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APPROVED BY COUNCIL
APRIL 20, 2016

FINAL ACTION AGENDA/MINUTES

Village of Estero
21500 Three Oaks Parkway
Estero, FL 33928
Village Council Regular Meeting
March 23, 2016 10:00 a.m.

1. CALL TO ORDER: 10:00 a.m.

2. PLEDGE OF ALLEGIANCE: Led by Mayor Batos.

3. ROLL CALL: Present: Mayor Nick Batos - District 6, Vice Mayor Howard Levitan - District 2, Councilmember Bill Ribble, District 1, Councilmember Donald Brown - District 3, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Village Land Use Counsel Nancy Stroud, Village Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

4. APPROVAL OF AGENDA:

Motion: Move to approve the agenda.

Motion by: Councilmember Ribble

Seconded by: Councilmember Boesch

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

5. COUNCIL BUSINESS:

(A) Continuation of Deliberations: Case No. DCI2015-00016 Estero WAS

Ex parte contacts disclosed by Vice Mayor Levitan.

Community Development Director Gibbs provided background information as well as an explanation of the revisions to the ordinance. Comments from Neale Montgomery, Pavese Law Firm, followed. She noted that the applicant was in agreement with the revisions to the ordinance.

Public Comment: None.

Questions or Comments by: Vice Mayor Levitan and Councilmembers Errington.

Discussion included the Master Concept Plan; fast food restaurant without a drive thru; consumption on premises; live music; schedule of uses; single tenant vs. multiple tenants; and a brief description of the Development Order process.

Motion: Move that language go back in the ordinance and a condition that the building be multi-use.

Motion by: Vice Mayor Levitan

Seconded by: Councilmember Boesch

The meeting went into recess at 10:30 a.m. and reconvened at 10:37 a.m.

Neale Montgomery, Pavese Law Firm, and Matt Noble, Planner, addressed multiple uses, parking requirements, and public gathering place. Ms. Montgomery offered the following language for the ordinance: "The outdoor seating area and the drive thru space will become a public gathering place; the details of the public gathering place will be reviewed and approved by the Design Review Board." Vice Mayor Levitan responded that it would either be a multi-purpose building or a single-use building as long as, on a conditional basis, the language with respect to the gathering place would be required; the Design Review Board would have the decision-making power.

Questions or Comments by: Vice Mayor Levitan.

Discussion followed regarding Schedule of Uses related to Restaurant, Fast Food subject to LDC Section 34-1353 if stand alone. It was determined that the words "if stand alone" would be stricken.

Land Use Counsel Stroud reviewed the revisions to the ordinance.

Motion: Move to adopt Ordinance No. 2016-02 as amended.

Motion by: Vice Mayor Levitan

Seconded by: Councilmember Errington

Action: Adopted Ordinance No. 2016-02 as amended.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(B) Planning and Zoning Board Interviews

Mayor Batos provided an explanation regarding the interview procedure and brief discussion followed related to applicants seeking reappointment. There was consensus to ask them to come before Council for an interview.

The following applicants were interviewed:

Anthony Gargano

Frank Lancellotti

Cyndi Rosellini McIntyre

Donald Radcliff

James Tatooles

Questions or Comments by: Councilmembers Boesch, Ribble, Errington, Brown, Vice Mayor Levitan, and Mayor Batos.

The meeting went into recess at 11:35 a.m. and reconvened at 12:35 p.m.

(C) Village Center Comprehensive Plan Amendments and Framework

Village Manager Sarkozy provided an update. Community Development Director Gibbs provided explanation regarding what the Council should expect at the March 30, 2016 transmittal hearing. She also spoke to the joint meeting of the Planning and Zoning Board and Design Review Board, and noted that revisions were made based on comments and questions received.

Questions or Comments by: Mayor Batos, Councilmembers Wilson, Errington, Ribble, and Vice Mayor Levitan.

Discussion included whether the amendments would need to go back to the Planning and Zoning Board; the reason for the split vote at the Planning and Zoning Board; developer's concerns regarding density and form based code.

Public Comment: None.

(D) Request for Qualifications and Request for Proposals

(1) RFQ 2016-01 Village Comprehensive Plan – Review and Select Firms for Interviews

Village Manager Sarkozy provided a recommendation for the process.

Questions or Comments by: Vice Mayor Levitan suggested extending the submission date.

Public Comment: None.

Motion: Move to accept all submissions, appoint the Village Manager, Finance Director and Community Development Director as the interview committee, direct the committee to interview each firm (these would be posted and public interviews), and return to the Council with a staff recommendation. Further, that the submission deadline for proposals be extended three weeks for the purpose of soliciting additional interested firms for this important project.

Motion by: Councilmember Ribble

Seconded by: Councilmember Errington

Action: Accepted all submissions, appointed the Village Manager, Finance Director and Community Development Director as the interview committee, directed the committee to interview each firm (these would be posted and public interviews), and return to the Council with a staff recommendation. Further, the submission deadline for proposals was extended three weeks for the purpose of soliciting additional interested firms for this important project.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(2) RFP 2016-01 Village Traffic Study – Accept Proposal

Village Manager Sarkozy provided a recommendation for the process and spoke briefly regarding the Coconut Road study being prepared by Trebilcock Consulting Solutions, PA.

