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**APPROVED BY COUNCIL
AUGUST 17, 2016**

FINAL ACTION AGENDA/MINUTES

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
Village Council Meeting
June 1, 2016 9:30 a.m.**

- 1. OPENING EXERCISES:** (Includes call to order, roll call, pledge of allegiance, invocation, announcements, proclamations, and ceremonial presentations)

Call to Order: 9:31 a.m.

Pledge of Allegiance: Led by Mayor Batos.

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 Clerk Kathy Hall, Finance Director Lisa Pace, and Community Development Director Mary Gibbs.

- 2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:**

Motion: Move to approve the agenda.

Motion by: Councilmember Levitan

Seconded by: Councilmember Brown

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

3. CONSENT AGENDA:

(a) Minutes of May 18, 2016

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Ribble
Seconded by: Councilmember Errington

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

4. ORDINANCES:

(a) SECOND READING AND PUBLIC HEARING:

- (1) Ordinance No. 2016-06 An Ordinance of the Village Council of the Village of Estero, Florida, Establishing the Content of and Methods for Adoption, Amendment and Revisions to Personnel Policies; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-06. Village Manager Sarkozy provided a brief explanation and stated that comments made by the Council were included and the ordinance conformed to the requirements of the Charter.

Public Comment: None.

Motion: Move to approve Ordinance No. 2016-06.

Motion by: Councilmember Ribble
Seconded by: Councilmember Errington

Action: Approved Ordinance No. 2016-06.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

Resolution No. 2016-09 A Resolution of the Village Council of the Village of Estero, Florida, Adopting Personnel Policies; and Providing an Effective Date

Village Manager Sarkozy provided an explanation and Village Clerk Hall read the title of Resolution No. 2016-09.

Motion: Move to approve Resolution No. 2016-09.

Motion by: Councilmember Boesch

Seconded by: Councilmember Wilson

Action: Approved Ordinance No. 2016-06.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(b) FIRST READING:

- (1)** Ordinance No. 2016-07 An Ordinance of the Village of Estero, Florida Adopting Amendments to Chapters 33 and 34 of the Village of Estero Transitional Land Development Code; Combining Chapter 33, Articles I and II; Updating Chapter 33, Article II, Division 1 “In General” to Reflect Changes Resulting from Village Incorporation, Add Definitions and Provide for Modifications of Approved Master Concept Plans; Amending Chapter 33, Article II, Division 2 “Design Standards” to Add Requirements for Pattern Books; Amending Chapter 33, Article II, Division 3 “Corridor Overlay Districts” to Repeal the Sandy Lane Overlay District and the US 41 Overlay District and to Amend the Corkscrew Road Overlay District; Amending Chapter 33 to Create Division 5 “Estero Planned Development District” and to Provide Standards and Procedures for Approval of Land Development at Higher Densities and Heights Based on Incentives when Rezoned as a Planned Development within the Village Center Future Land Use Area; Amending Chapter 33 to Create Division 6 “Framework Plan” to Adopt a Framework for Interconnecting Streets for the Village Center; Amending Chapter 33 to Repeal Articles III – XI as Inapplicable to the Village; Amending Chapter 34, Article VII “Supplementary District Regulations” Division 12 “Density” to Modify Density Equivalents; Repealing Appendix I “Planning Community and Redevelopment Overlay District Boundaries and Legal Descriptions” to Delete Overlay District Boundaries for the Sandy Lane, Corkscrew Road, and US 41 Overlay Districts and to Repeal Provisions Inapplicable to the Village; Providing for Severability; Providing for Conflicts; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-07. Village Manager Sarkozy provided a brief introduction.

Community Development Director Gibbs provided an explanation of the ordinance, noted that the second reading and public hearing would be held on June 22, 2016, 5:30 p.m. and that a joint meeting of the Planning and Zoning Board and Design Review Board would be held on June 9, 2016, 5:30 p.m., and briefly spoke to density incentives.

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

Discussion included overlay district for Sandy Lane; further revisions to the ordinance; consideration of other properties in the Village Center; and Framework Plan.

Public Comment:

Matt Uhle, representing Livingston/Veterans LLC and CI Investments LLC
Charles Basinait, representing Orange State Partners and General Real Estate Corporation
Wayne Arnold, representing Estero North Point
Jim Humphrey, representing Lee Memorial Health System
Andrew Solis, representing Village Partners
Laura DeJohn, representing Focus Development
Dell Jones, The Groves
Paula McMichael, representing Orange State Partners
Tim Hancock, Stantec
Beverly MacNellis, Marsh Landing

Questions or Comments by: Vice Mayor Levitan and Councilmembers Brown and Wilson.

