

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, OCTOBER 7, 2015
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 Riley Grandell, with Gulf Shore 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, except for Council Member Janet Martin.

V. PUBLIC COMMENT ON AGENDA ITEMS:

5:32:29 PM Peter O'Flinn addressed Agenda Item VI. B., regarding the Mayor's Challenge for Safer People and Streets, and suggested a Master Plan for bike connectivity for the City, as was in the Comprehensive Plan years ago.

5:33:55 PM Amy Serdahl with Post 303 was in attendance to ask for Council's support for the benefit carnival they are having for a 3-year old with brain cancer.

5:34:28 PM Rick Steinmeyer addressed Agenda Item VII. G., regarding Special Event Permit for DeRomo's Gourmet Market's one year anniversary event, and asked if the tent was approved by the Fire Department.

5:34:47 PM Fred Forbes, agreed with Peter O'Flinn on moving forward with a bike plan.

5:35:36 PM David Rubins, with Royal Scoop, suggested allowing people to manufacture ice-cream and have ice-cream tasting as part of the downtown overlay.

5:36:18 PM Scott Diantuono, with DeRomo's, stated that he was in attendance to ask City Council for approval of their requested Special Event Permit for their one year anniversary Italian Feast.

5:37:22 pm Assistant City Manager John Gucciardo referred to the DeRomo's Special Event Permit application on the Consent Agenda, and explained that the date on the Greensheet of "Saturday," October 15, should be revised to reflect "Thursday," October 15, 2015.

VI. PROCLAMATIONS AND PRESENTATIONS:

- A. CERTIFICATE OF RECOGNITION TO LOUIS BRUNO, FOUNDER OF BRUNO AIR CONDITIONING, FOR RECEIVING THE 2015 INDUSTRY APPRECIATION EMERGING BUSINESS LEADER AWARD.

5:37:49 PM Mayor Nelson next presented Louis Bruno with a Certificate of Recognition for receiving the 2015 Industry Appreciation Emerging Business Leader Award. Mr. Bruno was in attendance to accept his award and to thank Mayor Nelson and City Council.

- B. PRESENTATION BY JENNIFER HAGEN, COMMUNITY DEVELOPMENT, ON THE MAYOR'S CHALLENGE FOR SAFER PEOPLE, SAFER STREETS. (GREENSHEET NO. 15-10-0299)

5:39:43 PM Jennifer Hagen, Community Development, next furnished an update on the Mayor's challenge for safer people, safer streets. She addressed initiatives, projects and activities undertaken by the City's Bicycle Committee, City Staff and Public Works. The intent is to improve safety for bicyclists and pedestrians over the next year.

5:43:27 PM Council Member Peter Simmons referred to the Visioning Study for Bonita Beach Road and stated that the 2000 Comprehensive Plan states "that a community with outstanding parks and recreational facilities, that parks and natural resources should be easily accessed through a continuous system of safe shaded walkways and bicycle paths that connect to homes, shopping and work places." He stated he was unsure if there was any of this, however, there are plenty of bike strips on the sides of U.S. 41, but they are not complete streets. He suggested the development of a Master Plan for real bike connectivity, and move it quickly and get it funded and have Staff involved. Ms. Hagen explained that the Bicycle Safety Pedestrian Advisory Committee is looking into updating the City's Bike Pedestrian Facilities Map for opportunities to add connectivity. In response to Council Member Simmons, Ms. Hagen explained that the Bike Committee meetings are the third Monday of every month at the Liles Hotel at 4:00 P.M.

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.)

5:45:06 pm Council Member Slachta motioned to approve the Consent Agenda; Council Member Simmons seconded; and the motion carried unanimously.

