

VILLAGE OF ESTERO SPECIAL COUNCIL MEETING  
WEDNESDAY, JANUARY 27, 2021, 9:30 A.M.

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CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE  
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.  
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE  
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

09:32:55 >>Mayor Ribble: I'M GOING TO GO AHEAD AND CALL THE MEETING  
09:32:58 FOR JANUARY 27 TO ORDER FOR THE VILLAGE COUNCIL.  
09:33:00 I WOULD LIKE TO REMIND EVERYONE TO PLEASE SILENCE THEIR CELL  
09:33:03 PHONES.  
09:33:05 AND MR. SAUNDERS, DO YOU WANT TO ADDRESS OUR HOOKUP WITH  
09:33:10 ZOOM SO WE DO THIS THE PROPER WAY?  
09:33:16 >>Burt Saunders: IN TERMS OF THE PARTICIPANTS OVER THE  
09:33:19 TELEPHONE AND VIA ZOOM, YOU'LL NEED A MOTION TO PERMIT THEM  
09:33:23 TO PARTICIPATE VIRTUALLY ONCE YOU FINISH THE ROLL CALL.  
09:33:27 >>Mayor Ribble: MR. BATOS MADE THE MOTION.  
09:33:29 SECONDED BY MR. BOESCH.  
09:33:33 ANY OBJECTIONS?  
09:33:35 HEARING NONE, SO MOVED.  
09:33:36 ALL RIGHT.  
09:33:37 GOOD MORNING.  
09:33:38 THIS MORNING, WE HAVE PASTOR FRANK BRAND FROM THE FIRST  
09:33:42 BAPTIST CHURCH OF ESTERO IS HERE TO PROVIDE THE INVOCATION.  
09:33:45 PASTOR FRANK, ARE YOU HERE?  
  
09:33:47 THERE YOU ARE.  
09:33:48 I DIDN'T RECOGNIZE YOU IN THAT MASK.  
09:33:53 >> I'VE NEVER LOOKED BETTER.  
09:33:56 >>Mayor Ribble: YOU HAVE THE RIGHT MASK ON.  
09:33:58 I'LL GIVE YOU THAT.  
09:33:59 >> I WOULD LIKE TO WELCOME EVERYONE.  
09:34:00 WE HAVE THE MASK -- THE CULT MASK.  
09:34:03 WE THANK YOU AND WE LOVE THE MASK.  
09:34:05 IT'S GOOD TO SEE YOU HERE.  
09:34:06 THANK YOU.  
09:34:07 BEFORE WE PRAY, I WANT TO THANK OUR COUNCIL AND ALL OF YOU  
09:34:10 THAT WORK SO HARD FOR OUR COMMUNITY.  
09:34:13 YOU ARE APPRECIATED.  
09:34:15 I HOPE YOU'RE STAYING HEALTHY.  
09:34:16 >>Mayor Ribble: IF YOU NEED ANY MORE MASKS, JUST SEE  
09:34:19 COUNCILMAN BATOS.  
09:34:21 HE HAS TONS OF THEM.  
09:34:22 [ LAUGHTER ]

09:34:24 >> EVEN HAVE MY GERM GEL THAT WAS PROVIDED.  
09:34:27 LET US PRAY.  
09:34:28 FATHER IN HEAVEN, WE REJOICE KNOWING THAT YOU LOVE US.  
09:34:34 AS WE ROSE UP THIS MORNING, YOUR WORD TELLS US YOUR MERCY  
09:34:39 GREETED US AS NEW EVERY DAY.  
09:34:42 YOU PROVIDE FOR US WHAT WE NEED, AND WE'RE THANKFUL THAT YOU  
09:34:44 DON'T GIVE US WHAT WE DESERVE.

09:34:47 MAY YOUR GRACE ABOUND.  
09:34:50 MAY WE NOT ONLY BE RECIPIENTS OF YOUR GRACE, BUT CONDUITS AS  
09:34:56 WELL.  
09:34:57 WHEN OPPORTUNITY PRESENTS ITSELF, MAY WE EXTEND TO ONE  
09:35:01 ANOTHER GRACE AND FORGIVENESS.  
09:35:06 LORD, WE PRAY FOR WISDOM AND GUIDANCE THROUGHOUT THIS  
09:35:09 MEETING.  
09:35:10 WE PRAY THAT YOUR HAND WOULD REST HEAVY UPON OUR COMMUNITY.  
09:35:14 DELIVER US FROM THE STRONGHOLD OF UNBELIEF.  
09:35:18 GRANT US REPENTANCE AND ALLOW US TO CHOOSE TODAY TO WALK  
09:35:23 WITH YOU ONE STEP AT A TIME.  
09:35:26 I PRAY, FATHER GOD, THAT OUR COMMUNITY WOULD BE A COMMUNITY  
09:35:29 OF FAITH, THAT, LORD, WE WOULD BE UNITED IN ACKNOWLEDGING  
09:35:36 OUR COMPLETE AND UTTER DEPENDENCY UPON YOUR BEAUTIFUL AND  
09:35:40 WONDERFUL GRACE.  
09:35:41 WE PRAY AND ASK ALL THIS IN THE STRONG NAME OF JESUS.  
09:35:47 AMEN.  
09:35:49 >>Mayor Ribble: THANK YOU, PASTOR.  
09:35:50 PLEASE STAND AND JOIN ME IN THE PLEDGE OF ALLEGIANCE.  
09:35:52 [PLEDGE OF ALLEGIANCE]  
09:36:11 >>Mayor Ribble: WOULD THE CLERK PLEASE CALL THE ROLL?  
09:36:15 >>Carol Sacco: COUNCIL MEMBER LEVITAN?  
09:36:17 >>Howard Levitan: HERE.  
09:36:19 >>Jon McLain: HERE.  
09:36:22 >>Jim Boesch: HERE.

09:36:24 >>Nick Batos: HERE.  
09:36:25 >>Jim Wilson: HERE.  
09:36:29 >>Vice-Mayor Errington: HERE.  
09:36:31 >>Mayor Ribble: HERE.  
09:36:31 NEXT ON THE AGENDA IS APPROVAL OF THE AGENDA.  
09:36:35 DOES ANYONE HAVE ANY ADDITIONS, DELETIONS OR CHANGES TO THE  
09:36:38 AGENDA?  
09:36:38 HEARING NONE, I'D ENTERTAIN A MOTION TO APPROVE THE AGENDA.  
09:36:47 FIRST BY VICE-MAYOR.  
09:36:48 SECONDED BY MR. BOESCH.  
09:36:49 ANYONE IN OBJECTION?  
09:36:50 OKAY.  
09:36:51 SO MOVED.  
09:36:52 WE'LL NOW TAKE PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE

09:36:57 AGENDA.  
09:36:57 MADAM CLERK, ANYONE SIGNED UP TO SPEAK?  
09:37:00 >>Carol Sacco: NO, MAYOR.  
09:37:01 >>Mayor Ribble: MOVING RIGHT ALONG.  
09:37:04 THE NEXT ITEM ON THE AGENDA IS RESOLUTION 2021-01, A  
09:37:08 RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO,  
09:37:11 FLORIDA, AFFIRMING THE APPOINTMENT OF CAROL SACCO AS OUR  
09:37:15 VILLAGE CLERK.  
09:37:18 WOULD THE CLERK PLEASE READ THE TITLE OF THE RESOLUTION?  
09:37:21 >>Carol Sacco: RESOLUTION NUMBER 2021-01, A RESOLUTION OF  
09:37:24 THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA,  
  
09:37:26 AFFIRMING THE APPOINTMENT OF CAROL SACCO AS VILLAGE CLERK,  
09:37:30 IN ADDITION TO HER ROLE AS EXECUTIVE ASSISTANT; AND  
09:37:33 PROVIDING AN EFFECTIVE DATE.  
09:37:35 >>Mayor Ribble: MR. SARKOZY, DO YOU WANT TO INTRODUCE THIS,  
09:37:37 PLEASE?  
09:37:38 >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.  
09:37:41 THIS ITEM IS THE RATIFICATION OR CONSENT OF THE COUNCIL TO  
09:37:45 APPOINT CAROL SACCO AS OUR VILLAGE CLERK.  
09:37:49 AS YOU'RE AWARE, WHEN KATHY HALL RETIRED, WE DIVIDED UP SOME  
09:37:54 OF THE DUTIES OF THE VILLAGE CLERK AND APPOINTED CAROL SACCO  
09:38:01 AS KIND OF THE DEPUTY OR INTERIM CLERK.  
09:38:06 CAROL HAS PERFORMED SINCE LAST MARCH, I BELIEVE IT IS, WHEN  
09:38:12 KATHY LEFT, IN AN EXEMPLARY MANNER.  
09:38:17 THIS COMES TO YOU WITH A RECOMMENDATION FOR APPROVAL WITHOUT  
09:38:21 HESITATION.  
09:38:21 >>Mayor Ribble: OKAY.  
09:38:22 ANY COMMENTS FROM COUNCIL MEMBERS?  
09:38:27 >>Jim Boesch: IT'S VERY APPROPRIATE.  
09:38:31 CAROL IS CERTAINLY RIGHT ON TOP OF EVERYTHING HERE.  
09:38:35 AND OUR COUNCIL AND FOR THE COMMUNITY AND I THINK IT WOULD  
09:38:40 BE VERY APPROPRIATE TO HAVE HER BE THE TOWN CLERK.  
09:38:45 >>Mayor Ribble: KATY?  
09:38:47 >>Vice-Mayor Errington: I, TOO, ELATED THAT CAROL IS GOING  
09:38:52 TO BE OUR NEW VILLAGE CLERK, HOPEFULLY AFTER THE VOTE HERE.  
09:38:58 SHE HAS REALLY -- SHE JUST DOES SO MANY THINGS.  
  
09:39:01 YOU COULD GO EXEMPLARY.  
09:39:03 WHAT'S THE WORD ABOVE EXEMPLARY?  
09:39:06 HIGHER THAN.  
09:39:08 SO I'D SAY VERY GOOD CHOICE, STEVE.  
09:39:12 >>Mayor Ribble: ANY OTHER COMMENTS FROM COUNCIL MEMBERS?  
09:39:13 HEARING NONE, HAS ANYONE SIGNED UP FROM THE PUBLIC TO SPEAK?  
09:39:17 >>Carol Sacco: NO, MAYOR.  
09:39:19 >>Mayor Ribble: I'D NOW ENTERTAIN A MOTION ON THIS ITEM.  
09:39:21 >>Vice-Mayor Errington: SO MOVED.  
09:39:22 >>Mayor Ribble: KATY ERRINGTON.

09:39:24           SECONDED BY MR. BATOS.  
09:39:25           MADAM SOON TO BE CLERK, PLEASE CALL THE ROLL.  
09:39:32           >>Jim Wilson: AYE.  
09:39:32           >>Nick Batos: AYE.  
09:39:34           >>Jim Boesch: AYE.  
09:39:36           >>Jon McLain: AYE.  
09:39:37           >>Howard Levitan: AYE.  
09:39:39           >>Vice-Mayor Errington: AYE.  
09:39:42           >>Mayor Ribble: I DIDN'T THINK YOU WOULD LET ME VOTE THERE  
09:39:47           FOR A MINUTE.  
09:39:48           [ LAUGHTER ]  
09:39:48           I GUESS I HAVE TO GO AYE.  
09:39:50           I'M SURE.  
09:39:51           NEXT ON THE AGENDA WE HAVE THE SECOND PUBLIC HEARING OF  
09:39:57           ORDINANCE NUMBER 2020-10, ADOPTING THE VILLAGE LAND  
  
09:40:01           DEVELOPMENT CODE.  
09:40:02           MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?  
09:40:05           >>Carol Sacco: YES, MAYOR.  
09:40:06           >>Mayor Ribble: WOULD THE VILLAGE CLERK PLEASE READ THE  
09:40:09           TITLE OF THE ORDINANCE?  
09:40:10           >>Carol Sacco: ORDINANCE 2020-10, AN ORDINANCE OF THE  
09:40:12           VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, ADOPTING  
09:40:15           THE VILLAGE LAND DEVELOPMENT CODE AND OFFICIAL ZONING MAP;  
09:40:18           REPEALING THE TRANSITIONAL LAND DEVELOPMENT CODE; PROVIDING  
09:40:21           A SAVINGS CLAUSE, A REPEALER CLAUSE AND AN EFFECTIVE DATE.  
09:40:27           >>Mayor Ribble: MR. SARKOZY, WHO WILL INTRODUCE THIS?  
09:40:31           YOU OR MARY?  
09:40:31           >>Steven Sarkozy: MAYOR, I WOULD BRIEFLY MENTION THAT WE'VE  
09:40:33           BEEN IN A YEARLONG -- ACTUALLY, OVER A YEARLONG EFFORT TO  
09:40:37           UPDATE OUR LAND DEVELOPMENT CODE.  
09:40:39           THIS CAME ON THE HEELS OF A SIMILARLY LENGTHED EFFORT TO  
09:40:45           CREATE OUR NEW COMPREHENSIVE PLAN.  
09:40:48           THE STATE STATUTES INDICATE THAT AFTER YOU HAVE A  
09:40:53           COMPREHENSIVE PLAN THAT WE HAVE ONE YEAR TO ADOPT THE LAND  
09:40:57           DEVELOPMENT CODE, AND WE'RE ON TRACK TO GET THIS DONE IN  
09:41:01           COMPLIANCE WITH STATE STATUTE.  
09:41:03           I'LL TURN THIS OVER TO MARY GIBBS WHO HAS BEEN SHEPHERDING  
09:41:06           THIS THROUGH THE PROCESS AND CONTRIBUTING, OF COURSE, TO ITS  
09:41:11           DEVELOPMENT ALONG THE WAY.  
09:41:12           MARY.  
  
09:41:12           >>Mary Gibbs: CAN YOU HEAR ME?  
09:41:15           CAN EVERYBODY HEAR ME?  
09:41:16           >> YES.  
09:41:17           >> YES.  
09:41:17           >>Mary Gibbs: ALL RIGHT.  
09:41:18           AS STEVE MENTIONED, THIS IS REQUIRED BY THE STATE TO GET

09:41:21 THIS DONE WITHIN A YEAR OF YOUR COMPREHENSIVE PLAN, AND IT  
09:41:25 IS A MAJOR UNDERTAKING, AND WE ARE ON TRACK TO DO THAT.  
09:41:29 BUT NOT ONLY -- BEYOND THE REQUIREMENT OF IT BEING SOMETHING  
09:41:32 THAT THE STATE MAKES EVERYBODY DO, THIS IS REALLY OUR FIRST  
09:41:35 LAND DEVELOPMENT CODE OF OUR VERY OWN.  
09:41:38 SO IT'S REALLY IMPORTANT, AND I THINK HOPEFULLY A MEMORABLE  
09:41:42 DATE.  
09:41:45 GETTING HERE A LONG TIME, BUT I THINK WE'VE GOT A VERY GOOD  
09:41:49 PRODUCT.  
09:41:49 WE HAVE BEEN IN THE PROCESS A LONG TIME.  
09:41:51 ONCE WE GOT THE DRAFT DOCUMENTS PUT TOGETHER, WHICH WAS  
09:41:55 AROUND OCTOBER, WE'VE HAD A SERIES OF MEETINGS THAT TOTALED  
09:41:59 13.  
09:42:00 WE'VE HAD WORKSHOPS, PUBLIC HEARINGS, AND REGULAR MEETINGS  
09:42:04 WITH DESIGN REVIEW BOARD, THE COUNCIL, AND THE PLANNING AND  
09:42:07 ZONING BOARD.  
09:42:08 AND WE'VE GOT A LIST OF THAT IN YOUR PACKET THAT WE PUT  
09:42:12 TOGETHER.  
09:42:12 THE PLANNING AND ZONING BOARD PUBLIC HEARING WAS DECEMBER  
  
09:42:14 15th, AND THE COUNCIL PUBLIC HEARING WAS DECEMBER 9th.  
09:42:19 AND THE COUNCIL DECIDED TO HAVE AN ADDITIONAL WORKSHOP ON  
09:42:21 JANUARY 13th.  
09:42:23 SO WE HAVE TAKEN THE INPUT WE HAVE GOTTEN FROM THE PUBLIC  
09:42:26 AND OUR ADVISORY BOARDS AND MADE PROPOSED CHANGES.  
09:42:30 AND WE BROUGHT THAT TO THE WORKSHOP ON THE 13th WITH THE  
09:42:34 COUNCIL.  
09:42:35 AND AT THAT TIME, THE COUNCIL ASKED FOR SOME ADDITIONAL  
09:42:39 CHANGES, AND THERE WAS SOME PUBLIC INPUT AT THAT TIME.  
09:42:42 SO WE MADE ADDITIONAL CHANGES SINCE THEN.  
09:42:44 WE HAVE A DOCUMENT THAT I'M GOING TO EXPLAIN A LITTLE BIT  
09:42:48 ABOUT WHAT WE'VE DONE IN THIS AGENDA DOCUMENT THAT'S  
09:42:51 ATTACHED IS THE CHANGES THAT WE MADE WHICH WERE FROM THE  
09:42:54 COUNCIL AND THE PUBLIC.  
09:42:56 THE NEW CHANGES ARE HIGHLIGHTED IN GREEN.  
09:42:58 SO IT'S EASIER FOR YOU TO FOLLOW SO YOU DON'T HAVE TO REREAD  
09:43:01 EVERYTHING.  
09:43:02 ALSO IN THE PACKET, WE HAVE AN ORDINANCE THAT ADOPTS THE  
09:43:05 CODE AND OUR OFFICIAL ZONING MAP, WHICH IS ON THE POSTER  
09:43:09 BOARD HERE AND ALSO IN YOUR PACKET.  
09:43:11 THEN WE REPEALED THE OLD TRANSITIONAL CODE.  
09:43:16 SO THE ADDENDUM DOCUMENT THAT'S IN YOUR PACKET, YOU MIGHT  
09:43:19 REMEMBER THIS FROM THE WORKSHOP ON THE 13th, IT INCLUDES  
09:43:23 ALL THE CHANGES THAT THE COUNCIL ASKED FOR AND THEN THERE  
09:43:25 WERE SOME CHANGES BY THE PUBLIC.  
  
