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**APPROVED BY COUNCIL
JUNE 21, 2017**

FINAL ACTION AGENDA/MINUTES

Village Council Organizational Business Meeting

**Hampton Inn & Suites, Arena Room
10611 Chevrolet Way
Estero, FL 33928**

May 15, 2017 8:30 a.m.

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

Call to Order: 8:43 a.m.

Pledge of Allegiance: Led by Mayor Boesch.

Invocation: Pastor Doug Warren from Gulf Coast Presbyterian Church.

Roll Call: Present: Mayor Jim Boesch - District 5, Vice Mayor Bill Ribble, District 1, Councilmember Howard Levitan - District 2, Councilmember Katy Errington - District 4, Councilmember Nick Batos - District 6, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, and Village Clerk Kathy Hall.

- 2. PUBLIC COMMENT ON NON-AGENDA ITEMS:** None.
- 3. COUNCIL RULES OF PROCEDURE AND CODE OF CONDUCT:**

Village Manager Sarkozy reviewed that, at the previous meeting, he, Village Attorney Saunders, and Councilmember Levitan were assigned to provide minor revisions, which were discussed page by page.

Revisions to pages 1 through 7 were acknowledged.

Extensive discussion took place regarding page 8, Section 10 (b), related to a petitioner's presentation not exceeding two hours without the affirmative consent of the Council or such advisory board. Time keeping was discussed and it was suggested that the Village

Clerk keep track of the time and alert the Council at the two-hour point. Discussion included allowing reasonable opportunity for an applicant's presentation as well as allowing the public an opportunity to testify.

Councilmember Levitan spoke to a letter that Lee County sends to applicants 14 days prior to a hearing, outlining the positions that staff disagrees with, which makes the issues much more concise. He suggested that this may be something the Village may want to ask the Planning and Zoning Board to look at as part of their Rules of Procedure.

Page 9, Section 10 (j) – Discussion regarding the requirement related to the petitioner providing any new evidence seven days prior to the Village Council meeting at which the petition is to be considered for inclusion with the Council agenda packets.

Page 10, Sections 12 and 13 – Extensive discussion regarding Councilmembers speaking to the news media or the public with respect to any matter that the Councilmember is not designated by the Council as liaison or spokesperson for the Village and prefacing remarks with "In my opinion."

Motion: Move to eliminate the new language in Section (e): When a liaison is appointed, or when the Council appoints a spokesperson, on any issue, such questions to the Village with respect to such issue shall, where possible, be referred to such liaison or spokesperson.

Motion by: Councilmember Batos
Seconded by: Councilmember Wilson

Discussion ensued.

Action: Motion died due to substitute motion.

Substitute Motion: Move to take the first sentence of Section 13 (e) and add it as the second sentence in Section 13 (c).

Motion by: Councilmember Wilson
Seconded by: Councilmember Errington

Discussion ensued.

Action: Section 13 (c) was revised to read: "The Mayor shall also serve as the ceremonial head of the Village. Except as specifically set forth above, there is no inherent or apparent power by virtue of a person holding the office of Mayor or Vice Mayor."

Vote:
Aye: Unanimous (roll call)
Nay:
Abstentions:

Discussion ensued regarding the balance of Section 13 (e).

Motion: Move to remove the portion of the language in Section 13 (e) that restricts the Mayor and Vice Mayor from doing any less than the rest of the Council.

Motion by: Councilmember Batos
Seconded by: Councilmember Errington

Action: Motion failed due to tie vote.

Vote: (roll call)

Aye: Councilmembers Errington, Batos, and Mayor Boesch

Nay: Councilmembers Levitan, Wilson, and Vice Mayor Ribble

Abstentions:

Discussion ensued. Village Manager Sarkozy offered a revision to Sections 12 and 17. Village Attorney Saunders suggested the first sentence in Section 13 (e) be revised to read: "When a liaison is appointed, or when the Council appoints a spokesperson, on any issue, such questions to the Village with respect to such issue shall, where possible, be referred to such liaison or spokesperson."

Motion: Move to revise the first sentence in Section 13 (e) to read: "When a liaison is appointed, or when the Council appoints a spokesperson, on any issue, such questions to the Village with respect to such issue shall, where possible, be referred to such liaison or spokesperson."

Motion by: Councilmember Ribble
Seconded by: Councilmember Wilson

Discussion followed.

