



City Council Chambers
9101 Bonita Beach Road
Bonita Springs, Florida 34135

**BONITA SPRINGS
CITY COUNCIL
MEETING MINUTES**

May 3, 2023

5:30 p.m.

1. Call to Order

Mayor Rick Steinmeyer called the meeting to order at 5:30 p.m.

2. Invocation

Invocation provided by Rev. Susan Fannon, Springs of Bonita Church.

3. Pledge of Allegiance

Mayor Steinmeyer led the Pledge of Allegiance.

4. Roll Call

(Clerk's Note – Roll call for attendance occurred simultaneously with the roll call vote for Approval of the Agenda - Item 5)

*Present 7 Mayor Steinmeyer, Council Member Bogacz, Council Member Purdon,
Council Member Carr, Council Member Corrie, Council Member Fullick,
Council Member Forbes*

Absent 0

5. Approval of Agenda

Mayor Steinmeyer recommended a change to the order in which agenda items will be heard, in consideration of the many members of the public present for Agenda Item 9 - Proclamations and Presentations. He suggested that the Council hear Item 9 ahead of Item 8 - Zoning and Land Use Items. Council Member Corrie motioned to make the change recommended by the Mayor, Council Member Fullick seconded. A roll-call vote was taken by the Clerk; the motion carried 7-0.

6. Mayor's Welcome

7. Public Comment on Agenda Items

Kyle Moran - Thanked Council Members and staff for all their efforts.

8. Proclamations and Presentations: (Formerly Item 9 – Moved per Council approval)

- A. Presentation to the Bonita Springs Charter School Arbor Day Poster Contest Winners (Green Sheet No. 23-05-097)

Mayor Steinmeyer called forth the winning students. Each student introduced themselves and briefly described their poster. Mayor Steinmeyer and Council Members thanked the students and the teachers/staff of Bonita Springs Charter School for their participation.

- B. Presentation of Proclamation to members of the Lee County Sheriff's Office Community Policing Unit to recognize the week of May 14-20, 2023, as National Police Week in the City of Bonita Springs.

Mayor Steinmeyer called forth the members of Lee County Sheriff's Office Bonita Springs Community Policing Unit. The City Clerk read the proclamation aloud. Council Member Purdon expressed appreciation to the Community Policing Team and Captain Blake Lee thanked the Mayor and Council for the honor.

9. Zoning and Land Use Items: (Formerly Item 8 – Moved per Council approval)

- A. (SECOND READING AND PUBLIC HEARING) A REQUEST TO AMEND ZONING ORDINANCE 16-07 FOR THE OAKLAND COMMERCIAL PLANNED DEVELOPMENT, WITH THE ADDITION OF A MASTER CONCEPT PLAN, AMENDED CONDITIONS AND AN AMENDED SCHEDULE OF USES; LOCATED AT 27971 OAKLAND DRIVE, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 23-05-094)

City Attorney Rooney administered the oath to those who intended to give testimony. Clerk Sheffield read the Ordinance title into the record. Mary Zizzo provided the staff presentation and Stacy Hewett with Banks Engineering presented for the applicant.

*Mayor Steinmeyer called for public comments; seeing none, Mayor Steinmeyer motioned to approve; Council Member Forbes seconded. The Clerk called the roll; the motion carried by a vote of 6-1 (Council Member Corrie opposed). **Ordinance 2023-04 Adopted***

- B. A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST FOR A SPECIAL EXCEPTION REQUEST TO ALLOW A CONDOMINIUM WAREHOUSE, PUBLIC USE FACILITY ON A PROPERTY LOCATED WITHIN THE COMMERCIAL ZONE OF THE BONITA BEACH ROAD CORRIDOR OVERLAY, PURSUANT TO LDC 4-898; LOCATED AT 28010/020 PERFORMANCE LANE, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet No. 23-05-091)

City Attorney Rooney administered the oath to those who intended to give testimony. Mary Zizzo provided the staff presentation. Mayor Steinmeyer called for public comment; seeing

*none, Council Member Carr motioned to approve; Council Member Purdon seconded. The Clerk called the roll; the motion carried unanimously. **Resolution 2023-36 Approved***

10. Consent Agenda:

Council Member Carr motioned to approve; Council Member Forbes seconded. The motion carried unanimously.

