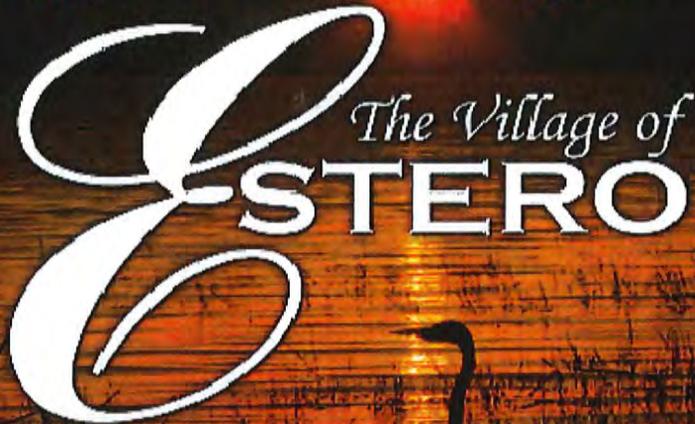


The  
sun is  
rising  
on a  
beautiful  
new  
vision



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**VILLAGE COUNCIL  
REGULAR MEETING  
Agenda**

**Village Council:** District 1 – Bill Ribble; District 2 – Howard Levitan, Deputy Mayor; District 3 – Donald Brown; District 4 – Katy Errington; District 5 – Jim Boesch; District 6 – Nick Batos, Mayor; District 7 – Jim Wilson

**Friday, May 8, 2015  
10:00 a.m.  
Estero Fire Rescue District  
Meeting Room  
21500 Three Oaks Parkway, Estero, FL 33928**

**1. CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **INVOCATION**

Father Hans Jacobse – St. Peter Orthodox Church

4. **ROLL CALL**

5. **APPROVAL OF AGENDA**

6. **COUNCIL BUSINESS**

*The public will have an opportunity to speak during each agenda item. Each individual has one opportunity to speak for three minutes per agenda item.*

- (A) Approval of April 10, 2015 Workshop Minutes; April 17, 2015, Regular Meeting Minutes; April 17, 2015, Workshop Minutes

Attachments Included

- (B) DISCUSSION – Council Liaison Assignments (Interim Village Manager)

1. Metropolitan Planning Organization (MPO)
2. Lee Memorial Health System (LMHS)
3. South Florida Water Management District (SFWMD)
4. Florida Department of Transportation (FDOT)
5. Lee County Department of Transportation (LDOT)
6. Florida Gulf Coast University (FGCU)
7. Horizon Council
8. Lee Department of Community Development (LDCD)
9. Conservancy of Southwest Florida

- (C) DISCUSSION – Selection Process for Permanent Village Manager (Mayor Batos)

- (D) DISCUSSION – Selection Process for Permanent Village Attorney (Mayor Batos)

- (E) DISCUSSION – Village Municipal Center (Mayor Batos)

- (F) DISCUSSION – Sign Code Violations (Mayor Batos)

Attachment Included

7. **PUBLIC INPUT OF NON-AGENDA ITEMS**

8. **COUNCIL / VILLAGE MANAGER COMMUNICATIONS AND FUTURE AGENDA ITEMS**

(A) Interim Village Manager's Comments.

(B) Interim Village Attorney's Comments.

9. **ADJOURN**

If you desire to address the Council, please complete a Public Comment Card located on the table in the lobby and return it to the Clerk. Citizens desiring to speak must step up to the podium, state their full name and address and/or whom he or she represents.

ADA Assistance – Anyone needing special assistance at the Council meeting due to a disability or physical impairment, should contact Daphnie Bercher at 239-598-3601, at least 48 hours prior to the meeting.

Pursuant to Section 286.0105, Florida Statutes:

“If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a recording of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**VILLAGE COUNCIL WORKSHOP MEETING OF APRIL 10, 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

**CALL TO ORDER:**

Mayor Batos 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 Council members were present.

**AGENDA CHANGES:**

No changes were presented

**COUNCIL BUSINESS:**

**4(A) Planning and Zoning Board and Design Review Board Candidate Interviews**

David Crawford- Mr. Crawford applied for the Planning and Zoning Board. Mr. Crawford started his introduction at 10:03 am; he finished his introduction at 10:06 am. Mr. Crawford was then questioned by the Council until 10:11 am.

