

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, DECEMBER 19, 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 AM.

II. INVOCATION

Pastor C. J. Hill, First Methodist Church, furnished the Invocation.

III. PLEDGE OF ALLEGIANCE

At the request of Mayor Simmons, Council Member Amy Quaremba led in the Pledge of Allegiance.

IV. ROLL CALL

Mayor Simmons and all Council Members were present with Council Member Mike Gibson arriving at 9:06 A.M.

V. PUBLIC COMMENT ON AGENDA ITEMS

9:02:27 AM Ben Hershenson, resident of Bonita Springs, discussed Maddox Lane and stated that he supported the connection being developed.

9:03:42 AM Grant Lanberg, resident of Bonita Springs, discussed the walkway and traffic on Maddox Lane and stated that he was also concerned with the safety of pedestrians.

9:05:04 AM Juan Romero, resident of Bonita Springs, thanked the Mayor and City Council for their hard work throughout the year. He also discussed a meeting regarding Isla Mujeres and topics that were addressed.

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.)

- A. APPROVE THE AGREEMENT BETWEEN THE CITY OF BONITA SPRINGS AND JEFF ELLIS AND ASSOCIATES, INC., FOR OUR BONITA SPRINGS COMMUNITY POOL SAFETY AUDIT AND RISK MANAGEMENT SERVICES. (GREENSHEET NO. 18-12-412)

- B. AUTHORIZE MAYOR TO SIGN A RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH ALTA PLANNING & DESIGN, INC., FOR PHASE 1 GREENWAYS AND TRAIL CDS FOR THE MULTI-USE PATHWAY DESIGN IN THE AMOUNT OF \$145,680.50 (GREENSHEET NO. 18-12-415) **ADOPTED RESOLUTION NO. 18-102**
- C. AUTHORIZE MAYOR TO SIGN RESOLUTION APPROVING BALANCING CHANGE ORDER TO CLOSE OUT WRIGHT CONSTRUCTION PORTION OF THE DOWNTOWN CONSTRUCTION PROJECT. (GREENSHEET NO. 18-12-417) **ADOPTED RESOLUTION NO. 18-103**
- D. APPROVAL OF INVOICE FROM FLORIDA POWER & LIGHT IN THE AMOUNT OF \$92,158.00 FOR THE SUBAQUEOUS BORE UNDER THE IMPERIAL RIVER TO FACILITATE THE UNDERGROUNDING OF ELECTRICAL IN THE DOWNTOWN AREA. (GREENSHEET NO. 18-12-418)
- E. REVIEW OF SEPTEMBER MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 18-12-414)
- F. REVIEW OF OCTOBER 2018 MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 1812-422)
- G. REVIEW OF OCTOBER 2018 MONTHLY CAPITAL PROJECTS REPORT. (GREENSHEET NO. 18-12-421)
- H. APPROVE BUDGET RESOLUTION TO TRANSFER BUDGETS RELATING TO PARK IMPACT FEES. (GREENSHEET NO. 18-12-423) **ADOPTED RESOLUTION NO. 18-104**
- I. **ADDENDUM:** APPROVE QUOTE FOR AJAX PAVING INDUSTRIES OF FLORIDA, LLC, TO DEMO AND PAVE THE BERNWOOD PARKWAY AND OLD 41 ROAD RAILROAD CROSSING APPROACHES. (GREENSHEET NO. 18-12-427)

Council Member Amy Quaremba entered a motion to approve the consent agenda items; Council Member Peter O’Flinn seconded the motion; and the motion carried unanimously.

- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VII. PROCLAMATIONS AND PRESENTATIONS:

- A. BIKEWALKLEE PRESENTATION OF 2018 COMPLETE STREETS CHAMPION OF THE YEAR AWARD TO DEPUTY MAYOR PETER O’FLINN.

Darla Laterno, representative of the Bike Walk League, presented the 2018 Complete Streets Champion of the Year Award to Deputy Mayor Peter O’Flinn. Deputy Mayor O’Flinn thanked the Bicycle Pedestrian Committee and staff for their efforts.

