

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, FEBRUARY 5, 2014
5:30 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. SWEARING-IN CEREMONY OF RECENTLY-ELECTED CITY COUNCIL MEMBERS FOR DISTRICTS 1, 3 AND 5 PERFORMED BY THE HONORABLE JAY B. ROSMAN, 20TH JUDICIAL CIRCUIT CHIEF JUDGE.

The Honorable Jay B. Rosman was in attendance to perform the Swearing-in ceremony for recently elected City Council Members Steven Slachta, Michael Gibson and Stephen McIntosh.

II. CALL TO ORDER

Mayor Ben Nelson, Jr. called the meeting to order at 5:37 P.M.

III. INVOCATION

Pastor Russ Wynn, with the Springs Church, furnished the invocation.

IV. PLEDGE OF ALLEGIANCE

Council Member Steve Slachta led in the Pledge of Allegiance.

V. ROLL CALL

Mayor Nelson and all Council Members were in attendance.

VI. PUBLIC COMMENT ON AGENDA ITEMS

5:39:01 PM Kathy McGrath expressed her excitement about the presentation on the plans for the dog park. She also commented on Consent Agenda item E., the film fest that is set to highlight the Nature Place. She hopes Council will approve this agenda item.

5:40:54 PM Christine Ross, with the Bonita Springs Chamber of Commerce, voiced her excitement as well for the dog park.

5:41:29 PM Maribel Slabaugh, with the Bonita Springs Assistance Office, thanked Council for their support of Consent Agenda Item L., the "Burn Calories, Feed a Family" event.

5:42:37 PM Russell Lord, a resident near Riverside Park, supports the statue of the dog at Riverside Park. He presented Council Member Mike Gibson with a petition signed by 43 residents in the area who would like the dog statue to remain at Riverside Park.

VII. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE WINNERS OF THE LEE COUNTY SHERIFF'S DEPARTMENT ESSAY CONTEST.

5:46:05 PM Lieutenant Brian Przespolewski, with the Lee County Sheriff's Office, was in attendance to present Certificates of Appreciation to the following students as winners of the Lee County Sheriff's Department essay contest: Bryana Mendoza, Diego Manzanares, Esmeralda Perez, Jenna Fulton, Karla Whitney, Kevin Jacinto, Kimberly Aragoh, Malachi Plummer, Maria Aguilar, Parry Chavez and Sabrina Freire.

B. PRESENTATION OF CERTIFICATES OF RECOGNITION TO THE CITY OF BONITA SPRINGS POOL STAFF AND THE FIREFIGHTERS WHO ASSISTED IN THE MEDICAL EMERGENCY THAT RESULTED IN THE SAVING OF A LIFE WHILE ON DUTY FOR THE CITY OF BONITA SPRINGS.

6:00:21 PM Mayor Nelson next presented Certificates of Recognitions to City Parks and Recreation employees Colleen Klaudinyi and Jessie Felger, who assisted in the saving of a life during a medical emergency. Chief Joseph Daigle was present as representative for members of the Bonita Springs Firefighters who also assisted in the medical emergency as well.

C. RECEIVE THE BONITA SPRINGS/ESTERO ECONOMIC DEVELOPMENT COUNCIL QUARTERLY REPORT. (GREENSHEET 14-02-0041)

6:03:25 PM Vince Modarelli was in attendance to present the Bonita Springs/Estero Economic Development Council (EDC) Quarterly Report (Report attached to Greensheet). He addressed items relating to local business retention and expansion assistance, new business relocation assistance, advocacy efforts, marketing and public relations support provided.

6:16:21 PM Will Scott, owner of Marbles, an innovation, patent and design firm in the City of Bonita Springs, began by addressing the need for a traffic light at the intersection at Riverview Center and U.S. 41 for safety. He next addressed his experience with the Economic Development Council, which was very helpful to him in relocating his company into the City of Bonita Springs. He would recommend and support additional funding for the EDC.