Discussion included Lee Memorial Health System deviations; connecting roads; and correcting a statement made by Andrew Solis.

Motion: Move to approve first reading of Ordinance No. 2016-07 and advance to second reading and public hearing on June 22, 2016.

Motion by: Councilmember Levitan

Seconded by: Councilmember Ribble

Action: Approved first reading of Ordinance No. 2016-07 and advanced to second reading and public hearing on June 22, 2016.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

5. ACTION ITEMS:

- (a) Resolution No. 2016-11 A Resolution of the Village Council of the Village of Estero, Florida, Authorizing the Waiving of Competitive Bidding Procedures and Authorizing the Village Manager to Execute a Contract for Communication Services with Marilyn Edwards; and Providing an Effective Date

(The fiscal impact of the contract is approximately \$30,000 per year; the current fiscal year estimate of \$20,000 will be funded from the current 2015-2016 budget)

Village Clerk Hall read the title of Resolution No. 2016-11 and Village Manager Sarkozy provided a brief explanation.

Questions or Comments by: Councilmembers Wilson, Ribble, and Errington.

Discussion included Ms. Edwards' expertise.

Public Comment: None

Motion: Move to adopt Resolution No. 2016-11.

Motion by: Councilmember Ribble

Seconded by: Councilmember Wilson

Action: Adopted Resolution No. 2016-11.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (b) Resolution No. 2016-12 A Resolution of the Village Council of the Village of Estero, Florida, Authorizing the Waiving of Competitive Bidding Procedures and Authorizing the Village Manager to Execute a Contract for Development Review Services with Walter McCarthy; and Providing an Effective Date

(The fiscal impact of the contract is approximately \$85,000 per year; the current year amount will be funded from the 2015-2016 fiscal year community development budget with a year-end budget amendment, if necessary, to fund the development review function.)

Village Clerk Hall read the title of Resolution No. 2016-12 and Village Manager Sarkozy provided a brief explanation.

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

Discussion included Mr. McCarthy's expertise.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-12.

Motion by: Councilmember Ribble

Seconded by: Vice Mayor Levitan

Action: Adopted Resolution No. 2016-12.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

Abstentions:

- (c) Resolution No. 2016-13 A Resolution of the Village Council of the Village of Estero, Florida, Authorizing the Waiving of Competitive Bidding Procedures and Authorizing the Village Manager to Execute an Agreement for Code Enforcement Special Magistrate Services with Joseph Faerber; and Providing an Effective Date

(The fiscal impact of the agreement is approximately \$50,000 per year; the current year amount will be funded from the 2015-2016 fiscal year community development budget with a year-end budget amendment, if necessary, to fund the code enforcement function.)

Village Clerk Hall read the title of Resolution No. 2016-13 and Village Manager Sarkozy provided a brief explanation.

Questions or Comments by: Councilmembers Ribble, Errington, Boesch, and Vice Mayor Levitan conveyed appreciation for the addition of the Special Magistrate.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-13.

Motion by: Councilmember Errington

Seconded by: Councilmember Brown

Action: Adopted Resolution No. 2016-13.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (d) Village Manager Performance Evaluation

Mayor Batos provided an introduction and Village Attorney Saunders spoke to the evaluation process and report.

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

Discussion included the 6-month review process that was preferred by Mr. Sarkozy.

There was Council consensus to adopt the report.

6. **UNFINISHED BUSINESS:** None.

7. **WORKSHOP ITEMS:** None.

8. **PUBLIC COMMENT ON NON-AGENDA ITEMS:**

None.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmember Ribble spoke to a Memorial Day Elks Club event and mentioned a Florida League of Cities workshop regarding Lake Okeechobee in June.

Councilmember Errington spoke regarding a tour of The Sanctuary Golf Club on Sanibel Island and scheduling a workshop on fertilizer best management practices; brief discussion followed.

Councilmember Boesch reported that he and Village Manager Sarkozy met with the new Florida Department of Transportation Director regarding US 41 signs and light fixture banners; brief discussion followed.

Councilmember Wilson spoke briefly regarding Lee County's growth information that was made available this week.

Mayor Batos addressed a workshop topic regarding a resolution supporting Conservation 20/20.

10. VILLAGE ATTORNEY'S REPORT:

None.

11. VILLAGE MANAGER'S REPORT:

None.

A motion to adjourn was duly made and passed.

12. ADJOURNMENT: 10:50 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

By: Nicholas Batos
Nicholas Batos, Mayor