Ned Dewhirst- Mr. Dewhirst applied for the Planning and Zoning Board. Mr. Dewhirst started his introduction at 10:12 am; he finished his introduction at 10:14 am. Mr. Dewhirst was then questioned by the Council until 10:19 am.

Matthew Fredrickson- Mr. Fredrickson was not present at 10:20 am for the interview. He was recalled at 11:14 am, but was still not present.

Terry Furhovden- Mr. Furhovden applied for the Planning and Zoning Board. Mr. Furhovden started his introduction at 10:20 am; he finished his introduction at 10:24 am. Mr. Furhovden was then questioned by the Council until 10:25 am.

Mary Cline Golbitz- Ms. Golbitz applied for the Planning and Zoning Board. Ms. Golbitz started her introduction at 10:26 am; she finished her introduction at 10:27 am. Ms. Golbitz was then questioned by the Council until 10:30 am.

John Goodrich- Mr. Goodrich applied for the Planning and Zoning Board. Mr. Goodrich started his introduction at 10:30 am; he finished his introduction at 10:32 am. Mr. Goodrich was then questioned by the Council until 10:37 am.

Gary Green- Mr. Green applied for the Planning and Zoning Board. Mr. Green started his introduction at 10:38 am; he finished his introduction at 10:41 am. Mr. Green was then questioned by the Council until 10:46 am.

Barry E. Jones- Mr. Jones applied to the Planning and Zoning Board as well as the Design Review Board. Mr. Jones started his introduction at 10:46 am; he finished his introduction at 10:49 am. Mr. Jones was then questioned by the Council until 10:54 am.

Don Koser- Mr. Koser applied for the Planning and Zoning Board. Mr. Koser started his introduction at 10:54 am; he finished his introduction at 10:57 am. Mr. Koser was then questioned by the Council until 11:01 am.

Joe McHarris- Mr. McHarris applied to the Planning and Zoning Board as well as the Design Review Board. Mr. McHarris started his introduction at 11:02 am; he finished his introduction at 11:04 am. Mr. McHarris was then questioned by the Council until 11:09 am.

Rick Marini- Mr. Marini was not present at 11:09 am for the interview. He was recalled at 11:14 am, but was still not present.

Denese Mattrey- Ms. Mattrey applied for the Planning and Zoning Board. Ms. Mattrey started her introduction at 11:10 am; she finished her introduction at 11:12 am. Ms. McHarris was then questioned by the Council until 11:14 am.

THE MAYOR RECESSED THE MEETING AT 11:29 AM AND RE-CONVENED AT 1:00 PM WITH ALL MEMBERS PRESENT.

James Tatooles- Mr. Tatooles applied for the Planning and Zoning Board. Mr. Tatooles started his introduction at 1:03 pm; he finished his introduction at 1:07 pm. Mr. Tatooles was then questioned by the Council until 1:12 pm.

Robert Niles- Mr. Niles applied for the Planning and Zoning Board. Mr. Niles started his introduction at 1:13 pm; he finished his introduction at 1:18 pm. Mr. Niles was then questioned by the Council until 1:20 pm.

Matthew Petra- Mr. Petra informed the Council that he would be out of town during today's interviews.

Sandy Riedal- Ms. Riedal applied for the Planning and Zoning Board. Ms. Riedal started her introduction at 1:21 pm; she finished her introduction at 1:22 pm. Ms. Riedal was then questioned by the Council until 1:24 pm.

Paul Roberts- Mr. Roberts had informed the Council that he would be out of town during today's interviews.

William Savage- Mr. Savage applied for the Planning and Zoning Board. Mr. Savage started his introduction at 1:24 pm; he finished his introduction at 1:27 pm. Mr. Savage was then questioned by the Council until 1:28 pm.

Roger Sirlin- Mr. Sirlin applied to the Planning and Zoning Board as well as the Design Review Board. Mr. Sirlin started his introduction at 1:28 pm; he finished his introduction at 1:30 pm. Mr. Sirlin was then questioned by the Council until 1:34 pm.

Earl Spencer- Mr. Spencer applied for the Planning and Zoning Board. Mr. Spencer started his introduction at 1:34 pm; he finished his introduction at 1:38 pm. Mr. Spencer was then questioned by the Council until 1:39 pm.

