

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, JANUARY 17, 2018
9:00 A.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. CALL TO ORDER:

Mayor Peter Simmons called the meeting to order at 9:00 A.M.

II. INVOCATION:

Reverend Michael Rowe, with St. Mary's Church, furnished the invocation.

III. PLEDGE OF ALLEGIANCE:

At the request of Mayor Simmons, Council Member Steve Slachta led in the Pledge of Allegiance.

IV. ROLL CALL:

Mayor Simmons and all Council Members were in attendance, except for Council Member Greg DeWitt.

V. PUBLIC COMMENT ON AGENDA ITEMS

[9:06:01 am](#) Jesse Purdon, Chairman of the City's Outreach Committee, was present to support the reopening of Marni Fields, and to inform Council of plans the Committee has to have representatives from Columbia, Mexico, Dominican Republic and conduct a sister signing agreement at the Mayor's Cup event there. He was here to urge Council on behalf of the Committee to get the fields reopened.

[9:09:14 am](#) Juan Romero stated he was present as representative for those affected by Hurricane Irma to speak to the need for affordable housing in the City. He asked that City Council develop some kind of affordable housing program.

[9:13:11 am](#) Kathy McGrath spoke in support of medical marijuana for those in need.

[9:13:55 am](#) Michael Henry a new resident in Imperial Estates and member of the Imperial Estates lot owners association, addressed drainage concerns in his area. There is no drainage to allow water to get out of their area and into the imperial river. They need drainage from under the fence, under the road, and over to the Imperial River.

[9:16:20 AM](#) Deborah Maclean addressed height on Old 41 and Bonita Beach Road.

[9:19:06 AM](#) Rick Steinmeyer addressed the City's upcoming election scheduled for March 20, 2018.

[9:19:54 AM](#) An unidentified gentleman stated he was in attendance to support the reopening of Marni Fields.

[9:20:45 AM](#) Martha Simons also addressed the need to get Marni Fields reopened. She also spoke in support of medical marijuana for those in need and agrees to the need for affordable housing.

[9:24:20 AM](#) Rita Hite, a resident of Imperial Bonita Estates, stated that she is here to see Mr. Beever's presentation. She also thanked Council for honoring St. Mary's Episcopal Church on their 40th Anniversary.

[9:25:21 AM](#) Jesse Purdon addressed legislation relating to medical marijuana.

VI. PROCLAMATIONS AND PRESENTATIONS:

A. CERTIFICATE OF RECOGNITION TO ST. MARY'S EPISCOPAL CHURCH CONGRATULATING THEM ON THEIR 40TH ANNIVERSARY.

Mayor Simmons next presented St. Mary's Episcopal Church with a Certificate of Congratulations in celebration of their 40th Anniversary. In attendance to accept their Certificate were Reverend Michael Rowe, Robert (Bob) Foltz, Senior Warden; and Annette Leahy-Judkins, Co-Chairman of the Anniversary Year.

B. PRESENTATION OF PROCLAMATION RECOGNIZING DRUG HOUSE ODYSSEY EVENT – A LEE COUNTY PREVENTION EVENT.

Mayor Simmons next read aloud a Proclamation recognizing Drug House Odyssey Event. Present to accept was Deb Comella, Executive Director, Lee County Coalition for a drug free SW Florida along with several other members of the coalition.

C. PRESENTATION BY J.R. ENGINEERING AND APTIM ON POTENTIAL POST DISASTER RECOVERY FUNDING SOURCES THAT MAY BE AVAILABLE TO THE CITY DUE TO IMPACTS OF HURRICANE IRMA AND REQUEST DIRECTION FROM CITY COUNCIL ON THE PRIORITIZATION OF POTENTIAL PROJECTS FOR FUNDING PURPOSES. (GREENSHEET NO. 18-01-0024)

[9:35:16 AM](#) Assistant City Manager Arleen Hunter furnished a brief overview, explaining that Lee County Emergency Management has requested that the City provide a preliminary list of potential projects that may be included in the Countywide Local Mitigation Strategy (LMS). The list can be in draft form and must be provided by the close of business today. She also suggested that agenda items C. and D. be combined.

