

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, JULY 5, 2017
5:30 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. CALL TO ORDER

Deputy Mayor Peter O’Flinn called the meeting to order at 5:30 P.M.

II. INVOCATION

Pastor Doug Pratt, with First Presbyterian Church, furnished the invocation.

III. PLEDGE OF ALLEGIANCE

At the request of Deputy Mayor O’Flinn, Council Member Greg DeWitt led in the Pledge of Allegiance.

IV. ROLL CALL

PRESENT:

Deputy Mayor Peter O’Flinn
Greg DeWitt
Mike Gibson, arrived at 5:44 P.M.
Amy Quaremba
Fred Forbes

ABSENT:

Mayor Peter Simmons
Steve Slachta

[5:34:26 pm](#) Brenda Brooks, Executive Director of the Crew Land and Water Trust, was in attendance to request Council support their request to hold the 11th Annual Benefit Concert at Riverside Park on February 24, 2018.

[5:35:01 pm](#) Tina Boole was in attendance to ask Council’s support on Consent Agenda Items VII. E. F. and G., relating to the economic development grants.

[5:35:34 pm](#) William Rowe, a resident of Pennsylvania Avenue, was in attendance to address concerns with traffic and accidents on Pennsylvania Avenue.

[5:38:23 pm](#) Rick Steinmeyer addressed addressed traffic concerns on Wisconsin and Pennsylvania.

[5:39:25 pm](#) Alex Grantt addressed Item VI. C., relating to the presentation by the RPC and regional issues relating to transportation, and other issues.

V. PROCLAMATIONS AND PRESENTATIONS:

A. BUSINESS RECOGNITION “MIX AND MINGLE” EVENT.

Deputy Mayor O’Flinn next presented Certificates of Recognition to Rossman Realty Property Management, LLC, Kova Commercial LLC, Jay Design, Blake Design Limited, Inc., and US Hearing Solutions.

B. PRESENTATION OF CERTIFICATE OF RECOGNITION TO THE EDMUND RICE CHRISTIAN BROTHERS.

Deputy Mayor O'Flinn next presented the Edmund Rice Christian Brothers with a Certificate of Recognition for all their contributions to residents of the City. Several Members of the Christian Brothers were in attendance to accept and thank Deputy Mayor O'Flinn and City Council.

C. LISTEN TO PRESENTATION FROM MARGARET WUERSTLE FROM THE REGIONAL PLANNING COUNCIL AND PROVIDE DIRECTION (IF ANY) TO STAFF. (GREENSHEET NO. 17-07-0260)

Jason Stoltzfus, with the Southwest Regional Planning Council, was in attendance to furnish a PowerPoint presentation and short video on the Regional Planning Council, their programs, grant opportunities, and their work with the entire region.

D. PRESENTATION BY CAROLE GREEN, CAPITOL STRATEGIES, ON THIS YEAR'S LEGISLATIVE SESSION AND TO PLAN FOR NEXT SESSION'S PRIORITIES. (GREENSHEET 17-07-0261)

6:09:48 PM Carole Green and Ashley Stacel, with Capitol Strategies, were in attendance to furnish an update to City Council on this year's legislative session and to address the next session. She informed Council that the Pine Lake rehydrant and quadrant plan did not get funding. A total of 3.5\$ in capital dollars was approved for the Lover's Key Project. She further explained and addressed the next session priorities.

6:35:34 pm Action deferred to have a full Council to July 19, 2017.

E. PROVIDE DIRECTION TO STAFF REGARDING AMENDING LDC 2-571, THE COMMUNITY DEVELOPMENT FEE SCHEDULE. (GREENSHEET NO. 17-07-0263)

6:36:52 pm John Dulmer, Community Development, addressed this item and furnished the background. Council discussion followed.

7:04:31 pm Staff to come back with what they feel are reasonable fees for the three items listed on the bottom of page 3 under "Downtown Redevelopment Area" – Major Project Reviews, Minor Project Reviews, and Color Palette Review.

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. REVIEW PROPOSED SCOPE OF WORK FOR THE PARKS AND RECREATION MASTER PLAN, AND AUTHORIZE STAFF TO BEGIN THE ADVERTISING PROCESS. (GREENSHEET NO. 17-07-0259)

7:13:48 pm Council Member O'Flinn stated Staff did a good job, but feels it's more than is needed right now. The concept he had was focusing on design elements. There are other parks that could use more improvement with respect to design. Rather than go forward and spend money on this at this point, he would suggest Staff work with those organizations to see if those concepts can travel to what they might want to do with the parks.