09:43:27 SOME OF THE SPEAKERS WHO ARE SITTING BEHIND ME -- YOU MIGHT  
09:43:31 KNOW WHO THEY ARE -- WE'VE HIGHLIGHTED THE LANGUAGE IN

09:43:33 GREEN, AS I SAID, AND WE CAN ANSWER QUESTIONS ABOUT THAT.  
09:43:37 I CAN GO THROUGH THAT IF YOU WANT, OR WE COULD JUST ANSWER  
09:43:41 QUESTIONS HOWEVER YOU WANT TO HANDLE THAT.  
09:43:44 BUT WHAT WE'RE RECOMMENDING IS ADOPTING THE ORDINANCE AS  
09:43:46 IT'S AMENDED BY THESE DOCUMENTS WITH THE CHANGES.  
09:43:51 >>Mayor Ribble: IS THAT IT, MARY?  
09:43:52 >>Mary Gibbs: YEAH, I THINK IF YOU WANT TO TAKE THE PUBLIC  
09:43:55 INPUT.  
09:43:55 >>Mayor Ribble: DOES COUNCIL HAVE ANY QUESTIONS FOR MARY AT  
09:43:57 THIS POINT?  
09:44:00 >>Howard Levitan: BILL, EXCUSE ME.  
09:44:02 I HAVE A QUESTION.  
09:44:03 >>Mayor Ribble: SURE.  
09:44:05 >>Howard Levitan: I UNDERSTAND THAT THERE WERE SOME  
09:44:08 DOCUMENTS PASSED OUT AT THE MEETING THIS MORNING, AND  
09:44:14 CONSISTENT WITH WHAT WE DID AT THE LAST WORKSHOP, THOSE  
09:44:20 DOCUMENTS, IF THEY ARE GOING TO BE ACCEPTED NEED A WAIVER OF  
09:44:24 OUR RULES.  
09:44:27 I'LL LET YOU DECIDE WHAT YOU WANT TO DO ON THAT, BUT I WOULD  
09:44:31 OBJECT TO HAVING THOSE IN THE RECORD UNLESS WE AGREE AS A  
09:44:36 COUNCIL TO DO THAT.  
09:44:38 I THINK MY OBJECTION IS THAT THE PUBLIC NEVER GETS A CHANCE  
09:44:42 TO SEE THOSE LAST-MINUTE DOCUMENTS.

09:44:44 THEY NEVER SHOW UP ON OUR WEBSITE.  
09:44:47 AND I THINK THAT'S UNFORTUNATE.  
09:44:49 IT DOESN'T ADVANCE THE CAUSE OF PUBLIC PARTICIPATION.  
09:44:52 >>Mayor Ribble: MR. SAUNDERS OR NANCY, DO YOU WANT TO WEIGH  
09:44:54 IN ON THAT ISSUE, POINT OF ORDER IT SOUNDS LIKE TO ME.  
09:45:01 >> [INAUDIBLE]  
09:45:05 >>Mayor Ribble: YES.  
09:45:05 SO YOU WANT SOMEONE TO MAKE THE MOTION TO ACCEPT THE  
09:45:09 DOCUMENTS OR HOW DO YOU WANT TO DO THIS?  
09:45:16 >>Nick Batos: I HAVE A QUESTION ABOUT THE PROCESS ITSELF.  
09:45:18 IF THIS IS IN VIOLATION OF THE RULES AND EVERYONE SEEMS TO  
09:45:22 KNOW, WHY ARE WE BEING GIVEN THIS AT THIS TIME AND WHY ARE  
09:45:25 WE BEING ASKED TO VOTE ON IT AT THIS TIME?  
09:45:30 >> [INAUDIBLE]  
09:45:35 >>Howard Levitan: WE CAN'T HEAR WHOEVER IS TALKING.  
09:45:36 >>Jim Wilson: WE CAN'T HEAR WHOEVER IS TALKING.  
09:45:41 >>Nancy Stroud: I DIDN'T SEE THE GREEN LIGHT.  
09:45:43 SORRY.  
09:45:44 YEAH, THAT WAS A DOCUMENT PROVIDED BY THE PUBLIC -- STAFF.  
09:45:50 >>Mary Gibbs: MAY I ADD SOMETHING, THOUGH?  
09:45:53 I THINK I KNOW WHICH DOCUMENT.  
09:45:54 THE DOCUMENT THAT WAS HANDED OUT, WHICH I DIDN'T KNOW WAS  
09:45:57 HANDED OUT IS FROM NEALE MONTGOMERY.  
09:45:59 I THINK THOSE ARE HER TALKING POINTS THAT SHE WANTS TO GO

09:46:02 OVER WHEN YOU GET TO THE PUBLIC INPUT.

09:46:04 SO I DON'T KNOW THAT YOU HAVE TO ACCEPT ANYTHING.  
09:46:06 I THINK THOSE ARE JUST HER TALKING POINTS.  
09:46:08 SHE MUST HAVE LEFT THEM SO YOU COULD FOLLOW ALONG.  
09:46:14 >>Nick Batos: THESE ARE NOT GOING TO BE PART OF THE RECORD  
09:46:16 THEN.  
09:46:17 >>Mayor Ribble: ONLY IF SHE READS IT, IS WHAT IT SOUNDS  
09:46:20 LIKE, CORRECT?  
09:46:22 >>Neale Montgomery: I'M TRYING TO NOT --  
09:46:26 >>Howard Levitan: WE CAN'T HEAR WHOEVER IS SPEAKING.  
09:46:30 >>Mary Gibbs: DO WE HAVE TO DECIDE RIGHT NOW?  
09:46:33 >>Nancy Stroud: I WOULD SUGGEST THAT THE COUNCIL CAN ACCEPT  
09:46:38 IT AS A PUBLIC DOCUMENT OR SAY, NO, WE'LL JUST WAIT UNTIL  
09:46:42 MS. MONTGOMERY MAKES HER PRESENTATION, AND THEN WE'LL DECIDE  
09:46:46 WHETHER WE WANT TO --  
09:46:48 >>Mayor Ribble: OKAY.  
09:46:48 IT SOUNDS LIKE WE HAVE A CONSENSUS THEN ON WAITING UNTIL SHE  
09:46:52 SPEAKS.  
09:46:53 AND THEN WHATEVER SHE SAYS THAT'S ON THIS DOCUMENT, SHE  
09:46:57 QUOTES IT, IT'S IN THE RECORD AT THAT POINT.  
09:46:59 EVERYONE IS OKAY WITH THAT?  
09:47:02 >>Nick Batos: THAT'S STILL NOT TRUE, THOUGH.  
09:47:05 STILL HAVE THE ISSUE THAT THIS HAS NOT BEEN GIVEN IN TIME.  
09:47:09 >>Mayor Ribble: NO.  
09:47:11 PART OF THE RECORD IS GOING TO BE WHAT SHE VERBALLY TALKS  
09:47:14 ABOUT.

09:47:14 THAT'S OUR POINT.  
09:47:17 >>Howard Levitan: IT IS THE ONLY PART OF THE RECORD THAT IS  
09:47:20 ON THE RECORD IS WHAT SHE SAYS.  
09:47:22 >>Mayor Ribble: DO YOU HAVE A COPY OF THIS, HOWARD?  
09:47:24 >>Howard Levitan: I DO NOT.  
09:47:25 AND THAT'S WHY I'M OBJECTING.  
09:47:26 >>Mayor Ribble: WELL, THAT'S A GOOD POINT.  
09:47:28 THERE ARE SOME PEOPLE ON ZOOM THAT DON'T HAVE A COPY OF IT.  
09:47:33 >>Mary Gibbs: MAY I ALSO ADD ONE OTHER THING THAT I FORGOT  
09:47:35 TO MENTION?  
09:47:36 THE PUBLIC INPUT, WE HAVE RECEIVED ONE LETTER SINCE THE  
09:47:41 PACKET WENT OUT.  
09:47:42 WE GOT ANOTHER LETTER FROM NEALE MONTGOMERY TWO DAYS AGO  
09:47:47 THAT I BELIEVE SHE'S GOING TO ADDRESS WHEN SHE GETS UP TO  
09:47:50 SPEAK TODAY.  
09:47:51 AND THAT WAS E-MAILED FROM HER OFFICE TO ALL OF YOU.  
09:47:54 I JUST WANTED TO MENTION THAT AS WELL.  
09:47:59 >>Howard Levitan: WELL, AGAIN, WHILE THAT DOESN'T MEET OUR  
09:48:02 RULES, WE ALL HAVE IT.  
09:48:04 SO IT'S KIND OF HARD TO FORGET WHAT YOU ALREADY HAVE.

09:48:07 >>Mayor Ribble: -- DOING THIS FOR SIX YEARS.  
09:48:11 IT WOULD BE NICE IF WE GOT WITH THE PROGRAM ON SOME OF THESE  
09:48:13 ITEMS.  
09:48:14 MOVING RIGHT ALONG, ANY OTHER COMMENTS FROM COUNCIL?  
09:48:21 >>Vice-Mayor Errington: MARY, ARE YOU GOING TO GO THROUGH  
  
09:48:23 SOME OF THESE BEFORE?  
09:48:25 >>Mary Gibbs: I CAN QUICKLY EXPLAIN THE ADDENDUM DOCUMENT,  
09:48:28 IF THAT'S WHAT YOU WANT.  
09:48:31 >>Vice-Mayor Errington: THE ONE IN OUR PACKET.  
09:48:33 >>Mary Gibbs: YES.  
09:48:33 >>Vice-Mayor Errington: I WOULD APPRECIATE THAT.  
09:48:36 >>Mary Gibbs: I CAN DO THIS IN LIKE FIVE MINUTES.  
09:48:39 WHAT WE DID WITH THE REVISIONS, IF YOU GO TO YOUR DOCUMENT  
09:48:44 AND WE GO TO PAGE 2 -- IF I CAN GET MY GLASSES TO STAY ON --  
09:48:53 WE CHANGED, PER YOUR DIRECTION AT THE LAST WORKSHOP, WE  
09:48:58 CHANGED THE MEMBERSHIP OF THE PLANNING AND ZONING AND DESIGN  
09:49:01 REVIEW BOARD TO BE BETWEEN SEVEN TO NINE MEMBERS.  
09:49:05 THE LAST MEETING YOU WEREN'T SURE HOW MANY MEMBERS THERE  
09:49:08 SHOULD BE ON THE BOARD.  
09:49:10 YOU SAID A RANGE OF SEVEN TO NINE.  
09:49:13 SO WE MADE THAT CHANGE.  
09:49:16 THEN IF YOU GO TO PAGE 4, WE MADE A CHANGE TO VESTED RIGHTS  
09:49:23 BECAUSE OF THE PUBLIC INPUT THAT WAS BROUGHT UP BY  
09:49:26 MS. MONTGOMERY AND EXPLAINED BY NANCY STROUD THAT VESTED  
09:49:32 RIGHTS IS AT THE PROPERTY OWNER'S OPTION.  
09:49:34 SO WE ADDED THAT LANGUAGE TO HELP CLARIFY THAT.  
09:49:37 THEN WE HAVE A SERIES OF CHANGES THAT GO FROM PAGE 5 TO PAGE  
09:49:43 21.  
09:49:44 AND THIS WAS A SUGGESTION AGAIN BY NEALE MONTGOMERY THAT WE  
09:49:50 HAD SOME LANGUAGE THAT WASN'T QUITE CORRECT THAT SAID  
  
09:49:54 CONDITIONS AND USES ON A MASTER CONCEPT PLAN FOR A PLANNED  
09:49:59 DEVELOPMENT HAD TO BE LISTED ON THE MASTER CONCEPT PLAN.  
09:50:02 WELL, THAT WAS INFEASIBLE BECAUSE YOU CAN'T READ THEM, AND  
09:50:06 THEY ARE NORMALLY CONTAINED IN THE ORDINANCE.  
09:50:08 WE HAD TO MAKE A SERIES OF CHANGES IN ALL THE PLANNED  
09:50:11 DEVELOPMENT SECTIONS, AND THAT'S WHY YOU'LL SEE LOT OF THAT  
09:50:14 LANGUAGE.  
09:50:14 BUT BASICALLY, IT'S A MINOR ADMINISTRATIVE CHANGE TO REFLECT  
09:50:19 WHAT HAPPENS IN REAL LIFE.  
09:50:20 THAT GOES FROM PAGE 5 TO PAGE 21.  
09:50:26 >>Howard Levitan: EXCUSE ME, MARY.  
09:50:27 I WANT TO MAKE IT CLEAR THAT WHILE WE MADE THOSE CHANGES, WE  
09:50:30 DIDN'T CHANGE ANY OF THE ACTUAL LANGUAGE ITSELF.  
09:50:34 IT'S JUST IN A DIFFERENT PLACE.  
09:50:36 >>Mary Gibbs: CORRECT.  
09:50:37 AND THEN IF YOU GO TO PAGE 22, I THINK COUNCILMAN McLAIN



09:50:45 BROUGHT UP THIS ISSUE WITH THE ELECTRIC VEHICLE CHARGING  
09:50:49 STATIONS.  
09:50:50 MAKING THAT NUMBER 50.  
09:50:54 SO WE CHANGED THAT.  
09:50:56 AND THEN IF YOU GO TO PAGE 24, COUNCIL WANTED SOME LANGUAGE  
09:51:00 ABOUT LANDSCAPING.  
09:51:04 SO IF YOU LOOK AT THE TREES, WE HAVE LANGUAGE HIGHLIGHTED IN  
09:51:08 GREEN.  
09:51:08 THAT LANGUAGE WAS PUT BACK IN.

09:51:10 AND ON THE NEXT PAGE, THERE'S A TABLE THAT SHOWS PLANT  
09:51:15 MATERIAL STANDARDS.  
09:51:16 SO WE PUT THE LANGUAGE BACK IN THAT THE COUNCIL ASKED TO  
09:51:19 HAVE REPLACED.  
09:51:21 I THINK IF YOU GO TO PAGE -- SKIP TO PAGE 47, THE LAST  
09:51:29 CHANGE WAS BROUGHT UP AGAIN BY NEALE MONTGOMERY THAT WE  
09:51:32 DIDN'T HAVE A DEFINITION OF THE BUILD-TO ZONE.  
09:51:36 SO THE CONSULTANTS PUT IN A DEFINITION OF THE BUILD-TO ZONE.  
09:51:40 THAT BASICALLY COVERS THOSE CHANGES THAT WE HAVE IN THE  
09:51:44 DOCUMENT.  
09:51:45 >>Mayor Ribble: OKAY.  
09:51:46 ANY OTHER QUESTIONS FROM COUNCIL?  
09:51:50 >>Vice-Mayor Errington: I HAVE ANOTHER QUESTION.  
09:51:51 GOING BACK TO CHAPTER 2, ADMINISTRATION, IF THIS IS VOTED  
09:52:00 TODAY APPROVAL, EVERYTHING AS IS, WHAT DOES THAT MEAN FOR  
09:52:05 THE PZ AND THE DRB BOARD?  
09:52:12 IS THAT SOMETHING THAT CAN BE PUT ON HOLD?  
09:52:14 WE HAVE A NEW COUNCIL COMING ON BOARD IN A MATTER OF WEEKS.  
09:52:20 AND THIS IS SOMETHING WE WOULDN'T WANT TO RUSH INTO.  
09:52:23 SO EXPLAIN IT TO ME, WOULD YOU?  
09:52:25 >>Mary Gibbs: AT THE LAST WORKSHOP, I THINK THERE WAS A  
09:52:28 DISCUSSION ABOUT THIS, AND THIS ORDINANCE PROPOSES ONE  
09:52:31 BOARD, THE PLANNING, ZONING, AND DESIGN BOARD.  
09:52:34 WHAT WE TALKED ABOUT, AS I RECALL FROM THE LAST WORKSHOP, IS  
09:52:40 IF THIS GETS ADOPTED, YOU HAVE THE ONE BOARD.

