

CITY COUNCIL  
CITY OF BONITA SPRINGS  
WEDNESDAY, NOVEMBER 1, 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 Riley Grandell, with Gulfshore 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

5:34:52 PM Pete Schaefer a resident of Hawthorne commended City Council and Staff on how fast debris was picked up. He also likes the roundabout, but informed Council of a concern with the pedestrian crossing portion.

5:36:55 pm Rick Steinmeyer also thanked Council for getting the debris removed on several streets.

5:37:38 PM Linda Schwartz thanked City Council for all their hard work after Hurricane Irma. She also voiced her support for Agenda Item VIII. C., regarding the contract with the RPC.

5:38:19 pm Rita Hite, a resident of IBE, commented on Greensheet ending in 408 and stated she is happy the City is looking into affordable housing, as there is a great need.

5:42:10 PM Anne Grandelle, a resident of Bonita Springs and the Executive Director of Love, Inc., also addressed long term recovery as a result of Hurricane Irma and the need to work together to find housing solutions for the long term. She also supports Agenda Item VIII. C. relating to the contract with the RPC.

VI. PROCLAMATIONS AND PRESENTATIONS:

A. PRESENTATION OF CERTIFICATE OF APPRECIATION TO FRANK JIMENEZ FOR ALL HIS HARD WORK IN THE QUINN STREET AREA AFTER HURRICANE IRMA.

5:46:36 PM Mayor Simmons next presented Frank the “Monkey Man” Jimenez with a Certificate of Appreciation for all his hard work in helping residents in the Quinn Street area after Hurricane Irma. Mr. Jimenez was in attendance to accept his Certificate of Appreciation and thank Mayor Simmons and City Council.

B. PHIL FLOOD WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT.

5:54:15 PM Phil Flood with the SFWMD addressed projects and funding opportunities as it relates to the district. Mayor Simmons asked Mr. Flood to please get the number of funds the City has donated to the SFWMD since incorporation.

C. MOVED UP FROM XI OF CITY MANAGER'S REPORT: DISCUSS AND PROVIDE DIRECTION TO STAFF ON PROPOSED LEGISLATIVE FUNDING PRIORITIES. (GREENSHEET NO. 17-11-0414)

6:15:14 PM Carole Green with Capitol Strategies, began by furnishing an update on legislation. Discussion followed on the legislative priorities and direction was given on the priorities. Priorities to be revised as discussed.

D. PRESENTATION ON THE FEMA HAZARD MITIGATION GRANT PROGRAM BY THE CITY'S COMMUNITY RATING SYSTEM (CRS) CONSULTANT JIM VON RINTEIN WITH J.R. EVANS ENGINEERING. (GREENSHEET NO. 17-11-0410)

7:09:12 PM Assistant City Manager Arleen Hunter introduced this Agenda item, furnished a brief overview, and introduced the City's Community Rating System Consultant Jim Von Rintein who furnished a PowerPoint presentation (copy in Clerk's file) for City Council for informational purposes on the program.

E. PROVIDE DIRECTION TO STAFF ON AMENDMENTS TO THE SPECIAL EVENTS PERMIT ORDINANCE. (GREENSHEET NO. 17-11-0413)

Deferred.

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.)

7:46:50 PM Council Member Forbes motioned approval of the Consent Agenda; Mayor Simmons seconded; and the motion carried unanimously.

A. APPROVE RESOLUTION AWARDING THE PINFISH COURT DRAINAGE IMPROVEMENT PROJECT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, INFINITE CONSTRUCTION, LLC, IN THE TOTAL BID AMOUNT OF \$119,625.37 UPON APPROVAL OF DOCUMENTS BY THE CITY ATTORNEY. (GREENSHEET NO. 17-11-0407) **ADOPTED RESOLUTION NO. 17-64**

B. APPROVE FY 2017 BUDGET RESOLUTION TO ALLOCATE TO THE APPROPRIATE COST CENTERS CERTAIN SALARY RELATED COSTS BUDGETED IN THE ORIGINAL FY 2017 BUDGET FROM THE NON-DEPARTMENTAL COST CENTER. (GREENSHEET NO. 17-11-0408) **ADOPTED RESOLUTION NO. 17-65**

