

MINUTES FOR THE REGULAR MEETING OF THE
CAPE CORAL CITY COUNCIL

May 7, 2025

Council Chambers

5:00 p.m.

Meeting called to order by Mayor Gunter at 5:00 p.m.

INVOCATION/MOMENT OF SILENCE – Mayor Gunter

PLEDGE OF ALLEGIANCE – Mayor Gunter

Roll Call: Mayor Gunter, Councilmembers Donnell, Kaduk, Kilraine, Lastra, Lehmann, Long, and Steinke were present.

CHANGES TO AGENDA/ADOPTION OF AGENDA

Mayor Gunter announced that item 10.a.2. Ordinance 15-25 has been withdrawn at the request of City Management. He requested moving item 9.b.1. to immediately prior to Citizens Input. He inquired if there were any other changes to the agenda. There were no other changes.

Councilmember Kilraine moved, seconded by Councilmember Donnell, to adopt the agenda, as amended.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted “aye.” Eight “ayes.” Motion carried 8-0.

RECOGNITIONS/ACHIEVEMENTS

Community Recognition Award Danny Clayton

City Manager Ilczyszyn recognized Danny Clayton who has earned the City of Cape Coral's Community Recognition Award for his excellence in the Special Olympics, including the sports of Bowling, Bocce Ball, Swimming, Golf, Cycling, Power Lifting, Pickleball, and Tennis.

APPROVAL OF MINUTES

Special Meeting – April 9, 2025

Councilmember Lastra moved, seconded by Councilmember Kilraine, to approve the minutes for the April 9, 2025, Special Meeting, as presented. Voice Poll: All “ayes.” Motion carried.

Regular Meeting – April 16, 2025

Councilmember Kilraine moved, seconded by Councilmember Lehmann, to approve the minutes for the April 16, 2025, Regular Meeting, as presented. Voice Poll: All “ayes.” Motion carried.

APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

Youth Council – 7 Junior Vacancies, 3 Senior Vacancies, and Advisor Vacancy

Mayor Gunter noted there were 7 Junior Vacancies, 3 Senior Vacancies, and Advisory Vacancy. Councilmembers conducted applicant interviews in Council Office. He asked if Council would also like the applicants to speak now as well. ***There was no objection to continue with the recommendation without the applicants appearing at the podium.***

Applicants for Junior Vacancies

Junior Term expires 5/1/2027

Applications received: 14

Cape Coral High School

Applications received: Five

Isabella Bilibili

Allie Buice

Katelyn Le

Bianka Salinas

Kamila Vargas

Ida Baker High School

Applications received: One

Jennifer Tuero

Mariner High School

Applications received: One

Meagan Jacques

North Fort Myers High School

Applications received: One

Bereniece Sanchez

Oasis High School

Applications received: Five

Emma Brown

Molly Dysarczyk

Suzanne Greco

Landon Jackson

Gemma Liebal

At-Large from home schooling

Applications received: One

Zachary Justham

Council was polled and majority tallied in favor of: Jacques, Sanchez, Justham, Tuero, Buice, Brown, and Vargas.

Councilmember Lastra moved, seconded by Councilmember Kilraine, to appoint Jacques, Sanchez, Justham, Tuero, Buice, Brown, and Vargas as Junior Members to the Youth Council.

Council polled as follows: Kilraine, Lastra, Long, Steinke, Donnell, Gunter, and Kaduk voted "aye." Lehmann voted "nay." Seven "ayes." One "nay." Motion carried 7-1.

Applicants for Senior Vacancies

Senior Term expires 5/1/2026

Applications received: 3

Cape Coral High School

Sabrina Manso Perez

Island Coast High School

Genesis Zapato Vasquez

North Fort Myers High School

Alisha St. Germain

Councilmember Steinke seconded by Councilmember Kaduk, to appoint Perez, St. Germain, and Zapato Vasquez to the Youth Council for the Senior Vacancies.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted "aye." Eight "ayes." Motion carried 8-0.

**Vacancy: Advisor (1) – One potential candidate:
Tom Hayden (former Councilmember)**

Councilmember Kilraine moved, seconded by Councilmember Steinke, to appoint Tom Hayden as the Youth Council Advisor for a period of two (2) years.

