

CITY COUNCIL  
CITY OF BONITA SPRINGS  
WEDNESDAY, OCTOBER 4, 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, with Council Member Mike Gibson arriving at 5:35 P.M.

V. PUBLIC COMMENT ON AGENDA ITEMS

Rick Steinmeyer informed Council of donations made to the Presbyterian Church for those in need, and provided the contact information for Love, Inc.

Linda Schwartz began by thanking Mayor Simmons, City Council, Staff, and fire and law enforcement for the outstanding job they have all be doing in the wake of Irma. She also addressed flooding that occurred in Cedar Creek in their streets, yards, and lakes in addition to extensive landscaping damage. Lastly, she urged City Council to approve the contract with Jim Beever with the RPC.

Lewis Coover, a resident of Morton Grove Drive, addressed Agenda Item VIII. A., regarding the contract with Jim Beever, and requested the opportunity to meet with Mr. Beever relative to a solution to flooding in his area.

Rita Hite, a resident of IBE on Pauling Drive, addressed the issue of flooding relative to the Imperial River. She addressed damage done as a result of the Imperial River to their community and asked if there is information relative to what is planned to be done with the river, and any assistance that can be provided to residents of IBE.

Kathy Claprod, Manager of Imperial Bonita Estates, also addressed the Imperial River, and a blockage, and plans to improve the river. She appreciates everything that everyone has done.

Chris Patrika, with the Lee County School Board, echoed comments made, thanking Mayor Simmons and City Council for their leadership and the tremendous work they have done before, during and after the storm. She was here to extend the opportunity to work with the School District to help students and families who are suffering in ways they can help them. Their outreach continues. She also addressed the Greensheet

relating to BSU credits, which she asked Council to help decrease costs to the district in terms of getting the sewer and water connections to the Bonita Springs high school.

Carolyn Gallagher, a resident of Cedar Creek, addressed flooding that occurred in her neighborhood twice. She was also here to ask that City Council approve the contract with Jim Beever to mitigate flooding in the City.

Larry Kurlander was also in attendance to express his support of Council Member Fred Forbes Greensheet relating to Jim Beever.

Martha Simons also urged Council to approve the Contract with Mr. Beever. She was also present to ask that City Council approve the Greensheet relative to the request by the Lion's Club and CGT Kayaks to hold "Riverfest 4 Irma Relief" event. Funds raised will go towards helping those in need that were affected by Hurricane Irma.

John West was in attendance to request that City Council approve the ANC Credits for the high school. He also addressed Council Member Forbes proposal to use the services of Mr. Beever, which he hopes Council will approve. He also addressed flooding in Citrus Park, and standing water on the east side of Bonita Grande.

Holly Dejalarmo, representing the Pinecrest Drive neighborhood informed City Council that they are still under water on Riverview Drive. With Irma they were under water for 12-14 days. Their homes have been gutted, and she is here to find out basic plans on drainage issues. Also, as they pick up horticultural waste, there's still a lot laying on the ground and plugging up their drains, thus, when it rains they are filling up again.

Teri Lamaine, Executive Director of the Bonita Assistance Office, responded to concerns raised. She addressed services provided to residents by the Assistance Office, which in addition to food, water and ice, they provide immediate financial assistance to residents in need of rent, utilities, medical/dental and transportation needs. On Saturday, September 14, 2017, they prepared 35 FEMA applications, with residents having \$500 immediately placed in their bank accounts. They also helped put tarps on roofs and removed trees from homes. They also have an infant and toddler diaper bank and are open 6 days a week. She further addressed services provided.

## VI. PROCLAMATIONS AND PRESENTATIONS:

### A. CERTIFICATE OF APPRECIATION TO JOHN DOLLINGER, PAST AMERICAN LEGION SOUTHWESTERN AREA COMMANDER, ON HIS GENEROUS DONATION TO THE CITY OF BONITA SPRINGS RESIDENTS IN NEED.

Mayor Simmons, along with Teri LaMaine and Council Member Steve Slachta, presented a Certificate of Appreciation to John Dollinger, for his generous gift of a semi truck full of bottled water to the Bonita Springs Assistance Office for residents in need.

## 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.)

Council Member Peter O'Flinn requested that items B., C., and D. be pulled.

