

MINUTES FOR THE REGULAR MEETING OF THE
CAPE CORAL CITY COUNCIL

February 7, 2024

Council Chambers

4:30 p.m.

Meeting called to order by Mayor Gunter at 4:30 p.m.

INVOCATION/MOMENT OF SILENCE – Mayor Gunter

PLEDGE OF ALLEGIANCE – Mayor Gunter

Roll Call: Mayor Gunter, Councilmembers Hayden, Long, Sheppard, Steinke, and Welsh were present. Councilmember Carr participated remotely. Councilmember Cosden was excused.

CHANGES TO AGENDA/ADOPTION OF AGENDA

Mayor Gunter asked if anyone had any changes to the Agenda. There were none.

Councilmember Hayden moved, seconded by Councilmember Welsh, to adopt the agenda, as presented.

Council polled as follows: Steinke, Welsh, Gunter, Hayden, Long, and Sheppard voted "aye." Six "ayes." Motion carried 6-0. (Councilmember Carr experienced technical difficulties; his vote was not captured.)

RECOGNITIONS/ACHIEVEMENTS

Community Recognition Award: Brittany Bowman

City Manager Ilcyszyn recognized Brittany Bowman of Sage on 47th who recently won the Rivi Gin and Redwood Empire Whiskey Bartender Competition.

APPROVAL OF MINUTES

Regular Meeting - January 24, 2024

Councilmember Hayden moved, seconded by Councilmember Steinke, to approve the minutes for the January 24, 2024, Regular Meeting, as presented. Voice Poll: All "ayes." Motion carried.

CITIZENS INPUT TIME

Laurie Lehmann voiced concerns about resident input not being heard on Jaycee Park and Yacht Club.

Tom Shadrach voiced concerns about the \$60M Parks GO Bond Referendum and suggested that Council reduce the debt by \$11M allocated to the Yacht Club.

David Kalish voiced concerns about Council Rules specific to speaker behavior; the stipend; and removal of CRA Board Members.

Resident voiced concerns about honesty, integrity, and First Amendment rights.

Sally Flash voiced concerns with the removal of the Australian Pines at Jaycee Park; installation of a bar there; and not changing the character of the park.

Marie Kavanaugh suggested pulling Consent Agenda Item 17 for discussion. She cited Section T.(1) regarding Public Comment Opportunities. She requested additional time

for Citizens Input. She mentioned she forwarded concerns to the Florida State Attorney General for review.

Wally Ilczyszyn shared the City's early history and growth needs met over the past decades such as the Midpoint Bridge and reclaimed water.

Rich Leon voiced concerns with the stipend since no discussion was held on the dais. He suggested that Council hold that discussion. He referenced Robert's Rules and read the process of rescinding a motion.

Robert Long voiced concerns with urban blight; Jaycee Park developments; transparency; stipend; and engagement in public conversations.

Bill Pranger voiced his opposition about Jaycee Park changes and inquired about the unsolicited proposal.

Jerry Gunn voiced concerns with a pool contractor's expired permits and licensing.

Lisa Cohen voiced concerns with infrastructure issues from traffic congestion; workers' pay; budget constraints; outdated policies; accountability; transparency; and leadership.

Francine voiced concerns with Jaycee Park and requested it be left alone.

Penelope Bowdick voiced concerns with the stipend.

Jay Higgins voiced concerns with the Travel Policy Ordinance and suggested adjusting the policy accordingly. He opined that the stipend was done the wrong way. He inquired how residents were benefitting from memberships.

Jim Kozak voiced how elected officials get to shape the City and leave a legacy. He explained why he chose living in Cape Coral versus North Naples.

Sheila Baskin voiced concerns with Jaycee Park developments; requested Council rescind the stipend; and inquired about removed volunteers.

Tara Jenner voiced readdressing our government for grievances and provided information about a Constitution questionnaire. She encouraged candidates to have their financial disclosures available online.

Debbie McCormick expressed the need to address City Council with respect and all work together.

Julia Ettari voiced concerns with accountability.

Vincent Valerio voiced his opposition with Jaycee Park developments. He expressed concern about the increase in homeowners' insurance.

Patty Schumacher voiced concerns with the budget process; stipend; and inquired about resident applause at Council meetings.

Councilmember Steinke inquired about the unsolicited proposal process.