City Attorney Boksner explained the amendment to the Youth Council Ordinance being introduced today.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted "aye." Eight "ayes." Motion carried 8-0.

CITIZENS INPUT TIME

Lori Haus-Bulcock represented the Board of Directors of Cape Coral Wildlife Trust and voiced support for the Old Golf Course taking into consideration what most of the people want – a passive preserve. She mentioned they were excited to be an environmental group who can work closely with the City on the development of the course.

David Hallsey expressed opposition to the Yacht Club parking garage and other development. He referenced the article in today's newspaper regarding the permits and design phrase.

Councilmember Long left the dais at 5:37 p.m.

Marie Kavanaugh expressed opposition to exceeding the Lake Kennedy budget. She inquired if the seawall has been constructed at Jaycee Park. She asked who initiated the stipend. She asked why the Consent Agenda template has been changed: "A Resolution of the Mayor and City Council of the City of Cape Coral, Florida..." She questioned who initiated the Jaycee Park project.

Jeff Lockhart expressed opposition to the stipend although he was in favor of stipends to teachers and single mothers. He mentioned a conflict of interest on one of the Councilmembers for the Redfish Pointe project.

Councilmember Long returned to the dais at 5:43 p.m.

Karen Niece expressed opposition to spending more money in new park projects until the existing projects are completed.

Chris Doyon, resident of the Celebration Cape neighborhood, voiced his concerns about continuing flooding and drainage problems.

Julia Ettari voiced opposition to changing the zoning for more multi-family development and requested to stop spending, finish projects already in motion. She questioned approving a management company to oversee the department and hiring of another Assistant City Manager. She suggested a forensic audit to address salary concerns.

Kyle L'Hommedieu spoke about F.S. 112.311 where public officers are agents of the people and hold their positions for the benefit of the public. He questioned why taxpayers are not involved in voting on the money being spent.

Councilmember Lastra asked for clarification on the comment of hiring additional staff.

City Manager Ilczyszyn explained:

- When he came into the City Manager's Office, there was a vacant Compliance Manager position in our office.
- He repurposed that position into a second Assistant City Manager in order to help him better run the organization.
- One Assistant City Manager is over the line departments.
- One Assistant City Manager is over the Staff departments.
- His peer research of all of the top ten cities shows that we are still the leanest in executive leadership.

Councilmember Lastra commented on Celebration Cape neighborhood. She sent an email to the speaker from Staff that stated we have some updates to do on that utility easement in his neighborhood and requested clarification.

City Manager Ilczyszyn explained:

- Speaker was probably referring to the backyard swale which is on the property of Celebration who is responsible
- Meeting – SFWMD was there and in compliance with their permit

Councilmember Lastra asked the City Auditor about the speaker's comment on being over budget for Lake Kennedy.

City Auditor Russell explained:

- Report on Page 5 - the budget was changed
- Went from 2016 Parks Master Plan of Lake Kennedy Community Park improvements to Lake Kennedy World Center for Tournaments
- Phase 1 and Phase 2 - 16 pickleball courts, 6 tennis courts
- Phase 2 – an additional 16 pickleball courts and 6 additional tennis courts
- 32 pickleball courts and 12 tennis courts from renovations
- Not currently overbudget - Actually underbudget
- Appendix A in the Audit Report – we spent \$11.9M of the \$12.3M current budget
- Started out before amount we quoted in the audit
- Went from \$4.9M to \$12M - we did not audit when project was still in the design phase - Budget at the time we did audit in 2019-2020
- Included findings from that audit in the Appendix in the current audit
- Budget increased 148% because project was no longer just improvements
- It was a whole new design concept completely different from 2016
- We went from fixing around the community park to designing a Racquet Center
- Change reflected in the title of the audit where it wasn't the Lake Kennedy Project
- No recommendation as far as the financial management
- Looked at all the invoices from start of construction
- Not a financial audit, looked at the planning and the closeout process
- Audit is public record on the City website under Government – substantially complete status

Councilmember Lastra commented:

