

CITY COUNCIL
CITY OF BONITA SPRINGS
SEPTEMBER 10, 2015
5:01 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. CALL TO ORDER.

Mayor Ben Nelson called the meeting to order at 5:01 P.M.

II. PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mayor Nelson and all Council Members were in attendance.

IV. PUBLIC COMMENT.

5:02:29 PM Rick Steinmeyer asked God for his guidance in tonight's budget meeting.

5:02:47 PM Nicole Johnson, with the Conservancy of Southwest Florida, thanked Council for two items in the budget - the \$200,000 for the water quality project, and the \$95,000 for the DRGR groundwater monitoring.

5:04:08 PM Fred Forbes urged City Council to take any of the projects that are in the budget under Capital Improvements, and slide them out one Fiscal year, to allow time to find out how much the Old 41 project is going to cost, and for additional time for planning and prioritization.

5:05:31 PM Samuel Wells suggested switching the skate park to cement so it would not erode as bad.

5:06:12 PM Tyler John Lambert stated that he does not want the skate park taken down because a lot of people go there. They also need it for Sports Club. They would like it to be renovated and made a little bigger.

5:06:45 PM Greg Dewitt expressed his support for the budget. He also asked that the East Terry wall remain in the budget.

5:07:55 PM Drew Gonzales, Mikey Marchetti, Jake Romer, Jennifer Spencer, Julie Marchetti, Kimberly Anderson, Drew MacFarlane, Kimberly Anderson, and Alex Neuhauser were all present to ask that the skate park remain.

5:21:20 PM Doug Kenney was also in attendance to express his support for the skate park. He is concerned, however, about the lack of emergency services and supervision for a stand-alone skate park. It will draw more people to the recreation center if the skate park was to remain at its current location.

V. PRESENTATION OF BUDGET CHANGES COMPLETED SUBSEQUENT TO THE JULY 23, 2015 CITY COUNCIL BUDGET MEETING.

5:25:25 PM City Manager Carl Schwing introduced the City's Finance Director, Anne Wright, who presented changes made to the budget (reflected on page 4 of the memorandum title "Summary of Changes Made to the July 23, 2015 Draft Budget). Pages 5 and 6 detail the specific changes line item by line item - titled "Detailed Summary of Budget Changes."

VI. DISCUSSION OF THE REVISED BUDGET

5:40:52 PM Parks and Recreation Director Nicole Perino addressed the skate park. With respect to the current maintenance issues, the skate park has a life span of about 3-4 months, and will cost \$60,000 to fix and keep exactly how it is now. She next addressed other options they looked at including relocating the skate park, making it smaller, making it metal or concrete, etc. They also discussed options to its location if they don't repair or replace the current skate park. There are no skate park funds in the current budget.

5:45:43 PM Council Member Mike Gibson asked if CDBG funds could cover the skate park. He also addressed material options, costs and locations.

5:48:33 PM City Manager Schwing addressed communications with the YMCA to discuss a partnership to construct a skate park facility at the YMCA, however, he has not heard back

5:49:38 PM Mayor Nelson asked for more details about the \$60,000 repair. Ms. Perino confirmed that only covers the reinforcement of the current ramps.

5:51:04 PM Council Member Bill Lonkart stated that the most important issue is safety with the kids, and feels it should be repaired now, and then address options later. Ms. Perino explained that the \$60,000 would make it safe and buy a couple of years to address.

5:52:05 PM Council Member Janet Martin questioned negatives associated with the skate park such as suspensions and language. Also, the liability has changed. City Attorney Vance addressed liability, explaining that the State law changed this year which made it to where the City has less liability. Ms. Perino discussed the liability changes and the issues on language and suspensions.

Council Member Martin discussed the options of shade if they were to move the playground. Ms. Perino confirmed the budget will include a covered playground

5:55:47 PM Council Member Peter Simmons discussed whether we have reviewed partnerships or duplication of services in the area. Ms. Perino stated the maintenance issues are those that need to be addressed. Council Member Simmons addressed the big picture and not rushing into decisions beyond maintenance until we know what other items are developing. Ms. Perino addressed duplication of services and differences between the City Recreation versus the YMCA

5:58:49 PM Mayor Nelson addressed the skate park and suggested making the \$60,000 for repairs and then take the time to look at the big picture.