City Manager Ilczyszyn explained the following process:

- Unsolicited proposal – Article 7, Section 2-144 Public Private Partnership
- City did not specify or request a proposal
- Private sector able to take items of discussion and submit an unsolicited proposal

Councilmember Steinke addressed comments from Citizens Input. He shared the benefits he gained under the memberships for City Council. He noted that there was an open forum at Mercola Market for Jaycee Park input from the public. He explained the open budget process and encouraged the public to attend future workshops.

BUSINESS

CONSENT AGENDA

- 1) Resolution 2-24 Approve Master Agreement #RPW2371MM to provide Construction Manager at Risk Services for City projects less than \$1 million, on as needed basis with the following firms: AIM Construction Contracting, LLC., of Fort Myers, FL (#RPW2371MM-A); Arex Builders Corp. of Cape Coral, FL (#RPW2371MM-B); Centennial Contractors Enterprises, Inc. of Reston VA (#RPW2371MM-C); Chris-Tel Construction of Fort Myers, FL (#RPW2371MM-D); DEC Contracting Group, Inc. of Fort Myers, FL (#RPW2371MM-E); Logicon LLC dba Go-Builder of Tampa FL (#RPW2371MM-F); Gulfpoint Construction Company, Inc. of Fort Myers, FL (#RPW2371MM-G); Halfacre Construction Company of Sarasota, FL (#RPW2371MM-H) and Rycon Construction of Fort Myers, FL (#RPW2371MM-I); And authorize the City Manager or Designee to execute the agreement, work authorization, change orders and purchase orders; Department: Public Works; Estimated Dollar Value: \$4,500,000; (General Fund/Water and Sewer/Internal Services Fund -Citywide Funds as applicable)
- 2) Resolution 19-24 Approve the Master Intergovernmental Cooperative Purchasing agreement for the purchase of Stryker Sales, LLC medical equipment utilizing RFP#RFB 2021-06 issued by Eagle County Health Service District dba Eagle County Paramedic Services, Public Safety Association, Inc., and is made available through Savvik Buying Group's Cooperative purchasing programs, for the purchase of Automated External Defibrillators, Cardiac Monitors/Defibrillators, Automated CPR Devices, and other Medical Equipment for an estimated annual amount of \$220,000; And authorize the City Manager, or designee, to execute the Master Intergovernmental Cooperative Purchasing Agreement, amendments and renewals during the term of the contract; Department: Fire; Estimated dollar value: \$220,000; (Fire Operations Fund)
- 3) Resolution 22-24 Award RFP #RUT2382JM, and the corresponding contract, for professional engineering and hydrogeological services for the North Reverse Osmosis (RO) Water Treatment Plant Class I underground injection control exploratory well project to RMA Geologic Consultants, Inc., for a not to exceed amount of \$1,383,795.41 and authorize the City Manager or designee to execute the agreement(s), change order(s), contract amendment(s), renewal(s), and purchase orders; Department: Utilities; Dollar Amount: \$1,383,795.41; (Water and Sewer Fund)
- 4) Resolution 28-24 Award Bid #BPW2368AS, and corresponding contract(s), for Painting Services for Various City Facilities to the following firms: Five12 Painting & Remodeling, LLC.; Florida Painters of Lee County, Inc.; and Quick Painting Group Corp. to provide painting services to facilities throughout the City for an estimated annual amount of \$250,000; And authorize the City Manager or designee to execute the agreement(s), renewal(s), and purchase orders; Department: Public Works; Estimated annual amount: \$250,000; (Facilities Management Fund)
- 5) Resolution 31-24 Award RFP #23117MR, and corresponding contract, to 1Pro Media Inc., II, of Cape Coral, FL, for Cape TV Production Services in the amount of \$158,400; and authorize the City Manager or Designee to execute the contract, renewals, amendments purchase orders and change orders; Office: City Manager's Office/Communication; Dollar Value: \$158,400; (General Fund)
- 6) Resolution 37-24 Approve the Change Orders to existing purchase orders for the following Contracts: #BFD22122MM, #BPW2178MM, #PW19-105MM, #PW18-132MM, #PW20-55MM, #BPW2171/MM and #BCP2240MM in the total amount of \$300,000 for the Median Landscape Maintenance project and Lawn & Landscape Services projects previously approved by Council; The project is to address the

need for repair and replacement of irrigation infrastructure and plant material needed to maintain a healthy and aesthetically pleasing landscape; authorize the City Manager or Designee to utilize the refurbishment allocation for issuance of change orders to the existing purchase orders, as needed. The vendors for the corresponding contracts are as follows: Brent's Lawn and Tree Service, Inc; Superior Landscape Lawn Services, Inc. and John Fideli Landscape, LLC.; Grow Care Outdoor Solutions, LLC; Tony's Lawn and Landscaping LLC; Department: Public Works; Dollar Amount \$300,000; (General Fund)