[9:37:03 am](#) Jim von Rinteln, with J.R. Engineering, along with Russ Carpenter and Shanti Smith with APTIM, were in attendance to furnish a PowerPoint presentation (copy in Clerk's file) on potential post disaster recovery funding sources that may be available to the City due to impacts of Hurricane Irma. Council discussion was held and City Manager Schwing addressed the process.

D. PRESENTATION BY JIM BEEVER REGARDING THE FLOOD REDUCTION PROJECT.

[9:54:32 AM](#) Jim Beever furnished a PowerPoint presentation (copy in Clerk's file), and will furnish the full draft report to City Council when he receives all the information from Atkins. Via his PowerPoint presentation he addressed numerous potential solutions to flooding. This is a 4 month project, with this being month four, which he anticipates will be completed in February. Council discussion followed.

[10:59:55 AM](#) Council Member O'Flinn stated he would include water retention projects. Discussion followed. City Manager Schwing clarified, stated that he believed they can get to a prioritization with Mr. Beever, and to include a caveat to the list that while it may appear that these are the Council's priorities, these may change. Council Member Forbes also suggested including language to state "please do not construe that any of the order of what are listing all relates to a priority that we will set at a later date." Council Member O'Flinn also suggested a meeting to talk about this. City Manager Schwing to address additional steps and timing with the County. Council Member Quaremba requested the PowerPoint presentations from both presenters.

- E. A PRESENTATION TO CITY COUNCIL BY DR. MARGARET BANYAN WITH FLORIDA GULF COAST UNIVERSITY (FGCU) REGARDING THE OPTIONAL EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS. (GREENSHEET NO. 18-01-0023)

[11:17:32 AM](#) Dr. Margaret Banyan, with FGCU, next furnished a PowerPoint presentation on optional amendments (in Clerk's file) to the Comprehensive Plan. Public workshops have been scheduled for March 5, 6, and 8. They will also be working with the Local Planning Agency on a more in-depth discussion as to what each element should look like, and then schedule adoption for late summer/early fall. Assistant City Manager Hunter added that there will be DPZ workshops after those workshops scheduled in March.

- F. RECEIVE BRIEF INTRODUCTION FROM THE CIVICLIVE TEAM FOR THE NEW WEBSITE PROJECT. (GREENSHEET NO. 18-01-0022)

[11:37:44 AM](#) Derek Mann, with CivicLive, furnished a PowerPoint presentation (copy in Clerk's file) on the City's new website project. A public workshop was scheduled for January 17, 2018 at 5:30 P.M.

- G. PRESENTATION BY G.L. HOMES AND THEIR ENGINEERING CONSULTANTS REGARDING THE ROADWAY AND ROUNDABOUT PRELIMINARY DESIGN FOR LOGAN BOULEVARD.

[12:19:03 PM](#) John Asher, with GL Homes, furnished an update on the Logan Boulevard project which is at 30% design via a PowerPoint presentation (copy in Clerk's file). Discussion followed on landscaping, culverts, etc.

[12:45:08 pm](#) Council Member O'Flinn requested Staff come back at the next meeting with their suggestions to questions asked today, and provide a sense on costs, aesthetics, landscaping, and what the roundabout would look like. Council Member Quaremba suggested contacting our consultants on all the landscaping items for purposes of a commonality across the corridor, and if we get some concept idea, then they can integrate with the individual HOA's who might want to participate. Public Works Director Matt Feeney explained that the Bonita Beach Road Visioning provides some early guidance, but is not final. He agreed with Council Member Quaremba's suggested approach. Mr. Asher stated that they did not need the answers on landscaping. Regarding street lighting, they are going to have some lights at the intersection, but can certainly have more, depending on the City's desire. They need to start constructing Logan, and they need to know that the City agrees with what they are proposing from a preliminary standpoint – that the roundabout makes sense, that the costs are okay, etc. They are looking to get the final plans approved and get started.

