

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, JUNE 7, 2017
5:30 P.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 5:30 P.M.

II. INVOCATION

Pastor Russ Winn, with the Springs 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.

V. PUBLIC COMMENT ON AGENDA ITEMS

[5:39:51 pm](#) Rick Steinmeyer spoke against approval of the petition to vacate. He feels the City should look into improving the site and deny the application.

[5:40:21 pm](#) Mike Maurer, representing Bernwood Park of Commerce, was in attendance to address agenda item X. D., and ask that he be allowed to comment on it when it is addressed.

[5:40:58 pm](#) Patrick Vanasse was in attendance to speak against the approval of the EAR based Comprehensive Plan Amendments.

[5:41:58 pm](#) Steve Wolsen (sp?), a resident of Luke Street, addressed impacts to them if Item IX., regarding the Petition to Vacate is approved. He addressed concerns relating to water flow, flooding, etc.

[5:44:40 PM](#) Kathy McGrath also spoke opposed to the Petition to Vacate. She read into a record a petition by Mary Joe Selden reflecting the names of people opposed to the Petition to Vacate.

[5:47:39 PM](#) Alex Grantt spoke of the importance of rail service and support of the Resolution in Item VIII. A.

[5:49:53 PM](#) John Paeno, CGT Kayaks, also voiced his opposition to the Petition to Vacate, which he feels should be researched first.

[5:50:37 PM](#) John West also voiced his opposition to the Petition to Vacate. He is a resident of Meadowlark Lane. He also addressed Greensheets ending in 206 and 208 relating to the revitalization of Bonita.

VI. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF 10-YEARS OF SERVICE AWARD TO CITY EMPLOYEE LORA TAYLOR.

Mayor Simmons next presented City employee Lora Taylor with a 10 years of service award. Ms. Taylor was in attendance to accept her award and thank Mayor Simmons and City Council.

Mayor Simmons next presented Council Member Fred Forbes with a Certificate of Appreciation for his service to the citizens of the City of Bonita Springs on the Local Planning Agency.

B. PRESENTATION ON PICKLEBALL COURTS BY YMCA.

Pete Shattuck reported that the pickleball courts are open and they are grateful for the City's support. He presented Mayor Simmons and City Council with a plaque expressing their appreciation to City Council for their support.

C. DISCUSS AND PROVIDE DIRECTION ON DOWNTOWN REVITALIZATION. (GREENSHEET NO. 17-06-0206)

[5:58:07 pm](#) City Manager Carl Schwing introduced this item, which was a result of several requests for this to come forward. Council discussion followed.

[5:58:51 pm](#) Council Member Quaremba questioned the allowable uses in item 6., regarding Industrial Drive. John Dulmer, Community Development, responded that this portion was the topic of an amendment about one year ago where they discussed including some uses for that area such as artists. There have been discussions on how they balance existing uses with how they transition this neighborhood to be more in line with the vision. The intent for this was to have more of an industrial revitalization type area that would include artists, micro-breweries, restaurants, to heavier type commercial uses, but still uses you would see in a downtown area. What's Council's vision is one of the main reasons to have this discussion. He questioned if Council wants the property on the west side to be included within the Old 41 Overlay, or if they were satisfied with the restrictions and vision of the Bonita Beach Road designation in that area. In response to Council Member DeWitt, Mr. Dulmer explained that the Shangri-La appears to be more consistent with the Old 41 vision and redeveloping in that pattern, however, how they regulate and redevelop those properties is going to be based on Council at this point.

[6:03:39 pm](#) Council Member O'Flinn stated he feels there needs to be a time set aside when there is not a whole agenda. Referring to item 3, he questioned whether the uses in the LDC are still in keeping with the vision. He suggested a white paper from Staff addressing the status quo so that they can better understand and provide input with respect to these questions. He further discussed.

[6:08:20 pm](#) Council Member Gibson feels Council should be updated on those things that need to be tweaked – i.e., density, mixed use, as they do want to get the private sector in there. Mr. Dulmer responded, explaining that for Dean Street, there's a portion of the code that allows for density to be increased proportionate with public improvements, and so when that project looked to streetscape and match what the City was doing on Old 41, the cost of that was carried through a formula that allowed for certain units. He further explained. Council Member O'Flinn referred to item 8, the Housing Study, and spoke against a housing study.