6:00:05 PM Council Member Lonkart motioned to move forward with \$60,000 to repair the current maintenance issues at the skate park; Council Member Slachta seconded; and the motion carried unanimously.

6:01:05 PM Discussion was next held on the Community Park Playground. Ms. Perino explained that the current playground is in need of major repairs, and when things break they have to shut down that portion of the park. There are CDBG funds available to replace it in its current location.

Council Member Martin motioned to move forward with the \$175,000 to repair the current maintenance issues at the Community Park Playground.

Council Member Simmons stated that, in working with the YMCA, he asked if this was a decision that needed to be made tonight. Ms. Perino explained that the City hasn't approached the YMCA in terms of wanting to partner with the City in playgrounds. This is a maintenance issue as well, and because it is a CDBG grant funding project, it's a little bit different. Mayor Nelson stated that playgrounds are something the City will always do. There are certain things that YMCA's do, as he didn't think that they want to get into these little "pocket" parks.

Council Member McIntosh seconded; and the motion carried unanimously.

6:04:52 PM Council Member Gibson suggested putting the children's water park on hold. Ms. Perino furnished the history to date, funding, etc. Funding is park impact fees. To do a "fix" she will not be able to use park impact fees. This was presented to City Council last year because the City didn't have one in our area. In looking at the needs in the community, there is not a lot offered for children. The project has already been approved in this year's budget, as what they were requesting is additional funds in next year's budget to build a family restroom. Council Member Martin commented that this was something that Council already voted on, and people are waiting for.

6:09:08 PM Council Member Simmons asked what the proposed budget is in total, and what the total revenues are. Finance Director Wright referred to page 18, which shows all the totals, and a total revenue of \$25,088,720. City Manager clarified the \$10 million difference was also a part of the downtown and the capital improvement projects proposed for next year. Ms. Perino clarified what park impact fees can be used for, and Mayor Nelson addressed the partnership with the YMCA for the future

6:13:06 PM Mayor Nelson discussed how far we are in the children's pool project. Council Member Simmons asked if the \$10 million difference on spending versus what we are taking in concerned any other Council Members. Council Member Lonkart stated that it does concern him, however, as explained by City Staff he is encouraged by Staff and supports the projects. Mayor Nelson referred to the comparison of the budget during the Imperial Parkway project. In response to Council Member Gibson's question on whether the difference was covered by the loan, Ms. Wright referred to page 20 of the budget to explain. Council Member Gibson asked if there was anything that could be cut to reduce this. City Manager Schwing responded that was a Council decision and staff would do as directed. Council Member Gibson asked further questions regarding the loan to which Ms. Wright answered with details. City Manager Schwing clarified further the details of the capital projects budget for the downtown project and the loan. Mayor Nelson discussed the consequences of cutting any other areas in the budget. Council Member Lonkart further discussed the loan and stated that they refinanced that day to save money.

6:24:50 PM Council Member McIntosh discussed that the City has been through the worst and now it is time to spend money to make this a quality City. Council Member Slachta agreed that it is a work in progress and that we need to keep moving forward. Mayor Nelson stated that we do need to think outside the box for the citizen's benefit by building a reciprocate relationship with YMCA

6:26:45 PM Ms. Wright clarified a change to the budget with the \$60,000 to repair the skate park. She asked for a break to update the resolution to reflect this change. Discussion regarding the funding source followed. Council Member Gibson discussed his decision regarding the East Terry wall at the last City Council meeting.

6:29:20 PM City Manager Schwing discussed the protocol for wall requests, pond maintenance, etc., to which this request met the criteria. Public Works Director Matt Feeney confirmed that there are no other walls in the City at this time would meet the protocol set by the City.