- A. APPROVE THE NINTH AMENDMENT TO CITY OF BONITA SPRINGS, FLORIDA AND CH2M HILL ENGINEERS, INC., COMMUNITY DEVELOPMENT, BUILDING PERMITTING AND INSPECTIONS AND ADMINISTRATIVE SUPPORT SERVICES AGREEMENT. (GREENSHEET NO. 15-10-0291)
- B. APPROVE INTERLOCAL AGREEMENT WITH LEE COUNTY FOR FIXED ROUTE TRANSIT SERVICE WITHIN THE CITY OF BONITA SPRINGS. (GREENSHEET NO. 15-10-0297)
- C. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE BONITA SPRINGS ESTERO ASSOCIATION OF REALTORS, INC., HALLOWEEN IN THE PARK EVENT AT RIVERSIDE PARK ON OCTOBER 31, 2015. (GREENSHEET NO. 15-10-0302)

- D. REQUEST FOR APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE TASTE OF BONITA TO BE HELD ON NOVEMBER 20, 2015 THROUGH NOVEMBER 22, 2015 AT RIVERSIDE PARK. (GREENSHEET NO. 15-10-303)
 - E. ADOPT A RESOLUTION APPROVING THE RANKING OF THE CITY'S AUDIT COMMITTEE, SELECTING AS ITS TOP RANKED FIRM ASHLEY, BROWN COMPANY AS THE CITY'S EXTERNAL AUDITING FIRM. AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT, SUBSTANTIALLY THE SAME FORM AS ATTACHED TO THE RESOLUTION. (GREENSHEET NO. 15-10-0292) **ADOPTED RESOLUTION NO. 15-56**
 - F. APPROVAL OF AN ECONOMIC DEVELOPMENT INCENTIVE DOWNTOWN BONITA SPRINGS FAÇADE MATCHING GRANT FOR TINA SCHUCKLAT BOOLE FOR COMMERCIAL PROPERTY LOCATED AT 27060 OLD 41 ROAD, BONITA SPRINGS, FL 34135. (GREENSHEET NO. 15-10-0306)
 - G. APPROVE A PERMIT FOR DEROMO'S GOURMET MARKET AND RESTAURANT TO HOST THEIR ONE YEAR ANNIVERSARY ITALIAN FEAST AT 26811 SOUTH BAY DRIVE, BONITA SPRINGS ON SATURDAY, OCTOBER 15, 2015. (GREENSHEET NO. 15-10-302)
 - H. APPROVE SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE AMERICAN LEGION POST 303 BENEFIT CARNIVAL FOR 3 YEAR OLD WITH CANCER ON SUNDAY, OCTOBER 25, 2015 FROM 2:00 P.M. TO 9:00 P.M. AT 27678 IMPERIAL SHORES BOULEVARD, BONITA SPRINGS. (GREENSHEET NO. 15-10-0305)
- VIII. FIRST READING OF THE FOLLOWING ZONING ORDINANCE (NO PUBLIC COMMENT ALLOWED):
- A. ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO AMEND THE NORTH BAY VILLAGE COMMERCIAL PLANNED DEVELOPMENT (CPD); TO AMEND TRACT "R" OF THE MASTER CONCEPT PLAN, THE SCHEDULE OF USES AND REQUESTED DEVIATIONS TO ALLOW UP TO 108 MULTI-FAMILY UNITS NOT TO EXCEED 35'; ON LAND LOCATED AT 26355 AND 26375 NORTH BAY VILLAGE PARKWAY, BONITA SPRINGS, FLORIDA, ON 12+ ACRES; PROVIDING FOR AN EFFECTIVE DATE.

5:46:02 pm City Attorney Audrey Vance read the title block of the Zoning Ordinance into the record.

5:46:11 pm Council Member Bill Lonkart motioned to move forward with a second reading of the Zoning Ordinance on Monday, October 19, 2015 at 9:00 A.M.; Council Member Slachta seconded; and the motion carried unanimously.