- 7) Resolution 38-24 Approve the Single Source, and corresponding agreement, with - Software Name exempt per 119.0725 of the Florida Statutes - for the - Software Name exempt per 119.0725 of the Florida Statutes - solution at the unit prices stated for an estimated processing cost of \$1,480,655; authorize the City Manager or Designee to execute the agreement, purchase order, change order and any related document; Department: Finance; Estimated annual dollar amount: \$1,480,655; Budgeted across all funds
- 8) Resolution 40-24 Award Bid #BPW2415MM, and corresponding contract(s), for Lining of Drainage Pipes to the following firms: Flotech Environmental, LLC.; Inliner Solutions, LLC; Nu-Pipe, LLC; and Shenandoah General Construction, LLC., to provide pipe lining services to the aging stormwater infrastructure throughout the City for an estimated annual amount of \$1,600,000 (FY24 is estimated at \$400,000; the subsequent annual amount is estimated at \$1,600,000 based on annual appropriation); and authorize the City Manager or designee to execute the agreement(s), change order(s), contract amendment(s), renewal(s), and purchase orders; Department: Public Works; Estimated annual amount of \$1,600,000 (1st year amount of \$400,000; subsequent years is estimated at \$1,600,000); (Stormwater Fund)
- 9) Resolution 41-24 Award Bid #BPW23123MR, and corresponding contract(s), for Purchase and Delivery of Ready-Mix Concrete to QE Concrete, LLC. and Grippio Pavement Maintenance, Inc., for projects throughout the City at the unit price stated, respectively, in the estimated annual amount of \$550,000; and authorize the City Manager or Designee to execute the contract(s), agreement(s), renewal(s), extensions, amendment(s), purchase order(s) and change order(s); Department: Public Works; Estimated annual Dollar Amount \$550,000; (General Fund)
- 10) Resolution 42-24 Approve contract BUT2440MM to Tony's Lawn and Landscaping LLC of North Fort Myers, FL for Grounds Maintenance for Utilities Work Sites, Canal Pump Stations, Wells and Lift Stations for the mowing, landscaping, and irrigation maintenance of select City properties in the annual amount of \$238,200 with a 10% City controlled contingency of \$23,820 and a refurbishment allowance of \$10,000 for refurbishment, replacement and removal of landscaped or hardscape features within specified areas as needed for a project total of \$272,020; and authorize the City Manager or Designee to execute the contract, renewals, amendments, purchase orders and change orders; Department: Public Works / Utilities Dollar Amount: \$272,020; (Water and Sewer Fund)
- 11) Resolution 43-24 Award Bid #BPW2416MM, and corresponding contract for the Rubican-Bimini Culvert Cleaning project to Earth View, LLC in the amount of \$126,997 with a City controlled contingency of \$12,700 for a project total of \$139,697; and authorize the City Manager or Designee to execute the contract, renewals, amendments, purchase orders and change orders; Department: Public Works; Dollar Amount: \$139,697; (Stormwater Fund)
- 12) Resolution 45-24 Approve a change order to existing purchase order #23501048 in the amount of \$33,160.94 based on the final design to the All-Hazards truck, including increased functionality, safety, and corrosion control. This truck will replace the current Hazardous Materials truck and will respond to hazardous materials incidents, technical rescues, and other high-risk incidents. The original

amount approved was for \$1,383,831.60 with the final design the new total is \$1,416,992.54; And authorize the City Manager or Designee to execute the change order; Department: Fire; Dollar Amount \$33,160.94; (All Hazards Fund)