[6:11:18 pm](#) Council Member Forbes feels there is a need for a discussion on what the plans are and what there is with respect to parking, as parking is going to be the governing factor on what can be done. He also feels they need to focus on a timeline strategy to start marketing some of the real estate the City owns by 2018. Council Member Quaremba stated that she wasn't sure that they should be early in the

decision in regard to marketing the properties that the City has there, as she feels that they should work to have some of these projects start and to see where they're going. She also addressed uses for the downtown. Mr. Dulmer stated his recommendation would be to look at the uses themselves to make sure they're appropriate and allow for enough creativity so that you start to see some interest in redevelopment, but also to make more general the uses in the Comprehensive Plan and to make them more specific in the Land Development Code. He further explained.

[6:17:30 pm](#) Direction to Staff to prepare White Paper.

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.)

[6:19:23 PM](#) All items pulled.

- A. CONCEPTUAL APPROVAL OF A PROPOSED ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY LOCATED AT 27061 OLD 41 ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 17-06-0208)

[6:19:59 pm](#) Council Member O'Flinn addressed items A. and B. concurrently. Both items are already done, and he will vote yes on both, but hopes in the future that the process is that they are not presented with work that has been completed, which doesn't allow Council to make constructive comments.

[6:22:46 pm](#) Arleen Hunter, Assistant City Manager, asked if Council would like Staff to bring back an amendment to the Administrative Code so that the economic development program is structured in a manner that they can only apply in the beginning, prior to any work being done.

Direction to Staff to amend the Administrative Code and bring back.

Council Member O'Flinn motioned approval of items A. and B.; Council Member Quaremba seconded; and the motion carried 6-1 (Mayor Simmons dissenting)

- B. CONCEPTUAL APPROVAL OF A PROPOSED ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY, POTTERY AS ART, LOCATED AT 27570 OLD 41 ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 17-06-0202)
- C. APPROVE TRANSFER OF TWO SITES FROM THE CITY OF BONITA SPRINGS TO THE SAN CARLOS WATER CONTROL DISTRICT FOR FUTURE WATER PROJECTS. (GREENSHEET NO. 17-06-0205)

[6:26:05 PM](#) Manager Carl Schwing addressed direction from last meeting for use for water quality and furnished an overview. He explained that the San Carlos Estates Water Control District contacted the City and asked if the City would be interested in transferring the properties to them for them to do water quality projects on the sites. He further explained, and addressed the letter from the District.

[6:28:19 PM](#) Council Member Forbes suggested conceptually approving this, and have Staff develop an agreement that would include a reversion clause whereby if they don't go forward with the project, that they would revert back to the City and a clause where any monies would be reverted to the City. Council Member O'Flinn referred to the language in the letter "the initial intent to use as storage," and to make sure that's what occurs.

[6:29:33 PM](#) Council Member O'Flinn motioned to agree conceptually, subject to a negotiation and bring back the terms of the agreement; Council Member Gibson seconded.

[6:30:11 PM](#) City Attorney Vance suggested preparing a deed to include those specific clauses and restrictions, as well as the reversionary clause and bring back to City Council.
The motion carried unanimously.

- D. ADOPT AN EXTENSION TO THE RESOLUTION REMANDING THE PELICAN LANDING CPD/RPD AMENDMENT; CASE NO. PD-15-23496-BOS. (GREENSHEET NO. 17-06-0207)

[6:31:37 pm](#) Council Member Quaremba stated her concern that the City Council Zoning hearing will be in September to which she has commitments, and asked if Council will have the ability to say that they are not ready either. City Attorney Vance responded that if there are reasons and Council agrees there are reasons, they can continue, adding that Staff is anticipating it will take more than one day. Staff will coordinate scheduling dates with City Council.

Council Member Quaremba motioned to approve; Mayor Simmons seconded; and the motion carried unanimously.

- E. APPROVE TEMPORARY ROAD CLOSURES AND SPECIAL EVENT PERMIT FOR 4TH OF JULY PARTY IN THE PARK AND PARADE ON TUESDAY, JULY 4, 2017 AT RIVERSIDE PARK. (GREENSHEET NO. 17-06-0203)

[6:33:14 pm](#) Council Member DeWitt pulled this item to say that he was looking forward to the 4th of July event! He thanked Mike and the downtown Alliance for being understanding on the road closure for that day! He appreciates it and invites all to come down.