IX. FIRST READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES:

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTIONS 4-868, 4-869, AND 4-872 TO ALLOW ADMINISTRATIVE RELIEF FOR INNOVATIVE PROJECTS; MODIFYING SOME USES IN THE OLD US 41 REDEVELOPMENT URBAN CORE AND IN THE HIGHWAY COMMERCIAL (AREA 3B); REVISING THE DEVELOPMENT STANDARDS FOR THE RESIDENTIAL SUB-AREAS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY,

CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0294)

5:47:29 PM City Attorney Vance read the title block of the Ordinance into the record, after which she addressed revisions made.

5:48:48 PM Jay Sweet, Community Development, furnished a brief overview of the Ordinance addressing the two major changes made. The first is for a provision that would give Staff authority to allow certain deviations, of which he provided examples. A second revision relates to 3-B, which is where the Bonita Beach Road Overlay intersects the Downtown Overlay, and in reviewing it Staff felt that the uses within the Overlay need to be more in-line with the uses in the Downtown Overlay so as to attract people to downtown. Overall, Staff came up with a list of suitable uses. The list includes a caveat that they will most likely be back to add some uses. Also, the City Manager has contacted Bob Gibbs who prepared the downtown study and asked what uses he felt would be appropriate there.

5:52:21 PM Mayor Nelson stated that he is all for developing a "shopping list" of what they would like to see there, and it's important to find out what will economically work, and having Mr. Gibbs help to that. He also feels it's important that it be incentivized to ensure whatever goes in will be successful – uses that will be successful that people will want to go to.

5:53:24 PM Council Member Mike Gibson referred to page 2 item (s) where it states that "The City Manager or designee may review variances administratively within all redevelopment sub areas, which may include but are not limited to:" He would like to have removed the wording "but not limited to," to which City Attorney Vance to revise. Council Member Gibson stated he would also like to see ice-cream manufacturing and ice-cream tasting. City Attorney Vance explained that specialty foods are allowed in almost every sub-district. Mayor Nelson questioned the production part of that. Mr. Sweet stated that Staff can look at that to see how it can be incorporated. Council Member Gibson agreed with Mayor Nelson in that they need uses that are going to be viable there. He stated that there is an interested party and he wants to make sure that they do not completely shut the door on that interested party. Mayor Nelson stated he also doesn't want to preclude that use if it is something that would be beneficial, however, he feels they need to see evidence. City Manager Carl Schwing explained that he did speak to Mr. Gibbs and he does not believe that's the appropriate location; however, he did indicate that uses such as small hotels, office uses, good retail and sit down restaurants are uses that should be located at the gateway to the downtown. Also, in terms of incentivizing, another issue is that perhaps they need to do more recruiting of the types of uses they would like to see downtown.

PUBLIC COMMENTS:

5:58:20 PM Fred Forbes addressed the issue of the "gateway" to downtown. He doesn't feel they will get the more choice uses they want.

5:59:00 PM Attorney Steve Hartsell stated he was here on behalf of Brightwork Real Estate, addressed the "gateway" corner property located at the northeast corner of Bonita Beach Road and Old 41. It's a 2.48 acres site. His client, Wa Wa, has a contract to purchase that property and is interested in putting a convenience food and beverage store there. They do look forward to becoming part of the Bonita Springs community. Their request is related to allowing a convenience food and beverage use with gas pumps at that location, which is not a listed use in the Ordinance. It's important to his client that a convenience food and beverage, with self-service gas pumps be allowed at that location. They are not primary a gas station, as they started out in the northeast as a dairy store, and added food services and they are primarily a restaurant that has gas pumps. They are primarily food and beverage. Overall, he is here to urge Council to add that use – or particularly at this particular location only.

6:02:22 PM Mr. Rubins with Royal Scoop ice-cream, stated they have been looking for over a year for a place to manufacture their ice-cream, as there are few places where they can do that.