09:52:44 AND THE COUNCIL TALKED ABOUT WHO WANTED TO APPOINT, SHOULD  
09:52:47 IT BE OLD BOARD APPOINTING OR NEW BOARD APPOINTING.  
09:52:51 MY RECOLLECTION FROM THE DISCUSSION AT THE WORKSHOP WAS THAT  
09:52:53 THE COUNCIL WANTED THE EXISTING BOARD TO DO THE  
09:52:58 APPOINTMENTS.  
09:52:58 WHAT WE WERE GOING TO TALK ABOUT A LITTLE BIT MORE LATER WAS  
09:53:03 HOW WE WOULD DO THAT, BECAUSE WE TALKED ABOUT IT A LITTLE  
09:53:06 BIT, PUTTING SOME ADVERTISING TOGETHER, GETTING THE WORD OUT  
09:53:10 AND ASKING EXISTING BOARD MEMBERS, MAKING SURE THEY KNEW IF  
09:53:15 THEY WANTED TO PUT THEIR NAME IN AND GETTING THAT WORDING  
09:53:18 OUT.  
09:53:19 AND THEN GETTING THE APPLICATIONS, COMING BACK TO THE

09:53:23 COUNCIL IN A FEW WEEKS.  
09:53:26 THE COUNCIL WOULD DO INTERVIEWS.  
09:53:28 AND THEN YOU WOULD APPOINT PROBABLY AROUND MARCH 2nd  
09:53:32 BECAUSE I THINK THAT'S THE LAST MEETING.  
09:53:35 IT WOULD NOT BECOME EFFECTIVE UNTIL PROBABLY THE BEGINNING  
09:53:38 OF APRIL BECAUSE THERE'S EXISTING BOARD MEMBERS AND THE  
09:53:42 TERMS EXPIRE, A LOT OF THEM AT THE END OF MARCH.  
09:53:45 LOGISTICALLY SPEAKING, TO GIVE ME A CHANCE TO GET EVERYTHING  
09:53:48 SET UP AND OPERATIONAL, THAT SEEMS TO BE THE EASIEST WAY TO  
09:53:52 DO IT.  
09:53:53 >>Vice-Mayor Errington: SO IT WAS OUR CONSENSUS TO DO IT  
09:53:56 NOW.  
09:53:56 >>Mary Gibbs: THAT WAS MY RECOLLECTION.

09:53:58 >>Vice-Mayor Errington: THAT'S WHAT I REMEMBER.  
09:53:59 >>Mayor Ribble: THERE WAS A CONSENSUS.  
09:54:00 DO IT NOW.  
09:54:01 I THOUGHT WE WERE DOWN THE ROAD ON THIS.  
09:54:03 WE WERE ALREADY SUPPOSED TO SEND OUT AN ADVERTISEMENT THAT  
09:54:06 WE WERE GOING TO HAVE PEOPLE APPLY FOR THIS.  
09:54:08 NOW HERE IT IS ALMOST TWO WEEKS LATER, AND WE'RE STILL  
09:54:11 TALKING ABOUT THE SAME THING.  
09:54:12 >>Mary Gibbs: WE'VE GOT THE ADVERTISEMENT --  
09:54:14 >>Mayor Ribble: THAT'S THE PART THAT FRUSTRATES ME WITH THIS  
09:54:16 COUNCIL.  
09:54:17 WE DO A LOT OF GOOD THINGS THE RIGHT WAY, BUT WE GO OVER THE  
09:54:20 SAME TUNE OVER AND OVER AND IT'S JUST A WASTE OF OUR TIME.  
09:54:24 WE HAD OUR HEAD TO HEADS WITH STEVE, THE LAST TIME I TALKED  
09:54:27 TO STEVE, WHICH WAS 24 HOURS AGO, I THOUGHT WE WERE MOVING  
09:54:31 FORWARD WITH THIS THING.  
09:54:33 DOESN'T MATTER TO ME.  
09:54:34 I KNOW WE'RE COMING UP WITH OLD COUNCIL, NEW COUNCIL.  
09:54:37 RIGHT NOW, I STILL HAVE SIX WEEKS LEFT.  
09:54:39 I WANT TO PARTICIPATE.  
09:54:40 IF YOU FOLKS WANT TO POSTPONE IT, FINE.  
09:54:43 THAT'S NOT WHAT YOU SAID TWO WEEKS AGO.  
09:54:44 SAID JON McLAIN SAT OVER THERE, MADE THE MOTION THAT WE  
09:54:47 MOVE FORWARD WITH IT.  
09:54:48 WE HAVE THE RECORD OF THAT.

09:54:49 WHAT'S IT GOING TO BE, A OR B?  
09:54:54 PUSH A BUTTON.  
09:54:54 WHAT ARE WE GOING TO DO HERE, MARY.  
09:54:58 >>Mary Gibbs: I HEARD A.  
09:55:00 WE'VE GOT THE AD READY TO GO AND WE'VE GOT DATES TO COME  
09:55:04 BACK TO THE COUNCIL.  
09:55:05 >>Mayor Ribble: ALL RIGHT.  
09:55:08 >>Jon McLain: MR. MAYOR.

09:55:08 >>Mayor Ribble: THE AD IS GOING OUT WHEN?  
09:55:11 >>Jon McLain: -- EXISTING BOARD ALSO AS I MADE THAT MOTION  
09:55:14 BEFORE.  
09:55:15 SO I DON'T THINK THERE'S ANY REASON TO CHANGE IT.  
09:55:19 I THINK, MARY, YOU'RE PROBABLY WAITING FOR US TO APPROVE  
09:55:23 THIS BEFORE YOU ACTUALLY MAKE THE ADVERTISEMENT GOING OUT.  
09:55:26 IS THAT THE POTENTIAL REASON WHY WE DIDN'T PUT IT OUT  
09:55:28 EARLIER?  
09:55:28 >>Mary Gibbs: RIGHT.  
09:55:29 WE WERE GOING TO BRING IT UP TODAY WHEN WE'RE FINISHED WITH  
09:55:32 THIS TO MAKE SURE COUNCIL WAS ON BOARD.  
09:55:34 WE'VE GOT THE AD.  
09:55:35 I WAS GOING TO SPEAK TO, I HAVE A MEETING TONIGHT WITH THE  
09:55:38 DESIGN REVIEW BOARD.  
09:55:39 I CAN HAND THIS INFORMATION OUT AND TALK TO THEM TONIGHT AS  
09:55:43 WELL AS PLANNING AND ZONING BOARD, WE'LL CONTACT THEM.  
09:55:46 WE'RE TRYING TO GET THIS PUT TOGETHER FOR TODAY.

09:55:50 SO THE AD IS READY.  
09:55:52 >>Mayor Ribble: ANY OTHER COMMENTS FROM COUNCIL OR  
09:55:54 QUESTIONS?  
09:55:54 OKAY.  
09:55:57 HEARING NONE, I'LL NOW OPEN THE HEARING FOR PUBLIC COMMENT.  
09:56:00 MADAM CLERK, ANYONE SIGNED UP TO SPEAK?  
09:56:02 >>Carol Sacco: YES, MAYOR.  
09:56:03 I HAVE AN E-COMMENT.  
09:56:05 MR. THOMAS LENTZ FROM PELICAN SOUND GOLF AND RIVER CLUB.  
09:56:09 QUESTION FOR DISCUSSION.  
09:56:11 THE LAND DEVELOPMENT CODE CONTAIN PROVISIONS FOR THE  
09:56:13 REQUIRED USE OF PERMEABLE CONCRETE OR ASPHALT IN ANY NEW  
09:56:18 DEVELOPMENT WHERE APPROPRIATE AS DETERMINED BY IMPACT OR  
09:56:21 FEASIBILITY STUDY IN FURTHERANCE OF HELPING TO PROTECT OUR  
09:56:25 WATERSHED.  
09:56:27 IF NOT, WHY?  
09:56:28 WOULD IT BE PRUDENT TO EXPLORE THE USE OF MATERIALS TO  
09:56:30 ALLEVIATE RUNOFF CAUSED BY PAVED SURFACES WHICH WOULD ALSO  
09:56:34 HAVE THE BENEFIT OF REDUCED FLOODING IN ADDITION TO THE  
09:56:38 ENVIRONMENT IMPACT?  
09:56:40 >>Mayor Ribble: IS THAT IT?  
09:56:41 >>Carol Sacco: THAT'S IT.  
09:56:42 THE NEXT ONE IS IN DAN O'BERSKI, REPRESENTING HIS PROPERTY.  
09:56:51 >> GOOD MORNING.  
09:56:55 MY NAME IS DAN O'BERSKI.

09:56:58 I AM A PROPERTY OWNER IN ESTERO, A BUSINESS OWNER AND HAVE  
09:57:01 DEVELOPED AND WORKED WITH THE COUNCIL AS WELL AS DESIGN  
09:57:04 REVIEW BOARD ON SEVERAL DIFFERENT PROPERTIES AND PROJECTS.  
09:57:07 THE PROPERTY THAT CONCERNS ME GREATEST HERE IS AN

09:57:10 UNDEVELOPED PROPERTY AT THE ENTRANCE OF VINTAGE TRACE.  
09:57:14 IT IS THE ONLY UNDEVELOPED CC ZONED PROPERTY THAT IS NOW,  
09:57:20 WHAT IT INFERS IS LIKE A SPOT-ZONING APPROACH BY THE  
09:57:23 COUNCIL, IS A CONDITIONAL USE HAS BEEN PUT DOWN INTO THIS  
09:57:26 NEW CODE THAT REQUIRES A CHANGE FROM THE ORIGINAL ZONING FOR  
09:57:31 USES THAT HAVE BEEN ALREADY IDENTIFIED BY CITY STAFF THROUGH  
09:57:35 A ZONING VERIFICATION LETTER AND PRE-APP MEETINGS OVER A  
09:57:41 YEAR AGO, OF WHICH WE SPENT ALMOST THE LAST 15 MONTHS  
09:57:44 WORKING TOWARDS THAT DEVELOPMENT WITH SUBSTANTIAL COSTS AND  
09:57:47 EXPECTATIONS.  
09:57:47 SO I HAVE SIGNIFICANT CONCERN ABOUT WHAT THE EXPECTATIONS  
09:57:52 AND THAT EXPOSURE AND EXPENSE, AS WELL AS THE TAKING OF  
09:57:55 VESTED RIGHTS BY WHAT ZONING WAS IN PLACE AND WHAT WILL COME  
09:58:00 TO PASS WITH THIS NEW CODE AND WHAT THE EXPECTATIONS WOULD  
09:58:03 BE OF ME AS A PROPERTY OWNER WHO IS GOING DOWN THE PATH  
09:58:07 BASED ON THE DIRECTIVE OF STAFF AND THE PREEXISTING  
09:58:11 CONDITIONS THAT HAD PREVIOUSLY EXISTED.  
09:58:15 SOME OF THE DELAYS IN THE PROCESS OF GETTING OUR PERMITS AND  
09:58:17 APPROVAL HAS BEEN DUE TO NOBODY'S FAULT, OF COVID AND  
09:58:20 LIMITATIONS OF HEARINGS, BUT WE HAVE TAKEN ALL COMMERCIAL  
09:58:24 AND REASONABLE ATTEMPTS TO MEET ALL THE REQUIREMENTS AND

09:58:29 REQUESTS BY DRB AND PROCEED FORWARD WITH ALL OF THOSE.  
09:58:32 I SEE I HAVE A MINUTE AND 22 SECONDS.  
09:58:35 I'D LOVE TO CEDE ANY OF THAT TO MY COUNSEL ALSO IF SHE NEEDS  
09:58:43 IT.  
09:58:43 THANK YOU VERY MUCH, COUNCIL.  
09:58:45 >>Carol Sacco: NEXT IS NEALE MONTGOMERY OF FORT MYERS  
09:58:48 REPRESENTING 5A CLEAN MACHINE.  
09:58:52 >>Neale Montgomery: FOR THE RECORD, I SUBMITTED THREE CARDS.  
09:58:59 SO I DON'T KNOW WHICH ONE THIS IS FOR.  
09:59:01 BUT I'M GOING TO START WITH COCONUT POINT BECAUSE THAT'S THE  
09:59:06 ONE THAT HAS THE DOCUMENT.  
09:59:07 WHAT I WANTED TO DO IS HAVE THE CODE SECTION SO YOU DIDN'T  
09:59:10 HAVE TO FLIP THROUGH THE FOUR INCHES OF PAPER TO FIND THE  
09:59:15 SECTIONS IN QUESTION, SO YOU COULD FOLLOW ALONG TO MAKE IT  
09:59:17 EASIER.  
09:59:18 THE FIRST ITEM I HAVE LISTED IS VESTED RIGHTS AND THE LAST  
09:59:23 TIME WE TALKED ABOUT THIS, I HAD A QUESTION ABOUT DID WE  
09:59:27 HAVE TO GO THROUGH AN APPLICATION?  
09:59:31 YOUR STAFF PROVIDED SOME CLARIFICATION.  
09:59:32 BUT WHAT I STILL DON'T KNOW IS IF ON A DRI, THE CHAPTER  
09:59:40 215-193 SAYS DRIS AND RELATED DEVELOPMENT -- ARE VESTED.  
09:59:47 MY QUESTION IS, DOES MARY AND YOUR STAFF HAVE THE ABILITY TO  
09:59:50 MAKE A DETERMINATION ADMINISTRATIVELY THAT, YES, YOU'RE A  
09:59:55 DRI AND YOUR ZONING AND DRI ARE VESTED?  
09:59:59 OR DO I HAVE TO GO THROUGH THE PROCESS -- AND I'VE

10:00:02 REFERENCED THOSE SECTIONS -- IN ORDER TO MAKE A  
10:00:04 DETERMINATION THAT STATE LEGISLATURE HAS ALREADY MADE?  
10:00:07 AND I KNOW NANCY MADE A POINT THE LAST TIME, WELL, WHAT IF  
10:00:11 YOU MAKE CHANGES?  
10:00:12 I'M NOT ASKING FOR CHANGES.  
10:00:14 IF I COME IN FOR A USE WITH SQUARE FOOTAGE THAT'S APPROVED,  
10:00:17 THAT MAY BE INCONSISTENT WITH YOUR LAND DEVELOPMENT CODE, AM  
10:00:20 I VESTED?  
10:00:22 OR DO I HAVE TO SPEND A YEAR IN THE PROCESS?  
10:00:25 BECAUSE IF YOU HAVE TO SPEND A YEAR IN THE PROCESS, THEN I'M  
10:00:27 NOT REALLY VESTED AND THAT POINT HASN'T BEEN CLARIFIED.  
10:00:30 I'M ASKING FOR THAT TO BE CLARIFIED.  
10:00:34 THE NEXT PAGE IS GREEN BUILDING STANDARDS.  
10:00:36 SECTION 5-802.  
10:00:38 I HAVE THAT SET FORTH.  
10:00:39 THEN YOU HAVE A TABLE, AND THE TABLE SAYS, IF I HAVE MORE  
10:00:42 THAN SIX UNITS OR MORE THAN I THINK 6,000 SQUARE FEET, I  
10:00:46 HAVE TO GET ENOUGH POINTS IN ORDER TO BE ABLE TO BUILD.  
10:00:49 AND A LOT OF THOSE ITEMS ON THERE ARE THINGS THAT ARE  
10:00:52 INCONSISTENT WITH WHAT I HEARD YOU SAY AT THE WORKSHOP.  
10:00:55 YOU HAVE TO HAVE SOLAR PANELS OR WINDMILLS OR TAKE UP ALL  
10:00:59 YOUR TURF GRASS AND PUT DOWN MULCH.  
10:01:01 THERE NEEDS TO BE THE ABILITY FOR YOU TO EVALUATE BOTH GREEN  
10:01:05 BUILDING VERSUS YOUR OTHER, BUT THERE'S NO DEVIATION.  
10:01:07 THE WAY YOUR CODE IS WRITTEN, I CAN'T GET A DEVIATION FROM  
  