- There will be a Yacht Club update forthcoming.
- Old Golf Course opportunities – making it a Regional Park, public input, upcoming surveys and Town Halls; wildlife concerns

Councilmember Donnell commented:

- Kudos to Staff for work done on the website
- Interviews with the Youth Council applicants
- Cape Coral still in its infancy – challenges building a City
- Podium – gateway to our City
- What are you trying to accomplish in your comments

Councilmember Steinke commented:

- Lake Kennedy - the logic of the numbers
- Yacht Club budget starts with \$10M

- Lake Kennedy initial budgeted amount changed due to changes made to design
- Number would need to change to represent the work that would be done
- Cape Coral housing market not crashing, listing prices have come down to realistic sales prices. We have more listings. Balanced market is six months' inventory.
- Clarified his title is Director of Sales and Business Development with Aubuchon Homes, not a real estate development company
- Report update provided at today's Transportation Advisory Commission - multi-family availability compared to single family homes is almost the same percentage as 9 years ago. Still has 80/20 mix, single family/multi-family, lower percentage of multi-family availability based on our City size.

Councilmember Lehmann commented on Lake Kennedy development.

Councilmember Kilrairie commented:

- Celebration Cape neighborhood – drainage facts
- Not clearly communicated at podium today
- There was a meeting held two weeks ago with Staff participating
- Including those who approved the PDP for the HOA development
- He was requested to participate with them in another meeting, City Manager, Public Works Director
- Meeting with neighborhood set up for next week, never mentioned by speaker, agreed to yesterday
- It may be that there may be some things residents may have to do themselves.
- In addition to what the City may have to look at
- Bringing in management company to do an analysis to try and optimize things within city operations
- Kaizen – continuous improvement process

Councilmember Kaduk commented that she would respond to every speaker but that most persons have left.

Mayor Gunter commented:

- Budgetary and project expansion processes
- Community input and discussion by City Council
- Additional dollars associated with scope of work
- Lake Kennedy – media puts only a portion of information out
- Multi-family development rights

Councilmember Steinke commented:

- Pickleball courts increase not reason for \$4M going to \$12M
- Number that caused increase – do we want to do something more than just brush up the park
- Direction from Council to City Management to go out to bid for 32 courts
- When numbers came back, it made more sense to do it all at once instead of two phases – all done in public view

Councilmember Lastra commented:

- Transparency, conveying facts to public
- Budget review meetings, budget voting meetings

Councilmember Lehmann commented:

- Public interpretation

BUSINESS

CONSENT AGENDA

1) Resolution 72-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Contract No. #PPW2556SH with USA Services of Florida, a subsidiary of Sweep America Intermediate Holding, LLC, in accordance with Sourcewell Contract No. 062421-SWP, for City-wide Street Sweeping Services in the estimated annual amount of \$311,682.24; authorizing the City Manager or their designee to execute the contract, purchase order(s), and future renewal(s). Department: Public Works Dollar Value: \$311,682.24 (Stormwater Fund) Duration: Four years (expiring on August 8, 2025) with an additional one-year renewal (2026) Type of Contract: Piggyback

2) Resolution 113-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida awarding bid No. BPW2553SH to Newson Construction & Consulting, LLC, for the construction of a turn lane at Yellow Fever Creek; approving Contract No. BPW2553SH to Newson Construction & Consulting, LLC, in the amount of \$256,319, providing for approval of a seven and one half percent (7.5%) City-Controlled Contingency amount of \$19,224, authorizing the use of Road Impact Fee Reserves; authorizing the City Manager or their designee to execute the contract, purchase order(s) and certain change order(s). Department: Public Works Dollar Value: \$275,543 (Road Impact Fee Reserves) Duration: 90 calendar days after the Notice to Proceed is issued

3) Resolution 114-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Amendment No. 1 to Contract No. RCP2343JM between the City of Cape Coral, Florida, and Avalon Engineering, Inc. to provide additional final design services for the Oasis Sports Field project, for a not to exceed amount of \$1,062,941.57, increasing the total project amount to \$1,359,996.06, and authorizes the City Manager or their designee to execute the amendment and purchase order(s). Department: Public Works Dollar Value: \$1,062,941.57 (Commercial Paper until long-term debt is issued) Note: Commercial Paper approved through Ordinance 71-24 on October 16, 2024. Duration: 347 calendar days after the Notice to Proceed is issued