6:03:09 PM Council Member Steve McIntosh addressed the request by Mr. Hartsell. Need to be careful on what goes on that corner. There is so much interest in a vision of creating an artist area and making it walkable. If it's restaurant with pumps that's one thing, and if it's a restaurant that's different. He agrees that they need to be careful about what is placed at that corner because that is the gateway to what they hope is a walkable/bikeable downtown, and so he didn't intend to get into the specifics of it, but feels they should talk about it. Mayor Nelson explained Staff's concern is with it being something that's a high generator of traffic is because of the location. He further explained. Council Member McIntosh stated that corner does not have easy access, as they are putting too much money into it to not have it be what they want it to be. Mayor Nelson stated that he was okay with going through the process without precluding much anything until they place the seal on it, as long as they get testimony about what's important to allow for that gateway, and backing that up with examples. Council Member McIntosh stated that corner does not have easy access, as there is one way in off 41, and one way out northbound on Old 41. They need to be cognizant of what they are trying to do broadly in that area, as they are putting too much money into it to have it not be exactly what they want it to be. Mayor Nelson stated that doing the right research, and doing this process that the City Manager wants to do through, and getting some professional testimony in this would be great. He agrees that they need to know from people who have experience in these downtown areas as to what is the kiss of death for a downtown area to have for a gateway, what's going to suck the life out of that corner and what's going to add life to it.

6:07:36 PM Council Member Simmons stated that there have been a lot of good points raised, and wants to keep the discussion going. This may or may not be the ideal location for Wa Wa, however, he would like to have them in town. He agrees it's a wonderful company, and feels there may be another location in town. City Manager Schwing explained that Staff has expressed serious concerns to the developer as well to Wa Wa about this site; however, Staff has also told them that this is not a Wa Wa issue, as it's the use itself. Staff has offered to try to find them a more appropriate location, because they are wanted here.

Council Member McIntosh motioned to move forward with a second reading and public hearing on Wednesday, October 21, 2015; Council Member Simmons seconded; and the motion carried unanimously.

- B. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING §4-1315 RELATED TO THE AFFORDABLE HOUSING BONUS DENSITY PROVISIONS IN THE ZONING CHAPTER; REQUIRING GREEN CONSTRUCTION FOR RESIDENTIAL UNITS ELIGIBLE FOR AFFORDABLE HOUSING BENEFITS; OTHER MINOR CHANGES; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE, AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0295)

6:09:56 PM City Attorney Vance read the title block of the Ordinance into the record.

6:10:26 PM Jennifer Hagen, Community Development, furnished a brief overview, explaining that the intent is to document that affordable housing projects be mandated as "green." Only those units above the standard density they would be allotted per their future land use would be mandated to be green.

6:11:36 PM Council Member McIntosh stated that it's not an additional cost for Habitat for Humanity.

PUBLIC COMMENTS:

6:11:53 PM Fred Forbes stated that up to 100 homes can be build standard construction. He suggested language to require additional homes to be “green.”

6:13:01 PM Council Member McIntosh motioned to move forward with a second reading of the Ordinance on Wednesday, October 21, 2015; Council Member Steve Slachta seconded; and the motion carried unanimously.

- C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 6 (SIGNS); AMENDING SECTION 6-112 TO AMEND THE REGULATIONS REGARDING PERMANENT ON-SITE SIGNS FOR SCHOOLS, CHURCHES, DAY CARE CENTERS, PARKS, RECREATIONAL FACILITIES, LIBRARIES AND OTHER SIMILAR USES; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0296)

6:13:38 PM Alex Boswell-Ebersole, Assistant City Attorney, read the title block of the Ordinance into the record. The Local Planning Agency reviewed the Ordinance on October 1, 2015 and found it to be consistent with the Comprehensive Plan, with some revisions. He has reviewed the Affidavit of Publication and found it be legally sufficient. City Attorney Vance did send a memo regarding the Ordinance to City Council outlining concerns raised, most of which have been alleviated by including the requirement for a 400-foot frontage and that the property be on a collector road.