10:01:11 THOSE GREEN BUILDING STANDARDS.  
10:01:13 AND THERE NEEDS TO BE SOME ABILITY FOR YOU TO BALANCE THAT  
10:01:16 AND PROVIDE RELIEF.  
10:01:18 ALSO, IF I HAVE A CERTIFICATION FROM THE FLORIDA GREEN  
10:01:22 BUILDING COALITION, THAT SHOULD BE SUFFICIENT.  
10:01:24 I SHOULDN'T HAVE TO GO THROUGH A SEPARATE PROCESS AND THAT'S  
10:01:28 PROVIDED BY STATE LAW.  
10:01:29 WHAT I'M ASKING HERE IS PROVIDE A DEVIATION PROCESS AND  
10:01:33 ACKNOWLEDGE CERTIFICATION FROM THE STATE.  
10:01:34 WHAT YOU HAVE THERE, LIKE THREE PAGES, OR FOUR PAGES OF THE  
10:01:40 POINT SYSTEM SO YOU CAN SEE I WASN'T MAKING THAT STUFF UP.  
10:01:43 THEN THE NEXT ISSUE RELATES TO BOTH CPD AND NPD.  
10:01:51 BOTH MIROMAR AND COCONUT POINT HAVE RESOLUTIONS THAT HAVE A  
10:01:54 HEIGHT GREATER THAN 45 FEET AND THREE FLOORS.  
10:01:56 ONE OF THEM, MIROMAR IS FOR A HOTEL THAT YOU JUST APPROVED.  
10:02:03 [BEEPING]  
10:02:07 >>Carol Sacco: THE NEXT IS NEALE MONTGOMERY FROM FORT MYERS.  
10:02:12 >>Neale Montgomery: SO THOSE DEVELOPMENTS HAVE --  
10:02:14 >>Howard Levitan: WHO ARE YOU REPRESENTING ON THIS CARD,  
10:02:16 NEALE?  
10:02:17 WHO ARE YOU REPRESENTING ON THIS CARD?  
10:02:20 >>Neale Montgomery: WELL, I'M REPRESENTING COCONUT POINT.

10:02:23 NOW I'M REPRESENTING MIROMAR.  
10:02:26 >>Howard Levitan: OKAY.  
10:02:27 JUST SO WE KNOW.

10:02:29 >>Neale Montgomery: BOTH MIROMAR AND COCONUT POINT HAVE  
10:02:32 HEIGHT --  
10:02:32 >>Mayor Ribble: WHAT PAGE ARE YOU ON?  
10:02:35 >>Neale Montgomery: I'M ON THE ONE THAT SAYS 3 AT THE TOP.  
10:02:37 YOU CAN SEE BUILDING HEIGHT IN YOUR REG.  
10:02:40 IT SAYS 45 FEET.  
10:02:42 SO BOTH IN THE NPD SECTION AND CPD SECTION, THERE IS A  
10:02:47 HEIGHT LIMIT OF 45 FEET.  
10:02:48 THAT'S INCONSISTENT WITH WHAT YOU'VE APPROVED FOR MIROMAR  
10:02:51 AND FOR COCONUT POINT.  
10:02:53 IT'S INCONSISTENT WITH THE MASTER CONCEPT PLANS AND  
10:02:57 INCONSISTENT WITH THE PROPERTY DEVELOPMENT REGULATIONS.  
10:03:01 THERE'S ALSO -- THEN THE NEXT PAGE IS ON FOUR, AND THAT'S  
10:03:09 WHAT MARY TOUCHED ON EARLIER THAT WE SHOULDN'T HAVE TO REFER  
10:03:13 TO USES ON THE MASTER CONCEPT PLAN.  
10:03:16 WE SHOULD BE ABLE TO HAVE THEM AS AN ATTACHMENT.  
10:03:19 I WOULD ENCOURAGE YOU TO ACCEPT THE STAFF CHANGES ON THAT  
10:03:22 AND INCLUDE THOSE.  
10:03:25 IN THE NPD SECTION, IT PROVIDES -- IT IS THE ONLY SECTION  
10:03:29 THAT PROVIDES FOR 50-FOOT SETBACK FROM A WATER BODY.  
10:03:32 AGAIN, THE STAFF HAS RECOMMENDED THAT BE THE 25 FEET LIKE  
10:03:35 EVERY OTHER DISTRICT, AND LIKE ALL THE PROJECTS WE'RE  
10:03:39 APPROVED FOR, I'D ENCOURAGE YOU TO ADOPT THAT.  
10:03:41 THEN YOU HAVE BUILDING ORIENTATION.  
10:03:49 THAT'S NUMBER FIVE.

10:03:50 THE BUILDINGS ARE TO BE ORIENTED TO THE FRONT OF THE LOT  
10:03:53 LINE.  
10:03:55 THE PROBLEM WITH THAT, IT'S 15 TO 40 FEET, BUT FOR MOST OF  
10:04:01 THE ZONE PROJECTS THAT EITHER MIROMAR OR COCONUT POINT HAVE  
10:04:06 VERY WIDE ESTABLISHED BUFFERS.  
10:04:08 AND YOU'RE NOT ALLOWED TO PUT ROADS OR PARKING LOT AISLES OR  
10:04:12 PARKING IN YOUR BUFFER FOR OBVIOUS REASONS.  
10:04:16 BUT IF I HAVE AN ACCESS WAY AROUND MY BUILDING, WHICH I NEED  
10:04:19 AND MY BUFFER, I CAN'T MEET THOSE REQUIREMENTS.  
10:04:22 SO AS YOU HAVE THE POTENTIAL OF RENDERING THOSE PROPERTIES  
10:04:27 UNUSABLE OR THEY HAVE TO COME BACK THROUGH A PROCESS WHICH  
10:04:30 GETS BACK TO WHY THEY SHOULD BE AUTOMATICALLY VESTED IF THEY  
10:04:34 ARE APPROVED DRIs.  
10:04:36 ANOTHER POINT IS IN REGARD TO PARKING.  
10:04:42 THERE'S A REQUIREMENT THAT YOUR PARKING IS TO BE 75% TO THE  
10:04:45 SIDE OR TO THE REAR.  
10:04:47 AGAIN, FOR BOTH MIROMAR OUTLET, MIROMAR DESIGN CENTER, AND  
10:04:53 COCONUT POINT, THEIR PARKING IS ESTABLISHED, SO THEY ARE NOT

10:04:58 GOING TO BE ABLE TO PUT FUTURE BUILDINGS UP ON THE ROAD WITH  
10:05:01 PARKING BEHIND THEIR BUILDINGS.  
10:05:03 THAT'S INCONSISTENT WITH THE APPROVED MASTER CONCEPT PLAN,  
10:05:05 INCONSISTENT WITH THEIR INTERNAL CIRCULATION, AND  
10:05:08 INCONSISTENT WITH THEIR APPROVALS.  
10:05:09 AGAIN, I ASK THAT YOU RECOGNIZE THAT THOSE USES AND PROJECTS  
10:05:16 EXIST AND SHOULD BE ABLE TO CONTINUE AS APPROVED.

10:05:19 [BEEPING]

10:05:22 >>Carol Sacco: THE LAST CARD.

10:05:23 >>Mayor Ribble: ONE MORE CARD?

10:05:24 >>Neale Montgomery: YES, SIR.

10:05:27 >>Mayor Ribble: THIS IS REPRESENTING WHO?

10:05:31 >>Neale Montgomery: THIS IS MR. O'BERSKI'S PROJECT AND CAR  
10:05:35 WASH.

10:05:35 THIS IS THE LETTER THAT I SENT YOU THIS WEEK.

10:05:39 AND IN THIS INSTANCE, THE CONTRACT PURCHASER AND THE OWNER

10:05:44 SUBMITTED FOR A ZONING VERIFICATION LETTER, WHICH THEY

10:05:46 RECEIVED IN DECEMBER OF 2019.

10:05:49 AND THAT VERIFIED AND CONFIRMED THAT THEY COULD DO A CAR

10:05:53 WASH ON THE PROPERTY.

10:05:54 AND IN THAT LETTER, THEY RECOMMENDED THAT THEY HAVE A

10:05:56 PRE-APP CONFERENCE, WHICH IN THE DUE COURSE OF TIME WAS

10:06:00 SCHEDULED IN FEBRUARY OF 2020.

10:06:02 THEY WENT TO THE PRE-APP CONFERENCE.

10:06:03 THEY GOT INPUT.

10:06:05 THEY MADE REVISIONS TO THEIR PLAN BASED ON THAT INPUT AND

10:06:08 REQUESTED THAT THEY BE SCHEDULED FOR THE DRB.

10:06:12 WELL, YOU GUYS ALL KNOW WHAT HAPPENED IN MARCH OF LAST YEAR,

10:06:16 SO YOU DIDN'T HAVE ANY MEETINGS.

10:06:17 MR. O'BERSKI POINTED OUT, IT'S NOT ANYBODY'S FAULT.

10:06:22 IT JUST HAPPENED.

10:06:23 IN THE DUE COURSE OF EVENTS, THEY WOULD HAVE HAD THE DEAL BY

10:06:26 NOW AND BE IN THE GROUND AND WE WOULDN'T BE HERE.

10:06:28 BUT IT WASN'T A NORMAL YEAR, AND SO THEY CONTINUE TO DO

10:06:34 MONTHLY REQUESTS TO BE ON THE DRB AND THEY WERE MONTHLY TOLD

10:06:37 THEY COULDN'T HAVE A MEETING BECAUSE THERE WEREN'T ANY.

10:06:40 FINALLY IN JULY OF 2020 THEY HAD THEIR FIRST DRB MEETING.

10:06:44 NOISE AND TRAFFIC WERE POINTED OUT AS ISSUES.

10:06:47 SO THEY THEN TOOK THE TIME TO DO AN ACOUSTIC STUDY AND

10:06:51 TRAFFIC STUDY IN ORDER TO RESPOND TO THE ISSUES RAISED AT

10:06:55 THE DRB AND THEN ASKED TO BE RESCHEDULED.

10:06:58 AS YOU MIGHT GUESS, THEY WEREN'T THE ONLY ONES IN THE QUEUE

10:07:01 WAITING, SO THERE WAS A LITTLE BIT OF A BACKUP IN TERMS OF

10:07:04 PROJECTS, SO THEY COULDN'T GET BACK ON THE DRB AGENDA UNTIL

10:07:08 JANUARY OF 2021.

10:07:09 SO A FEW HOURS BEFORE THEY WERE READY TO GO TO THE DRB, THEY

10:07:13 WERE ADVISED THAT, OH, AND, BY THE WAY, YOUR CAR WASH USE IS  
10:07:18 NOT PERMITTED ANYMORE.  
10:07:20 SO THE POINT IS, THEY SPENT A LOT OF TIME AND MONEY MOVING  
10:07:23 FORWARD IN RELIANCE AND YOU SAW THE MAP ATTACHED TO THE  
10:07:30 LETTER, THIS IS REALLY THE ONLY PROPERTY THAT'S AFFECTED BY  
10:07:32 THAT CHANGE.  
10:07:33 SOMETIMES IT'S GOOD TO BE SINGLED OUT; SOMETIMES IT'S NOT.  
10:07:36 THEIR THINKING IS NOT.  
10:07:38 SO WHAT THEY NEED IS SOME RELIEF THAT RECOGNIZES THE FACT  
10:07:41 THAT THEY'VE BEEN IN THE PROCESS.  
10:07:42 THEY'VE BEEN DOING THE THINGS THAT HAVE BEEN ASKED OF THEM.

10:07:47 IT HAS BEEN A PERMITTED USE, AND YOU'RE TAKING THE USE  
10:07:50 ESSENTIALLY AWAY AND SAYING GO AHEAD AND APPLY FOR A SPECIAL  
10:07:53 EXCEPTION.  
10:07:54 ONE OF THE THINGS I NOTE IN THE LETTER IS THAT YOU HAVE A  
10:07:56 SECTION OF YOUR CODE, AND I QUOTE THAT SECTION, BUT ANYWAY,  
10:08:02 WHAT THAT SECTION SAYS, IF I HAVE COMMERCIAL WITHIN 300 FEET  
10:08:05 OF RESIDENTIAL, THEN I HAVE TO ADDRESS NOISE, TRAFFIC,  
10:08:10 COMPATIBILITY, ESSENTIALLY ALL THE THINGS YOU WOULD LOOK AT  
10:08:14 IN SPECIAL EXCEPTION PROCESS, YOU'RE NOW GOING TO LOOK AT  
10:08:18 FOR THIS PROPERTY UNDER YOUR NEW LAND DEVELOPMENT CODE.  
10:08:23 MY SUGGESTION IS WE FIND RELIEF, DO THE FAIR THING AND LET  
10:08:25 THEM PROCEED BECAUSE THEY, AGAIN, HAVE DONE EVERYTHING THEY  
10:08:29 COULD AND SHOULDN'T HAVE TO GO START OVER AND SPEND A YEAR  
10:08:32 AND A HALF IN THE PROCESS TO GET BACK TO THE SAME PLACE.  
10:08:34 THANK YOU.  
10:08:35 >>Mayor Ribble: THANK YOU.  
10:08:36 IS ANYONE ELSE SIGNED UP TO SPEAK?  
10:08:38 >>Carol Sacco: YES, MAYOR.  
10:08:40 COLIN RASKIN OF ESTERO REPRESENTING CAR WASHES.COM.  
10:08:46 >> HI THERE.  
10:08:47 GOOD MORNING.  
10:08:47 MY NAME IS COLIN RASKIN, AND I AM THE OWNER OF CLEAN  
10:08:52 MACHINE.  
10:08:52 I THINK BETWEEN THE TWO OTHER SPEAKERS, YOU KNOW OUR ISSUES.  
10:08:57 WE HAVE WORKED WITH THE OWNERS AND THE COMMUNITY BEHIND US,

10:09:03 AND WE'VE SPENT A LOT OF MONEY AND DUE DILIGENCE, TRAFFIC  
10:09:11 EXPERTS.  
10:09:11 WE'VE DONE MITIGATION WORK, BUILDING DESIGN, WE'RE JUST  
10:09:16 TRYING TO BE GOOD NEIGHBORS.  
10:09:18 WITH COVID AND EVERYTHING ELSE, THIS WHOLE PROCESS HAS TAKEN  
10:09:23 FAR LONGER THAN IT SHOULD HAVE.  
10:09:25 WE SPENT A HUNDRED THOUSAND DOLLARS JUST TO GET US TO WHERE  
10:09:29 WE ARE TODAY.  
10:09:30 AND THEN FOR LAST WEEK, WEEK BEFORE TO BE TOLD THAT -- WAS  
10:09:37 BY RIGHT, WAS POSSIBLY NOT BY RIGHT, IT'S DISASTROUS FOR US.



10:09:46 BEEN A DISASTROUS YEAR.  
10:09:47 WE WANT TO BE IN ESTERO.  
10:09:48 WE JUST ASK THAT YOU CONSIDER US GOOD NEIGHBORS.  
10:09:54 WE'RE GOING TO BE A GOOD ASSET TO YOUR AREA.  
10:09:59 CONSIDERATION TO OUR APPLICATION.  
10:10:02 AND PERHAPS HAVE US GRANDFATHERED IN RATHER THAN FOLLOW THE  
10:10:09 PROCESS YOU'RE PROPOSING.  
10:10:10 THANK YOU VERY MUCH.  
10:10:11 >>Mayor Ribble: THANK YOU.  
10:10:12 ANYONE ELSE?  
10:10:13 >>Carol Sacco: YES, SIR.  
10:10:15 MARK GERSHWIN OF MIROMAR DEVELOPMENT ON AGENDA ITEM 5A.  
10:10:21 >> I JUST WANTED -- NEALE HIT ON A NUMBER OF ISSUES THAT ARE  
10:10:25 IMPORTANT TO US IN THE VESTING ISSUES REALLY WEREN'T TO  
10:10:29 MIROMAR BECAUSE WE'VE BEEN HERE A LONG TIME.