Council Member Slachta motioned to approve; Council Member DeWitt seconded; and the motion carried unanimously.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. ADOPT A RESOLUTION SUPPORTING THE RETENTION OF THE CSX/SEMINOLE GULF RAIL CORRIDOR AS PART OF THE SUNTRAIL PRIORITY NETWORK. ALSO, SUPPORTING THE ADDITION OF TWO "OPPORTUNITY TRAILS," (1) THE BEACH LOOP FROM FORT MYERS BEACH TO BONITA SPRINGS, AND (2) AN ALTERNATIVE TRAIL ON THREE OAKS PARKWAY AND IMPERIAL PARKWAY (FROM ESTERO PARKWAY TO BONITA BEACH ROAD), AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0212; O'FLINN)

[6:34:35 pm](#) Council Member O'Flinn addressed this item and furnished a brief overview of the intent.

[6:35:53 pm](#) Council Member O'Flinn motioned to approve; Council Member Quaremba seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 17-26**

- B. **ERRATA SHEET:** ADOPT PROPOSED REVISION TO BENEFITS OFFERED TO CITY COUNCIL MEMBERS. (GREENSHEET NO. 17-06-0209; FORBES)

[6:36:52 pm](#) Council Member Forbes referred to the Greensheet and introduced Meg Weiss, Director of Administrative Services, to furnish an overview and to address questions.

[6:51:20 pm](#) Direction was given to Staff to research further and bring back.

ERRATA SHEET: WALK-ON – MAYOR - APPOINT CHAIR TO THE ZONING BOARD.

[6:52:06 pm](#) City Attorney Vance furnished the background, and informed Council that Mr. Brunswick has served as Chair for longer than the two consecutive years allowed per Section 4-130. Mr. Brunswick has graciously agreed to relinquish the Chair position and continue to serve as a Zoning Board Member.

Mayor Simmons motioned to have Vice Chair Robert Incerpi Chair the Zoning Board Meeting until such time a Chair is appointed; Council Member Slachta seconded; and the motion carried unanimously.

IX. PUBLIC HEARING (PUBLIC COMMENT ALLOWED):

A. REQUEST TO VACATE PORTIONS OF RIVERA CIRCLE (RIVERSIDE DRIVE) AND RIVERDALE LANE. THIS PART OF THE ARROYAL SUBDIVISION ALONG THE IMPERIAL RIVER. (GREENSHEET NO. 17-06-0211)

[6:56:54 pm](#) City Attorney Vance introduced this item, and furnished a brief overview.

[6:57:42 pm](#) Jay Sweet, Community Development, addressed Staff's recommendation, which is to deny the request as outlined in the Greensheet.

[7:00:11 pm](#) Attorney Andrew Solis, with the law firm of Cohen & Grigsby, representing the Applicant, addressed the request and plans via a Powerpoint presentation.

[7:22:51 PM](#) Nicole Perino, Parks and Recreation Director, addressed challenges and impacts to the adjacent property owner. There would also be the need for environmental studies. Bonita Springs Utilities also addressed concerns they have and are opposed to approving the vacation.

PUBLIC COMMENTS

[7:25:16 pm](#) Steve Wolfsen (sp?), a resident of Luke Street, asked that Council deny the request until a they can find out where the culvert is going in leading to the lake, as that can cause environmental impacts that can be detrimental to everyone in the area. If a culvert is found he would have no problem agreeing to what is being done; however, at this point they are all concerned until they can find out that they won't have a drainage issue and stagnant lake.

[7:27:45 pm](#) Kathy McGrath also spoke opposed to approval of the request. The entire area should be preserved for the future.

[7:29:58 pm](#) An unidentified gentleman also addressed the request and spoke about its approval.

[7:30:49 pm](#) Council Member Slachta motioned to deny; Council Member Quaremba seconded; and the motion carried unanimously.

B. PUBLIC HEARING TO ADOPT AN ORDINANCE TO AMEND THE BONITA SPRINGS COMPREHENSIVE PLAN FOR THE CSX/SEMINOLE GULF RAIL CORRIDOR (PUBLIC COMMENT ALLOWED).