6:14:42 pm Mike Fiigon, Community Development, provided an overview, explaining that the 330-foot requirement was revised to 400 feet – to require there be at least 400 feet of frontage to be eligible for this new standard. He also furnished the history, etc. Discussion ensued.

6:19:19 PM Council Member McIntosh referred to the “several requests” Mr. Fiigon stated he received, and asked what exactly it was they were trying to do. Mr. Fiigon responded. He explained that the difference is that most of the properties are destination properties and people who are going there know what’s there, which is different than retail.

6:22:39 pm Council Member Mike Gibson asked why churches, schools, etc., are being treated differently, and why it’s not the same as other uses on Bonita Beach Road. City Attorney Vance responded.

6:25:50 pm Mayor Nelson asked why this was not being handled by variance. Mr. Sweet explained that wanted to make sure they had parody among all the churches. The reason they originally recommended 330 feet is because they did a survey and looked at all the churches they could find, and found that almost all of them were on lots that were at least 330 feet. 330 feet is also the requirement for driveway separations on major collectors. Also, minor arterials and would have the kind of frontage. Staff also didn’t want to get into different size signs. Discussion ensued, with Mr. Sweet stating that Staff was looking at a way that would be most encompassing without it creating the fewest amount of issues. Also, most commercial businesses are allowed monument signs, and so their thought was why shouldn’t a church be allowed to have that same type of monument sign, which addresses architectural standards.

6:32:00 pm Council Member Gibson asked why not just say these are the regulations for anything that’s along Bonita Beach Road, as an example. Discussion followed. Council Member Gibson asked if it was possible to have whatever the sign Ordinance for that area is pertain to everyone. City Attorney Vance stated that’s what it should be, but by doing this, they are expanding into areas that previously were not commercial areas or industrial corridors, and now expanding and adding additional signage. Mayor Nelson stated that what he felt Council Member Gibson was saying is that if it’s Bonita Beach

Road and its customarily a commercial corridor, then you would get a commercial sign. If it's in a residential area, then you would get a residential sign. City Attorney Vance stated that would comply and be a perfect form based Ordinance. The problem is that right now they are trying to amend an ordinance that some content language – they are trying to put a bandaid on something that will need a bigger fix. Mayor Nelson asked that Staff work towards Council Member Gibson's suggestion, as what he says is right, as it makes more sense if you somehow attach it to the surrounding uses and surrounding corridor uses and if it's a commercial area treat it like a commercial sign, and if it's in a residential area, you get 32 square feet. Council Member Simmons agreed that was a good idea. Direction to Staff to work towards Council Member Gibson's suggestion if it's possible. Mr. Sweet referred to the church on Vanderbilt and the church on Terry Street, both on corridors that are "technically" residential but are more in a commercial nature, and they didn't want to "punish them." He asked if that was something Staff should address separately. Mayor Nelson stated that he would consider Terry Street to be residential. Also, there are businesses on Vanderbilt. It appears to be a rather plain distinction.

PUBLIC COMMENTS:

6:38:55 PM Peter O'Flinn stated that he agrees with Council direction.

Council Member Slachta motioned to move forward with a second reading and public hearing of the Ordinance on October 21, 2015; Council Member McIntosh seconded; and the motion carried unanimously.

X. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES:

- A. AN ORDINANCE CREATING THE CITY OF BONITA SPRINGS GREEN BUILDING PROGRAM; PROVIDING FOR INTENT AND PURPOSE; DEFINITIONS, DESIGNATION OF RESPONSIBILITY FOR ADMINISTRATION AND IMPLEMENTATION; PROGRAM; SCOPE; COVERAGE; STANDARDS; INCENTIVES; CERTIFICATION; TRAINING; PROGRAM REVIEW; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE, AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0293)

6:40:24 pm City Attorney Vance read the title block of the Ordinance into the record.