10:10:31 DEVELOPMENT TAKES SEVERAL YEARS.  
10:10:33 AS YOU'RE AWARE OF, WE HAVE THIS HOTEL PROJECT THAT'S BEEN  
10:10:36 IN PLACE AND WE'VE BEEN WORKING ON THAT DILIGENTLY FOR A  
10:10:39 COUPLE OF YEARS NOW.  
10:10:40 IT'S COMING ALONG.  
10:10:41 THIS KIND OF HIGHLIGHTS THIS VESTING ISSUE IS WE'RE APPROVED  
10:10:46 AND YOU APPROVED THIS SEVERAL YEARS AGO FOR HIGHER THAN THE  
10:10:50 HEIGHT RESTRICTION THAT IS NOW BEING PROPOSED IN THE CODE.  
10:10:54 AND IT'S IMPORTANT FOR US TO BE VESTED IN THAT BECAUSE WE'RE  
10:10:56 A LONG WAYS DOWN THE PATH TO PLANNING AND THAT.  
10:11:01 YOU KNOW, IT'S -- I'M SURPRISED AT THE RELUCTANCE TO  
10:11:06 ACKNOWLEDGE OUR VESTED RIGHTS.  
10:11:08 IT'S PROVIDED UNDER STATUTE, AS NEALE OUTLINED AT THE LAST  
10:11:11 WORKSHOP.  
10:11:12 SO I THINK IT'S IMPORTANT -- YOU KNOW, WE'D LIKE TO SEE SOME  
10:11:15 KIND OF ACKNOWLEDGMENT AND SUPPORT FOR THAT AS WE GO AHEAD  
10:11:18 WITH SOME OF THE DEVELOPMENT PROJECTS.  
10:11:19 AS YOU UNDERSTAND AND KNOW, RETAIL IS A DYNAMIC BUSINESS AND  
10:11:25 ESPECIALLY RIGHT NOW.  
10:11:26 WE'RE LOOKING AT DIFFERENT PLANS AND THINGS LIKE THAT.  
10:11:28 OBVIOUSLY, THE HOTEL IS OUR BIGGEST PROJECT RIGHT NOW, BUT  
10:11:31 WE HAVE SOME OTHER ONES COMING DOWN THE ROAD, AND WE WANT TO  
10:11:34 MAKE SURE THAT WE'RE SUPPORTED BY COUNCIL AND WE'RE TRYING  
10:11:36 TO DO THE BEST JOB WE CAN, BUT WE NEED TO HAVE SOME  
10:11:39 CERTAINTY AS WE GO FORWARD WITH WHAT OUR RIGHTS ARE OR

10:11:43 DEVELOPMENT.  
10:11:44 SO THANK YOU.  
10:11:47 >>Mayor Ribble: THANK YOU.  
10:11:47 >>Carol Sacco: THAT IS IT, MAYOR.  
10:11:49 >>Mayor Ribble: MARY, BACK TO YOU.  
10:11:53 >>Mary Gibbs: ALL RIGHT.

10:11:54 I THINK THE COMMENTS THAT WE'RE GETTING ARE RELATED TO TWO  
10:11:58 THINGS AND MOSTLY THE VESTED RIGHTS THAT I THINK NANCY  
10:12:01 SHOULD ADDRESS.  
10:12:03 AND THEN THE OTHER -- I THINK THE OTHER IS WHAT ABOUT THE  
10:12:07 CAR WASH.  
10:12:09 I THINK I'LL JUST TURN IT OVER TO NANCY.  
10:12:11 >>Nancy Stroud: I CAN ADDRESS THE VESTED RIGHTS.  
10:12:14 I THINK THERE'S BEEN SOME MISCOMMUNICATION OUT THERE IN THE  
10:12:18 COMMUNITY.  
10:12:19 I THINK WE REPEATED MANY TIMES DURING THE WORKSHOPS AND  
10:12:22 DURING THE READINGS THAT IF YOU HAVE VESTED RIGHTS, YOU  
10:12:25 MAINTAIN YOUR VESTED RIGHTS.  
10:12:27 IT COULDN'T BE MORE CLEAR THAN IN THE FIRST CHAPTER OF THIS  
10:12:33 CODE THAT SAYS NOTHING IN THE LDC IS INTENDED TO REPEAL,  
10:12:36 SUPERSEDE, ANNUL, IMPAIR, OR INTERFERE WITH ANY VESTED  
10:12:42 RIGHTS UNDER APPLICABLE LAW.  
10:12:43 I'M NOT GOING TO DEBATE WITH YOU, NEALE.  
10:12:47 I WANT TO FINISH.  
10:12:48 WE HAVE EXPLAINED THAT, YES, IF YOU HAVE A DRI, IF YOU HAVE  
  
10:12:53 A PD APPROVAL, YOU HAVE ALL THE RIGHTS THAT YOU HAVE UNDER  
10:12:57 THAT.  
10:12:58 IF YOUR PD APPROVAL GAVE YOU HEIGHT THAT IS HIGHER THAN WHAT  
10:13:04 THE LDC NOW ALLOWS, YOU HAVE THAT HEIGHT.  
10:13:09 AS LONG AS YOU DON'T COME IN AND YOU MAKE A SUBSTANTIAL  
10:13:12 CHANGE TO YOUR PLAN.  
10:13:13 IF YOU'RE DEVELOPING UNDER YOUR PLAN, YOU GET TO DEVELOP  
10:13:16 UNDER THE REGULATIONS THAT WERE INCORPORATED INTO YOUR PLAN.  
10:13:21 I DON'T KNOW HOW MORE CLEARLY WE CAN SAY THAT.  
10:13:24 SO WE'RE NOT GOING TO -- THE VILLAGE IS NOT GOING TO COME  
10:13:27 BACK TO YOUR HOTEL AND SAY YOU HAVE TO TAKE OFF A FEW  
10:13:30 FLOORS.  
10:13:31 YOU HAD THOSE APPROVALS.  
10:13:33 YOU'RE NOT MAKING ANY SUBSTANTIAL CHANGES.  
10:13:36 YOU GET TO BUILD UNDER THOSE APPROVALS.  
10:13:38 I DO NOT WANT TO ARGUE WITH YOU RIGHT NOW.  
10:13:42 YOU CAN COME BACK IF THE COUNCIL WANTS TO HEAR YOU.  
10:13:47 THE OTHER THING IS THAT --  
10:13:51 >>Howard Levitan: POINT OF ORDER, MR. MAYOR.  
10:13:54 ARE PUBLIC COMMENTS OVER?  
10:13:56 IS THE PUBLIC HEARING CLOSED?  
10:13:58 BECAUSE I THOUGHT IT WAS.  
10:14:00 >>Mayor Ribble: YES, IT IS.  
10:14:05 >>Nancy Stroud: I DON'T THINK WE CAN SAY IT ANY MORE  
10:14:08 CLEARLY.  
  
10:14:09 I DON'T THINK WE HAVE TO LIST EVERYTHING IN THE LDC THAT  
10:14:14 EVERY STATE STATUTE OR CHARTER PROVISION THAT GIVES YOU

10:14:18 VESTED RIGHTS.  
10:14:18 IT SAYS IT RIGHT HERE IN CHAPTER.  
10:14:21 ANYTHING THAT YOU HAVE UNDER THE LAW YOU'RE ENTITLED TO.  
10:14:24 WE'RE NOT CHANGING THAT.  
10:14:25 WE'RE NOT SUPERSEDING THAT.  
10:14:27 I CAN ALSO TALK ABOUT THE CAR WASH, BECAUSE THAT'S MORE OR  
10:14:32 LESS A VESTED --  
10:14:33 >>Howard Levitan: BEFORE YOU GET TO THE CAR WASH, I'D LIKE  
10:14:35 TO TALK ABOUT THE VESTED RIGHTS ISSUE AS WELL.  
10:14:37 >>Mayor Ribble: GO AHEAD.  
10:14:38 >>Howard Levitan: I WANT TO MAKE SURE EVERYBODY IS CLEAR  
10:14:41 ABOUT THIS.  
10:14:41 WE KEEP HEARING THESE THEORETICAL ARGUMENTS ABOUT VESTED  
10:14:46 RIGHTS OR NON-VESTED RIGHTS.  
10:14:48 THERE ARE A LOT OF ASPECTS OF STATE LAW THAT GOVERN WHAT WE  
10:14:54 DO WITH RESPECT TO VESTED RIGHTS.  
10:14:56 AND IT'S NOT JUST THE LAND DEVELOPMENT CODE.  
10:15:01 IT INCLUDES OUR OWN CHARTER, THE SO-CALLED GLITCH BILL, THE  
10:15:06 DRI STATUTE, THE AMENDMENTS TO THE DRI STATUTES.  
10:15:10 SO HAVING THEORETICAL ARGUMENTS IS A VERY DIFFICULT AND A  
10:15:15 SLIPPERY SLOPE.  
10:15:16 WHAT WE SHOULD BE DOING IS SAYING THAT WE ARE HERE TO  
10:15:21 PROTECT VESTED RIGHTS TO THE EXTENT THEY ARE VESTED.

10:15:24 AND THAT'S ALL WE NEED TO SAY.  
10:15:28 IF AT THE TIME OF AN APPLICATION THERE IS AN ISSUE ABOUT  
10:15:34 VESTED RIGHTS, WE ALSO PROVIDED A MECHANISM TO DETERMINE  
10:15:40 THOSE ON A FINAL BASIS.  
10:15:43 AND THEY CAN BE DONE BY EITHER THE APPLICANT AT THEIR OPTION  
10:15:47 OR BY COUNCIL BECAUSE COUNCIL HAS THE RIGHT TO APPEAL ANY  
10:15:53 DETERMINATION BY OUR STAFF OR BOARD.  
10:15:58 SO WE HAVE PROVIDED ALL THOSE MECHANISMS.  
10:16:02 AND I THINK IT'S VERY DIFFICULT TO START TALKING ON A  
10:16:05 SPECIFIC BASIS ABOUT HEIGHT AND SETBACKS AND ALL OF THOSE  
10:16:09 THINGS.  
10:16:10 THAT'S POINT NUMBER ONE.  
10:16:11 POINT NUMBER TWO IS, WE ALWAYS HAVE ANTICIPATED WITH RESPECT  
10:16:16 TO THE LAND DEVELOPMENT CODE THAT AS WE ROLL OUT DECISIONS  
10:16:23 UNDER THE NEW CODE, WE'RE GOING TO HAVE TO GO BACK AND TAKE  
10:16:25 A LOOK AT EVERYTHING WE WROTE.  
10:16:28 THERE'S A HUGE AMOUNT OF DETAIL IN THIS.  
10:16:33 IT'S NOT AS BAD AS THE LEE COUNTY CODE, BUT STILL AN AWFUL  
10:16:40 LOT IN THERE AND A LOT OF NEW STUFF FOR PEOPLE TO DIGEST.  
10:16:43 WE'RE NOT EXPECTING TO HAVE IT LOCKED IN STONE TODAY.  
10:16:48 WHAT WE ARE ANTICIPATING IS A YEAR FROM NOW, LET'S SAY,  
10:16:50 WE'LL GO BACK AND TAKE A LOOK AT ALL THE ISSUES THAT HAVE  
10:16:53 ARISEN OVER THIS YEAR AND COME BACK AND PROBABLY DO WHAT WE  
10:16:58 CALL AN ERRATA BILL OR YOU WILL BE DOING WHAT WE CALL AN

10:17:01 ERRATA BILL, THAT WILL CLEAR UP ANYTHING THAT WE ULTIMATELY

10:17:06 FIND FROM SPECIFIC INSTANCES.

10:17:09 AND THAT WILL PROBABLY BE AN ONGOING PROCESS, BECAUSE THIS

10:17:12 IS A LIVING DOCUMENT.

10:17:13 IF I LOOK AT ALL THE CHANGES THAT HAVE OCCURRED TO THE LEE

10:17:16 CODE OVER YEARS, THEY EVEN HAD A COMMITTEE THAT DID THAT ON

10:17:20 AN ONGOING BASIS.

10:17:21 I WOULDN'T GET UPSET ABOUT THIS.

10:17:26 WE ARE HERE TO PROTECT VESTED RIGHTS, AND WE WILL BE LOOKING

10:17:30 AT THIS ON AN ONGOING BASIS TO MAKE ABSOLUTELY CERTAIN THAT

10:17:33 WE'VE DONE IT RIGHT.

10:17:35 AND DURING THE MIDDLE OF THAT, WE CAN MAKE THINGS FAIR BY

10:17:40 DEVIATIONS AND OUR OTHER PROCESSES THAT ARE BUILT INTO THE

10:17:44 CODE.

10:17:44 SO I WOULDN'T BE CONCERNED ABOUT THAT.

10:17:46 I'D ALSO LIKE AT THE APPROPRIATE TIME TO COMMENT ON THE CAR

10:17:50 WASH SITUATION.

10:17:53 >>Mayor Ribble: NANCY, ANYTHING ELSE?

10:17:56 >>Nancy Stroud: I KNOW THERE'S ANOTHER CONCERN THAT KEEPS

10:17:58 COMING UP, AND I HOPE THAT THIS CLARIFIES IT FOR ONCE AND

10:18:02 FOR ALL.

10:18:03 BUT WE HAVE ADOPTED THAT VESTED RIGHTS APPLICATION PROCEDURE

10:18:09 IN THE CODE.

10:18:10 IT IS SOMETHING THAT OTHER JURISDICTIONS HAVE.

10:18:13 IT IS NOT A BIZARRO KIND OF THING.

10:18:16 AND THERE IS A QUESTION ABOUT, WELL, DOES THAT MEAN THAT

10:18:18 STAFF CAN'T MAKE ANY DETERMINATIONS ABOUT WHAT A PD SAYS,

10:18:23 ABOUT THE HEIGHT, FOR EXAMPLE?

10:18:25 NO, THAT DOESN'T MEAN THAT.

10:18:26 THE STAFF CONTINUES TO MAKE THEIR DETERMINATIONS BASED ON

10:18:31 THE PLANNING PRACTICE AND BASED ON WHATEVER APPLICATION

10:18:36 DOCUMENTS ARE BEFORE THEM.

10:18:38 IF THERE'S A QUESTION THAT ARISES OUT OF A STAFF

10:18:42 DETERMINATION, FOR EXAMPLE, IF STAFF DISAGREES THAT THE PD

10:18:46 SAYS THEY CAN DO SOMETHING OR OTHER, THE APPLICANT SAYS, BUT

10:18:50 WE'RE VESTED FOR IT, THEN THERE'S A PROCESS TO COME TO THE

10:18:53 COUNCIL TO CLARIFY THAT.

10:18:56 AND THAT'S ALL THAT IT IS.

10:18:58 IT DOESN'T MEAN THAT SOMEHOW YOU'RE NOT VESTED UNTIL YOU GET

10:19:01 TO THE COUNCIL.

10:19:02 YOU'RE VESTED WITH WHATEVER YOU HAVE UNDER THE LAW.

10:19:05 AND THIS IS JUST A PROCESS THAT IF YOU NEED CLARIFICATION OR

10:19:10 IF YOU OBJECT TO SOMETHING THAT THE STAFF HAS DONE, THEN YOU

10:19:13 CAN COME TO THE COUNCIL AND HAVE A DETERMINATION.

10:19:17 IT'S AS SIMPLE AS THAT.