Roger Strelow- Mr. Strelow applied for the Planning and Zoning Board. Mr. Strelow started his introduction at 1:40 pm; he finished his introduction at 1:45 pm. Mr. Strelow was then questioned by the Council until 1:52 pm.

Gregory Toth- Mr. Toth applied for the Planning and Zoning Board. Mr. Toth started his introduction at 1:53 pm; he finished his introduction at 1:56 pm. Mr. Toth was then questioned by the Council until 2:03 pm.

Patty Whitehead- Ms. Whitehead applied to the Planning and Zoning Board as well as the Design Review Board. Ms. Whitehead started her introduction at 2:03 pm; she finished her introduction at 2:06 pm. Ms. Whitehead was then questioned by the Council until 2:11 pm.

Marlene Ann Naratil- Ms. Naratil applied to the Planning and Zoning Board. Ms. Naratil started her introduction at 2:12 pm; she finished her introduction at 2:16 pm. Ms. Naratil was then questioned by the Council until 2:21 pm.

Jeffrey Maas- Mr. Maas applied for the Planning and Zoning Board. Mr. Maas started his introduction at 2:21 pm; he finished his introduction at 2:24 pm. Mr. Maas was then questioned by the Council until 2:29 pm.

Rollin Crawford- Mr. Crawford applied for the Planning and Zoning Board. Mr. Crawford started his introduction at 2:30 pm; he finished his introduction at 2:33 pm. Mr. Crawford was then questioned by the Council until 2:36 pm.

THE MAYOR RECESSED THE MEETING AT 2:39 PM AND RE-CONVENED AT 3:18 PM WITH ALL MEMBERS PRESENT.

Edward Weil- Mr. Weil applied for the Design Review Board. Mr. Weil started his introduction at 3:20 pm; he finished his introduction at 3:21 pm. Mr. Weil was then questioned by the Council until 3:23 pm.

James Sheehy- Mr. Sheehy applied for the Planning and Zoning Board. Mr. Sheehy started his introduction at 3:24 pm; he finished his introduction at 3:27 pm. Mr. Sheehy was then questioned by the Council until 3:30 pm.

Leonard "Scotty" Wood- Mr. Wood applied for the Planning and Zoning Board. Mr. Wood started his introduction at 3:32 pm; he finished his introduction at 3:37 pm. Mr. Wood was then questioned by the Council until 3:39 pm.

George Zalucki- Mr. Zalucki withdrew his application prior to this meeting.

William Prysi- Mr. Prysi applied for the Design Review Board. Mr. Prysi started his introduction at 3:41 pm; he finished his introduction at 3:45 pm. Mr. Prysi was then questioned by the Council until 3:52 pm.

David Levin- Mr. Levin applied for the Planning and Zoning Board. Mr. Levin started his introduction at 3:53 pm; he finished his introduction at 3:56 pm. Mr. Levin was then questioned by the Council until 3:58 pm.

George Molnar- Mr. Molnar applied for the Planning and Zoning Board. Mr. Molnar started his introduction at 3:59 pm; he finished his introduction at 4:03 pm. Mr. Molnar was then questioned by the Council until 4:05 pm.

Ryan Binkowski- Mr. Binkowski applied for the Planning and Zoning Board. Mr. Binkowski started his introduction at 4:06 pm; he finished his introduction at 4:11 pm. Mr. Binkowski was then questioned by the Council until 4:17 pm.

Gerard Ripo- Mr. Ripo applied for the Design Review Board. Mr. Ripo started his introduction at 4:18 pm; he finished his introduction at 4:21 pm. Mr. Ripo was then questioned by the Council until 4:22 pm.

Cory Rozen- Mr. Rozen applied for the Design Review Board. Mr. Rozen started his introduction at 4:23 pm; he finished his introduction at 4:25 pm. Mr. Rozen was then questioned by the Council until 4:27 pm.

Gerald Simons- Mr. Simons applied for the Design Review Board. Mr. Simons started his introduction at 4:27 pm; he finished his introduction at 4:29 pm. Mr. Simons was then questioned by the Council until 4:32 pm.

THE MAYOR RECESSED THE MEETING AT 4:33 PM AND RE-CONVENED AT 4:46 PM WITH ALL MEMBERS PRESENT.