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

- A. APPROVE AN EXTENSION TO THE EMERGENCY RESOLUTION OF THE CITY OF BONITA SPRINGS DECLARING A STATE OF LOCAL EMERGENCY RESULTING FROM HURRICANE IRMA; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 17-10-0361) **ADOPTED RESOLUTION NO. 17-58**
- B. RESOLUTION APPROVING CHANGE ORDER NO. 2 WITH WRIGHT CONSTRUCTION IN THE AMOUNT OF \$387,050.41 FOR THE DOWNTOWN REDEVELOPMENT PROJECT AND APPROVE A BUDGET TRANSFER FOR COSTS ASSOCIATED WITH MODIFICATIONS MADE TO THE PROJECT'S DESIGN DURING CONSTRUCTION. (GREENSHEET NO. 17-10-0364)

At the request of Council Member O'Flinn, City Manager Carl Schwing furnished a clarification. Council Member O'Flinn requested that Staff bring back the total amount with respect to Wright Construction.

Council Member O'Flinn motioned to approve; Mayor Simmons seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 17-59**

- C. AUTHORIZE MAYOR TO SIGN SUPPLEMENTAL TASK AUTHORIZATION NO. 2 WITH WALDROP ENGINEERING, P.A. FOR LAND DEVELOPMENT CODE AMENDMENTS IN THE AMOUNT OF \$32,000. (GREENSHEET NO. 17-10-0366)

At the request of Council Member O'Flinn, Assistant City Manager Arleen Hunter, provided a clarification of charges.

Council Member O'Flinn motioned to approve; Mayor Simmons seconded; and the motion carried unanimously.

- D. APPROVE A SPECIAL EVENT PERMIT FOR DEROMO'S GOURMET MARKET AND RESTAURANT TO HOST THEIR THREE-YEAR ANNIVERSARY ITALIAN FEAST AT 26851 SOUTH BAY DRIVE, BONITA SPRINGS, ON SUNDAY, OCTOBER 15, 2017. (GREENSHEET NO. 17-10-0365)

Council Member O'Flinn pulled this item to address the process. Communications Director Lora Taylor informed Council Member O'Flinn that Staff has been working on the process, and that there was a delay as a result of Hurricane Irma. The presentation will be made on the permit process at City Council's next meeting.

Council Member O'Flinn motioned to approve; Council Member Amy Quaremba seconded; and the motion carried unanimously.

- E. APPROVE AN ADDENDUM TO THE AGREEMENT FOR ARTIST JARRETT STINCHCOMB FOR THE DESIGN AND INSTALLATION OF A MURAL LOCATED AT 27657 OLD 41 ROAD. (GREENSHEET NO. 17-10-0375)
- F. ERRATA SHEET ITEM: REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR RIVERFEST 4 IRMA RELIEF EVENT AT RIVERSIDE PARK/LILES HOTEL PLAZA ON SATURDAY, OCTOBER 21, 2017. (GREENSHEET NO. 17-10-0377)

#### VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. ERRATA SHEET ADDITIONAL ITEMS: APPROVE CONTRACT WITH THE SWFRPC WITH JIM BEEVER AS PRINCIPAL INVESTIGATOR AND STUDY ADMINISTRATOR. (FORBES; GREENSHEET NO. 17-10-0374)

Council Member Forbes furnished an overview. Jim Beever, with the Regional Planning Council, addressed City Council. The intent is to work on short-term solutions first and then long-term solutions.

Council Member O'Flinn motioned to approve; Mayor Simmons seconded; and the motion carried unanimously.

**B. FOLLOW UP DISCUSSION TO COUNCIL MEMBER FRED FORBES SUGGESTION REGARDING STORMWATER UTILITY. (O'FLINN)**

Council Member O'Flinn to work with Public Works Director Matt Feeney and bring something back.

**IX. 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 MER ROUGE PROPERTIES, LTD; HIDDEN LAKES HOLDINGS, LLC, TO REZONE FROM THE RESIDENTIAL MULTI-FAMILY DISTRICT (RM-2), COMMUNITY COMMERCIAL DISTRICT (CC), SPECIAL COMMERCIAL DISTRICT (CS-1) AND COMMERCIAL PLANNED DEVELOPMENT (CPD) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD); PERMITTING A MAXIMUM OF 241 MULTI-FAMILY DWELLING UNITS, CLUB HOUSE, CONSUMPTION ON PREMISES, AND OTHER ANCILLARY RESIDENTIAL USES AND APPURTENANCES, LOCATED AT 28521 BONITA CROSSINGS BOULEVARD, 28471 BONITA CROSSINGS BOULEVARD, AND NON-ADDRESSED PARCELS WITH THE FOLLOWING STRAP NUMBERS: 04-48-25-B3-0140C.0000, 04-48-25-B3-0140E.00CE, 04-48-25-B3-0140F.00CE, 04-48-25-B3-0140D.00CE, 04-48-25-B3-0140B.00CE, 04-48-25-B3-0140A.00CE, 04-48-25-B3-0290B.0000, 04-48-25-B3-0140G.00CE, 04-48-25-B3-0140I.00CE, ON 27.4± ACRES; BONITA SPRINGS, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