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, SO AS TO UPDATE CERTAIN ELEMENTS TO ENCOURAGE MULTIPLE USES OF THE RAILROAD CORRIDOR; ADDING OBJECTIVES AND POLICIES TO THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT AND RECREATION / OPEN SPACE ELEMENT, ADDING THE CSX / SEMINOLE GULF RAIL CORRIDOR MAP TO THE TRANSPORTATION ELEMENT; PROVIDING A CONFLICTS

CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES (GREENSHEET NO. 17-06-0198)

7:31:30 pm City Attorney Vance read the title block of the Ordinance into the record.

7:32:27 pm Jackie Genson, Community Development, furnished the background and history. Today they are before City Council requesting approval.

7:34:48 pm Council Member Forbes motioned to approve; Council Member Quaremba seconded.

PUBLIC COMMENT:

Rick Steinmeyer spoke in support of approval.

Alex Grantt spoke in support, and referenced several resolutions he had from various other municipalities in favor of passenger rail service.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 17-07**

C. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE (PUBLIC COMMENT ALLOWED): AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, CONSIDERING THE STATE MANDATED AMENDMENTS ON THE EVALUATION AND APPRAISAL REPORT; SO AS TO AMEND THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, INFRASTRUCTURE ELEMENT, COASTAL/CONSERVATION MANAGEMENT ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND PUBLIC PARTICIPATION, MONITORING, UPDATING AND EVALUATION PROCEDURES ELEMENT, PUBLIC SCHOOLS FACILITIES ELEMENT, AND DEFINITIONS; TO REVISE AND UPDATE THE EXISTING GOALS, OBJECTIVES, AND POLICIES, AND DATA AND ANALYSIS IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (GREENSHEET NO. 17-06-0210)

7:44:00 pm City Attorney Vance read the title block of the Ordinance into the record.

7:45:18 pm Assistant City Manager Arleen Hunter furnished a brief overview, explaining that this is the second public hearing and transmittal hearing for the Evaluation and Appraisal Report (EAR) State mandated amendments. The amendment was sent to DEO who furnished technical comments, which she briefly addressed.

7:46:00 PM Dr. Margaret Banyan, with Florida Gulf Coast University, furnished a PowerPoint presentation (copy in clerks file) to address the process, comments received from other agencies, etc.

PUBLIC COMMENTS:

7:53:42 PM Patrick Vanasse, representing Sustainable Lands Investment Group LLC and the Albert O'Donnell Trust, stated he was here to request that City Council hold off on any Comprehensive Plan Amendment and to make corrections to data an analysis. He next addressed his 2016 memo to Staff which

identified concerns regarding population projections and the data and analysis conclusion of the EAR which states there is sufficient land to meet development needs of that population growth.

8:00:12 PM Dave Depew, representing BG Mine LLC, also addressed his submittal (copy in Clerk's file) and spoke opposed to the adoption of the EAR in relation to population, and lack of data,

Rick Steinmeyer addressed population and voiced his support for moving forward.

The motion carried unanimously. **ADOPTED ORDINANCE NO. 17-08**

X. FIRST READING OF THE FOLLOWING ORDINANCES (PUBLIC COMMENT ALLOWED):

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 3 (DEVELOPMENT STANDARDS); REVISING ARCHITECTURAL STANDARDS FOR NON-RESIDENTIAL BUILDINGS; AMENDING §3-488, ALTERNATE DESIGNS; §3-489, BUILDING DESIGN STANDARDS; §3-490, DESIGN STANDARDS FOR SPECIFIC BUILDING TYPES; §3-491, SITE DESIGN STANDARDS; §3-492, EXCEPTIONS AND INTERPRETATIONS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0193)

8:06:25 PM City Attorney Vance v read title block into the record.

8:07:32 PM Council Member Forbes motioned to move forward with a second reading of the Ordinance on June 21, 2017; Council Member Quaremba seconded.

PUBLIC COMMENT:

8:11:14 pm Michael Maurer addressed a concern with the term "visible" and suggested language to define what is visible and what is not visible. He would also propose language to address location. He also referred to the Bernwood Business Park on Old 41, which includes a number of buildings that front on Old 41 that have storefronts and retail components in the front. Behind those buildings is a reverse frontage road that's part of their park, which is a private road that have multiple overhead doors that face that private road. A second limitation he would like to see placed in this Ordinance is that if it's a reverse frontage road within a master plan park that allows for industrial, that this be accepted. He further explained.