10:19:18 I DON'T KNOW THAT WE'LL EVEN HAVE TO USE IT, BUT IF THE

10:19:22 COUNCIL NEEDS TO, THEN IT'S THERE.  
10:19:25 THANK YOU.  
10:19:25 >>Mayor Ribble: OKAY.  
10:19:26 QUESTIONS FROM COUNCIL?  
10:19:27 HEARING NONE, DO I HAVE A MOTION TO APPROVE ORDINANCE

10:19:32 2020-10?  
10:19:33 MR. BOESCH.  
10:19:36 SECOND BY --  
10:19:36 >>Vice-Mayor Errington: WAIT A MINUTE.  
10:19:38 >>Mayor Ribble: MARY, YOU HAVE SOMETHING?  
10:19:40 >>Mary Gibbs: I THINK I UNDERSTAND ABOUT THE VESTING.  
10:19:42 WE LEAVE THE LANGUAGE AS IS.  
10:19:43 WE UNDERSTAND HOW THE PROCESS WORKS, BUT I THINK MY QUESTION  
10:19:46 IS ABOUT THE CAR WASH LETTER.  
10:19:48 IS NANCY GOING TO TALK ABOUT THAT?  
10:19:52 >>Nancy Stroud: OKAY.  
10:19:53 I CAN TALK ABOUT IT --  
10:19:54 >>Mary Gibbs: I DIDN'T KNOW IF THERE WAS A QUESTION ON THAT.  
10:19:57 >>Mayor Ribble: HOWARD BROUGHT A COMMENT UP ABOUT IT.  
10:20:01 HOWARD, DO YOU WANT TO MAKE YOUR COMMENT NOW ABOUT THE CAR  
10:20:03 WASH OR NO?  
10:20:04 >>Howard Levitan: SURE.  
10:20:05 I WOULD BE GLAD TO BECAUSE I THINK IT'S UNFAIR THAT WE MOVE  
10:20:08 ON WITHOUT AT LEAST DISCUSSING THIS.  
10:20:14 NEALE'S LETTER, WHICH WE ALL HAVE AND WHICH IS CLEARLY PART  
10:20:18 OF THE RECORD OF THIS HEARING, DEALT WITH THE ISSUE OF  
10:20:25 UNFAIRNESS TO THE GENTLEMAN WHO SPOKE BECAUSE OF WHERE WE  
10:20:32 DREW THE LINE ON WHAT PROJECTS ARE GOING TO BE INCLUDED IN  
10:20:38 THIS CODE, UNDER THIS CODE, AND WHICH ONES ARE EXCEPTED OUT.  
10:20:45 IN THIS PARTICULAR CASE, WHICH IS SORT OF UNIQUE IN THAT THE

10:20:50 NEW PROVISION I THINK ONLY APPLIES TO THIS PROPERTY.  
10:20:56 AND THAT CREATES A DIFFICULTY, ESPECIALLY WHEN YOU'RE  
10:21:00 CHANGING THE PRACTICE FROM WHAT IT WAS IN THE PAST, WHICH  
10:21:04 WAS TO ALLOW IT AS A RIGHT UNDER THAT ZONING DEFINITION,  
10:21:12 CLASSIFICATION, CC, OR TO, AS A USE, OR UNDER THE NEW CODE  
10:21:18 TO REQUIRE A SPECIAL EXCEPTION PROCESS DEALING WITH THAT  
10:21:25 PARTICULAR USE.  
10:21:26 I'D LIKE TO SEPARATE THIS DISCUSSION FROM THE ACTUAL ISSUES  
10:21:33 UNDERLYING HAVING A CAR WASH NEAR A RESIDENTIAL AREA BECAUSE  
10:21:38 THERE'S A LOT OF HEAT ABOUT THAT.  
10:21:40 THAT'S NOT REALLY WHAT WE'RE TALKING ABOUT TODAY.  
10:21:42 WHAT WE SHOULD BE TALKING ABOUT TODAY IS ONLY THE ISSUE OF  
10:21:45 SHOULD WE MAKE A SPECIAL SITUATION HERE OR WE JUST SAY, HEY,  
10:21:53 LISTEN, WE DREW THE LINE AT APPLICATIONS THAT WERE COMPLETE  
10:21:56 OR SUFFICIENT.  
10:21:59 AND IT APPLIES TO EVERYBODY IF -- SINCE THAT LANGUAGE WAS IN

10:22:06 OUR PREVIOUS HANDOUTS AS EARLY AS OCTOBER, AND THE FACT THAT  
10:22:12 THE SPECIAL -- AND THE SPECIAL EXCEPTION REQUIREMENT IN  
10:22:14 NOVEMBER, THE FACT THAT IT WASN'T UNDERSTOOD BY THE  
10:22:19 APPLICANT UNTIL JANUARY WHEN HE WAS SPECIFICALLY TOLD THAT,  
10:22:24 WE COULD SAY, WELL, THAT'S TOO BAD.  
10:22:27 HERE'S WHERE WE DREW THE LINE.  
10:22:29 I DON'T THINK THAT'S FAIR ON A PERSONAL BASIS BECAUSE I  
10:22:32 THINK THIS APPLICANT HAS SHOWN THAT HE'S CONTINUED TO APPLY.  
10:22:39 THERE ARE ISSUES IN THE NEIGHBORHOOD, AND I'M SURE WE'VE ALL

10:22:45 HEARD ABOUT THEM.  
10:22:45 BUT THAT'S NOT WHAT WE SHOULD BE TALKING ABOUT TODAY.  
10:22:49 WE SHOULD BE TALKING ABOUT A FAIR AND EQUITABLE WAY OF  
10:22:52 DEALING WITH THIS.  
10:22:53 NOW, IF WE SIMPLY CREATED SOMETHING -- FOR EXAMPLE, THERE  
10:22:55 ARE TWO ALTERNATIVES.  
10:22:56 ONE, WE COULD CREATE AND JUST SAY THESE GUYS ARE EXEMPT FROM  
10:23:00 THE NEW CODE.  
10:23:02 THAT TO ME THROWS OUT ALL OF THE COMPATIBILITY LANGUAGE THAT  
10:23:08 WE REALLY NEED TO PROTECT THOSE RESIDENTS.  
10:23:11 WE COULD SAY LET'S JUST DO AWAY WITH THE SPECIAL EXCEPTION  
10:23:16 PART OF THAT WITH RESPECT TO CAR WASHES.  
10:23:21 AND MY PROBLEM WITH THAT IS I KNOW EVERYBODY HAS SAID WE ARE  
10:23:27 -- THIS IS THE ONLY PROPERTY THAT IT APPLIES TO.  
10:23:30 THAT'S PROBABLY TRUE, BUT I DON'T KNOW.  
10:23:32 I THINK HAVING A SPECIAL EXCEPTION PROCEDURE FOR, YOU KNOW,  
10:23:37 THESE CC-TYPE ZONES FOR CAR WASHES IS PROBABLY A GOOD ONE.  
10:23:42 SO I WOULDN'T DO EITHER OF THOSE.  
10:23:44 WE TALKED ABOUT IT WITH MARY AND NANCY YESTERDAY, AS SOON AS  
10:23:51 WE GOT THE LETTER.  
10:23:53 I ASKED NANCY TO DRAFT UP SOME LANGUAGE THAT MIGHT SOLVE  
10:23:59 THIS AND PERHAPS IT WOULD BE APPROPRIATE TO READ THAT IF --  
10:24:05 OR SHOW PEOPLE THAT -- IF THE COUNCIL IS AMENABLE TO TRYING  
10:24:10 TO SOLVE THIS PROBLEM.  
10:24:11 THE OTHER ALTERNATIVE WOULD BE -- WE'VE RECEIVED NEALE'S

10:24:16 LETTER WHICH IS A THREAT.  
10:24:17 LET'S BE HONEST ABOUT THAT.  
10:24:19 THREAT OF A LAWSUIT.  
10:24:20 AND WE OUGHT TO -- YOU KNOW, WE CAN SAY NO.  
10:24:24 BUT MY SUGGESTION AFTER WE STUDIED IT CAREFULLY WAS TO COME  
10:24:30 UP WITH A WAY TO DO BOTH, ESSENTIALLY, TO LIMIT THE SPECIAL  
10:24:39 EXCEPTION IF IT'S APPROPRIATE, AND AT THE SAME TIME, KEEP IN  
10:24:42 THE -- KEEP THIS NEW PERSON -- KEEP THIS PROJECT UNDER THE  
10:24:47 NEW CODE.  
10:24:47 THE WAY TO DO THAT WOULD BE TO SAY ESSENTIALLY -- AND WHAT  
10:24:51 WE'VE WRITTEN UP -- IS THAT THE APPLICANT WHO HAS APPLIED  
10:24:57 BUT IS NOT YET COMPLETE IN THIS SITUATION WOULD HAVE A

10:25:05 PERIOD OF TIME, LET'S SAY 60 DAYS OR 90 DAYS TO COMPLETE THE  
10:25:09 APPLICATION.  
10:25:10 AND IF IT WAS COMPLETE DURING THAT PERIOD OF TIME, THEY  
10:25:15 WOULD BE -- AND THEY ONLY -- AND IT HAS TO BE SOMEONE THAT  
10:25:17 HAS FILED AHEAD OF TIME -- THEY WOULD BE ONLY EXEMPT FROM  
10:25:21 THE SPECIAL EXEMPTION PART OF THE NEW CODE.  
10:25:26 I THINK THAT'S A FAIR WAY OF HANDLING THIS.  
10:25:29 BUT IT'S ENTIRELY UP TO THIS COUNCIL WHETHER WE MAKE THE  
10:25:33 CHANGE NOW OR NEGOTIATE SOMETHING LATER ON WITH THIS  
10:25:39 APPLICANT.  
10:25:40 SO THAT'S ALL I HAD TO SAY ABOUT THAT.  
10:25:42 NANCY HAS THE LANGUAGE, I THINK.  
10:25:44 >>Mayor Ribble: WE WOULD LIKE TO ADOPT THE LAND DEVELOPMENT  
  
10:25:47 CODE TODAY.  
10:25:48 THIS SEEMS TO BE A BUMP IN THE ROAD TO GET THIS BUMP  
10:25:52 SMOOTHED OUT --  
10:25:53 >>Howard Levitan: IT'S ONLY A VERY SHORT SENTENCE OR SMALL  
10:25:56 LANGUAGE, AND IF NOT, WE CAN DEAL WITH IT LATER ON AS A  
10:26:04 SETTLEMENT IF THERE IS A LAWSUIT.  
10:26:07 BUT, YOU KNOW, WE REALLY SHOULD REACT TO BEING FAIR TO  
10:26:12 PEOPLE.  
10:26:13 THAT'S WHAT WE'RE ALL ABOUT.  
10:26:14 THEY'VE RAISED THE ISSUE.  
10:26:16 WE OUGHT TO DEAL WITH IT.  
10:26:17 IT'S NOT GOING TO TAKE LONG.  
10:26:19 >>Mayor Ribble: NANCY.  
10:26:20 >>Jon McLain: MR. MAYOR.  
10:26:21 JON McLAIN HERE.  
10:26:22 MAY I MAKE SOME COMMENTS ON THAT?  
10:26:24 IT'S GOT SOME COMPLEXITY TO IT, HOWARD.  
10:26:29 I THINK YOUR THINKING ON IT SEEMS TO BE FAIR AND ADDRESSES  
10:26:33 THE NEEDS.  
10:26:34 I AM HEARING FROM YOU.  
10:26:36 I WOULD BE INTERESTED TO HEAR FROM MARY AND NANCY, EVEN  
10:26:41 THOUGH THEY DRAFTED UP THIS MEMO, IF THEY AGREE WITH THE  
10:26:44 LOGIC THAT YOU'VE LAID OUT FOR US TO CONSIDER, WHICH SEEMS  
10:26:47 REASONABLE, BUT I'D LIKE TO HAVE OUR LEGAL ADVICE AND FROM  
10:26:52 MARY WHAT THEY ARE THINKING.  
  
10:26:55 >>Mayor Ribble: NANCY?  
10:26:57 THEN WE'LL HEAR FROM MARY.  
10:27:00 >>Nancy Stroud: FIRST OF ALL, LET ME SAY THAT I THINK THE  
10:27:05 LEGAL POSITION IS VERY DEFENSIBLE TO SAY, I'M SORRY.  
10:27:10 WE'VE BEEN IN THIS PROCESS FOR A YEAR AND A HALF.  
10:27:13 YOUR ZONING VERIFICATION LETTER SAYS THAT YOU'RE OKAY AS OF  
10:27:18 OCTOBER 2019.  
10:27:19 BUT THE REGULATIONS CAN CHANGE.

10:27:21 THAT'S EXACTLY WHAT IT SAYS IN THE VERIFICATION LETTER.  
10:27:24 THAT ASIDE, THOUGH, GIVEN THE CIRCUMSTANCES AND THE CONCEPT  
10:27:29 OF FAIRNESS, I DID TRY TO WRITE UP THE LANGUAGE THAT COUNCIL  
10:27:38 MEMBER LEVITAN AND MARY AND I HAD TALKED ABOUT.  
10:27:41 WHAT IT WOULD SAY, AND IT WOULD BE IN THE TABLE OF USES, IN  
10:27:48 TABLE 3-405.C, YOU WOULD ADD A LITTLE NOTE TO SAY, FOR A  
10:27:57 STAND-ALONE CAR WASH WHICH HAS APPLIED BUT HAS NOT BEEN  
10:28:02 DETERMINED TO BE COMPLETE FOR AN APPLICATION FOR DEVELOPMENT  
10:28:06 ORDER PRIOR TO JANUARY 27, 2021, AND WHICH SUBMITS A  
10:28:12 COMPLETE APPLICATION FOR DEVELOPMENT ORDER PRIOR TO APRIL  
10:28:16 27, 2021, WHICH WOULD BE THREE MONTHS, A PERMITTED USE AND  
10:28:25 NOT A SPECIAL EXCEPTION USE SHALL APPLY.  
10:28:31 >>Mayor Ribble: IS THAT WHAT YOUR POINT WAS, HOWARD?  
10:28:33 >>Howard Levitan: THAT'S EXACTLY THE POINT.  
10:28:35 THAT'S A WAY OF SOLVING THIS ISSUE.  
10:28:37 >>Mayor Ribble: MARY?  
10:28:38 >>Mary Gibbs: SO MY THOUGHT WAS THAT IF YOU REMOVE THE

10:28:43 SPECIAL EXCEPTION REQUIREMENT BUT THEY ARE STILL SUBJECT TO  
10:28:46 THE NEW CODE, WE HAVE NEW STANDARDS.  
10:28:48 WE'VE GOT SOMETHING WE CALL RESIDENTIAL COMPATIBILITY  
10:28:51 STANDARDS.  
10:28:52 SO THEY HAVE TO SHOW THAT THEY MEET THAT AND THEY HAVE TO  
10:28:55 MAKE SOME MODIFICATIONS.  
10:28:57 SO I THINK WE ARE COVERED UNDER THOSE STANDARDS ESSENTIALLY  
10:29:00 WHAT YOU'RE GOING TO GET FROM A SPECIAL EXCEPTION.  
10:29:02 I FEEL COMFORTABLE THAT THOSE RESIDENTIAL COMPATIBILITY  
10:29:07 STANDARDS WILL COVER OUR CONCERNS.  
10:29:10 AND I DID WANT TO MENTION THAT WE DID GET AN APPLICATION IN  
10:29:13 LAST NIGHT AT ABOUT A QUARTER TO FIVE.  
10:29:21 >>Jon McLain: [INAUDIBLE]  
10:29:22 >>Mayor Ribble: GO AHEAD, JON.  
10:29:23 WHAT WERE YOU SAYING?  
10:29:25 >>Jon McLain: YOU GOT THE APPLICATION IN FOR THIS PARTICULAR  
10:29:28 PROPERTY?  
10:29:29 >>Mary Gibbs: YES, IT CAME IN AT ABOUT A QUARTER TO FIVE  
10:29:32 LAST NIGHT.  
10:29:34 >>Jon McLain: I HAVE A QUESTION.  
10:29:35 I LISTENED TO THE ZONING REVIEW BOARD A WHILE BACK ON THIS  
10:29:41 PARTICULAR PIECE OF PROPERTY.  
10:29:44 ISN'T THERE SOME OUTLINE ISSUES TO MEET WITH THE VINES  
10:29:51 COMMUNITY TO DO A NOISE STUDY AND MAYBE SOME OTHER ISSUES  
10:29:54 THAT MAY BE UNRESOLVED.

10:29:56 IS IT REALISTIC THAT THOSE CITIZENS' CONCERNS ARE GOING TO  
10:30:01 BE ABLE TO BE ADDRESSED BY THAT TIMETABLE THAT WE'VE  
10:30:06 ESTABLISHED OF APRIL 1st?  
10:30:08 >>Mary Gibbs: I THINK NANCY'S LANGUAGE SAYS THE APPLICATION



10:30:11 HAS TO BE COMPLETE BY THAT DATE.  
10:30:14 IT DOESN'T HAVE TO BE -- ALL THE ISSUES WOULD NOT HAVE TO BE  
10:30:17 RESOLVED.  
10:30:18 IT WOULDN'T HAVE TO BE SCHEDULED FOR HEARING.  
10:30:20 SO THAT GIVES ENOUGH TIME TO MAKE SURE WE HAVE A COMPLETE  
10:30:23 APPLICATION, WE'LL CONTINUE TO WORK, AND I THINK THE  
10:30:26 APPLICANT ALREADY OFFERED TO MEET WITH SOME OF THE  
10:30:29 NEIGHBORS.  
10:30:29 I THINK WE'RE COVERED UNDER THAT LANGUAGE.  
10:30:33 >>Mayor Ribble: NICK.  
10:30:35 >>Nick Batos: NANCY, CAN I ASK ABOUT THE DATE YOU HAVE IN  
10:30:39 THERE?  
10:30:40 >>Nancy Stroud: THE COMPLETE APPLICATION WOULD NEED TO BE BY  
10:30:43 APRIL 27, 2021.  
10:30:45 >>Nick Batos: 27.  
10:30:46 THREE FULL MONTHS.  
10:30:49 >>Mayor Ribble: OKAY.  
10:30:49 ANYONE ELSE FROM COUNCIL?  
10:30:52 >>Jim Boesch: LET'S MAKE IT CLEAR.  
10:30:55 WE'RE TALKING ABOUT ADDING THE SENTENCE OR NOT?  
10:31:00 >>Mayor Ribble: WHEN WE MAKE THIS MOTION?