Albert O'Donnell- Mr. O'Donnell applied for the Design Review Board. Mr. O'Donnell started his introduction at 4:47 pm; he finished his introduction at 4:49 pm. Mr. O'Donnell was then questioned by the Council until 4:54 pm.

Jim Wallace- Mr. Wallace was not present at 4:32 pm for the interview. He was recalled at 4:57 pm, but was still not present.

#### **PUBLIC INPUT ON NON-AGENDA ITEMS**

Breckenridge resident, Gary Green commented on using alternates on Zoning and Planning Board and Design Review Board.

**COUNCIL/VILLAGE ATTORNEY/VILLAGE MANAGER COMMUNICATIONS**

**Council Members' Comments**

No items were presented by the individual Council members

**Interim Village Manager's Comments:**

Interim Village Manager, Peter Lombardi, commented on being an alternate for the Code Enforcement Board for the City of Fort Myers.

**Interim Village Attorney's Comments:**

No items were presented by Interim Village Attorney, Burt Saunders.

**RECESS**

THE MAYOR RECESSED THE MEETING AT 5:01 PM AND RE-CONVENED AT 1:29 PM ON APRIL 17, 2015, WITH ALL MEMBERS PRESENT.

Matthew Fredrickson- Mr. Fredrickson applied for the Planning and Zoning Board. Mr. Fredrickson started his introduction at 1:30 pm; he finished his introduction at 1:33 pm. Mr. Fredrickson was then questioned by the Council until 1:38 pm.

Rick Marini- Mr. Marini withdrew his application prior to today's meeting.

Matthew Petra- Mr. Petra applied for the Planning and Zoning Board. Mr. Petra started his introduction at 1:40 pm; he finished his introduction at 1:43 pm. Mr. Petra was then questioned by the Council until 1:45 pm.

Paul Roberts- Mr. Roberts applied for the Planning and Zoning Board. Mr. Roberts started his introduction at 1:45 pm; he finished his introduction at 1:48 pm. Mr. Roberts was then questioned by the Council until 1:52 pm.

Jim Wallace- Mr. Wallace applied for the Design Review Board. Mr. Wallace started his introduction at 1:53 pm; he finished his introduction at 1:56 pm. Mr. Wallace was then questioned by the Council until 1:58 pm.

**ADJOURNMENT**

The Mayor adjourned the meeting at 1:59 pm

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Interim Village Clerk

\_\_\_\_\_  
Mayor

VILLAGE COUNCIL REGULAR MEETING OF APRIL 17, 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 10:10 am, followed by the Pledge of Allegiance to the flag.

ROLL CALL

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

APPROVAL OF AGENDA

Mr. Ribble moved approval, seconded by Mr. Brown, called and carried unanimously.

COUNCIL BUSINESS

**(A) Approval of Regular Council Meeting of March 27<sup>th</sup>, 2015, and April 6, 2015; Workshop Minutes of March 27, 2015 and April 7, 2015**

Mr. Brown moved approval, seconded by Ms. Errington, called and carried unanimously.

**5(B) SECOND READING AND PUBLIC HEARING – ORDINANCE 2015-01**

**An Ordinance of the Village Council of the Village of Estero, Florida, establishing Land Use Advisory Boards to the Village Council to include the Planning and Zoning Board and the Design Review Board; providing a severability clause; repealing and rescinding all ordinances in conflict; and providing an effective date.**

Interim Village Attorney Burt Saunders confirmed that proper notice had been provided for all hearings scheduled for today, and stated that this was the second hearing for each of the proposed Ordinances. After Interim Village Manager Peter Lombardi read the Ordinance title into the record, Mr. Levitan briefly reviewed the revisions that had been made following the first hearing. Ms. Errington requested a revision to add “lawful” after “applicable” in the second sentence of the fourth “Whereas” paragraph. There were no objections to the request. The Mayor called for public input; however no one came forward. Mr. Levitan moved approval of the ordinance as presented and amended, seconded by Mr. Boesch, called and carried unanimously via roll call vote.