- 13)Resolution 46-24 Award Bid #BCP23104MM, and corresponding contract, for Construction of Crystal Lake Park to Pavement Maintenance, LLC for the base bid amount of \$7,427,042, and a combined bid additive amount of \$1,229,433.20 for a total of \$8,656,475.20 with a 5% City controlled contingency of \$432,823.76 for a project total of \$9,089,298.96; And authorize the City Manager or Designee to execute the contract, amendment, purchase orders and change orders; Office: City Manager's Office/Capital Improvement Project; Dollar Amount: \$9,089,298.96; (Governmental Capital Project Fund-funded by GO Bond)
- 14)Resolution 47-24 Approve Final Replat for Lot 1 Skyline North. This is a replat which splits lot 1 of Skyline North into two development parcels. Lot 1 of Skyline North is located at the northeast corner of SW 12th Ave and Pine Island Rd. Refer to the attached location exhibit; Department: Development Services; Dollar Value: N/A; (Fund: N/A)
- 15)Resolution 48-24 Approve Modification #5 to Subgrant Agreement between the Division of Emergency Management and the City of Cape Coral to Contract Number H0339 to reinstate and extend the terms and increase the Federal Funding by \$7,669.04; Department: Utilities; (Grant Funding)
- 16)Resolution 52-24 Request that Lee County establish an Anchoring Limitation Area within the Bimini Basin, which is within the City's territorial jurisdiction, and enter into an Interlocal Agreement with the City of Cape Coral to provide the necessary permits, signage, buoys and enforcement of the Area; Department: City Manager's Office; Estimated Dollar Value: N/A
- 17)Council Agenda Rules of Procedure

Mayor Gunter asked if anyone had any items to pull. There were none.

Councilmember Hayden moved, seconded by Councilmember Steinke, to approve 9(A)(1), 9(A)(2), 9(A)(3), 9(A)(4), 9(A)(5), 9(A)(6), 9(A)(7), 9(A)(8), 9(A)(9), 9(A)(10), 9(A)(11), 9(A)(12), 9(A)(13), 9(A)(14), 9(A)(15), 9(A)(16), and 9(A)(17), as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

None

UNFINISHED BUSINESS
Follow Up Items for Council

None

NEW BUSINESS

None

PERSONNEL ACTIONS

None

PETITIONS TO COUNCIL

None

FOLLOW UP ITEMS FROM CITY MANAGEMENT

None

ORDINANCES/RESOLUTIONS

Public Hearings - Quasi-Judicial Hearings

Resolution 10-24 (VAC23-000010*) Public Hearing

*Quasi-Judicial, All Persons Testifying Shall Be Sworn In

WHAT THE RESOLUTION ACCOMPLISHES:

A resolution providing for the vacation of plat for 2,000 sq. ft. of the SE 39th Street right of way and the underlying easements located adjacent to Lots 34-37, Block 544, Cape Coral Unit 11; providing for the vacation of plat for 504 sq. ft. of platted easements lying in Lots 34-35, Block 544, Cape Coral Unit 11; property located at 1729 and 1733 SE 39th Street.

Applicant: David Carlisle & Robert Carlisle and Rick Johanneck

City Planning Staff Recommendation: Approval with Conditions

Hearing Examiner Recommendation: Approval with Conditions

City Clerk Bruns read the title of the Resolution.

City Attorney Boksner inquired if there were any ex-parte communications that the City Council needed to disclose as this would be the appropriate time to do so for 10.A.(1), Resolution 10-24. There were none.

City Clerk Bruns administered the oath.

Senior Planner White explained the following displayed slides:

- Resolution 10-24, VAC23-000010
- Applicants, Locations, Request
- Site Location, 2023 Aerial Map
- Future Land Use Map / Current Zoning Map
- Summary
- Exhibit A – Vacation in Blue
- Exhibit B – ROW Vacation in Blue; PUE Vacation in Red
- Exhibit C – ROW Vacation in Blue; PUE Vacation in Red – PUE Reservation in Orange
- Analysis: LDC, Section 3.4.5.B.1-5
- Recommendation: Approval which included Staff Conditions; HEX recommended approval with Staff Conditions
- Correspondence – prior to HEX, one call for information; since HEX date, one informational phone call

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Welsh, to approve Resolution 10-24, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Public Hearings - Legislative Hearings (Note: Input received as follows: 1. City Staff presentations are limited to five (5) minutes; 2. Applicant(s) presentations are limited to five (5) minutes; and 3. Resident input is limited to three (3) minutes per individual with a maximum of sixty (60) minutes total. All three are subject to the following statement: Unless otherwise extended by City Council.)

Ordinance 5-24 (FLUM23-000006) Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Comprehensive Plan by amending the Future Land Use Map from Intensive Development (a Lee County designation) to Pine Island Road District (PIRD) land use for property described as a parcel of land situated in the State of Florida, County of Lee, lying south of Pine Island Road in Section 4, Township 44 South, Range 24 East, Lee County, Florida, as more particularly described herein; property located at 2700 & 2750 NE Pine Island Road.