- A. Approval of the March 15, 2023 Draft City Council Meeting Minutes; and March 15, 2023 Draft City Council Workshop Minutes and April 19, 2023 Draft City Council Meeting Minutes
 - B. Approve the award of the Old 41 Road & Strike Lane Signalization & Sidewalk Improvements Project RFB 22-14 to the lowest responsive, responsible bidder, Coastal Concrete in the amount of \$985,697.50 for signalization, and \$252,725.00 for sidewalk improvements upon approval of all documentation and adopt Budget Transfer Resolution. (Green Sheet No. 23-05-085)
 - C. Approval of a resolution appointing two members to the Veterans Advisory Committee; and providing an effective date. (Green Sheet No. 23-05-086)
 - D. Confirm and ratify Executive Order 23-01 and Resolutions extending the Local State of Emergency due to Hurricane Ian. (Green Sheet No. 23-05-087)
 - E. Approve Fourteenth Addendum to the Second Agreement for Law Enforcement Services to implement funding for two additional deputies for the LCSO Community Policing Unit in Bonita Springs. (Green Sheet No. 23-05-093)
 - F. Approve the special event permit for the Memorial Day Service and temporary road closure of Old US 41 Road from Wilson Street to Ragsdale Street for the duration of the service on Monday, May 29, 2023. (Green Sheet 23-05-095)
- Opportunity for City Council Comments on Consent Agenda

11. Mayor and Council Member Items:

- A. Discussion regarding direction to staff to draft a policy regarding fatality memorials in public right of ways. (Green Sheet No. 23-05-096)

Council Member Forbes asked staff to review options for implementing an appropriate time-limit on fatality memorials placed along the roadside. City Manager Hunter and City Attorney Rooney will review policies in place in other jurisdictions and provide an update.

12. Public Hearing:

- A. SECOND READING OF AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; AMENDING THE BONITA SPRINGS CITY CODE, CHAPTER 40 – TRAFFIC AND MOTOR VEHICLES, AND CREATING A NEW ARTICLE IV – LIMITATIONS ON THRU TRUCK TRAFFIC; PROVIDING CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND AN EFFECTIVE DATE. (Green Sheet No. 23-05-092)

The Clerk read the Ordinance title into the record. Mayor Steinmeyer stated that Council has received several written comments in support of approval. He called for public comment; seeing none, Mayor Steinmeyer motioned to approve; Council Member Carr seconded. The Clerk called the roll; the motion carried unanimously.

Ordinance 2023-03 Adopted

- B. SECOND READING AND PUBLIC HEARING OF AN ORDINANCE OF THE CITY OF BONITA SPRINGS FLORIDA, AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 – ZONING, TO AMEND SEC. 4-555 – USE REGULATIONS TABLE AND 4-556 – PROPERTY DEVELOPMENT REGULATIONS TABLE WITHIN THE MOBILE HOME RESIDENTIAL DISTRICT, SEC. 4-866 – GENERAL PROVISIONS AND SEC. 4-872 – STOREFRONTS AND SIGNAGE FOR THE DOWNTOWN FORM-BASED CODE, AND SEC. 4-898 – PERMITTED USES AND SEC. 4-899 – SITE DESIGN STANDARDS WITHIN THE BONITA BEACH ROAD CORRIDOR OVERLAY DISTRICT; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE. (Green Sheet No. 23-05-089)

Clerk Sheffield read the Ordinance title into the record. Jacqueline Genson, speaking for staff, presented the item. Council Member Carr motioned to approve; seconded by Council Member Forbes. Mayor Steinmeyer called for public comments; seeing none, the Mayor requested the Clerk call the roll; the motion carried unanimously.

