

PUBLIC MEETING  
CITY COUNCIL  
CITY OF BONITA SPRINGS  
OFFICIAL AGENDA  
WEDNESDAY, MARCH 21, 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 5:3 P.M.

II. INVOCATION:

Pastor Russ C.J. HILL, with United Methodist 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 present.

V. PUBLIC COMMENT ON AGENDA ITEMS

9:03:39 AM Martha Simons thanked Council Member Slachta for his service to the City of Bonita Springs and to the Air Force. She also addressed the City Manager and City Attorney's evaluations, and spoke opposed to outsourcing the City Attorney.

9:07:05 am Kathy McGrath spoke in support of approving the Caretaker's Agreement for the Bonita Nature Place.

9:07:54 AM Dawn Koncikowski addressed duties of the City Attorney.

VI. 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.)

Council Member O'Flinn motioned approval of the Consent Agenda; Council Member Mike Gibson seconded; and the motion carried unanimously.

- A. CONSISTENT WITH THE RECOMMENDATION OF THE BONITA SPRINGS OUTREACH ADVISORY COMMITTEE, APPROVE THE RESOLUTION TO AMEND THE BONITA SPRINGS OUTREACH ADVISORY COMMITTEE FOR THE CITY OF BONITA SPRINGS TO HAVE NINE (9) APPOINTEES, AND APPOINT MR. MELL RUCINO TO THE OUTREACH ADVISORY COMMITTEE. (GREENSHEET NO. 18-03-0067) **ADOPTED RESOLUTION NO. 18-13**

- B. APPROVE THE CARETAKER'S AGREEMENT FOR THE BONITA NATURE PLACE. (GREENSHEET NO. 18-03-0065)
- C. AMEND THE LEASE AGREEMENT WITH CREATIVE EXPRESSIONS STUDIO AND GALLERY, LLC FOR THE USE OF ARTIST COTTAGE #4 FOR RENEWAL OF ANOTHER ONE YEAR TERM. (GREENSHEET NO. 18-03-0066)
- D. APPROVE GENERAL FUND BUDGET RESOLUTION TO TRANSFER BUDGET TO ACCOUNTS THAT WERE NOT BUDGETED, OR ARE NOT ADEQUATELY BUDGETED. (GREENSHEET NO. 18-03-0068) **ADOPTED RESOLUTION NO. 18-14**
- E. APPROVE SPECIAL EVENT PERMIT FOR THE ANNUAL CELEBRATE BONITA FESTIVAL AND THE CLOSURE OF OLD US 41 ROAD FROM WILSON STREET TO CHILDERS STREET ON SATURDAY, APRIL 7, 2018. (GREENSHEET NO. 18-03-0069)

VII. PROCLAMATIONS AND PRESENTATIONS:

- A. PRESENTATION OF FIVE YEARS OF SERVICE AWARD TO CITY EMPLOYEE MICHAEL GUERRERO.

Mayor Simmons next presented City employee Michael Guerrero with a Five Years of Service award.

- B. PROCLAIMING MARCH 2018 AS BELIEVING IN GIRLS MONTH.

Mayor Simmons next read aloud a Proclamation proclaiming March 2018 as "Believing in Girls" month.

- C. PRESENTATION BY CAROLE GREEN, CAPITOL STRATEGIES, ON THIS YEAR'S LEGISLATIVE SESSION.

Carole Green and Ashley Stacel were in attendance to furnish an update on this year's legislative session.

Mayor Simmons next presented Council Member Slachta with a Certificate of Appreciation, and Sergeant Bobby Hunter also presented Council Member Slachta with a plaque on behalf of the City of Bonita Veterans to honor his service to all veterans.

A short break was taken for refreshments at 10:20 A.M.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSS THE EVALUATION/CONTRACT NEGOTIATION PROCESS FOR CITY MANAGER AND CITY ATTORNEY. (GIBSON)

10:34:30AM

Council Member Mike Gibson addressed this item and referred to Council's previous meeting which he felt was vague as to what was going on, as they spoke about being able to vote on whether they will retain both positions, or look at other options. Referring to the 60-day notice, he feels out of fairness they should treat them with respect and give them a heads up on whether Council plans to retain them or not. He would like to give them a yes or no today. Council Member Greg DeWitt agreed with Council Member Gibson that they should provide them with an answer. Council discussion was held. Council Member O'Flinn addressed Council's previous meeting and Council discussion, which they resulted in Council with Council Member Quaremba saying that they should get the reviews in by this meeting, and then a close reasonable time after that to have a consensus meeting with respect to the decision. He thinks

that's the process they agreed to, and he would like to stick to that process. Overall, they had a consensus he would suggest they stick to. Council Member Quaremba concurred. He would support short term extensions while Council is considering this. She suggested doing the evaluations and review them and perhaps discuss this in the open at their next meeting. Council Member O'Flinn stated he would prefer stick to what they agreed to at their last meeting. Council Member Forbes stated he would agree to extending their contracts a month or two. He feels they should consider Council Member Slachta's position on this into consideration. Council Member Gibson addressed the negotiation side of this, as Council Member O'Flinn has been appointed. He questioned having an outside negotiator to negotiate on behalf of Council and bring it back to. Discussion was held. Council Member O'Flinn referred to their last meeting and Council consensus to get the reviews in, have the opportunity to see the reviews, then in a close reasonable time after that to make the decision about what Council Member DeWitt and Gibson wanted to do last time and today.