**5(C) SECOND READING AND PUBLIC HEARING – ORDINANCE 2015-02**

**An Ordinance of the Village Council of the Village of Estero, Florida establishing procedures for ex parte communications related to quasi-judicial proceedings; providing a severability clause; repealing and rescinding all ordinances in conflict; and providing an effective date.**

Interim Village Attorney Burt Saunders confirmed that proper notice had been provided for all hearings scheduled for today, and stated that this was the second hearing for each of the proposed Ordinances. After Interim Village Manager Peter Lombardi read the Ordinance title into the record, Attorney Saunders suggested an amendment in Section 5 to set the effective date retroactive to March 17, 2015. There were no objections to the request. The Mayor called for public input; however no one came forward. Mr. Ribble

moved approval of the Ordinance as presented and amended, seconded by Ms. Errington, called and carried unanimously via roll call vote.

**(D) SECOND READING AND PUBLIC HEARING – ORDINANCE 2015-03**  
**An Ordinance of the Village Council of the Village of Estero, Florida, amending Chapter 22, Licenses and Business regulations, of the Code of Laws and Ordinances of the Village of Estero, Florida; removing certain record keeping requirements; providing for conflict with other ordinances; providing for severability; and providing for an effective date.**

Interim Village Attorney Burt Saunders confirmed that proper notice had been provided for all hearings scheduled for today, and stated that this was the second hearing for each of the proposed Ordinances. After Interim Village Manager Peter Lombardi read the Ordinance title into the record, Attorney Saunders suggested an amendment in Section 5 to set the effective date retroactive to March 17, 2015. There were no objections to the request. The Mayor called for public input; and the following individual came forward to comment:

Villages at Country Creek resident, George Molnar commented on recordkeeping requirements. After Attorney Saunders responded to Mr. Molnar's concerns about recordkeeping requirements, Mr. Ribble moved approval of the Ordinance as presented and amended, seconded by Mr. Wilson, called and carried unanimously via roll call vote.

**5(E) RESOLUTION – A Resolution Approving the Village Council Meeting Schedule for the Remainder of 2015.**

After Mayor Batos confirmed that there were no meetings scheduled for Friday, May 1, 2015, Vice-Mayor Levitan mentioned that adjustments might be needed to deal with zoning matters that may arise. Ms. Errington pointed out that Friday, May 22, was the beginning of the Memorial Day holiday; and there was consensus to change the 10 am Workshop meeting to Wednesday, May 20 at 1:30 pm. The Mayor called for public input; however no one came forward. Ms. Errington moved approval of the schedule as amended, seconded by Mr. Brown, called and carried unanimously.

RESOLUTION NO. 2015-19

**5(F) RESOLUTION – A Resolution Approving Lewis, Stroud & Deutsch PL Agreement for Professional Planning Services.**

Following comments from Ms. Errington, Mayor Batos, and Vice-Mayor Levitan, Interim Village Attorney Burt Saunders pointed out that Ms. Stroud is currently on retainer to handle issues on a case-by-case basis. The Mayor called for public input; however no one came forward. Mr. Levitan moved acceptance of the proposal, seconded by Ms. Errington, called and carried unanimously.

RESOLUTION NO. 2015-20

**5(G) RESOLUTION – A Resolution Approving Spikowski Planning Associates Agreement for Professional Planning Services.**

Extensive discussion ensued regarding the inclusion of other areas of Estero, the opposition of some landowners, and past and future opportunities for community and developer participation. Vice-Mayor Levitan, Mr. Ribble, Mayor Batos, and Mr. Wilson responded to concerns expressed by Ms. Errington and Mr. Boesch regarding areas to be included; developer participation; and financial aspects of the agreement. Interim Village Manager Peter Lombardi clarified payment terms and requirements, and Mr. Boesch inquired about the potential costs for travel. The Mayor called for public input; and the following individuals came forward to comment:

Rapallo resident and local developer, Jim Wallace (handout on file)

Local landowner Greg Toth

Island Club resident, Donna Pogliano (handout on file)

Old Estero resident, Patty Whitehead

Mr. Levitan moved approval, seconded by Mr. Ribble, called and carried with Mr. Boesch dissenting.