[12:50:03 pm](#) Council Member O'Flinn stated that Council consensus is that the City wants to do this, but need input from Staff on costs, etc. Council Member Quaremba asked if McMahan looked at this, and is this in-keeping with what the City is trying to do. Council Member Gibson stated that was his question also, as in looking at the roundabout on the Palmira side is a bit close to that corner. He wants to ensure that is enough room for the multi-use path when it goes through there. Mr. Feeney stated that McMahan did incorporate and was well aware of these earlier plans, and they did incorporate the multi-use path that runs south is in the City's plan that they created.

ADDITIONAL ITEM:

[12:52:02 pm](#) Assistant City Manager Hunter informed Council that she has received the condensed list from Mr. Beever at APTIM which she furnished to City Council. She explained that they did combine three of the items into a number one priority of land acquisition. Mr. Beever explained the list. Council Member Forbes suggested not doing this today and to let Staff discuss with Mr. Beever. Council Member O'Flinn suggested removing those things that don't belong from the original list – education, climate change, etc., and prioritize that list with land acquisition first, and Council Member Forbes suggestion. Mr. Beever stated that is what he has done – he took those 9 items that were those that made sense for LMS, put them together. And Council

Member Forbes suggestion regarding the neighborhood study, would go along with item #4, which is local stormwater management retrofits, which would be neighborhood by neighborhood. Discussion was held, and City Manager Schwing suggested allowing staff to work on this, per the direction from City Council.

VII. CONSENT AGENDA: (NOTE: ITEMS ON THE CONSENT AGENDA WILL BE CONSIDERED AS ONE UNLESS A SPECIFIC ITEM IS REMOVED BY A COUNCIL MEMBER FOR SEPARATE DISCUSSION.)

12:51:54 PM Council Member Quaremba motioned approval of the Consent Agenda; Council Member Steve Slachta seconded; and the motion carried unanimously.

- A. APPROVE THE AMENDMENT TO THE SECOND AGREEMENT TO THE INTERLOCAL AGREEMENT WITH LEE COUNTY SHERIFF'S OFFICE FOR THE LEE COUNTY SHERIFF'S OFFICE TO PURCHASE A LAW ENFORCEMENT SPEED / MESSAGE TRAILER, AND INVOICE THE CITY. (GREENSHEET NO. 18-01-0009)
- B. ADOPT A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA TO AUTHORIZE THE SUBMITTAL OF THE WEST COAST INLAND NAVIGATION DISTRICT (WCIND) GRANT APPLICATION FOR FUNDS TO PROMOTE SAFE NAVIGATION AND WATER BASED ACTIVITIES; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 18-01-0021) **ADOPTED RESOLUTION NO. 18-01**
- C. **ERRATA SHEET:** APPROVE RESOLUTION CALLING FOR AN ORDERING AN ELECTION ON MARCH 20, 2018; DESIGNATING QUALIFIED CANDIDATES; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-01-0016) **ADOPTED RESOLUTION NO. 18-02**
- D. APPROVE RESOLUTION CREATING THE CITY OF BONITA SPRINGS CANVASSING BOARD; PROVIDING FOR APPOINTMENT AND COMPOSITION; PROVIDING FOR DUTIES; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 18-01-0015) **ADOPTED RESOLUTION NO. 18-03**
- E. APPROVE RESOLUTION FOR THE INTER-FUND LOANS FROM THE CITY'S SPECIAL REVENUE FUNDS TO THE GENERAL FUND TO PROVIDE LIQUIDITY, AS NEEDED, AS A RESULT OF HURRICANE IRMA. (GREENSHEET NO. 18-01-0014) **ADOPTED RESOLUTION NO. 18-04**
- F. APPROVE THE PARKS AND RECREATION AGREEMENT BETWEEN THE CITY OF BONITA SPRINGS AND BONITA SPRINGS LITTLE LEAGUE FOR THE 2018 LITTLE LEAGUE SEASON. (GREENSHEET NO. 18-01-0020)

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSS ATTACHED DESIGN RENDERINGS RELATED TO THE OLD 41 CORRIDOR. (O'FLINN; GREENSHEET NO. 18-01-0019)

1:02:57 pm Council Member O'Flinn furnished an overview, as direction was given to Community Development with respect to Old 41, and now Council was waiting for them to come forth with a presentation. These depict a certain height on the street level and appropriate setbacks.

