn motioned to recommend Jim Wurster to the CAC of the MPO; Council Member Quaremba seconded; and the motion carried unanimously.

XVI. APPROVAL OF MINUTES: 11/02/16

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

XVII. PUBLIC COMMENT

1:22:02 PM Rick Steinmeyer addressed Ex Parte communications.

XVIII. ADJOURNMENT:

There being no further items to discuss the meeting adjourned at 1:23 P.M.

Respectfully submitted,



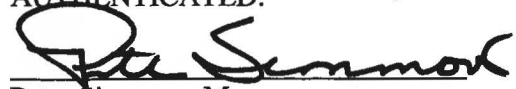
Debra Filipek, City Clerk

APPROVED:

BONITA SPRINGS CITY COUNCIL:

Date: 12/14/2016

AUTHENTICATED:

A handwritten signature in black ink, appearing to read "Peter Simmons", written over a horizontal line.

Peter Simmons, Mayor