



**City Council Chambers**  
9101 Bonita Beach Road  
Bonita Springs, Florida 34135

## **CITY COUNCIL MEETING MINUTES**

October 4, 2023

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**1. Call to Order**

*Mayor Steinmeyer called the meeting to order at 5:30 pm.*

**2. Invocation**

*Father Bill Faupel from St Mary's Episcopal Church furnished the invocation.*

**3. Pledge of Allegiance**

*Mayor Steinmeyer led in the Pledge of Allegiance.*

**4. Roll Call**

*The City Clerk called the roll:*

*Present: 7 Mayor Steinmeyer, Council Member Bogacz, Council Member Purdon,  
Council Member Carr, Council Member Corrie, Council Member Fullick,  
Deputy Mayor Forbes*

*Absent: 0*

**5. Approval of Agenda**

*Council Member Carr motioned to approve the agenda; Council Member Corrie seconded the motion. The motion carried unanimously.*

**6. Mayor's Welcome**

*Mayor Steinmeyer welcomed attendees and reminded them of rules and standards.*

**7. Public Comment on Agenda Items**

*Jim Magnus spoke in support of agenda item 9.A.*

*Joe Murphy, on behalf of the Fraternal Order of Eagles, introduced himself and his organization and addressed agenda item 13.A.*

**8. Zoning and Land Use Items:**

- A. (Second Reading and Public Hearing) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS TO AMEND THE ESTERO BAY COMMERCIAL PLANNED DEVELOPMENT/ RESIDENTIAL PLANNED DEVELOPMENT (CPD/RPD) TO INCREASE THE RPD BOUNDARY BY 5.3 ± ACRES; REMOVE THE NORTHEASTERN PRESERVE CONSISTING OF 0.62± ACRES AND INCREASE THE MANGROVE PRESERVE AREA FROM 3.51 ACRES TO 3.64 ACRES; REMOVE THE ALF/ILF/CCRC DEVELOPMENT OPTION (OPTION 1); ADD TOWNHOMES AND TWO-FAMILY ATTACHED HOMES TO THE SCHEDULE OF USES WITHIN THE RPD; ADD RPD DEVELOPMENT REGULATIONS FOR TOWNHOMES AND TWO-FAMILY ATTACHED HOMES; ADD A TRIP CONVERSION MATRIX TO ALLOW THE MULTI-FAMILY UNITS TO BE CONVERTED TO OTHER RESIDENTIAL TYPES WITH NO INCREASE TO PM PEAK HOUR TRIP GENERATION; MODIFY DEVIATION 8 AND DEVIATION 13 TO ADDRESS CHANGES IN BUILDING LAYOUT AND REMOVAL OF PRESERVE ACREAGE; ADD SIX NEW DEVIATIONS; AND MODIFY THE MASTER CONCEPT PLAN TO PROVIDE FOR THESE CHANGES; AND PROVIDE FOR AN EFFECTIVE DATE. (Green Sheet No. 23-10-224)

*The Clerk read the title block into the record. City Attorney Rooney administered the oath to those intending to give testimony. Jacqueline Genson, Community Development, furnished an overview of the applicant's request.*

*Rich Yovanovich, on behalf of the applicant, presented the applicant's request.*

*Mayor Steinmeyer motioned to approve the applicant's petition; seconded by Council Member Purdon. City Attorney Rooney called for public comment, and seeing none, the Clerk proceeded to record the vote by roll call. The motion carried unanimously. Ordinance 2023 – 13 adopted.*

**9. Appeals:**

- A. Consider the appeal for the use of employee dormitories in Bonita Bay and provide direction to staff. (Green Sheet No. 23-10-222)

*Mike Fiigon, Community Development, introduced the appeal filed by Bonita Bay stemming from an administrative interpretation of permissible uses of an existing building under the Bonita Bay PUD.*

*Wayne Arnold, of Grady Minor, furnished a presentation on behalf of the applicant. The request is to convert an existing building, formerly used as the Bonita Bay Sales Center, into dormitory housing for seasonal employees. He noted that access to the subject building is outside the gates of Bonita Bay.*

*Council Member Purdon stated that it should be noted for the record that he believes that staff was correct in their interpretation; however, he believes the right action is to allow the employee dormitories. Council Member Purdon further stated that it is evident that a significant number of Bonita Bay residents and members are in favor of the dormitories.*

*Council Member Carr motioned to approve the request to declare the dormitory use as comparable to the schedule of uses for the C-1 Regional Commercial District of the Bonita Bay PUD. Council Member Corrie seconded. The motion carried unanimously.*