Village Attorney Saunders noted that some of the firms provided pricing information, which would be ignored by the interview committee.

Questions or Comments by: Councilmember Wilson, Mayor Batos, and Vice Mayor Levitan.

Discussion included whether the deadline would need to be extended; the decision should not be limited to the budgeted amount because Council did not know for certain what the cost would be for a traffic study.

Public Comment: None.

Motion: Move to accept all submissions, appoint the Village Manager, Finance Director and Community Development Director as the interview committee, direct the committee to interview each firm (these would be posted and public interviews), and return to the Council with a staff recommendation.

Motion by: Councilmember Wilson

Seconded by: Councilmember Brown

Action: Accepted all submissions, appointed the Village Manager, Finance Director and Community Development Director as the interview committee, directed the committee to interview each firm (these would be posted and public interviews), and return to the Council with a staff recommendation.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(3) RFP 2016-02 Council Chambers Audio, Video and Sound System – Accept Proposal

Village Manager Sarkozy provided an explanation and introduced Antonio Correia.

Antonio Correia, Bonita Springs Video, provided information regarding the bidders and noted that he contacted the bidders individually. He also provided information regarding recommended add-ons: teleconferencing equipment, additional camera, public speaking timer, and press box feed. Mr. Correia stated that the Village would still need to hire a video streaming company. He recommended awarding the bid to ProAudio Services, North Port, FL.

Questions or Comments by: Mayor Batos, Vice Mayor Levitan, and Councilmember Ribble.

Discussion included the number of cameras and operation of camera controls.

Public Comment: None.

Motion: Move to award the bid to ProAudio Services with the recommended add-ons.

Questions or Comments by: Councilmember Ribble noted that someone other than the Village Clerk should operate the cameras.

Motion by: Councilmember Ribble

Seconded by: Councilmember Errington

Action: Awarded the bid to ProAudio Services with the recommended add-ons.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(E) Letter to Lee County Requesting Support for Capital Projects within Estero

Village Manager Sarkozy addressed the options that were previously discussed, particularly traffic control for Bella Terra and Corkscrew Road; the sidewalk project on Estero Parkway; and resurfacing Estero Parkway.

Questions or Comments by: Councilmembers Wilson, Boesch, and Mayor Batos.

Discussion included a traffic light at Bella Terra; meetings between the County and East Corkscrew Alliance; funding solutions for the traffic light.

Public Comment: None.

Motion: Move to authorize the Village Manager to submit a letter to Lee County requesting support for traffic control for Bella Terra and Corkscrew Road, the sidewalk project on Estero Parkway, and resurfacing Estero Parkway.

Motion by: Councilmember Brown

Seconded by: Councilmember Wilson

Action: Authorized the Village Manager to submit a letter to Lee County requesting support for traffic control for Bella Terra and Corkscrew Road, the sidewalk project on Estero Parkway, and resurfacing Estero Parkway.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(F) Change in Council Meeting Commencement Time

Village Manager Sarkozy stated that the Metropolitan Planning Organization Executive Committee meetings, which the Mayor or an alternate attends, begin in the early afternoon.

Discussion followed regarding possible options.

Questions or Comments by: Mayor Batos and Councilmembers Boesch, Errington, Wilson, and Vice Mayor Levitan.

Public Comment: None.

Motion: Move to commence Council meetings at 9:30 a.m. beginning with the first meeting in April and move zoning hearings from the second Wednesday of the month to the third Wednesday of the month.

Motion by: Vice Mayor Levitan

Seconded by: Councilmember Errington

Action: Approved commencing Council meetings at 9:30 a.m. beginning with the first meeting in April and move zoning hearings from the second Wednesday of the month to the third Wednesday of the month.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

8. PUBLIC INPUT ON NON-AGENDA ITEMS:

Appearance by:

Don Eslick, ECCL, provided comments regarding roundabouts.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmember Ribble suggested that a policy be established that Planning and Zoning Board and Design Review Board members step down from the dais when they have a conflict of interest. Brief discussion followed. Staff was asked to place the topic on the Planning and Zoning Board and Design Review Board agendas.

Councilmember Brown expressed appreciation to Councilmember Ribble regarding his work on the new building. He also addressed the 7-Eleven that was planned for construction near the luxury apartments at the northwest corner of Three Oaks Parkway and Estero Parkway.

Councilmember Errington reported on her recent Estero River kayak tour.

Councilmember Wilson expressed appreciation to all for making the building happen.

Mayor Batos provided a brief report on the meetings that he has held regarding year in review for the Village.

10. VILLAGE ATTORNEY COMMENTS:

None.

11. VILLAGE MANAGER COMMENTS:

None.

12. ADJOURN: 1:50 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC
Village Clerk

By: Nicholas Batos
Nicholas Batos
Mayor