6:30:40 PM Assistant City Manager John Gucciardo discussed the protocol for adding walls, which includes a combination of both objective and subjective standards, which he addressed, along with the decision in this instance. Mayor Nelson asked Mr. Gucciardo if they have identified what projects the CDBG funds will be used for, to which Mr. Gucciardo responded yes. With the carry over dollars it is projected that they will spend over \$750,000 in CDBG funds in the upcoming year. Mayor Nelson referred to the \$60,000 for the playground and stated he didn't know if there were funds within that fund balance, to which Mr. Gucciardo explained that funds are not eligible for maintenance type issues, which the playground would entail. He will contact Lee County to see if they cover replacement. If he understood what Ms. Perino stated, was that there may be some savings on the playground side because they are putting the playground in the shaded area, and so it may not be the \$175,000 project there. Council Member Gibson stated he felt they should take another look at it. Mayor Nelson suggested polling Council to see if they still want to do that. Council Member Lonkart asked if the trees that were there now were on the easement or if they were beyond the fence. Public Works Director Matt Feeney stated that without an accurate survey it was 50/50 on the trees, as a lot of them are right on the right-of-way line, and some are private trees. If they were to go forward with either project, they would have to survey the right-of-way and then lay in whatever boundary they would choose along that right-of-way line. Council Member Lonkart referred to the East Brook/West Brook situation, which he did not want to see happen here. Mr. Feeney stated that a lot of those trees located along that right-of-way are nuisance vegetation trees that the code precludes, i.e., Brazilian peppers, etc.

6:35:04 PM Council Member Simmons stated that with regards to the wall, he voted against it previously, and if it came up for a vote he would vote against it again. He feels it sets a bad precedent City-wide. Council Member Martin stated she was disappointed because it was voted on, and she went home and called those people

and told them they were getting a wall. She feels it would be terrible to have to call these people and tell them it's not going to happen because there's a possibility of a change of heart. These people have wanted this wall since the other wall went up along Terry, and they thought they were going to be included in that project. She further explained, stating to get that safety factor of having a sidewalk that people can use, they need the wall to go in. Mayor Nelson agreed with Council Member Martin regarding this being a decision that has been made. Council Member Slachta stated he supports sticking with his vote. Council Member Gibson stated he didn't agree with either the wall or the landscaping. Mayor Nelson stated he feels that Council Member Martin is right in that he feels they will see other improvements made along that road.

6:41:55 PM Council Member McIntosh referred to the last meeting where they addressed public safety and asked about bringing electric to River Park, which he would like included in the budget. Ms. Perino stated it would be \$10,000 to bring electric to the park, which didn't include anything else. Council Member McIntosh asked to add the \$10,000 for this item.

A 10 minute break was taken to prepare the resolution and to include the \$60,000 and the \$10,000.

6:53:14 PM City Manager Schwing addressed the \$10,000 for electric for River Park. The budget will not be changed to reflect this but staff will take this as direction and will work to find the funds to get that done.

VII. A RESOLUTION OF THE CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA, FOR FISCAL YEAR 2015-2016; ESTABLISHING THE DATE TIME AND PLACE FOR A FINAL HEARING TO ADOPT THE FINAL AD VALOREM TAXES FOR FISCAL YEAR 2015-2016; AND PROVIDING AN EFFECTIVE DATE.

6:53:42 PM Attorney Vance read the Resolution into the record in its entirety.

Council Member McIntosh motioned adoption of the Resolution; Council Member Slachta seconded; and the motion carried 6-1 (Council Member Simmons dissenting) **ADOPTED RESOLUTION NO. 15-50**

VIII. A RESOLUTION OF THE CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2015-2016 AND PROVIDING AN EFFECTIVE DATE.

6:56:33 PM Attorney Vance read the Resolution into the record in its entirety.

Council Member McIntosh motioned adoption of the Resolution; Council Member Martin seconded; and the motion carried 6-1 (Council Member Simmons dissenting) **ADOPTED RESOLUTION NO. 15-51**

IX. PUBLIC COMMENT.

6:59:15 PM Rick Steinmeyer stated that it was neat to find out the only thing not being done was a skate park.

X. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 7:00 P.M.

Respectfully submitted,

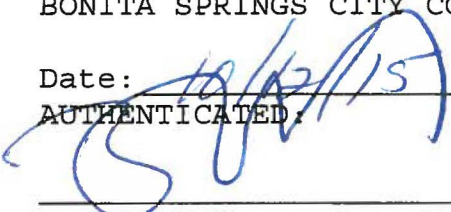


Meg Weiss, Director, Administrative Services

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 10/12/15

AUTHENTICATED:



Ben L. Nelson, Jr., Mayor