*Council Member Corrie recommended that Council direct staff to review potential amendments to the Land Development Code in regard to future onsite employee housing requests and bring back recommendations for Council consideration.*

*Deputy Mayor Forbes stated that he thinks it would be in the City's best interest for Council to authorize 'zoning in progress' during the period of staff review/Council consideration.*

*City Attorney Rooney stated that he will work with Community Development staff and bring back recommendations for Council's consideration.*

#### **10. Consent Agenda:**

*Council Member Corrie motioned to approve the Consent Agenda; Deputy Mayor Forbes seconded. The motion carried unanimously.*

- A.** Approval of the September 12, 2023, Draft Budget Hearing Meeting Minutes
- B.** Approval of the September 20, 2023, Draft Budget Hearing Meeting Minutes
- C.** Approval of the September 20, 2023, Draft City Council Meeting Minutes
- D.** Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Ian. (Green Sheet No. 23-10-215)
- E.** Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Idalia. (Green Sheet No. 23-10-216)
- F.** Approve a resolution to engage a firm for the City's Rosemary Drive Stormwater and Multi-Use Pathway Engineering Design Services (CN 23-12) and authorize staff to enter into negotiations with the number one ranked firm, Q. Grady Minor & Associates, PA. (Green Sheet No. 23-10-210)
- G.** Approve extension of Code Enforcement Hearing Examiner Agreement with Wilbur Smith LLC (Green Sheet No. 23-10-211)

- H. Approve proposal from Ajax Paving Industries of Florida, LLC for asphalt repair work on Melody Lane, Hickory Blvd, W Terry Steet at Bel Rio, and the Terry Street roundabout for the amount of \$89,840.65. (Green Sheet No. 23-10-213)
- I. Approve a Resolution to engage three (3) firms for the City's NPDES Engineering Services (CN 23-19) and authorize staff to enter into negotiations with the firms selected. (Green Sheet No. 23-10-214)
- J. Approve a one-year renewal of the contract for audit services with Ashley, Brown & Smith, CPA's, P.A (Green Sheet No. 23-10-217)
- K. Approve the Parks and Recreation Agreement between the City of Bonita Springs and the Casa Mexico Adult Soccer league for the 2023-2024 soccer season. (Green Sheet 23-10-219)
- L. Approve contract modification #3 to the agreement with the Florida Division of Emergency Management for the Citrus Park Drainage Project, Phase 1. (Green Sheet No. 23-10-220)
- M. Approve a request from Shopping Shenanigans to host a weekly Flea Market to be held at Bonita Oaks Square located at 4450 Bonita Beach Road each Saturday morning from 9:00 a.m. to 1:00 p.m., from October 20, 2023- May 24, 2024. (Green Sheet No. 23-10-223)
- N. Authorize staff to work with Wright Construction Group for \$170,500.00 for priority one repairs at the Bonita Springs Community Pool. (Green Sheet No. 23-10-225)

**11. Mayor & Council Member Items:**

*No items.*

**12. City Attorney's Items:**

- A. First reading of AN ORDINANCE OF THE CITY OF BONITA SPRINGS; AUTHORIZING THE SALE OF A PORTION OF REAL PROPERTY LOCATED AT 27601 KENT ROAD; AND, PROVIDING FOR EFFECTIVE DATE. (Green Sheet No. 23-10-228)

*The Clerk read the title into the record. Council Member Carr motioned to move to second reading; Council Member Purdon seconded. The motion carried unanimously.*

- B. Approve purchase and sale agreement with Bonita Springs Utilities to convey a vacant portion of City-owned land for property for a future water well site. (Green Sheet No. 23-10-229)

*City Attorney Rooney introduced the item, which is related to the ordinance read above. He noted that these items are not in final form and may be subject to changes, but the price will not increase.*

*Council Member Purdon motioned to approve; Council Member Carr seconded. The motion carried unanimously.*

- C. Adopt a zoning resolution to modify the Pelican Landing Development of Regional Impact (DRI) local development order to remove approximately 5.3+/- acres from the Pelican Landing DRI. (Green Sheet No. 23-10-221)

*Jacqueline Genson, Community Development, provided an overview of this item.*

*Council Member Carr motioned to approve; Council Member Bogacz seconded. The motion carried unanimously.*

### **13. City Manager's Items:**

- A. Discussion regarding offer from the Bonita Springs Fraternal Order of Eagles to donate a parcel of land abutting the northern end of Marni Fields and direction to staff. (Green Sheet No. 23-10-227)