C. REQUEST APPROVAL OF THE INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE CITY OF BONITA SPRINGS FOR WEST COAST INLAND NAVIGATION DISTRICT GRANT FUNDING FOR MARINE LAW ENFORCEMENT. (GREENSHEET NO. 17-11-0405)

D. REVIEW THE SCHEDULING SHEET FOR ZONING. (GREENSHEET NO. 17-11-0407)

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSS EMAIL RECEIVED REGARDING BONITA BEACH ROAD TRAFFIC. (MAYOR SIMMONS; GREENSHEET NO. 17-11-0411)

7:47:27 pm At the request of Mayor Simmons, a brief discussion was held regarding traffic signal timing. Council Member DeWitt suggested timing be corrected. He further questioned that since Bonita Beach Road and U.S. 41 is an evacuation route, if they can use Hazard Mitigation Grant program to do the Quadrant Study. City Manager Schwing to contact Mr. Rintein on Council Member DeWitt's question. Mayor Simmons request Staff invite Lee County that handle the traffic lights to have a discussion with City Council. Council Member Quaremba suggested they look at the sensors under the lights, as it may just be a maintenance issue.

- B. DISCUSS 2018 NATIONAL MAYOR'S CHALLENGE FOR WATER CONSERVATION. (MAYOR SIMMONS; GREENSHEET NO. 17-11-0412)

7:57:35 PM At the request of Mayor Simmons, City Manager Carl Schwing furnished an overview of the 2018 National Mayor's Challenge for Water Conservation.

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

- C. **ERRATA SHEET:** ISSUE A CONTRACT TO MARGARET WUERSTLE, EXECUTIVE DIRECTOR OF THE SWFRPC, TO PROVIDE CONSULTING SERVICES TO THE CITY OF BONITA SPRINGS TO DEVELOP AND RECOMMEND STRATEGIES WHICH MAY AFFECT OUR CURRENT LAND DEVELOPMENT CODES AND/OR ZONING CODES TO ALLOW FOR STRATEGIES TO STIMULATE THE DEVELOPMENT AND REDEVELOPMENT OF HOUSING FOR AFFORDABLE SALE/RESALE AND RENTAL RATES COMMENSURATE WITH THE NEEDS OF OUR CITY AND ITS DEMOGRAPHICS WHICH WILL BE SUSTAINABLE TO MEET THE NEEDS OF OUR COMMUNITY IN THE FUTURE. (FORBES; GREENSHEET NO. 17-11-0408)

Deferred.

- D. APPROVE RESOLUTION APPOINTING TWO MEMBERS TO THE VETERANS ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE. (SLACHTA; GREENSHEET NO. 17-11-0409)

Council Member O'Flinn motioned approval of the Resolution; Council Member Quaremba seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 17-66**

**ERRATA SHEET 2** – DIRECT STAFF TO PREPARE AN ORDINANCE FOR A ONE-YEAR MORATORIUM ON CONVERSION OF CURRENT OR FORMER GOLF COURSE PROPERTIES IN BONITA SPRINGS, WITH APPROPRIATE EXCEPTIONS. (O'FLINN; GREENSHEET NO. 17-11-0419)

8:01:26 pm Council Member O'Flinn furnished an overview of this agenda item, and a brief discuss was held.

8:01:34 pm Council Member Quaremba motioned to move forward with a first reading of the Ordinance on November 15, 2017; Council Member DeWitt seconded; and the motion carried unanimously.

ADDITIONAL ITEM:

8:04:22 pm Council Member O’Flinn next addressed the concept of a stormwater utility and suggested Staff go out with an RFP. Council Member O’Flinn motioned to move forward with an RFP; Council Member Forbes seconded; and the motion carried unanimously.

8:05:04 pm Council Member O’Flinn next addressed Lee Tran bus service and problems with people not able to get back home. He referred to his email and direction given to City Manager Schwing to look into this bus route on getting it back working.

Council Member O’Flinn motioned for Staff to contact Lee County and get the bus service back; Council Member DeWitt seconded; and the motion carried unanimously.