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

Council Member O'Flinn motioned to move forward with a second reading on October 23, 2017; Council Member Quaremba 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 COUNCIL OF BONITA SPRINGS, FLORIDA, ADOPTING THE 2017 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 17-10-0362)**

Council Member Greg DeWitt motioned to continue to October 18, 2017; Mayor Simmons seconded and the motion carried unanimously.

**XI. PUBLIC HEARING (PUBLIC COMMENT ALLOWED):**

**A. TAKE ACTION ON PETITION FILED BY ATTORNEY NEALE MONTGOMERY, ESQUIRE, PAVESE LAW FIRM, ON BEHALF OF APPLICANT BG MINE, LLC, FOR CONTRACTION OF REAL PROPERTY FROM THE CITY OF BONITA SPRINGS. (GREENSHEET NO. 17-10-0363)**

Attorney David Theriaque, representing the City, introduced this item and addressed the process. Attorney Neale Montgomery and David Depew were in attendance on behalf of BG Mine, LLC. Both parties presented.

Council Member Fred Forbes motioned to reject petition; Council Member Quaremba seconded.

John West addressed the DRGR.

The motion carried unanimously. City Attorney Vance to work with Attorney Theriaque on the Resolution.

## XII. PUBLIC COMMENT:

Robert Allan thanked City Council for getting the water management permit. He appreciates accessibility to City Officials. He also recommended on town Hall on the proposed study to obtain public input. He also addressed storm communication, traffic, etc., and the need to have medical assistance available.

Bobbi Bird expanded on the benefit concert for Hurricane Irma victims to be held at Riverside Park.

Rick Steinmeyer addressed an article in the Bonita Banner today on all who have been helping!

Kathy McGrath echoed comments made by Bobbi Bird.

John West addressed the court reporter in attendance.

## XIII. CITY ATTORNEY'S REPORT:

## XIV. CITY MANAGER'S REPORT:

- A. REVIEW PROPOSAL AND PROVIDE DIRECTION TO STAFF ON SCHOOL BOARD REQUEST. (GREENSHEET NO. 17-10-0373)

Deferred for two weeks (to October 18, 2017)

- B. COUNCIL DIRECTION TO STAFF REGARDING THE RECREATIONAL TRAILS PROGRAM (RTP) GRANT 2017, AS REQUESTED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IN THE WAKE OF HURRICANE IRMA. (GREENSHEET NO. 17-10-376)

Assistant City Manager Arleen Hunter referred to correspondence from the RTP, which the City did receive an award for. There is an email correspondence to the Public Works Director requesting that the City provide positive confirmation that we wish to continue with the grant process. In the wake of Irma they are asking all the award recipients to provide that confirmation.

Council Member O'Flinn motioned to confirm – to continue with the grant process; Council Member Gibson seconded; and the motion carried unanimously.

## ADDITIONAL ITEM:

Assistant City Manager Hunter next addressed documents – 1 the joint unified local mitigation strategy, which reflects five projects. Council was also provided with a copy of the FEMA fact sheet and a summary of a program. Margaret Wuerstle, Executive Director, of the Southwest Florida Regional

Planning Council, has been diligent in looking at any opportunities that might be of assistance to the City, especially during the flooding situation, and she did come across a grant application. It is an annual FEMA grant application that is due this Monday. The grant application is for specific projects that are identified in the Local Mitigation Strategy (LMS). The City does not have their own LMS but are a part of Lee County's which is appropriate and is part of the points received for the City's community rating system.

She referred to the five projects identified in the Lee County Local Mitigation Strategy (LMS). She further explained that this is an annual grant program through FEMA and is not related to the Irma Disaster Fund. This is specifically for pre-disaster mitigation PDM Grant funds. Ms. Wuerstle did say it was feasible to turn in an application on Monday by 5:00 P.M. It would require a match of 25% of the total cost of the projects. If the City did try to pursue both projects, it would require a grant of \$3,750,000, with a local match of \$787,500.