Applicant: DD Pine Island LLC

Acreage: 8.87 acres

Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

Principal Planner Boyko explained the following displayed slides:

- Ordinance 5-24 FLUM23-000006
- Applicants, Location, Size, Urban Service, Request
- Existing FLU, Proposed FLU
- Analysis – Comp Plan – Future Land Use Element (three slides)
- Recommendation: Staff and P&Z recommended approval

Public Hearing opened.

Veronica Martin, TDM Consulting, Inc., Senior Planner, applicant's representative, explained this was the second step in the process after annexation. A rezoning application will be submitted for Commercial Corridor. The applicant's intent is for Commercial use.

Public Hearing closed.

Councilmember Steinke moved, seconded by Councilmember Hayden, to adopt Ordinance 5-24, as presented.

Council polled as follows: Steinke, Welsh, Gunter, Hayden, Long, and Sheppard voted "aye." Six "ayes." Motion carried 6-0. (Councilmember Carr experienced technical difficulties; his vote was not captured.)

Ordinance 6-24 (FLUM23-000009) Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Comprehensive Plan by amending the Future Land Use Map from Single-Family/Multi-Family (SM) to Commercial/Professional (CP) land use for property described as Lots 9-18, Block 5614, Unit 84, Cape Coral Subdivision; property located at 3303-3307 NE 16th Avenue and 3302-3306 Averill Boulevard.

Applicants: Joella Consolazio and Richard & Linda Ricciani

Acreage: 1.23 acres

Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

Planning Team Coordinator Daltry explained the following displayed slides:

- Ordinance 6-24/FLUM23-000009
- FLUM23-000009 – Proposal
- Site
- Aerial and Existing Future Land Use
- Proposed Future Land Use
- Background/History
- Comprehensive Plan
- Conclusion: Staff recommended Adoption of the proposed amendment

- Correspondence: Four informational phone calls

Public Hearing opened.

Joe Mazurkiewicz, President, BJM Consulting, Inc., represented the owners. Staff did an excellent presentation. This is a good candidate for Commercial development in the Gator Circle area. There is a fire station proposed for this area. No intention for development until utilities are in place. Surrounding area is only about one third developed.

Public Hearing closed.

Councilmember Welsh moved, seconded by Councilmember Sheppard, to adopt Ordinance 6-24, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 7-24 (FLUM23-000010) Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Comprehensive Plan by amending the Future Land Use Map from Public Facilities (PF) to Single-Family Residential (SF) land use for property described as Lots 8-11 and 20-23, Block 689, Unit 21, Cape Coral Subdivision; property located at 916-920 SE 22nd Terrace and 915-919 SE 23rd Street.

Applicant: City of Cape Coral

Acreage: .94 acres

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Brunns read the title of the Ordinance.

Planning Team Coordinator Daltry explained the following displayed slides:

- Ordinance 7-24/FLUM23-000010
- FLUM23-000010 – Proposal
- Site
- Aerial and Existing Future Land Use
- Proposed Future Land Use
- Background/History
- Comprehensive Plan
- Conclusion: Staff recommended Adoption of the proposed amendment
- Correspondence: 2 phone calls regarding the Future Land Use Map Amendment

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Welsh moved, seconded by Councilmember Steinke, to adopt Ordinance 7-24, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 95-23 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance naming the new Cape Coral Fire Department fireboat (Marine 7) in honor of Fire Engineer/Driver James Gunter. (Brought forward by City Management)

City Clerk Brunns read the title of the Ordinance.

Fire Chief Lamb explained the following displayed slides:

- Naming of Fire Boat
- Overview
- Eng. James Gunter Marine 7

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Welsh, to adopt Ordinance 95-23, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 96-23 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance naming the new Cape Coral Fire Training Facility in honor of Fire Engineer/Driver Michael Camelo Jr.

(Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

Fire Chief Lamb explained the following displayed slides:

- Naming of Fire Training Facility
- Overview
- Eng. Michael Camelo Jr. Fire Training Facility

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Sheppard, to adopt Ordinance 96-23, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 9-24 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance authorizing the City Manager to sell surplus real property described herein pursuant to Section 2-155 of the City of Cape Coral, Florida Code of Ordinance; authorizing and directing the Mayor and Clerk to execute a Special Warranty Deed conveying the aforementioned surplus real property to Skyline Property Holding, LLC. (Brought forward by City Management)

Note: Property address: 4306 Skyline Boulevard, Cape Coral, FL 33914

City Clerk Bruns read the title of the Ordinance.

