

VILLAGE COUNCIL REGULAR MEETING OF MARCH 27, 2015

The Village of Estero Council Regular Meeting was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida, with the following Council members present:

Nick Batos – Mayor, District 6
Howard Levitan – Vice-Mayor, District 2
Bill Ribble - District 1
Donald Brown - District 3
Katy Errington - District 4
Jim Boesch - District 5
Jim Wilson - District 7

The Mayor called the meeting to order at 10:00 am, followed by the Pledge of Allegiance to the flag.

ROLL CALL

Interim Village Manager Peter Lombardi called the roll; all members were present.

COUNCIL BUSINESS

4(A) Approval of Council Minutes of March 17, 2015

After Mr. Ribble noted a correction in Item (B) Selection of Vice-Mayor, Mr. Boesch moved to approve the minutes as corrected, seconded by Mr. Brown, called and carried unanimously.

4(B) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding the reimbursement of funds to the Estero Council of Community Leaders (ECCL) for funds expended for the Inaugural Village Council Meeting held on March 17, 2015.

Vice-Mayor Levitan requested that this item be deferred. There were no objections from the Council members.

4(C) DISCUSSION/RESOLUTION – A discussion and proposed resolution relating to County Services; requesting Lee County to continue to provide all county services to the incorporated Village of Estero for a period of 90 days; requesting that Lee County continue to process permit applications under the Lee County Land Development Code and Building Code; requesting that pending applications requiring hearings before the Lee County Hearing Examiner of the Lee County Board of County Commissioner be referred to the Village of Estero.

Interim Village Attorney Burt Saunders requested that no action be taken today; and asked the Council for direction to work with the Lee County Attorney on an Interlocal Agreement. Mr. Ribble moved approval, seconded by Mr. Wilson, called and carried unanimously.

RESOLUTION NO. 2015-14

4(D) DISCUSSION/RESOLUTION – A discussion and proposed Resolution approving the Fire Control and Prevention Interlocal Agreement between the Estero Fire Rescue District and Village of Estero.

Interim Village Attorney Burt Saunders conveyed a request from the Fire District to delay this item, and Fire Chief Scott Vanderbrook explained the reasons for the request. Mr. Ribble moved to defer the item, seconded by Mr. Levitan, called and carried unanimously.

4(E) RESOLUTION – Amending Resolution 2015-11 Establishing Temporary Meeting Dates, revising dates of Council Meetings and Workshops through May 8th, 2015.

Following extensive discussion regarding meeting dates for the week of April 6, Ms. Errington moved approval of the resolution as amended, seconded by Mr. Ribble, called and carried unanimously. The Mayor called for public comment; and Stoneybrook resident Mike St. John remarked on communication of important information. RESOLUTION NO. 2015-15

4(F) RESOLUTION – Amending Resolution 2015-08, Designating a Depository for Receipt of Funds and Payments of Debts to Include Vice-Mayor as Signatory on Village Accounts.

After Interim Village Manager Peter Lombardi and Interim Village Attorney Burt Saunders provided details about the request, Mr. Boesch moved approval, seconded by Mr. Brown, called and carried unanimously. RESOLUTION NO. 2015-16

PUBLIC INPUT ON NON-AGENDA ITEMS

Interim Village Manager Peter Lombardi noted that one request card had been received:
Stoneybrook resident Mike St. John – Regarding Council influence on area development

Mayor Batos called for any additional public comment:
ECCL Chairman Emeritus Don Eslick - Community boards should be aware of ECCL and Council roles.
Council members agreed to discuss the issue at a future Workshop Meeting.

COUNCIL / MANAGER/ATTORNEY COMMUNICATIONS AND FUTURE AGENDA ITEMS

Council Members' Comments:

Vice-Mayor Levitan announced an important item that was not on the original agenda, and was not advertised to the public, but that required immediate action due to state requirements on Council timelines for hearing Development Order amendment applications. Council members agreed to continue the Regular Meeting at 1:30 pm for consideration of a proposed agreement for Special Zoning Counsel with Ms. Nancy Stroud.

Mr. Boesch commented on discussions with the Bonita Springs City Council regarding shared services.

Mayor Batos mentioned Council members' attendance at a recent groundbreaking, and asked Interim Village Manager Peter Lombardi to send out email invitations to all members for similar events.

Mayor Batos requested a volunteer, and Mr. Boesch agreed, to compile a list of local clergymen who could provide the invocation at Council meetings.