Action: Revised the first sentence in Section 13 (e) to read: "When a liaison is appointed, or when the Council appoints a spokesperson, on any issue, such questions to the Village with respect to such issue shall, where possible, be referred to such liaison or spokesperson."

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

Page 11, Section 13 (g) – Extensive discussion regarding election of Mayor and Vice Mayor on a rotational basis, with the Vice Mayor normally succeeding the Mayor every two years.

The meeting went into recess at 10:11 a.m. and reconvened at 10:19 a.m.

Motion: Move to put the proposed language in Section 13 (g) in the Rules of Procedure.

Motion by: Councilmember Batos
Seconded by: Mayor Boesch

Action: Motion failed due to tie vote.
Vote: (roll call)
Aye: Councilmembers Levitan, Wilson, and Vice Mayor Ribble
Nay: Councilmembers Errington, Batos, and Mayor Boesch
Abstentions:

Pages 11 through 14, Section 14 – Conduct of Council Members and Meetings. Village Manager Sarkozy explained that this section addressed professional behavior, civility, and generally promoted respectful behavior. Councilmember Levitan noted that the wording came from the Bonita Springs Council Code of Conduct

Motion: Move to accept the wording in Section 14.

Motion by: Vice Mayor Ribble
Seconded by: Councilmember Batos

Action: Accepted the wording in Section 14.
Vote:
Aye: Unanimous (roll call)
Nay:
Abstentions:

Revisions on pages 13 and 14 were acknowledged.

Pages 15 and 16, Section 17 – Liaisons. Village Manager Sarkozy stated that this section emphasized the role of the liaison; a “fact finding” role; and guided the behavior of how liaisons would be treated.

Motion: Move to approve the Rules of Procedure by resolution.

Motion by: Vice Mayor Ribble
Seconded by: Mayor Boesch

Discussion ensued regarding Section 13 (g) related to election of Mayor and Vice Mayor on a rotational basis.

Amendment to Motion: Move to include Section 13 (g) on page 11 with the deletion of “with the Vice Mayor normally succeeding the Mayor every two years.”

Motion by: Councilmember Levitan
Seconded by: Councilmember Wilson

Action: Included Section 13 (g) on page 11 and deleted “with the Vice Mayor normally succeeding the Mayor every two years.”

Vote:
Aye: Councilmembers Levitan, Errington, Wilson, Vice Mayor Ribble, and Mayor Boesch
Nay: Councilmember Batos
Abstentions:

Public Comment:

Bob King, ECCL, addressed liaisons

Action on Main Motion: Approved the Rules of Procedure by resolution.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

4. VISION:

Village Manager Sarkozy explained it was important to address this topic as the Village develops the Comprehensive Plan as well as the budget document. He referred to the “general” vision, Goal 19 from the Estero Community Plan, revised as of August 20, 2014. He stated that, in general Council discussions, it was brought up that Council could start with this general vision and possibly get into some of the detail with current issues.

Mayor Boesch suggested that a workshop be scheduled. Councilmember Levitan noted the importance of working in coordination with the Comprehensive Plan and provided scheduling details. He also spoke to the detailed goals, objectives, and policies for the 9 required elements and the public process through Planning and Zoning Board and Village Council meetings. The goal is to have the Comprehensive Plan filed by the end of the year.

Discussion followed regarding public involvement through viewing the information on the internet and participating in surveys; a consultant for parks and open space; objective data; utilization of the park; concern regarding importance of the historic aspect; Village Center; Estero River; coastal and environmental aspects; bike/ped study; DR/GR; and complete streets.

Public Comment:

Don Eslick, ECCL, addressed the consultant’s lack of updating information on their website. He also addressed interaction between experts and the public.

5. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.

Council comments:

Councilmember Wilson inquired regarding a casual dress code for Council meetings for the next few months. Discussion followed and consensus was for Councilmembers to dress however they want to dress.

Councilmember Levitan addressed an issue that resulted in the possibility of asking Council to reconsider a vote at a recent meeting.

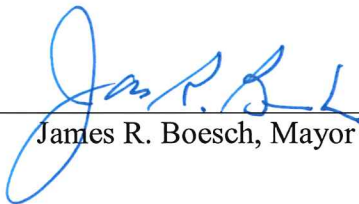
A motion to adjourn was made and duly passed.

6. ADJOURNMENT: 11:55 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: 
Kathy Hall, MMC, Village Clerk

By: 
James R. Boesch, Mayor