8:08:54 pm Council Member DeWitt informed Council of a phone call he received from a constituent asking what the City is doing with regard to the beach parking pass. He asked if can get beach parking passes back. Council Member O’Flinn suggested that long-term also talking with Collier County on access to Barefoot Beach and the lot. Mayor Simmons suggested scheduling a follow-up meeting like the one they had several months ago with Lee and Collier County – for him and Carl to meet with them, or have them come to Council meeting for a discussion. Council Member O’Flinn suggested waiting to see how it works out with Naples first. Mayor Simmons agreed.

IX. PUBLIC COMMENT:

8:12:32 PM Rick Steinmeyer informed everyone that they can get a beach parking pass for \$60.00 for the year.

8:13:50 pm Linda Schwartz addressed the Bonita/Estero bike trail, and began by thanking Council Member O’Flinn for his continued work on this project, and to ask people to go on line and sign a petition to restore the City’s status to priority. The website address is <http://esterotoday.com/take-action/call-to-action> She was here to ask the residents to sign the petition to get back our status, and suggested the link on the City’s website. Deadline for signatures is December 15, 2017.

8:15:42 PM Kathy McGrath questioned whether the intersection of U.S. 41 was federal. She also commended Phil Flood and Carole Green for all their work. She also commented on beach parking passes and thanked all who participated and helped with Riverfest. She also addressed discussions with the Special Events committee on the difficulty in getting sponsors.

8:19:27 PM Laura Carr stated she was happy to see and thank Monkey Man for all he has done to help!

X. CITY ATTORNEY’S REPORT:

- A. REVIEW THE PAPER ON DISPENSING FACILITIES (MEDICAL MARIJUANA TREATMENT CENTERS) PURSUANT TO FLORIDA STATUTES §381.986. (GREENSHEET NO. 17-11-0406)

8:21:09 pm City Attorney Vance furnished a brief overview of this request, referring to the white paper she prepared. Discussion followed.

8:30:48 pm Council Member O’Flinn stated he would like to understand the delivery system better. John Dulmer, Community Development, addressed Council and stated that if Council would like to hear

the latest State legislation, he would suggest coming back the first meeting in January. To see what the facilities will look like one can go to [www.floridahealth.gov](http://www.floridahealth.gov)

Staff to bring back first meeting in January 2018.

**ERRATA SHEET AND ERRATA 2:** APPROVE RESOLUTION EVIDENCING ACTION TAKEN ON OCTOBER 4, 2017 IN REGARDS TO THE 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. 17-11-0416); AND

[8:41:08 PM](#) Council Member O’Flinn motioned to approve the Resolution; Council Member DeWitt seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 17-61**

**ERRATA SHEET:** PROVIDE DIRECTION TO CITY ATTORNEY AS TO WHETHER CITY COUNCIL WANTS TO RENEW THE CODE ENFORCEMENT HEARING EXAMINER AGREEMENT WITH THOMAS W. FRANCHINO, OR, ALTERNATIVELY, AUTHORIZE THE CITY ATTORNEY TO ADVERTISE A REQUEST FOR PROPOSAL (“RFP”) FOR THIS POSITION. (GREENSHEET NO. 17-11-0415)

[8:42:11 PM](#) Council Member Gibson motioned to approve; Council Member O’Flinn seconded. Council Member Forbes suggested an amendment to the motion to approve for one year and bring back recommendations on improvements. Council Member Gibson amended his motion to include Council Member Forbe’s suggestion; Council Member O’Flinn seconded; and the motion carried unanimously.

**ADDITIONAL ITEM:**

[8:45:52 PM](#) City Attorney Vance next furnished an update on the Parklands litigation.

**XI. CITY MANAGER’S REPORT:**

- A. DISCUSS AND PROVIDE DIRECTION TO STAFF ON PROPOSED LEGISLATIVE FUNDING PRIORITIES. (GREENSHEET NO. 17-11-0414)

Addressed above.