6:41:01 pm Jennifer Hagen furnished a brief overview. The ordinance documents green building standards. This includes adopting FGBC standards as the official minimum criteria for new city buildings; enacting green landscaping for city buildings (which staff is currently adhering to), adopting FGBC green standards as officially recognized green standards of the city (would not affect building permits should applicant choose not to participate) and adopting an Incentive programs for green developments as approved by Council. For private property owners, participation in the program is voluntary, and includes both new construction and remodeling, for residential, commercial and institutional. Incentives for participation includes "fast track" and priority status, development rebates and marketing incentives (plaques, city webpage recognition, and an annual Green Building Award. To maximize its potential, there is a public outreach through education and training programs.

PUBLIC COMMENTS:

6:42:50 pm Rick Steinmeyer addressed maintenance of the plaques people are given to place on their houses.

Council Member McIntosh motioned adoption of the Ordinance; Council Member Slachta seconded; and the motion carried unanimously. **ADOPTED ORDINANCE NO. 15-19**

- B. AN ORDINANCE RELATED TO FIRE PREVENTION AND PROTECTION; PROHIBITING OPEN BURNING; PROVIDING DEFINITIONS; EXCEPTING CERTAIN REASONABLE AND SAFE OPEN BURNING ACTIVITIES; AND PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, INCLUSION IN CODE, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0298)

6:44:02 pm Assistant City Attorney Boswell-Ebersole read the title block of the Ordinance into the record.

6:44:46 pm In response to Council Member Gibson's question as to whether one can burn leaves in their yard, Ms. Hagen explained that the intent of the Ordinance is to promote air quality.

PUBLIC COMMENTS:

6:46:23 pm Rick Steinmeyer stated that the Ordinance mentions nothing about burning on the beach – bonfires.

6:47:42 pm Council Member McIntosh motioned adoption of the Ordinance; Council Member Simmons seconded; and the motion carried unanimously. **ADOPTED ORDINANCE NO. 15-20**

XI. PUBLIC COMMENT:

6:48:22 pm Rick Steinmeyer addressed the Ordinance regarding open burning and stated it also does not mention charcoal being left on the beach, and other debris that people burn on the beach. John Dulmer, Community Development, explained that Lee County does have a ban on open fires at the beach. City Attorney Vance to research.

6:49:22 pm Kathy McGrath congratulated Bruno Air on their award. She also congratulated Peter Simmons Jr., for speaking before City Council on the skate park. She next reminded everyone of Riverfest scheduled for October 24, 2015 and activities planned. She concluded by reading into the record a letter written by Ryan Willoughby, President of the Imperial River Conservancy, regarding complaints they received regarding the condition of the Imperial River and Kehl Canal (copy in Clerk's file).

XII. CITY ATTORNEY'S REPORT:

- A. PERMISSION TO ADVERTISE AN ORDINANCE RELATED TO ADMINISTRATIVE SETBACK VARIANCES AND NONCONFORMITIES CREATED BY EMINENT DOMAIN PROCEEDINGS, AMENDING LAND DEVELOPMENT CODE SECTIONS 4-254 AND 4-2325. IF COUNCIL AUTHORIZES TO GO FORWARD, THE ORDINANCE WILL BE SCHEDULED ON NOVEMBER 4, 2015 AND NOVEMBER 18, 2015 FOR ITS PUBLIC HEARINGS, WITH LOCAL PLANNING AGENCY REVIEW ON NOVEMBER 12, 2015. (GREENSHEET NO. 15-10-0307)

6:52:54 PM City Attorney Vance read the title block of the Ordinance into the record.

6:54:06 pm Council Member McIntosh motioned to move forward with a first reading on November 4, 2015; Council Member Bill Lonkart seconded; and the motion carried unanimously.

6:54:51 pm City Attorney Vance responded to Mr. Steinmeyer's question regarding fires on the beach. She explained that fires are prohibited on the beach during sea turtle nesting season – from May

through October. On private property, owners of their property can have a fire in their yard on the dry sand area.