- B. RECOGNITION OF FINANCE STAFF ON BEING AWARDED THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING. (GREENSHEET NO. 18-12-413)

Anne Wright, Finance Director, stated that the Finance Department of the City of Bonita Springs received the highest level of recognition for reporting in governmental accounting.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DIRECT STAFF TO ENGAGE AN ENGINEERING FIRM FOR DESIGN SERVICES FOR MADDOX LANE SIDEWALK EXTENSION. (DEPUTY MAYOR O'FLINN; GREENSHEET NO. 18-12-416)

9:25:01 AM Deputy Mayor O'Flinn stated that it connected Paradise with Cockleshell that was a very dangerous turn.

Council Member O'Flinn entered a motion to move forward; Council Member Greg DeWitt seconded the motion; and the motion carried unanimously.

- B. A RESOLUTION REAPPOINTING THREE MEMBERS TO THE BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND ZONING BOARD OF APPEALS. (MAYOR SIMMONS; GREENSHEET NO. 18-12-419) **ADOPTED RESOLUTION NO. 18-105**

9:27:02 AM Mayor Simmons read the title block.

Council Member O'Flinn entered a motion to reappoint the members of the Zoning Board; Council Member DeWitt seconded the motion; and the motion carried unanimously.

- C. A RESOLUTION REAPPOINTING FOUR MEMBERS TO THE LOCAL PLANNING AGENCY. (MAYOR SIMMONS; GREENSHEET NO. 18-12-420) **ADOPTED RESOLUTION NO. 18-106**

9:28:41 AM Mayor Simmons read the title block.

Council Member Quaremba entered a motion to reappoint the four members to the Local Planning Agency; Council Member DeWitt seconded the motion; the motion carried unanimously. unanimously.

- D. APPROVE A RESOLUTION REAPPOINTING MEMBERS TO THE OUTREACH ADVISORY COMMITTEE. (MAYOR SIMMONS; GREENSHEET NO. 18-12-423) **ADOPTED RESOLUTION NO. 18-107**

9:30:05 AM Mayor Simmons read the title block. He also submitted a name for consideration to fill the vacancy.

Mayor Simmons entered a motion to reappoint the members to the Outreach Advisory Committee; Council Member O'Flinn seconded the motion; and the motion carried unanimously.

- E. UPDATE ON SISTER CITY. (MAYOR SIMMONS)

9:32:13 AM Mayor Simmons stated that there was a conference call with the Mayor of Isla Mujeres and there were various community members that were interested in going to meet with him. Mayor Simmons stated that March 1 – 5th was the projected date for the visit. City Manager Arleen Hunter also discussed the education component of the meeting. Council Member Forbes suggested that Mayor Simmons contact the new Chairperson on the Board of Education.

9:37:05 AM Council Member Quaremba expressed support for the visit.

F. **ADDENDUM**: DISCUSSION ON THE BIG CARLOS BRIDGE PROJECT DEVELOPMENT AND ENVIRONMENTAL (PD&E) STUDY. (QUAREMBA; GREENSHEET NO. 18-12-426)

9:38:07 AM Council Member Quaremba thanked those who did outreach at the Lee County Board of County Commissioners meeting to delay the decision of the bridge and expressed her disappointment with their decision. She asked Council to pursue a mechanism to pursue appropriate relationships with the County Commissioners.

9:42:43 AM Council Member O’Flinn asked whether there was a pd&e study conducted. Assistant City Manager Feeny stated that it was conducted. Council Member Quaremba further stated that it was in the end phases of the study and further clarified that the recommendation was made at the workshop that was held and the final decision was made at the Board of County Commissioners meeting that was held on Tuesday, December 18th.

IX. SECOND READINGS AND PUBLIC HEARINGS OF THE FOLLOWING ORDINANCES (PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, EXTENDING ORDINANCE NO. 17-21 PERTAINING TO LAND DEVELOPMENT REGULATIONS NECESSARY FOR GOLF COURSE CONVERSIONS; EXTENDING THE TEMPORARY MORATORIUM ON THE PROCESSING OF ANY APPLICATIONS FOR GOLF COURSE CONVERSIONS TO OTHER USES IN THE CORPORATE BOUNDARIES OF BONITA SPRINGS FOR THE SHORTER OF (1) 6 MONTHS OR (2) THE ENACTMENT OF A REPLACEMENT ORDINANCE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 18-12-425) **ADOPTED ORDINANCE NO. 18- 17**

9:46:36 AM City Attorney Derek Rooney read the title block of the ordinance. Mike Fiigon, Community Development, stated that staff was actively working on the item and had a public workshop scheduled for Tuesday, January 8, 2019 at 5:30 P.M.