Property Broker Andrews explained the following:

- The subject site is located on the west side of Skyline Boulevard, south of Mohawk Parkway and north of SW 44th Street at 4306 Skyline Boulevard.
- Property conveyed to City from GAC Properties, Inc. via Warranty Deed in 1977.
- Said deed contained deed restrictions encumbering the use of the property, as well as a restriction to whom the City could divest its interest to.
- On December 13, 2023, City Council adopted Resolution 348-23, which declared the subject property as surplus real property.
- The City has received a purchase offer from an adjoining landowner.
- Purchase price exceeds the appraised encumbered market value of the property.

- Staff recommended approval of Ordinance 9-24 to sell the property to Skyline Property Holdings, LLC.

Public Hearing opened.

Joe Mazurkiewicz, President, BJM Consulting, on behalf of Skyline Holdings, LLC, thanked City Management for making this a reality which will provide a first-class development in SW Cape Coral. He requested Council's support for Ordinance 9-24.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Sheppard, to adopt Ordinance 9-24, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 2-24 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Code of Ordinances, Chapter 2, Administration, Article IV, Travel Expenses and Auto Allowances, to repeal and delete Sections 2-43 through 2-50, and to amend Section 2-51, Travel Policy, regarding the establishment of the city travel policy.

(Brought forward by City Management.)

City Clerk Bruns read the title of the Ordinance.

Financial Services Director Mason explained the following displayed slides:

- Background (two slides)
- Citywide Travel and Expense Control – Overview
- Recommendation – approve Ordinance 02-24 and approve Resolution 9-24

Public Hearing opened.

Jay Higgins voiced concerns with the \$2,000 airfare cost ceiling in 5.D.2. He inquired where they are traveling that costs this amount. He questioned paying for checked baggage. He inquired if City employees were using City cars for personal use. He suggested that the meals in 5.E. should be stricken, as well as 5.G.4. He requested a debate on this policy.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Steinke (for discussion), to adopt Ordinance 2-24, as presented.

Councilmember Steinke inquired if there was reference material available for a municipality to have this in its budget.

Director Mason responded that it is common to have a ceiling in a policy. The cost of travel may end up being that much five years from now. Cost of travel was also dependent upon what time of year; holiday periods can be doubled. He also mentioned short-term reservations costs. Part of this travel is for Police Officers traveling across the country for various purposes such as retrieving a prisoner. All of that is included in this policy. \$2,000 is reasonable; Staff evaluated pricing associated with this. This is a living document; no intention to amend annually.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Resolution 9-24 Public Input (Companion to Ord. 2-24)

WHAT THE RESOLUTION ACCOMPLISHES:

A resolution of the City of Cape Coral, Florida, establishing a City travel policy and incorporating the travel policy into the City's Administrative Regulations. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

Financial Services Director Mason stated there was no presentation; only reiterated the information given in the previous Ordinance.

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Sheppard, to approve Resolution 9-24, as presented.

Council polled as follows: Steinke, Welsh, Carr, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Introductions

Resolution 50-24 (VAC23-000002*) Set Public Hearing for February 21, 2024

*Quasi-Judicial, All Persons Testifying Shall Be Sworn In

WHAT THE RESOLUTION ACCOMPLISHES:

A resolution of the City of Cape Coral, Florida, providing for the vacation of plat for a portion of the Cobalt Canal right-of-way adjacent to Lots 1 and 2, Block 146, Cape Coral Unit 4, Part 2; property located at 5302 Cobalt Court.

Applicant: Robert Belza and Nella Belza

City Planning Staff Recommendation: Approval with conditions

Hearing Examiner Recommendation: Approval with conditions

City Clerk Bruns read the title of the Resolution.

The public hearing was scheduled for February 21, 2024, in Council Chambers.

Ordinance 10-24 Set Public Hearing for February 21, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance authorizes and directs the City Manager or their designee to enter into a Permissive Use Agreement with the United States Army Reserve, 365th Engineer Company, for a portion of property owned by the City of Cape Coral, Florida, as described herein; property located at 2920 Burnt Store Road North, together with adjoining tracts of land to the south. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for February 21, 2024, in Council Chambers.