Ordinance 2023-02 Adopted

- C. An Ordinance of the City of Bonita Springs approving the Petition of Bonita Springs Utilities, Inc., to Approve Special Service Charges for Sun Village Estates and the Lakes of San Souci and providing for an effective date. (Green Sheet No. 23-05-088)

Clerk Sheffield read the Ordinance title into the record. Mayor Steinmeyer motioned to move to second reading; Council Member Corrie seconded. The Clerk called the roll; the motion carried by a vote of 6-1 (Council Member Purdon opposed).

13. City Attorney's Items:

- A. Approve an easement exchange agreement with Bonita Cypress, LLC relocated Orr Road on a property on the northeast corner of Bonita Beach Road and Interstate 75. (Green Sheet No. 23-05-099)

City Attorney Rooney summarized the item. No members of the public provided public comment. Council Member Forbes motioned to approve; Council Member Carr seconded. The Clerk called the roll; the motion carried unanimously.

14. City Manager's Items:

- A. Consider a special event application from the Springs Church to conduct a church service in Riverside Park from 6:00 pm to 7:00 pm on Christmas Eve. (Green Sheet No. 23-05-090)

Mayor Steinmeyer motioned to approve; Council Member Carr seconded. The Clerk called the roll; the motion carried unanimously.

- B. Provide direction to Staff regarding updates to the City's Wireless Facilities regulations in the Land Development Code. (Green Sheet No. 23-05-098)

Community Development Director John Dulmer provided an overview of the City's existing cell tower regulations including allowable tower height. Council provided guidance to Director Dulmer to bring-back proposed changes to the ordinance (LDC-Chapt 4) for Council consideration.

- C. Update regarding Hurricane Ian recovery

Community Development Director John Dulmer presented a report that included monthly trends with permit activity (Report on file in the City Clerk's Office)

City Manager Hunter informed Council that the Lee County Recovery Task Force has asked municipalities to submit a list of projects that qualify for hurricane recovery funding from the \$1.1 billion in CDBG-DR funds that were allocated to the County. The Recovery Task Force was tasked by the Lee County Board of Commissioners with developing the plan for the use of the funds. Council members agreed to hold a workshop immediately following the May 17th regular City Council meeting to prioritize and develop a list of projects to submit.

15. Mayor and Council Member Reports

Council Member Carr - Thanked Congressman Donalds for providing the opportunity for staff to participate in the recently held FEMA workshop.

Council Member Bogacz - Provided an update from the Fire District, stating the District received a grant from the Florida Division of Emergency Management for two new weather stations, and Fire Station Seven repairs are progressing.

Council Member Corrie - Asked and received agreement from Council to direct staff with developing a plan for applying the newly adopted Through Truck Ordinance to the downtown district, to be presented to Council no later than the first meeting in June. Council Member Corrie also distributed a report from the Technology Advisory Board regarding EV Batteries (on file in the Clerk's office).

Council Member Fullick - Thanked Council for approving the initiatives for a more solemn Memorial Day Service, and he introduced the newly appointed members to the Veterans Advisory Committee. He also distributed a list of informative bullet points regarding the City's hurricane recovery efforts that he recently presented to the Downtown Business Alliance (on file in the Clerk's Office).

Council Member Forbes - Stated that the city should think big when considering projects for CDBG-DR funds.

Council Member Purdon – Stated that the Ordinance that imposes a limit on the number of hens that can be kept has not been reviewed in several years and may be outdated. He asked staff to review the ordinance and bring back update suggestions for council consideration.

16. Public Comment

Joe Gallagher - Spoke about the need for low-moderate income rental housing and expressed the need for a senior center.

Alex Grantt - Spoke about potential funding for the Sheriff's office to help control the proliferation of military style weapons.

17. Adjournment

There being no further business, the meeting adjourned at 7:20 p.m.

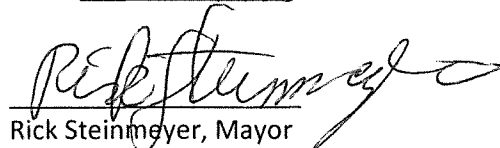
Prepared by:



Mike Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: 5/17/23



Rick Steinmeyer, Mayor