XIII. CITY MANAGER'S REPORT:

A. REVIEW OF MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 15-10-301)

6:55:34 PM Informational.

B. APPROVE LETTER OF SUPPORT FOR WEST COAST INLAND NAVIGATION DISTRICT (WCIND) TO SEEK FEDERAL FUNDING FROM UNITED STATES ARMY CORPS OF ENGINEERS (USACE) TO PROPERLY MAINTAIN THE GULF INTERCOASTAL WATERWAY (GIWW). (GREENSHEET NO. 15-10-300)

6:55:47 PM Council Member Slachta motioned approval; Council Member Simmons seconded; and the motion carried unanimously.

XIV. MAYOR AND COUNCIL MEMBER ITEMS AND REPORT:

6:56:41 pm Council Member McIntosh reported that today he participated in walk to school day. The event entailed about 150 school staff and teachers. They all walked from the Flamingo Flea Market to Bonita Springs Elementary. The objective was to emphasis safety for those children who walk to school, and to establish that walking is part of a healthy lifestyle. He also congratulated the Spotlight Magazine on their new headquarters. He next reported that Dictionary Day was last Tuesday, and every third grader in Lee County received a dictionary from the rotary clubs. He helped distribute dictionaries to Bonita Springs Elementary School. Today he also met with 12 members of the newest Estero Leadership High School Leadership Academy. They will help them understand how leaders have been successful. Lastly, he congratulated Kathy McGrath on receiving the Bonita Springs Citizen of the Year Award.

6:58:48 pm Council Member Lonkart reported that he also attended the Spotlight magazine event, and it's a beautiful facility.

6:59:10 pm Council Member Gibson asked staff to look at zoning to see if can accommodate ice-cream production and tasting, especially along Old 41. He also congratulated the Spotlight on their new offices and on their third production publication. Lastly, he invited everyone to come out to Riverfest.

6:59:52 pm Council Member Simmons also congratulated Kathy McGrath and the Spotlight Magazine. He also thanked Ms. McGrath for the kind words concerning his son.

7:01:17 pm Mayor Nelson reported that coming up at Friday's MPO meeting, the CAC (Citizens Advisory Committee) made a recommendation that the County start collecting the full amount of impact fees, which he agrees with. He will be at the meeting and will let Council know. He senses that Council agrees with that too. He informed Council of a letter he received from Darla Louternaue which indicated that since the reduction (in fees) that in the last 30 months, \$25 million was "left on the table." It's money that is needed for infrastructure, and so unless Council tells him otherwise, he would like to be able to say that Bonita Springs City Council thinks that the Lee County Commissioners should reinstate the full amount of impact fees. He also reported on an event to take place in Fort Myers on the 14 (October) regarding complete streets.

XV. APPROVAL OF MINUTES: 09/10/15 (BUDGET), 09/16/15 & 09/21/15 (BUDGET)

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

CONVENE AS THE CITY COUNCIL AUDIT COMMITTEE

MINUTES AUDIT COMMITTEE (COUNCIL MEMBERS LONKART, MCINTOSH AND SIMMONS): 09/16/15

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

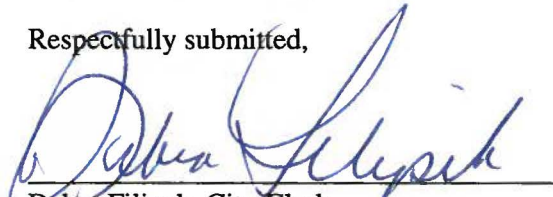
RECONVENE AS CITY COUNCIL

XVI. PUBLIC COMMENT: None

XVII. ADJOURNMENT.

There being no further items to discuss the meeting adjourned at 7:06 P.M.


Respectfully submitted,



Debra Filipek, City Clerk

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 10/26/15
AUTHENTICATED:



Ben L. Nelson, Jr., Mayor