4) Resolution 118-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida approving the purchase of maintenance, repair, and operational supplies and related services on an as-needed basis for day-to-day operations within the Public Works Department and Utilities Department, from Lowe's Home Centers, LLC, in accordance with OMNIA Partners, Region 4 Education Service Center, Contract No. R240805, for an estimated annual amount of \$200,000, not to exceed budgetary limits, and authorizes the City Manager or their designee to execute the purchase order(s) and renewals. Department: City-Wide Dollar Value: \$200,000 (General Fund, Water and Sewer Fund, Internal Services Fund; Special Revenue Fund) Duration: Three years with an additional two one-year renewal

5) Resolution 123-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Amendment No. 1 to Contract No. RPR24146KMR between the City of Cape Coral, Florida, and Leon Younger Pros Consulting, Inc. d/b/a Pros Consulting, Inc., for the Parks Master Plan Update and Development of a Financial Sustainability Strategy, and such amendment shall include the City- Owned Golf Course located at 4003 Palm Tree Boulevard, in the Parks Master Plan and Financial Sustainability Strategy Project, in the amount of \$74,175, increasing the total project amount to \$292,755; authorizing the City Manager or their designee to execute the amendment and purchase order(s). Department: Parks and

Recreation Dollar Value: \$292,755 (Parks and Recreation Capital Projects Park Fund) Duration: Follows the anticipated contract date through end of contract (11/06/2025)

6) Resolution 127-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the purchase of maintenance, repair, and operational supplies and related services on an as-needed basis for day-to-day operations within the Public Works Department and Utilities Department; from Grainger, Inc., in accordance with Omnis Partners, with lead public agency City of Tucson, AZ Contract No. 240078-01, for an estimated annual amount of \$300,000 not to exceed budgetary limits; authorizes the City Manager or their designee to execute the purchase order(s) and renewals. Department: City-Wide Estimated Dollar Value: \$300,000 (General Fund, Water and Sewer Fund, Internal Services Fund; Special Revenue Fund) Duration: three years with 2 additional one-year renewals

7) Resolution 128-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida authorizing the direction issued by the Mayor and City Council to the City Administration for those items that were presented at the Committee of the Whole Meeting held on April 9, 2025. Department: City Clerk Dollar Value: \$N/A; (Fund: N/A)

8) Resolution 129-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida approving the Federal Financial Assistance Subrecipient Agreement between the Florida Department of Agriculture and Consumer Services, Division of Administration and the City of Cape Coral, Florida; Authorizes the receipt of grant funds in the amount of \$12,500 from Florida Department of Agriculture and Consumer Services, Division of Administration, to produce geographic information system tree inventory of approximately 20 miles of street trees; Authorizes the City to provide a matching contribution in the amount of \$12,500; Authorizes the City Manager or their designee to execute the Agreement and any and all documents related to this specific grant award. Department: Public Works Grant Dollar Value: \$12,500 with City Match \$12,500; (General Fund) Duration: The agreement period shall end on January 31, 2026

9) Resolution 134-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving an Agreement for Special Magistrate Services between the City of Cape Coral, Florida, and Brian Bartos

10) Resolution 137-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the Grant Agreement between the State of Florida Department of Financial Services and the City of Cape Coral, Florida, to provide grant funding for the design of a Fire Station, accepts grant funding in the amount of \$1,000,000 from the Department of Financial Services for design services of Fire Station No. 10, authorizes the expenditure of City funds in the amount of \$127,933 toward the design services of Fire Station No. 10, authorizes the City Manager or their designee to execute the Grant Agreement and any and all related documents specific to this grant award. Purpose: Design of Fire Station 10 Department: Fire Dollar Value: \$1,127,933.00 (310 Fund)

11) Resolution 138-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida approving contract no. #PPW2572MR with Advanced Roofing, Inc. in accordance with Sourcewell EZIQC Contract No. FL-R2-RW-092524-ADR, for the replacement of the Cultural Park Theater Roof, in the amount of \$206,113.31; providing for approval of a contingency in the amount of \$3,886.69; authorizing the City Manager or their designee to execute the contract and purchase order(s). Department:

Public Works Dollar Value: \$210,000 (Parks and Recreation Capital Project Fund)
Duration: 180 calendar days after the Notice to Proceed is issued for substantial completion and 240 calendar days for final completion

Mayor Gunter asked if anyone wanted to pull any items. There were no items pulled.