RESOLUTION NO. 2015-21

**5(H) RESOLUTION – A Resolution Adopting Recitals; Invoking Zoning in Progress for the Area Encompassed in the Village Center; Adopting Exemptions; Providing for Economically Viable Use.**

Vice-Mayor Levitan noted that Map “A” of the original resolution did not line up with the planning proposal that was approved in Item 5(G); and that a revised Map “B” had been circulated on April 14, 2015. Following brief Council discussion as to whether it would be appropriate to include the revised map in today’s action, Special Zoning Counsel Nancy Stroud provided a detailed explanation of the purpose, requirements and limitations of “Zoning in Progress”. She also addressed concerns and misconceptions contained in letters from residents, developers and landowners. The Mayor called for public input; and the following individuals came forward to comment:

Attorney Steve Hartsell, of the Pavese Law Firm, representing Jeff Gray, Focus Development LLC  
 Attorney Neale Montgomery, of the Pavese Law Firm, representing North Point  
 LandQwest Managing Director, Adam Palmer, CCIM  
 Local landowner Greg Toth  
 Laura DeJohn, of Johnson Engineering, representing Lee Memorial Health System  
 Certified Planner Paula McMichael, of Hole Montes, representing two clients  
 Old Estero resident, Patty Whitehead  
 ECCL Emeritus Chairman Donald Eslick  
 Rapallo resident and local developer, Jim Wallace

Additional Council discussion followed as to whether proper notice of the revised map had been provided and whether Council should adopt the resolution as originally posted and postpone action on Map “B” to the next meeting. After Ms. Errington suggested that additional input was needed before Council voted on the resolution, Mayor Batos requested a motion to approve the resolution without Map “B”. Vice-Mayor Levitan so moved, seconded by Mr. Wilson, called and carried 5-2 via roll call vote, with Ms. Errington and Mr. Boesch dissenting.

RESOLUTION NO. 2015-22

**PUBLIC INPUT ON NON-AGENDA ITEMS**

Future Reserve at Estero Parkway resident, Doug Saxton – funding for sidewalks and bike paths  
 Villages at Country Creek resident, George Molnar – up-to-date website should be high priority

**COUNCIL / MANAGER/ATTORNEY COMMUNICATIONS AND FUTURE AGENDA ITEMS**

**Council Members’ Comments:**

Mr. Boesch reported that:

- He had arranged for the invocations at meetings through May, then Mr. Lombardi would take over.
- The directional light both ways on Williams Road would be activated on the 20th
- Council and the Interim Village Manager were involved in discussions about Estero sidewalks.

Mr. Ribble reported that:

- The Historical Society would be hosting a Pioneer Day on the 18<sup>th</sup> from noon to 3 pm.

**Interim Village Attorney’s Comments:**

Interim Village Attorney Burt Saunders had no comments.

**Interim Village Manager’s Comments:**

Interim Village Manager Peter Lombardi had no comments.

ADJOURN

The Mayor adjourned the meeting at 12:28 pm.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Interim Village Clerk

\_\_\_\_\_  
Mayor

DRAFT

(A)

**VILLAGE COUNCIL WORKSHOP MEETING OF APRIL 17, 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

**CALL TO ORDER:**

Mayor Batos called the meeting to order at 2:00 pm.

**ROLL CALL:**

All Council members were present.

**AGENDA CHANGES:**

Mayor Batos requested consensus to revise the order of the agenda to take up Items 4(B) and 4(C) before taking up Item 4(A). Following brief discussion, the Council members agreed to the change.

**COUNCIL BUSINESS:**

**4(A) DISCUSSION – Process for Selecting Candidates for the Planning and Zoning Board and the Design Review Board**

Mayor Batos thanked all candidates for their willingness to serve, and offered suggestions for sharing information to be used in the selection process. The individual Council members each described the criteria used to evaluate the candidates; then each provided a list of their selections for the Planning and Zoning Board (PZB) and reasons for endorsement. After each member provided a list of their selections for the Design Review Board (DRB) and reasons for endorsement, discussion took place regarding the method of voting. There was consensus that two blank ballots would be prepared for each Council member, one for the PZB and one for the DRB, to be completed and tallied at the next meeting. The Mayor called for public input; and the following individual came forward:

Estero Community Planning Panel (ECPP) Treasurer, Beverly MacNellis emphasized that some candidates would be better on one Board than on the other.