Jay Sweet, Community Development, stated that they have talked about using this as the base of a form based code that would address height, massing, build to lines, and further explained. He explained that published this way, it's more exact as to what you will get "look wise." Council Member O'Flinn addressed a concern he has with regard to the development community coming to City Council with 5 hour meetings, etc.,

which although are sometimes needed, his hope is that they can provide some basic guidance to downtown rather than having each developer come in and change the code, the Comprehensive Plan, etc. – to provide more certainty to everyone.

1:06:48 pm Mr. Sweet stated that Staff can incorporate this into the discussion they are scheduled to have in a couple weeks in the workshop, if this is the direction Council wants to see, sort of a form based outline and how it could be applied. Mr. Sweet stated that Staff would get with the City’s architect and come up with strict design standards, which he further expanded on.

1:13:43 pm Council Member O’Flinn suggested Staff going in the direction addressed by Mr. Sweet and come back and present. Council Member Gibson likes the colors shown and suggested looking at the color palette also.

- B. **ERRATA SHEET: RECEIVE UPDATE ON THE CONDITION OF MARNI FIELDS; PROVIDE DIRECTION AS REQUIRED. (MAYOR SIMMONS; GREENSHEET NO. 18-01-0027)**

1:21:32 PM Nicole Perino, Parks and Recreation Director, addressed steps being taken to get the fields back open, which includes work with FEMA and City’s insurance. Southern 2 fields are complete and ready to go. The problems regards the northern two fields, FPL had to fix the powerlines, and created large ruts through the fields. Now working with FPL and a gentlemen to see what FPL can do to fix them. Fencing is an issue and cannot be removed as requirement to deal with balls going out onto the road. Working with the City’s risk manager on blocking off areas so can get southern portion ready to go. Has two meetings – Friday and Monday with FEMA and Risk Manager. Nicole to send Council update on both meetings. Mayor Simmons stated he would get involved should there be any delays.

- C. **ERRATA SHEET: RECEIVE UPDATE ON FLOODING MITIGATION EFFORTS. (FORBES; GREENSHEET 18-01-0028)**

1:32:20 PM Council Member Forbes addressed this item by referring to his submittal (copy in Clerk’s file). Council discussion followed.

IX. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE (PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS RELATING TO DISASTER DEBRIS REMOVAL FROM PRIVATE COMMUNITIES; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, INCLUSION IN CODE AND SCRIVENER’S ERRORS, AND EFFECTIVE DATE. (GREENSHEET NO. 18-01-0011)

2:01:22 pm City Attorney Vance read the title block of the Ordinance into the record.

PUBLIC COMMENT:

2:02:45 pm Rick Steinmeyer addressed the Ordinance.

Council Member Quaremba motioned adoption of the Ordinance; Council Member Slachta seconded; and the motion carried unanimously. **ADOPTED ORDINANCE NO. 18-03**

X. PUBLIC COMMENT:

2:04:27 PM Rick Steinmeyer addressed the rendering of Old 41 rendering, and stated that it appears there is too much concrete.

2:05:20 pm Joe McHarris, with McHarris Planning and Design, was present to address Agenda Item XII. B., and address their plans and get direction from Staff.

2:06:17 PM John West feels the #1 priority is to get the soccer fields up and running.

XI. CITY ATTORNEY’S REPORT:

- A. PROVIDE FURTHER DIRECTION ON DISPENSING FACILITIES (MEDICAL MARIJUANA TREATMENT CENTERS) PURSUANT TO FLORIDA STATUTES §381.986. (GREENSHEET NO. 18-01-0012)

2:07:44 PM City Attorney Vance furnished a brief overview as reflected in the Greensheet, explaining that the moratorium is set to expire in March. Direction to Staff to move forward with extending the temporary moratorium.