6:23:17 PM Mr. Modarelli concluded by addressing news and articles relating to work of the EDC, impact fees and Use Permit Activity. The EDC would like to furnish an Annual Report in September or October.

Council Member Bill Lonkart asked Mr. Modarelli to furnish the addresses and contact information for the investors listed.

D. PRESENTATION BY STAFF ON THE DESIGN PLAN AND COST ESTIMATE TO CONSTRUCT A DOG PARK ON THE MAYHOOD PROPERTY. (GREENSHEET 14-02-0038)

6:30:47 PM Nicole Perino, Parks and Recreation Director, next furnished a PowerPoint presentation (copy in Clerk's file) to present plans for the dog park planned at the Mayhood property. The property in total consists of approximately 17 acres, with 6.5 acres being developed with the dog park. The remaining 10 acres is a gopher tortoise preserve.

She explained that in meeting with representatives of numerous parks throughout Southwest Florida, she learned that the number one item they lacked that they would like to have at their dog park was a dog wash station, which is reflected in the plans. There will also be a tea cup/small dog area in the front area near the parking lot that would consist of .45 acres. There will also be a picnic area and a larger dog area in the back. The park would also be landscaped, mulched, and sodded. It will also be fenced. They also propose to utilize most of the existing trees and vegetation on the site. Additional features they are looking into include is an asphalt drive that will connect to Bonita Drive.

Staff has met with BSU, the Fire Department, and Community Development, with their plans, all of whom are in agreement with them. There is already water service to the site. She concluded by addressing costs, as reflected in her attachment to the greensheet. The park as currently designed would cost \$313,000. The current over budget with contingency is \$92,812, and without the contingency would be \$46,000.

6:48:57 PM Council Member Janet Martin motioned approval of the addition of the contingency for the \$92,000; Council Member Peter Simmons seconded.

6:50:19 PM City Manager Carl Schwing informed Council that park impact fees would be used for the construction of this park.

6:52:34 PM In response to Council Member Mike Gibson, Ms. Perino stated that maintenance would be approximately \$15,000 per year.

6:56:53 PM The motion carried unanimously.

VIII. 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.)

6:58:03 PM Council Member Steve McIntosh motioned approval of the Consent Agenda; Council Member Janet Martin seconded; and the motion carried unanimously.

- A. APPROVAL OF RESOLUTION APPOINTING A NEW MEMBER TO THE TECHNOLOGY ADVISORY BOARD. (GREENSHEET 14-02-0022) **ADOPTED RESOLUTION NO. 14-03**
- B. REQUEST APPROVAL OF AMENDMENT NO. 3 TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONTRACT #6362 FOR USE WITH THE FOLLOWING PUBLIC FACILITIES PROJECTS: COMMUNITY HALL UPGRADES AND PLAYGROUND, AND DEPOT PARK RESTROOM UPGRADES TO EXTEND THE CONTRACT TERM DATE TO SEPTEMBER 30, 2014. (GREENSHEET 14-02-0021)
- C. A RESOLUTION OF THE CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA; CONFIRMING THE RESULTS OF THE CITY OF BONITA SPRINGS CANVASSING BOARD IN CONJUNCTION WITH THE JANUARY 28, 2014 ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET 14-02-0025) **ADOPTED RESOLUTION NO. 14-04**