Councilmember Kilraine moved, seconded by Councilmember Lastra, 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), and 9(a)(11), as presented.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted "aye." Eight "ayes." Motion carried 8-0.

Unfinished Business

Follow Up Items for Council – None

Follow Up Items from City Management - None

New Business – None

ORDINANCES/RESOLUTIONS

Public Hearings - Quasi-Judicial Hearings

Ordinance 16-25 (RZN24-000010*) Public Hearing

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the Mayor and City Council of the City of Cape Coral, Florida, that amends the City of Cape Coral, Florida, Official Zoning District Map of all property within the limits the City of Cape Coral, by rezoning property described as Lots 49, 50, 51 and 52, Block 3661, Cape Coral, Unit 49, from Residential Multi-Family Low (RML) to Commercial (C) zone; properties located at 1466 SW 5th Street and 1470 SW 5th Street.

Applicant: Avalon Engineering, Inc.

Acreage: 0.47 Acres (20,625 sq ft)

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

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 this Quasi-Judicial Hearing. There were none.

City Clerk Bruns administered the oath.

Senior Planner Santora presented the following displayed slides:

- Ordinance 16-25 RZN24-000010
- Background Information (two slides)
- Official Site Aerial Map
- Future Land Use Map
- Official Zoning Map
- Proposed Zoning Map
- Analysis – Land Development Code
- Analysis – Comprehensive Plan
- Analysis – City Impact: Fire and Police
- Recommendation - Approval
- Correspondence – None

Linda Miller, Vice President, Avalon Engineering, representative for the applicant, mentioned that the Zoning and Land Use was not consistent. This zoning change would bring it into consistency for commercial development.

Public Hearing opened.
No speakers
Public Hearing closed.

Councilmember Kaduk moved, seconded by Councilmember Lehmann, to adopt Ordinance 16-25, as presented.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted "aye." Eight "ayes." Motion carried 8-0.

WITHDRAWN AT THE REQUEST OF CITY MANAGEMENT: Ordinance 15-25 (RZN24-000007*) Public Hearing

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the Mayor and City Council of the City of Cape Coral, Florida, that amends the City of Cape Coral, Florida official Zoning District Map of all property within the limits of the City of Cape Coral, by rezoning property described as Lots 1, 7-18, 45 & 46, Block A, Whispering Pines Subdivision, from Agricultural (A) to Single Family Residential (R-1) Zone; property is located at 801-846 Whispering Pines Road

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 17-25 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the Mayor and City Council of the City of Cape Coral, Florida, Code of Ordinances, Chapter 2, Administration, Article II, Fees, by creating Division 10, Multi-Family Impact Fee Deferral Program, providing for the creation of a Multi-Family Impact Fee Deferral Program. (Brought forward by City Management)

NOTE: These programs apply only to projects incorporating workforce housing.

City Clerk Bruns read the title of the Ordinance.

City Planning Manager Yearsley explained the following displayed slides:

- Ordinance 17-25 Background
- Multi-Family Impact Fee Deferral Program
- Requirements, provisions

Public Hearing opened.
No speakers
Public Hearing closed.

Councilmember Steinke moved, seconded by Councilmember Donnell, to adopt Ordinance 17-25, as presented.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted "aye." Eight "ayes." Motion carried 8-0.

Introductions

Resolution 116-25 (VAC24-000007*) Set Public Hearing for May 21, 2025

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE RESOLUTION ACCOMPLISHES:

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, providing for the vacation of plat for a portion of Finisterre Lake right-of-way and underlying easements adjacent to Lots 19, 20, 21 and 22, Block 3347, Unit 65, Cape Coral Subdivision, provides for the vacation of plat for platted easements lying in Lots 19, 20, 21, and 22, Block 3347, Unit 65, Cape Coral Subdivision. Property located at 1130 SW 43rd Street.