Council Member Slachta motioned to move forward with second reading of the Ordinance on June 21, 2017; Council Member O'Flinn seconded.

8:12:00 pm City Attorney Vance addressed a clarification on an issue that recently came, as there are other industrial parks. She referred to a provision in the applicability normally for design standards, and she wants to make sure her interpretation on what she has given Staff guidance is correct. There's a provision that has not been changed, which has not been amended, in that site design standards only apply in the industrial park if it is actually on an arterial or collector road. There was a self-storage facility in her opinion to Staff when they adopted Ordinance No. 17-02 which did require applicability of design standards for self-storage facilities. The opinion she provided is that the earlier provision was repealed by implication to the extent it's in conflict with the Ordinance of 2017, meaning that even though the self-storage facility is not on an arterial or collector, but internal in an industrial area, would be subject to the design standards.

8:15:00 pm City Council Member Forbes suggested letting Staff look at this and bring back recommendations at the second reading, which can be incorporated. Council Member O'Flinn stated he

sees no reason to disagree with Ms. Vance's view. Council Member Quaremba stated she was interested in defining visibility better with some kind of mechanism. She requested clarification from Staff on whether they should include reverse frontage if it impacts on a residential area. Mr. Dulmer responded, explaining that what they are trying to do is look at the aesthetic impacts of a potential non-residential development to existing residential developments. Without having language written in a manner that they have, he cannot guarantee that the aesthetic and architectural standards that Council has emphasized over the past year, can be enforced from all angles as they pertain to neighboring residential communities. As far as reverse frontage roads and buffers, and flex space, he's not looking to have a condition to quite that level of complexity. If those design features shield and buffer that garage door where it is not visible, then these standards don't apply. If those design features do not provide a visual screen, then these standards do apply. He further explained, stating he would recommend to strengthen this section and further explained. He feels the proposed language does that.

8:21:14 pm Mr. Dulmer stated he would like to look at the question of "from what height" is something he would like to address at the next meeting.

No public comments were made.

The motion carried unanimously.

- B. AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-303, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN, CLARIFYING THE INTENT THAT COMMUNITY DEVELOPMENT DIRECTOR MAY OBTAIN ADDITIONAL INFORMATION DURING APPLICATIONS FOR REINSTATEMENTS AND EXTENSIONS OF MASTER CONCEPT PLANS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

AND

AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-303, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN, PROHIBITING APPLICATIONS OF REINSTATEMENT OF EXPIRED MASTER CONCEPT PLANS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0195)

8:22:14 pm City Attorney Vance read the title blocks of both Ordinances into the record.

No public comments were made.

Council Member Slachta motioned to move forward with a second reading on June 21, 2017; Council Member O'Flinn seconded; and the motion carried unanimously.

- C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-53, FUNCTIONS AND AUTHORITY OF CITY COUNCIL; REQUIRING AN AFFIRMATIVE VOTE OF FIVE OR MORE COUNCIL MEMBERS FOR A DECISION BY CITY COUNCIL TO AMEND THE COMPREHENSIVE PLAN SPECIFICALLY RELATED TO BUILDING HEIGHTS OVER SEVENTY-FIVE (75') FEET FOR APPLICATIONS RECEIVED AFTER A SPECIFIED DATE; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0194)

8:27:30 pm City Attorney Vance read the title block of the Ordinance into the record.

No public comments were made.

Council Member Quaremba motioned to move forward with a second reading on June 21, 2017; Council Member O'Flinn seconded; and the motion carried unanimously.

- D. **ERRATA SHEET- WITH REVISED ORDINANCE:** AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; DECLARING A TEMPORARY MORATORIUM RELATED TO THE BONITA BEACH ROAD VISIONING STUDY AND QUADRANT STUDY IN THE COMPREHENSIVE PLAN AMENDMENT APPROVED MAY 3, 2017 AS ORDINANCE NO. 17-06; ESTABLISHING A MORATORIUM ON THE PROCESSING OF ANY ZONING OR OTHER COMMUNITY DEVELOPMENT APPLICATIONS WITHIN THE BONITA BEACH ROAD QUADRANT MAP OR BONITA BEACH ROAD CORRIDOR AREA (NETWORK ZONE MAP); PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-06-0196)

8:29:00 pm City Attorney Vance read the title block of the Ordinance into the record and addressed the background. The errata sheet includes a revised Ordinance, reflecting changes recommended by Attorney David Theriaque.