Council Member O'Flinn motioned to approve; Council Member DeWitt seconded. Council Member DeWitt questioned asking the Village of Estero to help with funding, since they will be benefiting from these projects as well. Council Member O'Flinn amended his motion to check with the Village of Estero; Council Member DeWitt amended his second to the motion; and the motion carried unanimously.  
**ADOPTED RESOLUTION NO. 17-60**

**C. DIRECTION TO STAFF ON WONDER GARDENS WORKSHOP SCHEDULED FOR OCTOBER 10, 2017.**

To be rescheduled to be held in November 2017.

**D. ERRATA SHEET 2 – DISCUSS AND PROVIDE STAFF DIRECTION FOR LEGISLATIVE FUNDING PRIORITIES FOR 2018. (GREENSHEET NO. 17-10-0381)**

Council Discussion was held, with Council Member O'Flinn requested moving some other flood project up along with Pine Lake, and have the Quadrant be #3. He suggested having Mr. Beaver look at and bring back with a suggestion for a specific project, in addition to Pine Lake.

ADDITIONAL ITEM:

Assistant City Manager Arleen informed Council that Staff was contacted by Lee County today with representatives from the National Flood Insurance Program headquarters task force, who will be conducting a tour of Florida starting in St. Johns County with stops in every jurisdiction through Monroe County. They will be hosting an NFIP Task Force Workshop. The workshop is scheduled for October 12, 2017, from 2:00 p.m. to 4:00 p.m. at City Hall.

HURRICANE IRMA UPDATE:

City Manager Carl Schwing next furnished a PowerPoint presentation (copy in Clerk's file) to provide an update on Hurricane Irma work done thus far, including water testing, discussions with the Health Department on holding a health seminar, information tents with City employees providing water and cleaning kits, etc. Staff to inform those communities that still have standing water of the test results. Council Member Forbes suggested informing residents of this also where there was water in homes. Discussion followed.

Council Member O'Flinn addressed the flood maps, which he stated shows the entire southern part of Citrus Park as not flooded on the streets and no flooding in any structure there. Acting Director of Neighborhood Chris Campbell to correct the maps. Council Member O'Flinn questioned the number of houses that had flooding in them. Mr. Campbell explained that they personally observed 3,600 homes. Staff to provide that number to City Council.

XV. MAYOR AND COUNCIL MEMBER REPORTS:

Council Member Forbes referred to the Las Vegas shooting, and informed them of a fund to donate. He will provide Council with the address. Secondly, he suggested that Council come to next week's Council meeting with ideas for a post mortem, to address things that can be improved upon, etc. Also, also informed Council of a proposal from the Chairman of the Fire District who suggested City Council consider hosting an appreciation event in Riverside Park for the volunteers that pitched in with the recovery, i.e., FPL, etc. Lastly, he addressed a previous item he brought before City Council relating to City Council talking to special council. He feels they should change what they agreed to and loosen that up to where any Council Member can call that special council as long as it's with a question and will not entail any kind of work effort, study, etc. - anything that will cost a lot of money. He feels it's something they should try. No objections voiced.

Council Member O'Flinn stated we are still in hurricane season, and stated that in the area of Dean Street, on the west side of Imperial, and also north, if there are areas where a quick fix as an emergency can be put in place, he wants to, on an emergency basis, get in an plug some small gaps.

Council Member Quaremba stated she feels very privileged to be a Council Member in the City of Bonita Springs, as this is a City that has come together in such a remarkable way. This week she toured areas of the City she was unable to a week ago because of water.

Mayor Simmons also addressed Hurricane Irma. It was a horrific event that brings out the best in everyone. He thanked everyone for everything that has been done, and everything that they are going to do!

XVI. APPROVAL OF MINUTES: 09/06/17, 09/20/17 & 09/26/17 BUDGET MINUTES


Council Member O'Flinn motioned to approve the Minutes, with the 9/20/17 Minutes as revised; Council Member Quaremba seconded; and the motion carried unanimously.

XVII. PUBLIC COMMENT:

XVIII. ADJOURNMENT.

There being no further items to discuss the meeting adjourned at 8:48 P.M.

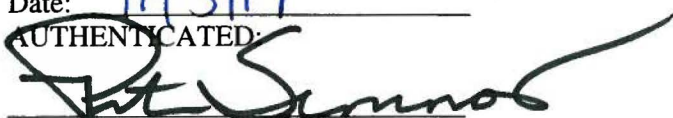
Respectfully submitted,

  
Debra Filipek, City Clerk

APPROVED:  
BONITA SPRINGS CITY COUNCIL:

Date: 11/3/17

AUTHENTICATED:

  
Peter Simmons, Mayor