Ordinance 11-24 Set Public Hearing for February 21, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance approves an Agreement for the 2023/2024 Hurricane Legislative Appropriation Program between the City of Cape Coral, Florida, and the State of Florida, Division of Emergency Management, in order to provide funding for hurricane repairs and recovery due to Hurricane Ian and Hurricane Nicole and authorizes the City Manager or their designee to execute the Agreement and any related documents. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for February 21, 2024, in Council Chambers.

REPORTS OF THE MAYOR AND COUNCIL MEMBERS

Councilmember Welsh – Topics: Attended Concert in the Park; announced upcoming Brew Fest in Cultural Park with the Cape Coral Historical Museum.

Councilmember Carr – Topics: No report

Councilmember Cosden – Excused

Councilmember Hayden – Topics: Congratulated our Youth Council, second time in three years, named as one of three State Champions for their video essay on Cape Coral, encouraged public to go to Florida League of Cities Youth Council site and watch the video as well as the other two winners. Also encouraged the public to attend the Youth Council meeting on Friday at 3:00 p.m. in Council Chambers. An item to be discussed will be agenda items for the upcoming Joint City Council/Youth Council meeting. He asked for confirmation that the light at Del Prado Extension and De Navarra Parkway will be operational by next week.

City Manager Ilczyszyn responded:

- Intended to be in flash mode February 10th to 12th; thereafter, fully operational

Councilmember Long – Topics: No report

Councilmember Sheppard – Topics: No report

Councilmember Steinke – Topics: Acknowledged citizens for their comments on some of the good works done by the City. Thanked City Manager's Office for allowing him to participate remotely in their weekly meetings while he recuperates from knee surgery. Will be attending the Lee County Tourist Development Council on Thursday. Thanked City Staff for allowing him to ride with them during his recuperation period.

Mayor Gunter – Topics:

- 1/25: Attended the Lee County Recovery Task Force Meeting
- 1/27: Guest Speaker - Cape Coral Kiwanis KidsFest
- 1/31: Participated in the Florida League of Cities Board of Directors and the Florida League of Mayors Board of Directors Meeting during Legislative Action Days in Tallahassee
- 2/1: Guest Speaker - New Residents Club
- 2/2: Guest Speaker & Presented a Proclamation for the Annual Ground Owl Day
- 2/7: Filmed Pet of the Month
- 2/7: Attended the MPO Executive Committee Meeting

Mayor Gunter mentioned that the Florida League of Cities contacted him and asked if he would be interested in being a candidate for the Florida Municipal Insurance Trust which Cape Coral participates in. They are accepting applications for two openings until sometime in March. ***He asked Council if there was any objection to his application. There were no objections.***

REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

City Attorney Boksner: No report.

City Manager Ilczyszyn announced:

- Effective this past Monday, our Finance Director, Mark Mason, concluded his time as Interim Human Resources Director
- We have onboarded a new Human Resources Director – Nancy Deutsch

Nancy Deutsch commented that she had recently relocated from New Hampshire. She found the City to be very professional, warm, and welcoming; looked forward to her tenure here.

City Manager Ilczyszyn continued:

- Hosting a Planting of Mangroves at 2122 Coral Point Drive, the Coral Point Canal, Saturday, February 10th at 9:00 a.m. Residents are asked to volunteer to sign up through Keep Lee County Beautiful, partnership with Lee County 2020
- Hosting our Second Bike Night, Saturday, February 10th, from 5:00 p.m. to 10:00 p.m. on SE 47th Terrace
- Public Input meeting on the design of future trails at Yellow Fever Creek Park on Tuesday, February 13th from 10:00 a.m. to 11:00 a.m. at Rotary Park Environmental Center, 5505 Rose Garden Road. Seeking a grant up to \$400,000 from FDEP on trails at Yellow Fever Creek, Grant requires holding a public input session on types of trails and location
- For the 32nd year in a row, Cape Coral has achieved the designation of Tree City USA which is awarded by the USA Arbor Day Foundation

City Manager Ilczyszyn addressed an inaccurate comment made during Citizens Input.

TIME AND PLACE OF FUTURE MEETINGS

A Committee of the Whole was scheduled for Wednesday, February 14, 2024, at 9:00 a.m. in Council Chambers.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 6:31 p.m.

Submitted by,

Kimberly Bruns, CMC
City Clerk