Council Member O'Flinn motioned to move forward with a second reading on June 21, 2017; Council Member DeWitt seconded.

PUBLIC COMMENT:

Rick Steinmeyer referred to the Quadrant Study and Bonita Beach Road Vision studies, stating that Council can move forward if this conforms to those.

8:35:28 pm Mike Maurer, representing the Bernwood Park of Commerce, provided a PowerPoint presentation to address reasons as to why he feels the Bernwood Park of Commerce should be exempt.

Keith Jennings, owner of Bonita Exchange, also asked that his development be exempt from the moratorium.

Jeremy Gorovitz, owner and developer of an outparcel in Bonita Exchange and spoke in support of being exempt.

Attorney Steve Bracci was also in attendance to voice his opposition to a moratorium.

Council discussion followed, with discussion on the Bernwood Park of Commerce and Bonita Exchange.

The motion carried unanimously.

XI. PUBLIC COMMENT:

Keith Jennings again addressed his opposition to the moratorium.

Kathy McGrath stated that the Meals of Hope event turned out great! City Staff won the trophy.

Rick Steinmeyer stated that he hopes the moratorium ordinance is revised to allow those who were involved to give them an exemption.

Steve Bracci no difference between Bernwood and Bonita Exchange.

Mike Maurer reminded Council that LPA agreed to exempt Bernwood Business Park.

XII. CITY ATTORNEY'S REPORT:

A. INTRODUCE AVA MARIA SCHOOL OF LAW STUDENT MARY ZIZZO. (GREENSHEET NO. 17-06-0197)

City Attorney Vance next introduced Ava Maria School of Law Student Mary Zizzo.

[8:33:48 pm](#) City Attorney Vance informed Council of a request she received from the Lee County Sheriff's Office to prepare an Ordinance to create a process to address trespassing on public facilities.

XIII. CITY MANAGER'S REPORT:

A. REVIEW OF MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 17-06-0199)

Informational.

B. REVIEW SUBMITTALS RECEIVED FROM CONSULTING FIRMS FOR THE BONITA BEACH ROAD LAND USE STUDY, RFQ 17-014, AND DIRECT STAFF TO SCHEDULE PRESENTATIONS WITH THE FOUR (4) SUBMITTED PROPOSALS. (GREENSHEET NO. 17-06-0200)

[9:34:38 pm](#) City Manager Carl Schwing reported that 4 submittals were received. The request regards how City Council wants to proceed with interviewing those firms.

[9:35:05 pm](#) Council Member Forbes suggested sending letters to those who submitted requesting they submit to the City, as a supplemental submittal, five projects they think are most representative to this project. He suggested photos of projects they were associated with, drawings, sketches, artist concepts and/or photographs. In response to Council Member DeWitt, City Manager Schwing to check to see if these items were required in the RFP. City Manager Schwing reiterated Staff direction that Council wishes to interview all four firms, and that in establishing the date for those interviews and presentations, that they will bring additional photos with them, and Staff to check the scope of work.

XIV. MAYOR AND COUNCIL MEMBER REPORTS:

XV. APPROVAL OF MINUTES: 05/17/17

[9:44:27 pm](#) Council Member Slachta requested an update on medical marijuana.

Council Member O'Flinn addressed Estero's Land Development Process.

[9:46:46 pm](#) Council Member Forbes suggested trimming of the landscape median when heading westbound on Bonita Beach Road to turn into City Hall.

[9:47:20 pm](#) Mayor Simmons referred to the movie film here called "Enlisted" and a letter to invite Prince Harry to attend. Council consensus to send letter.

XVI. PUBLIC COMMENT:

Rick Steinmeyer referred to the Lion's Club meeting he attended where people discussed problems with fleas and ticks on their pets. He contacted Nicole Perino and was informed that they do spray for these parasites.

XVII. ADJOURNMENT.

There being no further items to discuss the meeting adjourned at 10:00 P.M.


Respectfully submitted,



Debra Filipek, City Clerk

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 4/27/17
AUTHENTICATED:



Peter Simmons, Mayor