**4(B) DISCUSSION – Website Development Agreement from Papyrus Document and Design, LLC, regarding the Operation and Maintenance of Village Website**

Interim Village Manager Peter Lombardi mentioned that this item had been deferred from a previous agenda to allow for additional discussion of the proposal, and noted that the website and email address would soon be “estero-fl.gov”. After Papyrus Managing Partner, Kimberly Daley, spoke briefly about the proposal, Mr. Lombardi stated that the \$500/month site service and maintenance was reasonable; that the goal was to include features that would make the website more user-friendly; and that he recommended

Council approval. Council discussion followed, during which Interim Village Attorney Burt Saunders suggested the addition of the phrase "except as provided by Florida Law" to paragraphs 4 and 8 dealing with confidentiality. Mr. Levitan suggested that the Council approve the proposal as a temporary measure and schedule a workshop discussion of the "ideal" website and a possible Request for Proposals (RFP) for website development. Additional Council discussion ensued regarding a review of the Pinecrest website at a workshop, obtaining an estimate from Ms. Daley of the cost to develop a similar sophisticated website, and the need for information as to what the public wants. Mayor Batos asked the Council members to add desired items to a workshop topic list that would be distributed for discussion and prioritization at a future workshop. There was consensus to authorize Mr. Lombardi to execute the agreement with the requested text addition. The Mayor called for public comment, and the following individual came forward:

Villages at Country Creek resident, George Molnar emphasized the need for an RFP and commented on details of the proposal.

After Ms. Daley responded briefly to Mr. Molnar's concerns, Mayor Batos thanked her for her help over the years.

#### **4(C) DISCUSSION – Estero Council of Community Leaders (ECCL) Reimbursements**

Interim Village Manager Peter Lombardi reviewed the individual invoices for items included on the invoice for \$7,600.26 received from ECCL, including 3 items related to website development; Inaugural Meeting costs of \$1,210.00 for taping, \$90.00 overtime, \$35.00 insurance rider, and \$793.56 to print the programs; \$2,459.20 for the Transition Books prepared and given to Council; and \$2,500.00 for ordinances drafted by Nancy Stroud. Mayor Batos commented that it was appropriate for the Council to reimburse the total costs of \$2,391.06 for the Inaugural Meeting and the \$2,500.00 cost to expedite ordinances; and opined that the charges for Transition Books and website development were costs of the incorporation effort. Following brief Council discussion of the Transition Books, ECCL Finance Director Bob Lienesch explained that 20 copies were printed, 15 were given to Council and to Village staff, and 5 were kept by ECCL; and that the invoice was strictly for the printing costs involved. Mr. Brown and Mr. Wilson agreed that the Village should pay the invoice, which did not include the many hours that were devoted to creating the book. Following confirmation that this would be the final bill, Mr. Lombardi stated that it would be on the agenda for the next meeting.

#### **PUBLIC INPUT ON NON-AGENDA ITEMS**

No one came forward to offer comments.

#### **COUNCIL/VILLAGE ATTORNEY/VILLAGE MANAGER COMMUNICATIONS**

##### **Council Members' Comments**

Mr. Wilson inquired about progress on an agreement with Lee County regarding coordination with the Village on development orders; and about the status of a possible amendment regarding development orders that had been approved more than five years ago.

Ms. Errington inquired about land clearing at Corkscrew Commons for an apartment project.

Mr. Brown requested, and Mr. Lombardi agreed to provide, a list of developable lands and proposed development uses within Estero. He stated that the Vines-Estero Country Club requested the re-location of road signs, and Mr. Bausch reported that the work was requested at the Transportation meeting.

Mayor Batos mentioned a workshop to assign liaisons with various organizations, and asked Mr. Brown to serve as liaison to Lee Memorial Hospital in the interim to provide Village representation at an upcoming meeting.

**Interim Village Attorney's Comments:**

Interim Village Attorney, Burt Saunders had no comments to offer.

**Interim Village Manager's Comments:**

Interim Village Manager, Peter Lombardi, stated that he had sent an email to Mr. Levitan with an opinion from the Lee County Attorney that the County Code Enforcement Hearing Officer could not also serve the Village of Estero. He mentioned that the consideration of alternatives would be brought up as a workshop topic.

Mayor Batos reminded the members to add to the list of possible workshop topics that would be distributed.

Ms. Errington suggested that development of a hurricane season emergency plan should be added as a workshop item.