Interim Village Manager's Comments:

Mr. Lombardi:

Provided information and responded to questions regarding members' business phones and email.

Noted that the Village Employer Identification Number and sales tax exemption certificate had been received

Interim Village Attorney's Comments:

Mr. Saunders:

Requested authorization for Ms. Sara Blakely of Nabors, Giblin & Nickerson to contact the Interim Village Manager to begin providing assistance as tax/revenue counsel. He added that Ms. Blakely has agreed to work under terms of his contract. Mr. Boesch so moved, seconded by Mr. Levitan, called and carried unanimously.

Noted that his associates would be representing a local Publix in its request for a zoning use addition and asked whether the Council would approve a conflict waiver. There was consensus that the waiver could be brought back to the Council for approval.

The Mayor recessed the meeting at 10:57 am, noting that it would be continued to 1:30 pm.

THE MAYOR RE-CONVENED THE MEETING AT 1:30 PM, WITH ALL MEMBERS PRESENT.

SPECIAL AGENDA ITEM

Vice-Mayor Levitan noted that information that was received prior to publishing the meeting agenda had been sent to Council members regarding the need to appoint a Special Zoning Counsel for the Village as soon as possible to deal with the North Point Development of Regional Impact (DRI). Mr. Levitan presented background information on Ms. Nancy Stroud, and moved that the Village engage Ms. Stroud as Special Zoning Counsel. Following discussion, the Mayor called for public input: and ECCL Chairman Emeritus Don Eslick endorsed Ms. Stroud for the position. The motion was seconded by Mr. Ribble, called and carried unanimously.

ADJOURN

The Mayor adjourned the meeting at 1:42 pm.

ATTEST:

By: 

Interim Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: 

Mayor

VILLAGE COUNCIL WORKSHOP MEETING OF MARCH 27, 2015

The Village of Estero Council Workshop meeting was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida, with the following Council members present:

Nick Batos – Mayor, District 6
Howard Levitan – Vice-Mayor, District 2
Bill Ribble - District 1
Donald Brown - District 3
Katy Errington - District 4
Jim Boesch - District 5
Jim Wilson - District 7

1. CALL TO ORDER:

Mayor Batos called the meeting to order at 1:45 pm.

2. ROLL CALL:

All Council members were present.

3. APPROVAL OF AGENDA:

Mr. Ribble moved approval of the Agenda, seconded by Ms. Errington, called and carried.

Mayor Batos suggested that the Council may ask questions as needed, and the public should hold questions until conclusion of the presentation. There were no objections from Council members.

4. COUNCIL BUSINESS:

(A) DISCUSSION REGARDING LAND USE BOARDS ORDINANCES AND PROCESSES:

Mr. Levitan narrated a PowerPoint presentation entitled “Planning for Estero Land Use Transition” (copy to be provided on Village website), outlining the background for the proposed composition and the responsibilities of a Planning and Zoning Board and a Design Review Board. After noting that the next step would be to conduct hearings at the April 6, 2015 Regular Meeting, with adoption on April 17, 2015, he distributed and reviewed a proposed process to populate the two boards as soon as possible (copy on file). Following extensive Council discussion, the Mayor called for public input; and the following individuals came forward to speak:

Los Palms resident, Bob Niles
Estero Community Planning Panel (ECPP) member, Don Eslick
Breckenridge resident, Gary Green
Former Estero Design Review Committee (EDRC) Chair, Bill Prys
Estero resident, Patty Whitehead
Estero resident, Jack Ottey

Additional Council discussion ensued regarding items such as time and required meeting dates to complete appointments to both of the boards, the applicant screening process, and board duties.

-----APPROVED MINUTES FOR VILLAGE OF ESTERO 3/27/2015 WORKSHOP MEETING-----

(B) DISCUSSION REGARDING EX PARTE ORDINANCE

Interim Village Attorney Burt Saunders explained the reasons for changing a portion of the Lee County ordinance that was adopted as part of the package developed with the Village Charter. Council discussion followed. After Mr. Saunders responded to questions from Council members, there was consensus to move forward to public hearings.

5. PUBLIC INPUT ON NON-AGENDA ITEM

Island Club resident, Donna Pogliano, inquired about an email she had sent.

6. COUNCIL COMMUNICATIONS

No items were presented by the individual Council members nor by Interim Village Attorney Burt Saunders or Interim Village Manager Peter Lombardi.

7. ADJOURN

The Mayor adjourned the meeting at 3:54 pm.

ATTEST:

By: 

Interim Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: 

Mayor