Council Member DeWitt entered a motion to approve the moratorium extension; Council Member Quaremba seconded the motion; and the motion carried (6-1; Council Member Gibson opposed).

- B. AN ORDINANCE OF THE CITY COUNCIL OF BONITA SPRINGS, FLORIDA, ADOPTING THE 2018 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM

ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-12-424) **ADOPTED ORDINANCE NO. 18-18**

9:48:45 AM City Attorney Rooney read the title block of the ordinance.

Council Member DeWitt entered a motion to approve the ordinance; Council Member O'Flinn seconded the motion; and the motion carried unanimously.

X. PUBLIC COMMENT:

9:49:50 AM Kathy McGrath, resident of Bonita Springs, wished everyone a happy holiday.

9:52:16 AM Grant Lanberg thanked Council for developing the land by the Bonita Springs Golf and Country Club.

XI. CITY ATTORNEY'S ITEMS:

9:52:52 AM City Attorney Rooney stated that there was a lot of activity with the BG Mine case but he will defer to outside counsel before giving Council an update.

XII. CITY MANAGER'S ITEMS:

9:53:07 AM City Manager Hunter provided an update regarding the FEMA projects and deadlines. She also stated that the Zoning Board Chairman Larry Kurlander met with Naples and Estero about their zoning processes and planned on providing a presentation to Council during the first meeting in January. She also stated that the first Charter Review Committee meeting was scheduled for Monday, January 14th. Wednesday, January 16th would be an update on the Stormwater Utility from Stantec Consulting Services. She was also hoping to have a public workshop during the first week of February with DPZ.

9:58:12 AM Council Member DeWitt stated that he did not feel it was necessary to see what the professionals thought of the project since there was already a decision that was made. He asked whether the fees were capped or the city was being charged with each inquiry. City Manager Hunter stated that there was a not to exceed amount.

XIII. MAYOR AND COUNCIL REPORTS:

10:03:11 AM Council Member Quaremba wished everyone happy holidays and a happy new year.

10:03:32 AM Council Member DeWitt wished everyone happy holidays and stated that station 3 was fully functional and open.

10:04:06 AM Council Member Carr wished everyone merry Christmas and happy holidays.

10:04:21 AM Council Member O'Flinn thanked City Manager Hunter for a great job she's done.

0:04:30 AM Council Member Gibson asked whether he would be able to speak with the County Commissioners to keep the southern end of the bridge intact for fishing. Council Member Quaremba stated that it was brought up and the County Commissioners did not want that but they did propose to build a fishing pier under the new bridge. She also brought up the concern with how it would affect Lover's Key. He wished everyone a Merry Christmas and happy holidays.

10:07:20 AM Council Member Forbes wished everyone a merry Christmas and happy holidays. He also stated that he was highly impressed with the NCH Emergency Facility and thought it was a good addition to Bonita Springs. He also commended City Manager Hunter and Assistant City Manager Feeney.

10:08:27 AM Mayor Simmons stated that the NCH ribbon cutting and the event on Lover's Key were both nice. He wished everyone happy holidays.

XIV. APPROVAL OF MINUTES: 11/13/18 & 12/05/18

Council Member O'Flinn entered a motion to approve the minutes as presented; Council Member Forbes seconded; and the motion carried unanimously.

XV. PUBLIC COMMENT:

XVI. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 10:09 AM.

Respectfully submitted,



Charlen Wade, Deputy City Clerk

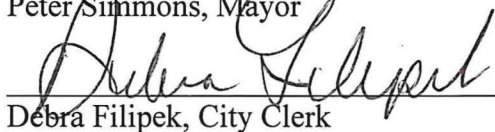
APPROVED:
CITY COUNCIL

Date: _____

AUTHENTICATED:



Peter Simmons, Mayor



Debra Filipek, City Clerk