10:31:03 >>Jim Boesch: YES.  
10:31:04 >>Mayor Ribble: YES.  
10:31:04 WE'RE ADDING.  
10:31:06 >>Jim Boesch: ADDING THIS SENTENCE IN THE MOTION.  
10:31:09 >>Mary Gibbs: MAY I BRING UP ONE THING?  
10:31:12 WE NOTICED IN THE ORDINANCE ITSELF THAT THERE'S A SMALL TYPO  
10:31:14 WITH COUNCIL MEMBER McLAIN'S NAME THAT WE NEED TO FIX.  
10:31:18 SORRY.  
10:31:21 >>Jon McLain: HOW DID I MISS THAT?  
10:31:22 [ LAUGHTER ]  
10:31:23 >>Mayor Ribble: STEVE TOLD ME YESTERDAY IT WAS ALL FIXED.  
10:31:25 ALL RIGHT.  
10:31:29 JIM, ARE YOU STILL MAKING THE MOTION WITH THE NEW LANGUAGE?  
10:31:32 >>Jim Boesch: SURE.  
10:31:33 >>Mayor Ribble: DO I HAVE A SECOND?  
10:31:35 KATY ERRINGTON SECONDED.  
10:31:36 MADAM CLERK, PLEASE CALL THE ROLL.  
10:31:38 >>Mary Gibbs: MAY I ASK A QUESTION?  
10:31:40 IS THE MOTION TO ADOPT THE LAND DEVELOPMENT CODE AND MAP AS  
10:31:45 DOCUMENTED IN THE ADDENDUM THAT INCLUDES THE ADDENDUM  
10:31:50 CHANGES PLUS THE ADDITIONAL CHANGE?  
10:31:54 I JUST WANT TO MAKE SURE.  
10:31:55 >>Mayor Ribble: THAT'S THE SENTENCE, YES.  
10:31:57 THE SENTENCE THAT NANCY SUGGESTED WE ADD AND HOWARD.  
10:32:02 WE HAVE A MOTION.

10:32:02 WE HAVE A SECOND BY VICE-MAYOR.  
10:32:04 MADAM CLERK, PLEASE CALL THE ROLL.  
10:32:07 >>Carol Sacco: COUNCIL MEMBER LEVITAN?  
10:32:09 >>Howard Levitan: AYE.  
10:32:09 >>Jon McLain: AYE.  
10:32:11 >>Jim Boesch: AYE.  
10:32:14 >>Nick Batos: AYE.  
10:32:16 >>Jim Wilson: NO.  
10:32:21 >>Vice-Mayor Errington: AYE.  
10:32:22 >>Mayor Ribble: AYE.  
10:32:23 OKAY.  
10:32:26 WE'LL NOW TAKE COMMENTS ON ITEMS THAT ARE NOT ON THE AGENDA.  
10:32:30 ANYBODY ELSE?  
10:32:30 >>Carol Sacco: NO, MAYOR.  
10:32:32 >>Mayor Ribble: NOBODY ELSE IS SIGNED UP TO SPEAK.  
10:32:34 MOVING RIGHT ALONG.  
10:32:35 COUNCIL COMMENTS.  
10:32:36 HOWARD, YOU'RE UP.  
10:32:38 YOU'RE ON MUTE, HOWARD.  
10:32:40 >>Howard Levitan: THANK YOU.  
10:32:41 I WANT TO THANK EVERYBODY FOR FINALIZING THIS PROCESS.  
10:32:47 I'VE BEEN WORKING ON THIS SINCE 2012.  
10:32:51 THIS HAS BEEN ONE OF THE BIGGEST EFFORTS OF MY SHORT LIFE.  
10:32:58 I APPRECIATE YOU ALL, WE ALL FINALLY GETTING THERE, AND  
10:33:01 THANK EVERYBODY ON THE TEAM THAT HAS DONE IT: THE CLARION  
  
10:33:06 PEOPLE, THE JOHNSON ENGINEERING PEOPLE, ESPECIALLY MARY AND  
10:33:08 NANCY.  
10:33:09 I'M REALLY, REALLY HAPPY ABOUT THAT.  
10:33:12 THAT'S POINT NUMBER ONE.  
10:33:14 POINT NUMBER TWO, AND I'VE BEEN THINKING ABOUT THIS FOR A  
10:33:19 WHILE.  
10:33:22 I WANT TO RAISE THIS ISSUE AND SEE WHERE IT GOES.  
10:33:28 I GOT UNCOMFORTABLE AT THE LAST MEETING WITH THE VOTING.  
10:33:36 I THOUGHT THAT THE VOTING ON THE ESTERO CROSSING MATTER,  
10:33:42 WHICH WOUND UP AS 4-3, SOMEHOW WE DIDN'T GET TO THE POINT OF  
10:33:47 EVERYBODY UNDERSTANDING, NUMBER ONE, WHAT WE WERE VOTING ON.  
10:33:51 AND, NUMBER TWO, THAT WE HAD REALLY REACHED A CONSENSUS OR  
10:33:55 THE ABILITY TO REACH A CONSENSUS.  
10:33:56 I PERSONALLY DON'T BELIEVE THAT WE SHOULD BE DOING LAND USE  
10:34:02 DECISIONS, ESPECIALLY LAND USE DECISIONS WHICH ARE -- HAVE  
10:34:08 CONTROVERSY TO THEM AND GREAT PUBLIC COMMENT BY 4-3  
10:34:12 DECISIONS.  
10:34:12 IF YOU ALL AS A COUNCIL SHARE THAT VIEW, I WOULD BE WILLING  
10:34:21 TO GO THROUGH THE PROCESS OF RECONSIDERING THAT VOTE AT THE  
10:34:23 NEXT REGULAR MEETING.  
10:34:25 BUT I DON'T WANT TO DO THAT IF NOBODY CARES.  
10:34:29 THAT WOULD BE MY COMMENT AND I AWAIT YOUR DETERMINATION

10:34:33 ABOUT THAT.  
10:34:35 >>Mayor Ribble: OKAY.  
10:34:36 ALL RIGHT.

10:34:37 NEXT, WE HAVE JON McLAIN.  
10:34:39 JON?  
10:34:41 >>Jon McLain: A COUPLE OF COMMENTS.  
10:34:44 ONE, ON THE LAND USE CODE, I, TOO, THINK IT'S A VALIANT  
10:34:50 EFFORT THAT WE PUT TOGETHER.  
10:34:51 THANKS TO HOWARD AND TO ALL THE STAFF AND MARY AND NANCY.  
10:34:56 I DO THINK THIS PUTS US INTO THE NEXT GENERATION WITH A  
10:35:01 DOCUMENT THAT'S STILL CUMBERSOME BUT SIGNIFICANTLY IMPROVED  
10:35:05 FROM THE PREVIOUS DOCUMENTS THAT I HAD LOOKED AT.  
10:35:07 SO I THINK THIS IS GOING TO BE A MORE USABLE DOCUMENT, NOT  
10:35:12 PERFECT, BUT WE, AS HOWARD HAD INDICATED, WE CAN MAKE SOME  
10:35:15 MODIFICATIONS TO THAT AS WE MOVE FORWARD.  
10:35:18 I THINK THAT'S REALLY IMPORTANT.  
10:35:20 SO I WANT TO THANK ALL THOSE THAT PARTICIPATED IN THAT FOR  
10:35:26 AN EFFORT THAT WILL BE IN ESTERO'S HISTORY FOR QUITE SOME  
10:35:29 TIME.  
10:35:30 THANK YOU ALL VERY MUCH FOR THAT.  
10:35:32 I'VE GOT SOME THOUGHTS THAT MAYBE ECHO ALONG WITH HOWARD  
10:35:40 ALSO ON THE ESTERO CROSSINGS, IF THAT WAS A VOTE THAT WAS  
10:35:44 FULLY UNDERSTOOD.  
10:35:46 I VOTED NO ON THAT FOR PARTICULAR REASONS OF SAFETY FOR  
10:35:52 RESIDENTS AND THAT.  
10:35:53 BUT IF THERE IS A REASON TO BRING THAT UP FOR DISCUSSION  
10:35:56 AGAIN, IF THAT'S APPROPRIATE, I WOULD BE IN SUPPORT OF THAT.  
10:35:58 AND THEN LASTLY -- I'LL PASS ON THE LASTLY AND TALK ABOUT

10:36:09 THAT AT A LATER DATE.  
10:36:10 I'M THROUGH.  
10:36:12 THANK YOU.  
10:36:13 >>Mayor Ribble: JON, DON'T FORGET OUR -- WE WANT TO GET DONE  
10:36:19 SOMETIME IN FEBRUARY.  
10:36:19 >>Jon McLain: I COULDN'T HEAR YOU.  
10:36:21 >>Mayor Ribble: DON'T FORGET THE RIBBON CUTTING FOR  
10:36:23 FEBRUARY.  
10:36:25 >>Jon McLain: THAT WAS MAYBE MY LAST ITEM THAT I WAS GOING  
10:36:27 TO TALK ABOUT.  
10:36:30 I HAVE A DIFFERENT OPINION ON THAT, THAN YOU, MAYOR.  
10:36:34 I'M OBVIOUSLY HEAVILY INVOLVED IN THAT PROJECT, BUT I'M  
10:36:39 CONVOLUTED ON PUTTING THIS FORWARD AT THIS POINT FOR THE  
10:36:43 SAME REASON THAT WE DELAYED IT.  
10:36:47 I DON'T SEE THAT OUR INCIDENTS OF THE VIRUS GOING DOWN.  
10:36:53 1847.  
10:36:54 I THINK THAT IS THE GROWTH OF A HUNDRED IN A RELATIVELY  
10:36:57 SHORT PERIOD OF TIME.

10:36:59 I DON'T WANT TO BE PART OF BRINGING TOGETHER A GROUP THAT  
10:37:01 COULD CAUSE ADDITIONAL CONTAMINATION AND SPREADING OF THE  
10:37:06 VIRUS IN THERE.  
10:37:08 ESPECIALLY WITH THE NEW ONE THAT'S COMING OUT.  
10:37:11 AND WITH THE VACCINE IS COMING ALONG, BUT NOT AT A RAPID  
10:37:19 PACE, BUT HOPEFULLY IT'S GOING TO CONTINUE TO IMPROVE HERE  
10:37:21 IN THE NEXT ENSUING WEEKS.

10:37:24 I WOULD SAY THAT FEBRUARY IS EARLY FOR THAT, MR. MAYOR.  
10:37:28 I WOULD RECOMMEND -- AND I'M OPEN FOR DISCUSSION ON THAT  
10:37:32 WITH OTHER COUNCIL FOR CONSENSUS -- THAT WE LOOK AT HOW THIS  
10:37:36 VACCINE PROCESS IS GOING, HOW THIS NEW VARIANT IS BEING  
10:37:41 HANDLED, AND WHAT THAT IMPACT MAY HAVE ON OUR COMMUNITY.  
10:37:44 BUT I'M ALL IN FAVOR OF HAVING AN OPEN HOUSE AND A  
10:37:49 CELEBRATION OF THIS BEAUTIFUL NEW PARKWAY WE'VE GOT IN  
10:37:52 ESTERO.

10:37:53 I ALSO WANT TO DO THAT IN A SAFE MANNER.

10:37:58 >>Mayor Ribble: OKAY.  
10:37:59 MOVING RIGHT ALONG.

10:38:00 NICK.

10:38:02 >>Nick Batos: I'D LIKE TO JOIN IN WITH EVERYBODY ELSE IN  
10:38:05 THANKING HOWARD, THE STAFF, OUR CONSULTANTS FOR THE HARD  
10:38:10 WORK AND THE PRODUCT THEY PRODUCED.

10:38:14 IT WAS A DIFFICULT THING FOR US TO UNDERSTAND IT ALL, BUT I  
10:38:17 THINK OUR ONE-ON-ONES AND OUR CALLS WITH MARY AND NANCY  
10:38:21 HELPED ME ANYWAY UNDERSTAND IT BETTER.

10:38:23 I THANK THEM ALL FOR THAT.

10:38:24 JUST A QUICK COMMENT.

10:38:28 WE JUST TALKED ABOUT THE COVID SITUATION.

10:38:32 WE ALL ARE HOPEFUL OF GETTING THE SHOTS IN, AND WE'RE  
10:38:35 HOPEFUL THAT IT'S GOING TO START PLATEAUIING, BUT ALSO, WE  
10:38:39 HAVE TO BE AWARE WE STILL MUST BECOME VERY CAUTIOUS OF WHAT  
10:38:43 WE'RE DOING.

10:38:44 IF ANYBODY LOOKED AT LEE HOSPITAL'S RESULTS YESTERDAY OF  
10:38:49 WHAT THEY PRODUCED, 98% OF THE OPERATIONAL BEDS WERE USED IN  
10:38:55 LEE HEALTH SYSTEM YESTERDAY, AND 92% OF THE ICU UNITS WERE  
10:39:00 USED ALSO.

10:39:01 SO WE STILL HAVE TO -- WE STILL HAVE A LONG WAY TO GO.

10:39:05 WE STILL HAVE TO BE VERY CAREFUL, AND WE HAVE TO USE ALL THE  
10:39:07 MASKS THAT ARE OUT THERE.

10:39:08 AND HOPEFULLY WE'LL GET THE SHOTS SOONER THAN LATER.

10:39:14 THANK YOU.

10:39:16 >>Mayor Ribble: JIM WILSON.

10:39:17 >>Jim Wilson: YES, MR. MAYOR.

10:39:19 I WANT TO COMMENT FIRST ON MY NO VOTE ON THE LAND  
10:39:23 DEVELOPMENT CODE.