Acreage: 1001 sq. ft. lake ROW and 888 sq. ft. of platted easements

Applicant: MRC Property Management LLC.

City Planning Staff Recommendation: Approval with conditions

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Resolution.

The public hearing was scheduled for May 21, 2025, in Council Chambers.

Ordinance 18-25 (RZN24-000008*) Set Public Hearing for May 21, 2025

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida Official Zoning District Map of all property within the limits of the City of Cape Coral, by rezoning property described as Lots 1 through 7, Block 809, Unit 22, Cape Coral Subdivision, from Professional (P) to Residential Multi-Family Low (RML) zone, property located at 1207 SE 8th Place.

Acreage: 0.8 acres (+/- 34,863 SF)

Applicant: Gasparilla Investments LLC

City Planning Staff Recommendation: Denial

Hearing Examiner Recommendation: Grant

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for May 21, 2025, in Council Chambers.

Ordinance 19-25 (RZN24-000005*) Set Public Hearing for May 21, 2025

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida Official Zoning District Map of all property within the limits of the City of Cape Coral, rezoning property described as Lots 60 through 67, Block 809, Unit 22, Cape Coral Subdivision, from Professional (P) to Residential Multi-Family Low (RML) zone, properties are located at 1224 Country Club Boulevard and 1306 Country Club Boulevard.

Acreage: 0.92 Acres

Applicant: Blue Water Trust LLC.

City Planning Staff Recommendation: Denial

Hearing Examiner Recommendation: Grant

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for May 21, 2025, in Council Chambers.

Ordinance 20-25 (RZN25-000001*) Set Public Hearing for May 21, 2025

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida Official Zoning District Map of all property within the limits

of the City of Cape Coral, by rezoning property described as Lots 1 through 4, and Lots 69 through 72, Block 1750, Unit 45, Cape Coral Subdivision, from Professional (P) to Commercial (C) zone, and by rezoning property describes as Lots 67 and 68, Block 1750, Unit 45, Cape Coral Subdivision, from Single Family Residential (R1) to Commercial Zone (C) zone, property located at 701 Mohawk Parkway.

Acreage: 1.22 Acres

Applicant: Eric Feichthaler

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for May 21, 2025, in Council Chambers.

Ordinance 22-25 Set Public Hearing for May 21, 2025

WHAT THE ORDINANCE ACCOMPLISHES:

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida, Code of Ordinances, Chapter 2, Administration, Article V, Boards and Commissions, Division 12, Youth Council, regarding the composition of the Youth Council, provides an appointment mechanism for advisors. (Brought forward by City Council)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for May 21, 2025, in Council Chambers.

REPORTS OF THE MAYOR AND COUNCIL MEMBERS

Councilmember Lastra – Topics:

- 4/25 Attended Volunteer Luncheon, very well attended
- 4/27 Attended Nevermind Fundraiser to benefit LARC, Inc. (Lee Association for Remarkable Citizens), adults with disabilities become independent, raised \$12K
- 4/29 Attended along with Councilmembers Lehmann and Kilraine the United Way Resiliency Hub on Pine Island Road in the Goodwill store - Community Resource Center
- 5/1 Attended the Employee Appreciation Luncheon
- 5/6 Attended Mayor's Scholarship Fund Dinner, Congratulations to all the Scholarship Winners

Councilmember Lehmann – Topics:

- Attended the same events as stated by Councilmember Lastra
- Received several emails regarding non-progress of Chiquita Lock Removal; why are we not moving right along; citizens complaining; contractor dragging their feet

City Manager Ilczyszyn responded:

- We will have Staff develop an email and provide response to City Council.
- What they are seeing is a truck weight limit and hauling requirements.
- Contractor is ahead of schedule.
- Some trucks leaving half full based on several logistics, weight, CDL licensing

Mayor Gunter commented that he has visited the site, most of the dirt removed; concrete seawall needs removal, due date mid-June, and may be completed ahead of schedule. Contractor addressed limited dump trucks.