**XII. MAYOR AND COUNCIL MEMBER REPORTS:**

[8:46:59 PM](#) Council Member Quaremba expressed her support to all the people in New York City in light of recent events. She next referred to all the white rocks along Bonita Beach Road on the edges of the medians, which, to her, appear to be out of place and do not fit in with the Bonita Beach Road vision. Assistant City Manager Hunter is going to follow up on it in regard to Lee County. She would like input on how they landscape along our roads. She next informed Council that she and Ms. Hunter will be meeting with Tiffany Esposito as she is interested in getting a business perspective on the effects of Hurricane Irma. Also, she attended a Horizon Council meeting this week and was made aware that a sub-committee of the Horizon Council is financing a housing study for all of Lee County. She was informed that Ms. Esposito had been in touch with that sub-committee and that they did outreach through the local Chambers of Commerce. She wants to meet with Ms. Esposito to see what that discussion entailed. Lastly, Lee County is doing a stormwater management study also and are trying to come up with projects. She feels the City needs to get integrated with that also. City Manager Schwing informed Council that Staff met with them last week and Bonita Springs is included in that study as a part of Lee County and Staff is coordinating with them.

[8:51:16 pm](#) Council Member Slachta reminded everyone of the Veteran’s Day Service.

8:51:57 pm Council Member O'Flinn informed Council that tomorrow he and Nick Batos will be meeting with Brian Hamman on SUN Trail and trail initiatives in Lee County. On Monday he will be going to Bartow to meet with the district secretary to talk about the Quadrant Plan and to attend the complete streets symposium. Lastly, he addressed references made tonight as to what Atkins and Jim Beever are doing, and suggested having some interim meetings to get updates on progress. Council consensus to schedule and properly notice.

9:00:41 PM Council Member Gibson reminded everyone of the 4<sup>th</sup> Annual Film Festival Gala.

9:01:54 PM Council Member Forbes brought up the issue of impact fees and discussion followed. City Manager Schwing to further look into. Council Member DeWitt suggested piggybacking with Lee County. City to try to piggyback on Lee County. Council Member DeWitt to confirm with the County to see if it's being done. Lastly, he reported that former Council Member Bill Lonkart told him that he had a report that indicated there were no real estate transactions for the last month.

9:08:16 pm Mayor Simmons read into the record a letter he wrote that Congressman Rooney will be sending to President Trump regarding the acceleration of the completion of repairs to the Herbert Hoover Dike at Lake Okeechobee. He also reported that this Saturday Doc's Beach House will be celebrating their 30<sup>th</sup> anniversary. He next thanked Mike Kirby with Community Development for helping with issues regarding debris removal, including concerns with wood chippers, debris in yards, eagles, etc. He next informed everyone of an event the Everglades Wonder Gardens was having this Sunday, November 5, 2017. Also, Tuesday, November 7, 2017 is election day in Cape Coral. Lastly, November 7, 2017 at 6:00 P.M., is the second meeting of the Outreach Committee.

XIII. APPROVAL OF MINUTES: 10/04/17, 10/11/17 AND 10/25/17

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

XIV. PUBLIC COMMENT:

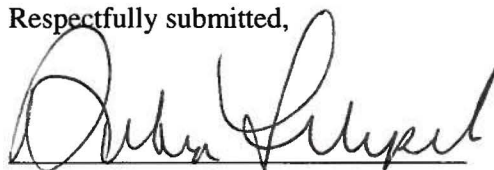
9:12:18 pm Rick Steinmeyer suggested a town hall meeting.

9:12:45 pm Kathy McGrath further expanded on the Film Festival Gala event.

XV. ADJOURNMENT.

There being no further items to discuss the meeting adjourned at 9:13 P.M.

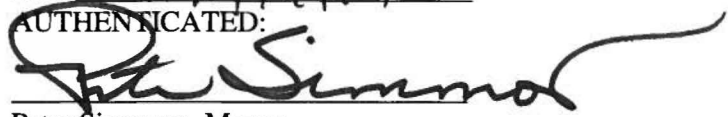
Respectfully submitted,



Debra Filipek, City Clerk

APPROVED:  
BONITA SPRINGS CITY COUNCIL:

Date: 11/16/17

AUTHENTICATED:  


Peter Simmons, Mayor