*At the request of the Mayor, Mr. Juan Romeo, President of the Bonita Springs Soccer League, spoke in support of the City accepting the land donation, as an opportunity for restrooms, playground or a picnic area.*

*City Manager Hunter explained that staff had received correspondence from the organization to donate the subject portion of land, and staff is seeking direction from Council as to whether staff should proceed to evaluate the request and coordinate with FPL regarding use of the property. She further informed Council that there is invasive exotic vegetation on the property that will have to be removed.*

*Nicole Perino, Director of Parks & Recreation, stated that the City pays approximately \$350 a month for portalet rental, and almost \$2,500 a month for the pump-out.*

*Council Member Purdon stated that the lack of actual restrooms at Marni Fields is an issue, and he is in support of directing staff to proceed.*

*Council Member Carr stated that the next step should be to direct staff to conduct research and bring back cost estimates and recommendations. She would like definitive information as to whether the FPL right-of-way will impede construction of a restroom and what the cost will be to the City to remove the invasive vegetation.*

*Mayor Steinmeyer stated that he is grateful for the Eagle Clubs offer to donate the parcel, and motioned to accept the donation; Council Member Purdon seconded the motion. The motion carried with a vote of 5-2 (Council Members Carr and Corrie opposed).*

- B. Approve Task Order #2 with Portland State University in the amount of \$20,600 for the drafting and adoption of the Optional Comprehensive Plan Amendments to be conducted concurrently with the State-required Comprehensive Plan Amendments, as determined by the City's Evaluation and Appraisal Review (E.A.R.). (Green Sheet No. 23-10-226)

*City Manager Hunter provided an overview of the item.*

*Council Member Purdon motioned to approve; Council Member Bogacz seconded. The motion carried unanimously.*

- C. Presentation and review of the August Financial Report (Green Sheet 23-10-218)

*Lisa Roberson, Director of Financial and Administrative Services, furnished a presentation and addressed questions from Council.*

- D. Discussion regarding the City's legislative priorities and direction to staff. (Green Sheet No. 23-10-212)

*City Manager Hunter introduced the item for Council's discussion and stated that the Council will be asked to finalize the priorities at the next meeting. Staff has been coordinating with the City's lobbyists for recommendations as well, which will be incorporated into the final document.*

#### **Additional Staff Informational Items**

- *John Dulmer, Director of Community Development, addressed permitting issues relative to three condominium buildings on Little Hickory Island as they continue to recover from the impacts of Hurricane Ian. He also provided an update on hurricane related permitting statistics.*
- *City Manager Hunter informed Council that staff will be scheduling a series of workshops that will correlate with the City's strategic priorities.*
- *City Manager Hunter informed Council that staff is coordinating with the Wonder Gardens for a joint workshop between the Council and the Bonita Wonder Gardens Board of Directors. City Attorney Rooney suggested that each Council member individually submit (to the City Manager and City Attorney) a list of concerns that he will assemble prior to the next meeting. (Discussion ensued).*
- *City Manager Hunter asked for direction regarding the Council meeting scheduled for January 3, 2024, to which Council agreed that the meeting should be cancelled. City Manager Hunter advised that should any time-sensitive issue arise, a meeting could be held the following week if necessary.*

- *City Manager Hunter reported that she will provide performance evaluation forms to Council members in accordance with her Employment Agreement and the City Charter.*
- *City Attorney Rooney reported on the status of the lawsuit with the Three Hardworking Americans.*

#### **14. Mayor and Council Member Reports**

*Council Member Carr reported on the Walk to School event with the Bonita Elementary School students.*

*Deputy Mayor Forbes reported on the press briefing by the Lt. Governor to announce the widening of I-75 from Golden Gate Parkway to Corkscrew Road.*

*Council Member Fullick commended Café of Life for the social services in the City, including recent scholarships to Centers for the Arts.*

*Council Member Corrie reported on the “qualified disaster” tax issue before Congress and the upcoming October 15<sup>th</sup> filing deadline. He also reported on a renewed effort to extend State Route 951, which he has been discussing with Representative Botana. He encouraged Council Members to write to Don Scott in support of a North-South connector road from Immokalee to Corkscrew. (Discussion ensued).*

#### **15. Public Comment**

*None*

#### **16. Adjournment**

*There being no further business, the meeting adjourned at 7:17 p.m.*

Prepared by:



Mike Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: 10/18/23

AUTHENTICATED:



Rick Steinhilber, Mayor