7:15:44 pm Council Member Quaremba addressed the notion of neighborhood parks, and people she spoke with who felt they didn't have anything convenient to them. Director Perino explained to Council Member Quaremba that there aren't any neighborhood park in her area, which is mostly due to all of those

neighborhoods being gated and having their own. Additionally, the City doesn't own any land in those areas. She agreed with Council Member Quaremba that Director Perino could look at to see if there's anything that can be done. Also, they also spoke about whether the City has a distribution of playground equipment that would be useful to these different communities.

- B. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE CREW LAND & WATER TRUST TO HOLD THE 11TH ANNUAL BENEFIT CONCERT AT RIVERSIDE PARK ON SATURDAY, FEBRUARY 24, 2018 FROM 5:00 P.M. TO 9:00 P.M. (GREENSHEET NO. 17-07-0253)

7:06:45 pm Council Member Quaremba pulled items B. and C. for a clarification on the process used when the City sponsors non-profits. Lora Taylor, Communications Director, responded. She explained when a non-profit would like co-sponsorship they request it in writing and include documentation that they are a non-profit organization. Staff does try to work with every organization that is a non-profit.

7:06:55 pm Council Member O'Flinn stated that he felt that if there was a policy that crafted some specifics, particularly what percentage of the proceeds are actually going to the charity. Council Member Quaremba stated that she thought that the City had an interest in having entities that directly paid back to our immediate community. Ms. Taylor explained that most of the organizations that apply to host the events in the City are giving back to our residents and area. Council Member Quaremba stated that as long as we have the policy that we open it up to anyone, she feels there should be some other policy. Deputy Mayor O'Flinn suggested looking into it.

7:09:21 pm Council Member O'Flinn referred to item B., relating to CREW, and explained that there are organizations that are in the highest standing such as CREW or community associations that come in five to ten times a year or more asking for the same approval they received the year before, which requires paperwork and bringing it to Council. He suggested a process where these groups can get a 5-year approval, with each year showing insurance, etc., and if something is wrong, then there could be a process to have them not do it.

Deputy Mayor O'Flinn motioned to approve items B. and C.; Council Member Quaremba seconded; and the motion carried unanimously.

- C. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE TACO FEST SOUTH FOOD SHOW AND CONCERT AT RIVERSIDE PARK ON SATURDAY, OCTOBER 15, 2017 FROM 11:00 A.M. TO 6:00 P.M. (GREENSHEET NO. 17-07-0249)
- D. APPROVE RESOLUTION APPOINTING ONE MEMBER TO THE CITY OF BONITA SPRINGS TECHNOLOGY ADVISORY BOARD. (GREENSHEET NO. 17-07-0252)
- E. CONCEPTUAL APPROVAL OF A PROPOSED ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY, PILTS LLC LOCATED AT 27030 OLD 41 ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 17-07-0256)
- F. CONCEPTUAL APPROVAL OF A PROPOSED ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY, PILTS LLC LOCATED AT 27040 OLD 41 ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 17-07-0257)
- G. CONCEPTUAL APPROVAL OF A PROPOSED ECONOMIC DEVELOPMENT GRANT FOR COMMERCIAL PROPERTY, PILTS LLC LOCATED AT 27060 OLD 41 ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 17-07-0258)

- H. APPROVE THE CONCEPTUAL DESIGN BY ARTIST ALEJANDRO NUNEZ FOR THE EXTENSION OF THE MURAL LOCATED AT BENSON’S GROCERY, 27301 OLD 41 ROAD, BONITA SPRINGS, FLORIDA. (GREENSHEET NO. 17-07-0255)
- I. APPROVE A RESOLUTION APPOINTING A MEMBER TO THE TREE ADVISORY BOARD. (GREENSHEET NO. 17-07-0246; FORBES)
- J. ERRATA SHEET – WALK-ON: APPROVE BY RESOLUTION RANKINS OF PRESENTATIONS MADE TO CITY COUNCIL ON JUNE 30, 2017 FOR THE BONITA BEACH ROAD LAND USE STUDY, RFQ 17-014, AND AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM, DPZ CODESIGN. (GREENSHEET NO. 17-06-0263)

VII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSS TRAFFIC ISSUES AROUND THE WISCONSIN AND PENNSYLVANIA INTERSECTION AND PROVIDE DIRECTION TO STAFF. (GREENSHEET NO. 17-07-0262)

7:18:06 pm Council Member Mike Gibson stated that this has been a concern for years with drivers speeding down Pennsylvania. He is aware of a developer that’s looking to develop on the corner of Wisconsin and Pennsylvania. Additionally, they are also looking at the Quadrant Study that may have more people using Pennsylvania. He would like to see what can be done to calm traffic and ensure that people maintain the speed limits.