10:39:24 I, TOO, AM VERY APPRECIATIVE OF ALL THE WORK THAT EVERYBODY,

10:39:27 BOTH STAFF, COUNCIL AND CONSULTANTS PUT INTO IT.  
10:39:31 THE ONLY REASON I VOTED NO IS THAT I THINK WE MADE A MISTAKE  
10:39:37 IN THE LANGUAGE THAT ADDRESSES THE NEW PLANNING, ZONING, AND  
10:39:42 DESIGN BOARD.  
10:39:43 THE LANGUAGE SAYS THAT WHEREVER POSSIBLE WE SHOULD HAVE  
10:39:48 EXPERIENCE.  
10:39:49 I'M ASSUMING THAT AS A PART OF WHAT WE DID WE WILL BE  
10:39:52 REMOVING THE SECTION OF OUR ORDINANCES THAT CREATED THE  
10:39:57 DESIGN REVIEW BOARD IN THE BEGINNING.  
10:40:00 I'M VERY PROUD OF WHAT I LOVE TO CALL THE ESTERO LOOK.  
10:40:05 AND I THINK THE ESTERO LOOK CAN BE ATTRIBUTED TO SOME OF THE  
  
10:40:10 VERY HARD WORK OF THE DESIGN REVIEW BOARD THAT HELD US TO A  
10:40:16 PRETTY HIGH STANDARD OF WHAT THINGS SHOULD LOOK LIKE.  
10:40:21 SO ANYWAY, THAT EXPLAINS MY NO VOTE.  
10:40:24 I'M VERY APPRECIATIVE OF ALL THE WORK THAT WAS DONE.  
10:40:27 I'M DISAPPOINTED THAT WE DIDN'T ACTUALLY HAVE DISCUSSION OF  
10:40:30 THE MOTION SO THAT I COULD SAY IT THEN RATHER THAN UNDER  
10:40:34 COUNCIL COMMENTS.  
10:40:35 SECONDLY, ON HOWARD'S SITUATION RELATED BACK TO THE STOCK  
10:40:40 PROJECT, I BELIEVE THAT THE AUDIENCE -- AND THIS IS PARTLY  
10:40:43 BASED ON A SERIES OF E-MAILS, SOME OF WHICH WERE PRETTY  
10:40:47 SNOTTY THAT I'VE RECEIVED SINCE THAT 4-3 VOTE, AND I WAS ON  
10:40:51 THE PREVAILING SIDE OF THAT VOTE, THE REASON FOR MY VOTE IN  
10:40:57 FAVOR OF GOING AHEAD IS THAT I THINK ONE OF THE MOST  
10:40:59 IMPORTANT ASPECTS OF THE PROJECT IS THE CREATION OF THE  
10:41:05 CROSS DRIVEWAY OR WHATEVER IT WAS CALLED, THE ROAD THAT  
10:41:09 LEADS OVER TO THE SHOPPING MALL, BECAUSE IT CREATES A SECOND  
10:41:17 PATH OUT FOR RESIDENTS OF BOTH DEVELOPMENTS BACK THERE WHO  
10:41:23 WERE VERY CONCERNED, AND I THINK THAT THEY BELIEVED THAT THE  
10:41:29 INSTALLATION OF THE TRAFFIC LIGHT IS GOING TO MAGICALLY  
10:41:32 SOLVE ALL THEIR PROBLEMS.  
10:41:34 WELL, TYING THE TWO TOGETHER DOESN'T MAKE ANY SENSE IF BOTH  
10:41:38 CAN MOVE FORWARD SIMULTANEOUSLY, THE ROAD BEING BUILT BY  
10:41:42 STOCK AND THE COUNTY GETTING, ORDERING THE EQUIPMENT AND  
10:41:46 PUTTING THE LIGHT IN, I THINK THAT WILL HELP.  
10:41:48 SO I REALLY, OTHER THAN THAT EXPLANATION, I DON'T KNOW THAT  
  
10:41:51 WE NEED TO GO BACK AND REVISIT THAT ISSUE.  
10:41:54 THANK YOU.  
10:41:56 >>Mayor Ribble: GOOD COMMENT.  
10:41:57 IS THAT IT, JIM?  
10:41:59 >>Jim Wilson: YES, MR. MAYOR.  
10:42:01 >>Mayor Ribble: OKAY.  
10:42:02 MR. BOESCH.  
10:42:06 >>Jim Boesch: I, TOO, AM NOT GOING TO DRAG THIS OUT.  
10:42:13 COMPLIMENT ALL THE WORK THAT'S BEEN DONE BY STAFF.  
10:42:18 WHEN WE ARE ASSIGNED -- IN LIGHT OF WHAT HOWARD HAS

10:42:31 UNDERTAKEN, NOT ONLY IN TERMS OF THE -- THE COMPREHENSIVE  
10:42:41 PLAN IS CERTAINLY KNOWLEDGE AND EXPERTISE OF LEGAL POSITIONS  
10:42:47 AND ESPECIALLY IN THE LDL.  
10:42:53 I HAVE TO SAY THAT HOWARD WENT OVERBOARD IN CHALLENGING THIS  
10:43:00 ACCOMPLISHMENT, THE LDL AND THE COMPREHENSIVE PLAN.  
10:43:06 IT IS A GREAT ADDITION TO OUR ENTIRE VILLAGE TO HAVE THIS  
10:43:13 COMPLETED AND GOOD IMPROVEMENT.  
10:43:19 I DO WANT TO MAKE SURE HOWARD IN HIS -- BEST KNOWS THAT WE  
10:43:29 REALLY APPRECIATE ALL THE TIME AND EFFORT THAT HE'S PUT IN  
10:43:34 ON THESE PROJECTS.  
10:43:36 GREAT ACCOMPLISHMENT.  
10:43:38 >>Mayor Ribble: OKAY, JIM.  
10:43:40 GOOD NOTES.  
10:43:41 KATY?  
10:43:42 >>Vice-Mayor Errington: YES.

10:43:44 I, TOO, WOULD LIKE TO THANK MARY, NANCY, AND HOWARD, AND THE  
10:43:51 CONSULTANTS, EVERYONE WHO'S BEEN INVOLVED IN PUTTING THIS  
10:43:54 ALL TOGETHER.  
10:43:56 I KNOW IT'S BEEN A MONUMENTAL TASK, AND WE CERTAINLY  
10:44:00 APPRECIATE ALL YOUR EFFORTS.  
10:44:03 IT'S WITHOUT SAYING THAT YOU PUT A LOT OF HEART INTO DOING  
10:44:07 ALL OF THIS, AND IT'S GREATLY APPRECIATED.  
10:44:11 IN REFERENCE TO WHAT HOWARD MENTIONED ABOUT THE ESTERO  
10:44:16 CROSSING, I HAVE -- WHERE I'M COMING FROM IS WHEN A  
10:44:23 DEVELOPER COMES BEFORE US, GOES TO A HEARING, AND THIS ONE  
10:44:27 WAS SO MANY YEARS, SUCH A LONG, DRAWN OUT PROCESS, AND I  
10:44:32 KNOW SOME PEOPLE WHO LIVE BACK THERE.  
10:44:35 I KNOW BEHIND ESTERO CROSSING.  
10:44:37 95-YEAR-OLD WOMAN, BELIEVE IT OR NOT, SHE STILL DRIVES AND  
10:44:42 SHE DRIVES A FORD F-150 TRUCK.  
10:44:45 AND SHE GOES IN AND OUT OF THERE.  
10:44:48 I THINK ABOUT THAT, WHEN YOU PUT SOMEBODY'S PICTURE IN YOUR  
10:44:53 MIND WHO HAS TO GO BACK AND FORTH TO GO BACK TO THEIR HOME  
10:44:56 THERE, IT BECOMES RELEVANT TO HOW ONE VOTES.  
10:45:00 I VOTED THE WAY I DID WAS THE FACT THAT WE HAD ALL OF THE  
10:45:08 RESIDENTS -- NOT ALL -- MANY OF THE RESIDENTS WHO CAME TO US  
10:45:12 A YEAR AGO, I THINK IT WAS JANUARY 29, AND THEY TOLD US THEY  
10:45:20 WANTED THE TRAFFIC LIGHT.  
10:45:21 WE KNEW EVERYTHING THEY WANTED, THEY WANTED THE TRAFFIC  
10:45:25 LIGHT.

10:45:27 I THOUGHT THAT HAD BEEN AGREED UPON.  
10:45:30 THE PROBLEM I HAD WITH DEVELOPERS COMING IN LATER AFTER THEY  
10:45:34 FEEL LIKE THEY ARE UNDER THE GUN, WHATEVER HAPPENS, THAT  
10:45:39 THEY WANT US TO CHANGE OUR MIND.  
10:45:40 WE GAVE OUR WORD TO THOSE PEOPLE AT THAT TIME.  
10:45:43 AND I HAVEN'T HEARD ANYTHING FROM THEM UNTIL THIS HAPPENED.

10:45:51 I DIDN'T GET SNARKY LETTERS.  
10:45:52 I DID GET SOME VERY NICE LETTERS FOR STANDING MY GROUND.  
10:45:56 I JUST THINK WHEN WE MAKE A STATEMENT AND WE VOTE, AND THEN  
10:46:02 WE HAVE A DEVELOPER COME IN WITH A HIGH-POWERED ATTORNEY,  
10:46:07 THEN THEY WANT US TO CHANGE OUR MIND.  
10:46:09 I'VE LEARNED BEING ON THIS COUNCIL, WHOEVER THE ATTORNEY IS  
10:46:14 MEANS THEY THINK THEY HAVE A CASE AND THEY ARE AFTER US.  
10:46:18 I'VE LEARNED THAT OVER THE YEARS, AND ALL OF US HAVE HERE.  
10:46:21 SO, YES, I WAS DISAPPOINTED FOR THE PEOPLE BECAUSE IT WASN'T  
10:46:27 THE VOTE AS MUCH AS IT WAS SAFETY FOR THEM BECAUSE I CAN SEE  
10:46:31 NOW THIS REVERSE FRONTAGE ROAD IS GOING TO CREATE A LOT OF  
10:46:38 HAVOC FOR THOSE PEOPLE TRYING TO GET IN AND OUT.  
10:46:41 IT WILL BE NOISY AND BUSY.  
10:46:43 SO THEY WILL HAVE TO PUT UP WITH THAT AND SOME OF THE  
10:46:47 CONSTRUCTION OF THE FIRST BUILDINGS THERE THAT WAS AGREED  
10:46:49 UPON.  
10:46:49 BUT IT'S OVER AND DONE, AND I JUST THINK THAT WE MAKE A  
10:46:56 MISTAKE WHEN WE LET DEVELOPERS COME IN AND THEN MAKE US  
10:47:01 CHANGE OUR MINDS BECAUSE I WAS ELECTED, ALL OF US, ELECTED

10:47:05 HERE TO PROVIDE SAFETY FOR THE PEOPLE OF ESTERO AND TO  
10:47:11 GOVERN AND HELP THEM, TAXES, ROADS, EVERYTHING.  
10:47:17 THAT'S WHAT WE DO.  
10:47:19 AND SO I WAS VERY, VERY DISAPPOINTED.  
10:47:26 I DON'T KNOW WHAT CAN BE DONE NOW ABOUT IT.  
10:47:28 IT'S KIND OF WATER OVER THE BRIDGE, I GUESS.  
10:47:30 BUT MOVING ON, WE HAVE TO REALLY THINK ABOUT COVID AND WHAT  
10:47:38 IS HAPPENING TO OUR LIVES AND OUR FAMILIES AND THE RESIDENTS  
10:47:42 HERE IN ESTERO.  
10:47:46 I THINK KYLE REPORTED YESTERDAY 1863, SOMETHING LIKE THAT,  
10:47:50 CASES IN ESTERO.  
10:47:52 WE NEED TO REALLY WEAR OUR MASKS, BE AN EXAMPLE.  
10:47:58 I AM SO PROUD OF THIS ROOMFUL OF PEOPLE HERE.  
10:48:00 WE ABIDE BY THAT.  
10:48:03 WE TRY TO DO WHAT WE THINK IS RIGHT.  
10:48:07 AND I APPRECIATE THAT.  
10:48:10 AND I JUST APPRECIATE PEOPLE SHOWING UP FOR THE MEETING.  
10:48:13 THAT'S GREAT.  
10:48:15 THANK YOU.  
10:48:15 AND, PLEASE, LET'S NOT GET COMPLACENT.  
10:48:19 WE HAVE A LITTLE MORE TIME.  
10:48:20 THIS IS NOT GOING AWAY IN A HURRY.  
10:48:23 IF WE HANG IN THERE, IT WILL.  
10:48:25 IT EVENTUALLY WILL LEAVE.  
10:48:27 IT HAS TO.

10:48:28 THIS IS SOMETHING IN BIBLICAL TIMES, PLAGUES HAVE BEEN HERE  
10:48:34 FOREVER.

10:48:36 THIS WON'T BE THE LAST ONE, PROBABLY.  
10:48:38 SO THANK YOU, AND JUST BE SAFE, BE STRONG, AND KEEP THE  
10:48:45 FAITH.  
10:48:45 >>Mayor Ribble: REAL QUICKLY IN CLOSING, NANCY, GREAT JOB  
10:48:48 WITH YOUR LEADERSHIP.  
10:48:49 MARY, GREAT JOB.  
10:48:50 STEVE SARKOZY, GREAT JOB, AND, HOWARD, YOU'VE DONE A GREAT  
10:48:55 JOB AS A LIAISON.  
10:48:56 SPEAKING OF LIAISONS, ANOTHER 30-SECOND ADVERTISEMENT.  
10:49:00 WE HAVE THREE NEW COUNCIL PEOPLE COMING ON BOARD HERE.  
10:49:04 I WANT TO REFLECT BACK -- I DON'T KNOW, JIM, IF YOU CAN  
10:49:08 REMEMBER THIS OR NOT -- MAY 10 YOU HAD A WORKSHOP.  
10:49:11 ON MAY THE 10th, 2017, AND WE TALKED ABOUT A WHOLE LOT OF  
10:49:15 THINGS ABOUT COUNCIL RULES, AND I WOULD ENCOURAGE OUR NEW  
10:49:21 COUNCIL MEMBERS TO GET THESE RULES OUT.  
10:49:24 PROBABLY GET A COPY FROM STEVE SARKOZY.  
10:49:26 I DON'T KNOW THAT IT'S ONLINE.  
10:49:30 CAROL, YOU MIGHT WANT TO LOOK.  
10:49:33 THE MEETING WAS 5/10/2017.  
10:49:36 AND THEN THE NEXT WEEK, 5/17, WE ADOPTED THESE RULES.  
10:49:40 AND THESE RULES REALLY GAVE US SOME GREAT GUIDELINES, NUMBER  
10:49:43 ONE, ABOUT THE CONDUCT OF COUNCIL MEMBERS BEING CIVIL,  
10:49:47 TREATING EACH OTHER WITH DIGNITY AND RESPECT, WHICH WE WANT  
  
10:49:49 TO CONTINUE THAT LEGACY.  
10:49:51 AND, MOST IMPORTANTLY, IT TALKS ABOUT THE RESPONSIBILITY AND  
10:49:54 THE RESPECT THAT LIAISONS GET FOR WORKING IN THEIR  
10:50:00 ASSIGNMENTS.  
10:50:00 AS WE GET A NEW GROUP OF COUNCIL MEMBERS, NEW LIAISON  
10:50:04 ASSIGNMENTS, I HOPE THE NEW COUNCIL RESPECTS WHOEVER GETS  
10:50:07 WHAT POSITIONS AND THEY LET THE LIAISON BE THE PERSON IN  
10:50:12 CHARGE FOR THAT TASK.  
10:50:13 SO PLEASE LOOK AT THESE RULES.  
10:50:16 BURT, I KNOW YOU HAVE A COPY OF IT.  
10:50:18 THERE'S ALSO A COPY OF THE CHARTER THAT IS ON THE WEB.  
10:50:22 YOU CAN DOWNLOAD THAT.  
10:50:23 IT'S 84 PAGES.  
10:50:25 YOU MIGHT WANT TO PICK AND CHOOSE WHAT PAGE YOU DOWNLOAD  
10:50:27 BECAUSE A LOT OF IT IS LONGITUDE AND LATITUDES, MARKING,  
10:50:32 THAT'S FOR YOUR BENEFIT, I GUESS, NANCY.  
10:50:34 ANYWAY, THERE IS PROBABLY ABOUT 40 GOOD PAGES OF RHETORIC IN  
10:50:37 THERE YOU NEED TO BE FAMILIAR WITH.  
10:50:39 MOVING RIGHT ALONG, STEVE, DO YOU HAVE ANY COMMENTS?  
10:50:42 >>Steven Sarkozy: NO.  
10:50:43 >>Mayor Ribble: OKAY.  
10:50:44 COUNSEL?  
10:50:47 >>Burt Saunders: I JUST WANT TO CONGRATULATE THE COUNCIL.  
10:50:50 YOU'VE COME SO FAR IN A VERY SHORT PERIOD OF TIME.



10:50:53 YOU'VE DONE THAT BY MAKING INCREDIBLY GOOD DECISIONS.

10:50:56 HAVING STEVE SARKOZY AS YOUR MANAGER AND NANCY STROUD  
10:50:59 WORKING ON THE LAND DEVELOPMENT CODE AND, OF COURSE, ALL THE  
10:51:01 WORK FROM HOWARD LEVITAN AND MARY GIBBS, IT'S REALLY BEEN  
10:51:06 PHENOMENAL FOR A CITY THAT'S BRAND NEW AND GOVERNMENT LIGHT.  
10:51:10 YOU ALL HAVE REALLY DONE AN INCREDIBLE JOB.  
10:51:12 I JUST WANT TO SAY THAT AS A PERSONAL NOTE TO ALL OF YOU.  
10:51:17 >>Mayor Ribble: WE ARE GOING TO RUN WITH THE ADVERTISEMENT,  
10:51:20 STEVE, ON THE --  
10:51:21 >>Steven Sarkozy: YES, WE'LL PROCEED WITH ADVERTISING IN A  
10:51:25 VARIETY OF DIFFERENT WAYS FOR THE NEW PLANNING AND ZONING  
10:51:29 BOARD AND MAKE SURE THAT APPLICANTS CAN GET BEFORE THE  
10:51:33 COUNCIL FOR INTERVIEWS IN SHORT ORDER.  
10:51:35 >>Mayor Ribble: OKAY.  
10:51:36 COULD I HAVE A MOTION TO ADJOURN?  
10:51:37 MOTION MADE.  
10:51:39 SECONDED BY NICK BATOS.  
10:51:42 [ SOUNDING GAVEL ]  
10:51:43 MEETING ADJOURNED.  
10:51:44 THANK YOU VERY MUCH, EVERYONE.

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CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE  
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PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.