XII. CITY MANAGER’S REPORT:

- A. REVIEW OF MONTHLY CAPITAL PROJECTS REPORT. (GREENSHEET NO. 18-01-0017)

Informational.

- B. PROVIDE DIRECTION TO STAFF ON THE APPLICATION OF CONCEPTS FROM THE BONITA BEACH ROAD VISION IN THE HISTORIC ZONE PURSUANT TO SECTION 3E AND 3H OF ORDINANCE NO. 17-12, TEMPORARY MORATORIUM RELATED TO THE BONITA BEACH ROAD VISIONING STUDY AND QUADRANT STUDY. (GREENSHEET NO. 18-01-0026)

2:18:15 PM Jackie Genson, Community Development, was in attendance to provide a PowerPoint presentation (copy in Clerk’s file). Her concern relates to the building orientation, and whether City Council would entertain allowing parking along the right-of-way of Old 41, which Staff’s consultant has recommended they do not. Council Member Quaremba referred to the City’s consultant who is looking all along Bonita Beach Road corridor for a concept. Additionally, they have already adopted the Bonita Beach Road Visioning Study. She suggested Staff stick with the plan (the Bonita Beach Road Vision Plan).

- C. PROVIDE DIRECTION TO STAFF TO FORMALLY REQUEST AUTHORIZATION FROM LEE COUNTY FOR SUBMISSION TO THE MPO OF TWO FEASIBILITY STUDIES TO EVALUATE INCREASED BICYCLE AND PEDESTRIAN ACCESS ALONG THE BONITA BEACH ROAD AND IMPERIAL PARKWAY CORRIDORS. (GREENSHEET NO. 18-01-0025)

2:25:21 PM Assistant City Manager Hunter furnished a brief overview of the request, for the City Manager to draft a letter to Lee County.

Council Member O’Flinn motioned to approve the City Manager sending a letter to Lee County; Council Member Slachta seconded; and the motion carried unanimously.

XIII. MAYOR AND COUNCIL REPORTS:

2:27:02 PM Council Member O’Flinn reported on his trip to Tallahassee with Don Scott and Nick Batos. The Florida Greenways and Trails Council reversed unanimously the staff recommendation to remove the railroad as a priority trail on the SunTrail network. He also thanked City Manager Schwing for the email on the meeting with the County. Lastly, he addressed Logan Boulevard and asked Staff to come back with the number for Logan as it relates to Mr. McHarris. He also feels it would be helpful to centralize with the City Manager so they can get reports from him regarding the status with the SFWMD.

2:31:18 PM Council Member Forbes stated he will be sending Council an email with two different evaluation forms, which they will be addressing at their next meeting.

2:32:49 PM Mayor Simmons stated also at Council's next meeting they will get an update on Bonita Wonder Gardens and their tenant. Lee county School Board put motion to have a special election to increase taxes. Urged people to get in touch with School District and Commissioners to hold this election as part of the August primary or November ballot, to address the large costs associated with the election.

2:47:51 pm Council Member Quaremba informed everyone of a public meeting scheduled for the following night at the Bay Oaks Recreation Center where they will present the PD&E Study. It's scheduled from 5 to 7pm.

XIV. APPROVAL OF MINUTES: 12/18/17 & 01/03/18

Council Member Slachta motioned approval of the Minutes; Council Member O'Flinn seconded; and the motion carried unanimously.

XV. PUBLIC COMMENT:

2:38:54 pm Rick Steinmeyer addressed the BBIA name change and commented on the Big Carlos Bridge project.

2:41:22 pm Mr. McHarris stated he agrees with sticking to the Vision plan.

2:42:47 PM Steve Hovland addressed Causeway Lumber's Agenda item.

XVI. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 2:51 P.M.

Respectfully submitted,


Debra Filipek, Deputy City Clerk

APPROVED:
CITY COUNCIL ZONING BOARD

Date: 2/9/18

AUTHENTICATED:


Peter Simmons, Mayor