7:19:13 pm Public Works Direct Matt Feeney, stated he would look at the traffic counts along Pennsylvania. He will look to see what options are available and addressed traffic calming options.

7:21:59 pm Council Member Forbes stated that until everything is worked out, he would suggest the use of “speed traps” by the Sheriff’s Office to see how bad the problem is. City Manager Schwing agreed.

VIII. FIRST READING OF THE FOLLOWING ZONING ORDINANCE (NO PUBLIC COMMENT ALLOWED):

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY TRI-STAR MANAGEMENT SERVICE, LLC, TO REZONE 1.79 ACRES FROM C-1 COMMERCIAL TO COMMERCIAL PLANNED DEVELOPMENT (CPD) FOR A MAXIMUM OF 22,000 SQ. FT. OF SELF STORAGE.; LOCATED AT 4276 BONITA BEACH ROAD SW AND 27696 OKEANA STREET, BONITA SPRINGS, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

7:26:33 PM City Attorney Vance read the title block of the Zoning Ordinance into the record.

Deputy Mayor O’Flinn motioned to move forward with a second reading of the Zoning Ordinance on August 14, 2017; Council Member Quaremba seconded; and the motion carried unanimously.

IX. FIRST READING OF THE FOLLOWING ORDINANCES:

- A. (PUBLIC COMMENT ALLOWED) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; EXTENDING BONITA SPRINGS ORDINANCE NO. 17-01; THE TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES; PROVIDING FOR GEOGRAPHIC AREA COVERED; PROVIDING FOR PENALTIES, CONFLICTS OF LAW, PROVIDING FOR SEVERABILITY, SCRIVENER’S ERRORS; PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 17-07-0245)

[7:29:13 PM](#) City Attorney Vance read the title block of the Ordinance into the record.

[7:29:59 PM](#) Kathy McGrath asked for a clarification on the oil form of cannabis, which the City Attorney responded.

Council Member DeWitt motioned to move forward to a second reading on July 19, 2017; Council Member Quaremba seconded; and the motion carried unanimously.

- B. (NO PUBLIC COMMENT ALLOWED) AN ORDINANCE DISSOLVING THE BEACH ROAD ESTATES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO SUBSECTION 190.046(10), FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 17-07-0251)

Assistant City Manager Alex Boswell-Ebersole, read the title block of the Ordinance into the record. If approved a second reading would be scheduled for July 19, 2017.

Council Member Quaremba motioned to move forward with a second reading of the Ordinance on July 19, 2017; Council Member DeWitt seconded; and the motion carried unanimously.

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

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS; SETTING FORTH THE PARKS AND RECREATION FEE SCHEDULE; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 17-07-0247)

City Attorney Vance read the title block of the Ordinance into the record.

Council Member DeWitt motioned adoption of the Ordinance; Council Member Quaremba seconded; and the motion carried unanimously. **ADOPTED ORDINANCE NO. 17-13**

XI. PUBLIC COMMENT:

[7:36:45 pm](#) Rick Steinmeyer addressed water access.

[7:39:32 pm](#) Kathy McGrath commended everyone on the great 4th of July event! She also addressed the upcoming film festival.

[7:40:49 pm](#) Jim Quaremba also complimented all on the great 4th of July event!

XII. CITY ATTORNEY'S REPORT: NO ITEMS.

XIII. CITY MANAGER'S REPORT:

[7:43:11 pm](#) City Manager Schwing thanked everyone who helped with the 4th of July event, including Staff, parks and maintenance Staff, sponsors and all the volunteers!

XIV. MAYOR AND COUNCIL MEMBER REPORTS:

7:44:23 pm Council Member Gibson, Quaremba and DeWitt again commended everyone on the great 4t of July event!!!

XV. APPROVAL OF MINUTES: 06/19/17 & 06/21/17

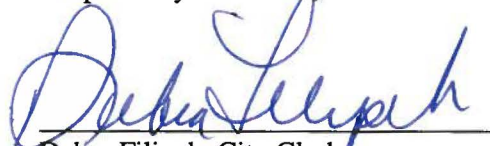
7:46:04 PM Council Member DeWitt motioned to approve the Minutes; Council Member O'Flinn seconded; and the motion carried unanimously.

XVI. PUBLIC COMMENT:

XVII. ADJOURNMENT.

There being no further items to discuss the meeting adjourned at 8:00 P.M.

Respectfully submitted,


Debra Filipek, City Clerk

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 7/24/17

AUTHENTICATED:



~~Peter O'Flinn, Deputy Mayor~~

PETER SIMMONS, MAYOR