Councilmember Long – Topics:

- Attended organizational meeting of the Charter Review Commission, introductions, meetings schedule set, appointed Chair and Vice Chair, hold meetings in another venue instead of Council Chambers, will report back on the next meeting

Councilmember Steinke – Topics:

- 4/21 Met with Army Corps, new bathymetric survey equipment demo on riverfront
- 5/1 Attended the Annual Employee Appreciation Luncheon
- 5/6 Attended Mayor's Scholarship Fund Awards Dinner
- 4/29 Attended meeting with one of our Board of County Commissioners as keynote speaker, thankful for getting us Tourist Development dollars for all the work we do for tourist support and attraction; asked for some help as it related to the beautification of Del Prado Blvd, joint effort between County and City; during CTAC meeting this morning there was discussion in the past with the County; CTAC voted to bring to Council to **see if Council would be supportive to put together a joint effort to beautify the median on Del Prado Blvd**. Looked for consensus on behalf of CTAC

Mayor Gunter asked if he wanted this to go to a COW meeting.

Councilmember Steinke explained the indication was that we talked about this with the County but never got serious. Need to talk about money. Will need to be on an agenda when they meet with County officials in interlocal conversations.

Mayor Gunter mentioned there was no mulch put down by the County, and they have not been maintaining it now. Need some type of agreement that County would maintain it.

Discussion held regarding:

- Someone does the capital improvements, and the other party maintains it
- \$4M irrigation improvements pending on Del Prado
- Partnership potentials
- Trees and shrubbery look good, but no new mulch
- Discussion for the next COW

City Manager Ilczyszyn responded:

- Contacted the County twice in the last two weeks.
- County aware of the situation.
- Notified that County does not have mulch in their contract for roadway maintenance
- County trying to find a way to address at least that aspect
- Irrigation system is broken
- Will be a discussion to try to get them to align priorities that County has on their road with what the City would like their priorities to be
- Understand request they would make for us to help them with the irrigation cost
- City did an advance on FDOT to help get the road widened and improved
- Maintenance issue – more akin to them asking - would you help us pave the road, would you fix our sidewalk
- Cautious about funding other government deferred maintenance when we have our own deferred maintenance
- Need to continue to work together with them
- Consider FDOT advance – would take away from our transportation dollars
- Will continue discussion with them to find a solution
- If Council desires, he would work with Councilmember Steinke

Councilmember Lastra provided the second for Councilmember Steinke to work with the City Manager to figure out a solution, including Florida friendly products.

Councilmember Long suggested putting a topic on the COW to include several items and put them together as a collective body instead of sending the City Manager. Emphasize our desires to fulfill obligations that they are not currently fulfilling.

Mayor Gunter recommended having conversations with our County Commissioners Ruane and Hamman.

Councilmember Kaduk commented that the last joint meeting between City and County was on March 19, 2014 which was long overdue.

Councilmember Steinke mentioned other topics that could be discussed with the County such as interlocal agreements and County and City cooperative projects.

Mayor Gunter noted bringing this back to a future COW. Next meeting is pretty filled up. Maybe two weeks from then.

City Clerk Bruns will add that to the list.

City Manager Ilcyszyn asked what the expectation was. Does Administration put together a list or will Council submit a list to the Mayor?

Mayor Gunter responded that the City Manager could bring information to Council such as D&D as an example and possibly Burnt Store Road.

Councilmember Long commented:

- Trash Cleanup on Veterans
- Staff can put together a list of items that we do with the County

Councilmember Donnell – Topics:

- Semester done
- 5/6 Attended Mayor's Scholarship Fund Awards Dinner
- Proud of the achievements by the Youth
- 5/1 Attended the Annual Volunteer Luncheon
- Volunteer Canal Watch – Environmental Resources Division

Councilmember Kaduk – Topics:

- 4/24 Partnered with the Lee County School District and toured three schools in our area – Mariner High School, Diplomat Middle School, and Hector Cafferata School, which is currently operating out of portables, their groundbreaking ceremony is on May 13th, currently K-5, rebuilding as K-8
- 4/25 Attended Horizon Council General Meeting
- 4/28 Attended the last concert for the Southwest Florida Symphony - closing after 64 years
- 5/2 Attended the Horizon Council Executive Meeting
- 5/2 Law Week Luncheon with a few Councilmembers
- 5/6 Attended Mayor's Scholarship Fund
- 5/7 Attended CTAC meeting, David Farmer and his group has presented amazing information, best well spent money on consultants
- Overdue for a Joint City and County meeting
- Mid-Hawthorn Aquifer water shortages – Southwest Florida Water Management District announcement – door hangers

Councilmember Kilrairie – Topics:

- 4/18 Attended Burrowing Owl Habitat Dedication Ceremony along with City Manager
- 4/23 Attended Coral Ridge celebration of their remodel and anniversary
- 4/25 Attended Horizon Council meeting
- 4/25 Attended Arbor Day Proclamation
- 4/25 Attended Volunteer Appreciation Luncheon
- 4/26 Participated in annual cleanup in his neighborhood
- 4/26 Attended the Annual Cultural Feast
- 5/1 Attended Annual Employee Appreciation Event
- 5/6 Attended Mayor's Scholarship Fund Awards Dinner
- 5/7 Attended CTAC meeting
- Canal Watch Program
- Coming May 24th - Town Hall at Cape Christian - Hurricane Preparedness

Mayor Gunter – Topics:

- Advertise COW meeting for 9:30 a.m. and whenever CRA meeting completed then COW would begin thereafter
- Can we make the change for next COW meeting

City Attorney Boksner explained that we can make this happen for next week and advertise for all future COW to start at 9:30 a.m. after the CRA meetings.

City Clerk Bruns verified all COWs that start at 10:30 a.m. to start at 9:30 a.m.

Councilmember Kilraine, seconded by Councilmember Lastra, to move any of the COWs set for 10:30 a.m. to move to 9:30 a.m.

Council polled as follows: Kilraine, Lastra, Lehmann, Long, Steinke, Donnell, Gunter, and Kaduk voted “aye.” Eight “ayes.” Motion carried 8-0.

REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

City Attorney: No report

City Manager Ilczyszyn announced:

- Water shortage in the Northeast - door hanger to be provided as a first time and informational package; double-sided and English/Spanish; Postcard with QR Code that could also be read
- Press Release put out today - commentary being discussed, questions asked
- Facts – since September when we turned over the wells to County, 100 wells redrilled in the entire Northeast
- Reason for shortage and to monitor
- Guide to public to ask realtor questions about well depth; when the last time pump was changed; have you checked the depth of the well and maintenance
- Ask realtor if there is a permit on file for this home to be off well and on irrigation
- Getting information and disclosure out to the public
- Older homes need this type of disclosure
- Working with industry
- Focus on direct messaging to help us all with this issue

Mayor Gunter commented on addressing what we are going to do with UEP in that area. He inquired if that would be a discussion at the May 28th COW.

City Manager Ilczyszyn responded there would be additional solutions and would bring forward to the last COW before City Council goes on hiatus.

- Completed about half of 120 square miles of the City
- Averaging about one square mile per year
- 120 miles of linear pipe being installed in North 1 West
- Magnitude of the project to dig roads and to get supplies
- Other options that would be presented to Council before hiatus

Councilmember Donnell inquired why are new businesses and homes being built where we are experiencing this crisis.

City Manager Ilczyszyn responded those new wells are being dug deeper and accessing a different source of water, not the aquifer that we are experiencing issues.

Councilmember Kilraine commented that the new wells still have good potable water.

City Manager Ilczyszyn explained we are not out of water, it requires a deeper well, more pipe, horsepower; we are out of cheap water.

TIME AND PLACE OF FUTURE MEETINGS

A Cape Coral Community Redevelopment Agency meeting will be held on Wednesday, May 14, 2025, beginning at 9:00 a.m. in Council Chambers.

A Committee of the Whole will be held on Wednesday, May 14, 2025, beginning at 9:30 a.m. in Council Chambers.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 7:29 p.m.

Submitted by,

Kimberly Bruns, CMC
City Clerk