- D. APPROVE TWO (2) CONSENTS TO ANNEXATION WITH WALDEN CENTER DRIVE ASSOCIATES AND COCONUT ROAD ASSOCIATES. (GREENSHEET 14-02-0024)
- E. APPROVE A CONSENT TO ANNEXATION WITH WALDEN CENTER, LP. (GREENSHEET 14-02-0028)
- F. APPROVE AN ANNEXATION AGREEMENT WITH JAMES R. AND JOAN C. JULOW, 24261 WOODSAGE DRIVE, BONITA SPRINGS, FLORIDA 34134. (GREENSHEET 14-02-0026)
- G. AMEND THE AGREEMENT WITH CREATIVE EXPRESSIONS STUDIO AND GALLERY, LLC, FOR RENEWAL OF ARTIST COTTAGE #4 LEASE AGREEMENT FOR ANOTHER ONE YEAR TERM. (GREENSHEET 14-02-0036)
- H. APPROVE THE AGREEMENT BETWEEN THE CITY OF BONITA SPRINGS AND JEFF ELLIS & ASSOCIATES, INC. FOR OUR BONITA SPRINGS COMMUNITY POOL SAFETY AUDIT AND RISK MANAGEMENT SERVICES. (GREENSHEET 14-02-0037)
- I. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR THE ANNUAL FITZGERALD'S SAINT PATRICK'S EVENT ON MARCH 15 THROUGH MARCH 17, 2014 FROM 10:00 A.M. TO 9:30 P.M. AT 9070 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET 14-02-0027)
- J. REQUEST APPROVAL FOR THE CITY-WIDE CLEAN-UP SCHEDULED FOR MARCH 1, 2014 AT COMMUNITY HALL. (GREENSHEET 14-02-0023)
- K. REQUEST FROM THE SOUTHWEST FLORIDA ARCHAEOLOGICAL SOCIETY TO WAIVE RENTAL AND PERMIT FEES TO USE COMMUNITY HALL FOR THEIR GENERAL MEETING. (GREENSHEET 14-02-0029)
- L. REQUEST APPROVAL OF A SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE BONITA SPRINGS ASSISTANCE OFFICE, INC. AND YMCA OF BONITA SPRINGS FOR "BURN CALORIES, FEED A FAMILY" ON FEBRUARY 6 AND FEBRUARY 14, 2014 AT RIVERSIDE PARK. (GREENSHEET 14-02-0033)
- M. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR THE SOUTHWEST FLORIDA MARINE INDUSTRIES ASSOCIATION FOR THE BONITA SPRINGS BOAT SHOW EVENT ON MARCH 6, 2014 TO MARCH 9, 2014 AT THE NAPLES-FORT MYERS GREYHOUND TRACK, 10601 BONITA BEACH ROAD. (GREENSHEET 14-02-0034)
- N. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR THE BONITA SPRINGS AREA CHAMBER OF COMMERCE TO HOST THEIR ANNUAL BUSINESS EXPO EVENT ON THURSDAY, MARCH 13, 2014 FROM 4:00 P.M. TO 7:00 P.M. AT THE PROMENADE CENTER IN BONITA SPRINGS. (GREENSHEET 14-02-0035)
- O. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE BONITA SPRINGS HISTORICAL SOCIETY FOR AN OLD-FASHION FISH FRY ON FEBRUARY 16, 2014 AT THE LILES HOTEL PLAZA. (GREENSHEET 14-02-0039)

- P. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE BONITA SPRINGS FILM FESTIVAL COMMITTEE TO HOLD THE BONITA SPRINGS FILM FESTIVAL AT THE BONITA NATURE PLACE FROM FEBRUARY THROUGH SEPTEMBER, 2014. (GREENSHEET 14-02-0040)
- Q. AUTHORIZE THE ACCEPTANCE OF ADDITIONAL RIGHT-OF-WAY FOR OLD 41, INCLUDING FUTURE MAINTENANCE, ADJACENT TO THE VALENCIA (FKA LAKEHURST) DEVELOPMENT. (GREENSHEET 14-02-0042)

IX. PUBLIC COMMENT:

6:58:19 PM Fred Forbes was in attendance to address the redevelopment of Old 41 and the loan approved by City Council. His hope is that funds can be used for the development of off-street parking. Secondly, he addressed the need for architectural standards for big box developments, suggesting Council pass a resolution to direct staff to make this a priority.

7:00:25 PM Kathy McGrath congratulated Christine Ross on her appointment to the Citizens Advisory Board. She also reported that Lover's Key made the list of the Sunshine State's Secret Beaches. She further reminded everyone that February 22, 2014 is the Arbor Day event and March 1, 2014 is the City-wide cleanup. Lastly, she informed everyone of the CREW concert scheduled for March 1, 2014.