Council Member Quaremba motioned to follow the procedure established; Council Member O'Flinn seconded.

In response to Council Member DeWitt as to what was "reasonable time" Council Member Quaremba suggested addressing at their next meeting.

The motion passed 4-3 (Council Members Slachta, Gibson and DeWitt opposed)

#### IX. PUBLIC HEARING:

- A. ADOPT THE ATTACHED RESOLUTION CREATING AN ADMINISTRATIVE CODE ESTABLISHING STANDARDS FOR THE REGISTRATION PROCESS MANDATED BY CHAPTER 38 OF THE CITY CODE FOR COMMUNICATION SERVICE PROVIDERS IN PUBLIC RIGHTS-OF-WAY. (GREENSHEET NO. 18-03-0070)

Council Member O'Flinn motioned to approve; Council Member DeWitt seconded.

10:58:30

#### PUBLIC COMMENT:

Martha Simons addressed legislation for utilities in the rights-of-way in relation to utility poles that were to be removed and are laying in the right-of-way.

The motion carried unanimously. **ADOPTED RESOLUTION NO. 18-15**

Council Member Forbes asked Ms. Simons to provide him with pictures to give to the public relations person with FPL.

#### X. PUBLIC COMMENT:

11:02:12am

Dawn Koncikowski shared information concerning the Bonita Beach subdivision relating to public beach access.

Kathy McGrath informed Council of the Bonita Springs Utilities election. She also updated everyone on upcoming events.

Martha Simons supports T-shirts for Celebrate Bonita. The contract person for FPL is Kate at 239 595-9961. She also addressed an incident that occurred after Hurricane Irma regarding a FPL truck who

drove through a resident's years and never came back to repair the damage he did as a result of his truck to the yard and landscaping.

XI. CITY ATTORNEY'S REPORT:

- A. PROVIDE DIRECTION HOW TO ADDRESS TWO PARCELS ON ROCKY ROAD (SAN CARLOS ESTATES) THAT ARE TO BE ESCHEATED TO LEE COUNTY AND THEN CONVEYED BY THE COUNTY TO THE CITY, AS REQUIRED BY STATE STATUTE. (GREENSHEET NO. 18-03-0063)

Mayor Simmons motioned to keep the lots – to leave as is; Council Member O'Flinn seconded; and the motion carried unanimously.

- B. PROVIDE DIRECTION WHETHER TO OPT IN TO THE LEE COUNTY BURN BAN, ORDINANCE NO. 18-09. (GREENSHEET NO. 18-03-0064)

Council Member DeWitt motioned to "opt in"; Council Member O'Flinn seconded; and the motion carried unanimously.

XII. CITY MANAGER'S REPORT:

City Manager Schwing updated Council on the Twisted Tango Café. Letters of Interest are being sent out and are to be returned by April 20, 2018. Assistant City Manager Arleen Hunter reminded Council and the public of DPZ public sessions and workshops scheduled.

XIII. MAYOR AND COUNCIL MEMBER REPORTS:

Council Member Quaremba addressed the Big Carlos Bridge project and requested Council consensus to work with the City Manager on a consensus to have a presentation to Council, including Lee County design Staff and some of the residents who have their own views on the things that should be under consideration. She believes Council should hold a hearing in Chambers before they even consider a resolution, and if it's okay with Council, she will work with the City Manager on scheduling sometime in the near future. Council consensus yes.

Council Member DeWitt informed Council that the Fire District received a Weason grant and they've gone through the first hurdle of getting a new rescue boat for the City. It will be a commercial grade boat. They will have to provide half of the \$250,000.00 grant. It's scheduled for final approval by the Lee County Board of Commissioners.

Council Member Slachta next thanked Council and Staff for all they have done for him.

Council Member O'Flinn informed Council of the Celebrate Estero event he was invited to attend. Close to 1,000 people attended, and the entertainment was very good. It was a very well done event.

Mayor Simmons reminded all Council Members of the disaster preparedness seminar they were all invited to attend at Florida Gulf Coast University on Friday at 10:00 A.M. At 9:00 A.M. he will be at the Supervisor of Elections Office certifying the election results. He also informed Council of a wonderful Sister City event! He thanked all who participated and those who made the event possible!

XIV. APPROVAL OF MINUTES: 02/16/18 (PLANNING AND FINANCE COMMITTEE MEETING AND 03/07/18

Council Member Slachta motioned approval of the Minutes; Council Member DeWitt seconded; and the motion carried unanimously.

XV. PUBLIC COMMENT:

Kathy McGrath agreed with comments made by Council Member DeWitt, in that the committee for WCIND approved the boat. She also addressed T-shirts for Celebrate Bonita. She also addressed the Big San Carlos Bridge project, which she heard has 4 different designs. She also heard one design places the bridge very high, which will block some views. She also furnished the number for the Florida Department of Insurance Regulation 877-693-5236.

Councilwoman Elect Laura Carr thanked everyone for the warm welcome. She also thanked the voters of District 3 for their support. She is looking forward to serving the community.

Martha Simons thanked Mayor Simmons for this past weekend and for his vision for the Sister Cities program and for the Outreach Committee.

XVI. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 11:54 A.M.

Respectfully submitted,



Debra Filipek, Deputy City Clerk

APPROVED:  
CITY COUNCIL ZONING BOARD

Date: 4/17/18  
AUTHENTICATED:



Peter Simmons, Mayor