**ADJOURN**

The Mayor adjourned the meeting at 3:43 pm.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Interim Village Clerk

\_\_\_\_\_  
Mayor

(F)

# SIGNS IN ESTERO

Basic Guidance for the Legal Use of Signs in Estero

from the

Estero Council of Community Leaders (ECCL)

August 2014

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***This document is designed to provide citizen education and awareness. It summarizes often-complex provisions and thus is not intended as, and cannot be used for, precise legal authority. Legal counsel or Lee County Code Enforcement should be contacted for any further clarification and assistance that may be desired. (Contacts at end of document.)***

The community of Estero -- widely praised for its attractive appearance, amenities and quality of life -- has strict but sensible standards for architecture, landscaping and other land use matters. These standards include the signs that are allowed in the community. There are, in the Lee County Land Development Code (LDC), a number of legal limits and restrictions on signage that must be respected . . . unless and until any such restrictions are successfully changed through the established legal process that involves Estero residents and both county and community officials.

This brief document focuses on the most common violations found in Estero in recent years and is not a comprehensive summary of the signage portion of the LDC. (In the discussion that follows, items in section 33 of the Code are provisions unique to Estero, while items in section 30 are Countywide provisions not unique to Estero.)

## BANNERS, FLAGS, PENNANTS

- Banner signs (pennants, flags, balloons or other flying or flapping materials) are specifically prohibited altogether in Estero [LDC Sec 33-383(4)].

## OTHER TEMPORARY SIGNS

- A-frame, portable signs, small ground signs, when located on private property (not in public right-of-way), may be utilized upon issuance of a special occasion sign permit. These permits are available for periods of up to fifteen days, twice in a calendar year [LDC Sec 33-384].

## POLITICAL SIGNS

- Placing a campaign sign on properties owned by others are subject to a location list requirement [LDC Sec 30-151(4) (a)]. The code has not been changed yet, but the county no longer requires a monetary bond. However, the candidates do need to provide personal signatures in a Candidates Statement form that is a part of the application.
- Campaign signs may not be erected more than sixty days before an election and shall be removed within ten days after an election [LDC 30-151(4) (b)].
- Signs in areas zoned agricultural, commercial or industrial shall not exceed thirty-two square feet in area or six feet in height [LDC 30-151(4) (c)].
- A property owner may not place a campaign sign on his property that exceeds four square feet in area per sign [LDC 30-151(4) (d)].
- NOTE: The sign ordinance does not address the issue of whether a political candidate or his organization must get the property owner's approval before putting a sign on the owner's property. If an Estero resident finds a political sign on his property that he does not wish to have, he may wish to consult with an attorney concerning the possible ability, based on the law of "trespass," to take down the sign (perhaps with a requirement to offer it back to the campaign).

## REAL ESTATE SIGNS

- Real estate agents or property owners actively engaged in the selling, renting or leasing of property (including the use of "open houses") are permitted to place signs on the subject properties; however, the type of property being sold determines the size and location of the sign or signs [LDC Sec 30-151(6) (a) (1), (2) & 30-151(6) (b)] (*the extent of these variations is too diverse to be included in this brief summary*).
- A "sold" sign must be removed within thirty days of the sale [LDC Sec 30-151(6) (a) (3)].
- Illuminated signs require a construction permit [LDC 30-151(6) (e)].

## NONCONFORMING SIGNS

- Every sign legally erected before the effective date of an applicable code section (or amendment thereto) which would make the erection of such a sign after that date is a legal nonconforming sign [LDC Sec 30-55 (a)].
- A legally nonconforming sign must be maintained as prescribed by the LDC and can lose its status as legally nonconforming for multiple reasons [LDC Sec 30-55 (a) & (b)].
- Noteworthy Changes:
  - September 17, 2012 marked a change in the appearance of monument and monument-style signs, which identify business locations. This change explains why some signs in Estero appear square or taller than they are

wide while more recently-approved signs appear wider than they are tall.  
(Ordinance No. 12-21).

If you have any questions concerning the guidance contained here, or other signage matters, we suggest that you call Roger Strelow of the Estero Council of Community Leaders (ECCL) at (239) 498-9394 or Mary Zettel of Lee County Code Enforcement at (239) 533-8864.