X. CITY ATTORNEY'S REPORT.

7:02:20 pm City Attorney Audrey Vance informed Council that February 10, 2014 is the pre-closing on the loan with Banc of America, with the closing scheduled for February 14, 2014. She further informed Council that the City's insurance provider settled the sidewalk incident the other day.

XI. CITY MANAGER'S REPORT:

- A. DISCUSSION REGARDING RESCHEDULING OF MARCH 19, 2014 CITY COUNCIL MEETING TO MARCH 26, 2014.

7:02:50 PM City Manager Schwing explained that Staff's recommendation is to reschedule Council's meeting of March 19, 2014 to March 26, 2014 as a result of Legislative Days in Tallahassee. He also suggested Council consider scheduling a Strategic Planning workshop. Lastly, he reported that yesterday the Lee County Board of Commissioners voted to move forward with the beach renourishment project for Bonita Beach.

Council Member Slachta motioned to reschedule the March 19, 2014 City Council meeting to March 26, 2014; Council Member Simmons seconded; and the motion carried unanimously.

XII. MAYOR AND COUNCIL MEMBER ITEMS AND REPORTS.

- A. A RESOLUTION APPOINTING A CHAIR TO THE CITY OF BONITA SPRINGS BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND ZONING BOARD OF APPEALS; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET 14-02-0031)

7:06:11 PM Mayor Nelson motioned the appointment of Roger Brunswick as the Chairman of the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals;

Council Member Steve McIntosh seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 14-05**

B. A RESOLUTION APPOINTING A CHAIR TO THE CITY OF BONITA SPRINGS LOCAL PLANNING AGENCY. (GREENSHEET 14-02-0030)

Mayor Nelson motioned the appointment of Henry Bird as Chairman to the City of Bonita Springs Local Planning Agency; Council Member Simmons seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 14-06**

7:07:21 pm Council Member Janet Martin reminded everyone that this weekend is the Downtown Art Festival. The event is scheduled for Saturday and Sunday, from 10:00 A.M. to 5:00 P.M. She further reminded everyone that the Imperial River Conservancy is participating in the City-wide Clean-up. She concluded by also reminding everyone of the Arbor Day event at Riverside Park.

7:08:09 pm Council Member Slachta congratulated Council Member McIntosh and newly elected Council Member Mike Gibson. He also thanked everyone in his district who went out and voted.

Council Member Mike Gibson thanked the citizens of District 5 who voted for him. He looks forward to working with everyone.

7:11:13 PM Mayor Nelson reported his work with Staff on the Flood Insurance Act and an invitation he received to go to Washington DC next week with a number of other Mayors in the area to address the issue. He further congratulated Council Member Gibson, and concluded by reminding everyone of the Art Festival coming to downtown Bonita.

XIII. APPROVAL OF MINUTES: 01/15/14

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

XIV. PUBLIC COMMENT:

7:15:50 PM Martha Simons began by congratulating all three newly elected Council Members. She further informed everyone that on February 18 there will be a bus going to Tallahassee for the "We want clean water here" event. The cost is \$40 per person.

XV. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 7:17 P.M.

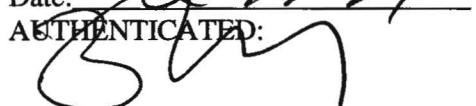
Respectfully submitted,



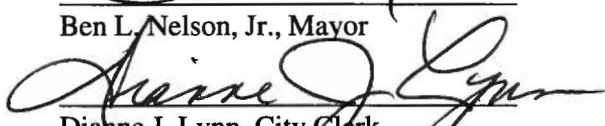
Debra Filipek, Recording Secretary

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 2-19-14
AUTHENTICATED:



Ben L. Nelson, Jr., Mayor



Dianne J. Lynn, City Clerk