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## AGENDA

### VILLAGE COUNCIL MEETING

9401 Corkscrew Palms Circle, Estero, Florida

November 16, 2016 9:30 a.m.

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

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

#### **Call to Order**

#### **Pledge of Allegiance**

**Invocation:** Pastor Tim Carson – Estero United Methodist Church

#### **Roll Call**

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

- 3. CONSENT AGENDA:**

- (a) Approval of November 2, 2016 Council Meeting Minutes

**Attachment:** [Minutes](#)

- 4. ORDINANCES:**

- (a) **FIRST READING AND PUBLIC HEARING:**

- (1) Ordinance No. 2016-14 An Ordinance of the Village Council of the Village of Estero, Florida, Establishing a Temporary Moratorium on Cannabis Dispensing Businesses as Further Defined Herein; Providing for Geographic Area Covered; Providing for Penalties; Providing a Savings Clause, a General Repealer Clause, and an Effective Date

**Recommended Action:** Motion to pass first reading and schedule second reading and public hearing for 9:30 a.m. on December 7, 2016.

**Note:** Pursuant to F.S. Chapter 166, the second hearing shall be held after 5 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct the hearing at another time of day.

**Attachment:** [Ordinance No. 2016-14](#)

## 5. ACTION ITEMS:

- (a) Resolution No. 2016-35 A Resolution of the Village Council of the Village of Estero, FL, Approving the Fourth and Final Budget Amendment for Fiscal Year 2015-2016; and Providing an Effective Date

**Recommended Action:** Motion to adopt Resolution No. 2016-35, creating a Special Revenue Fund for the building activity in fiscal year 2015-2016. Transfer \$885,600 in budgeted revenue and \$790,000 in budgeted expenditures from the General Fund to the Building Fee Special Revenue Fund.

**Fiscal Impact:** There are no fiscal impacts of this budget amendment. The total expenditures of the 2015-2016 fiscal year budget will not be increased.

**Attachment:** [Resolution No. 2016-35](#)

- (b) Resolution No. 2016-36 A Resolution of the Village Council of the Village of Estero, FL, Amending Resolution No. 2016-09 Adopting Personnel Policies; and Providing an Effective Date

**Recommended Action:** Motion to adopt Resolution No. 2016-36, clarifying the effective date of October 1, 2015 for paid time off (vacation) and retirement contributions as provided in the 2015-2016 Budget and in the personnel policies.

**Fiscal Impact:** The clarifying of the effective date does not have a fiscal impact.

**Attachment:** [Resolution No. 2016-36](#)

- (c) Southwest Florida Regional Planning Council

**Recommended Action:** Council to determine whether to opt out of the Southwest Florida Regional Planning Council (SWFRPC), as in the previous year.

**Fiscal Impact:** SWFRPC annual dues would be \$9,035, based on 30,118 population multiplied by \$0.30 per capita.

**6. COMPREHENSIVE PLAN AMENDMENT TRANSMITTAL AND REZONING ORDINANCES FIRST READINGS AND PUBLIC HEARINGS:**

**(a) Comprehensive Plan Amendment Transmittal First Reading and Public Hearing**

Ordinance No. 2016-15 An Ordinance of the Village Council of the Village of Estero, Florida, Approving an Amendment to the Village Transitional Comprehensive Plan to add Policy 19.3.4 Providing for the Option to Convert a Commercial Planned Development of not more than 5.5 acres within the Urban Community Future Land Use Designation and Mixed-Use Overlay to a Residential Planned Development when Combined with an Existing Adjacent Residential Planned Development under Certain Conditions for a Density not to Exceed Eight Dwelling Units Per Gross Acre across the Resulting Residential Planned Development Comprised of Both Parcels; Providing for Transmittal Pursuant to State Statute; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date

**This Comprehensive Plan amendment is related to the zoning case in Ordinance No. 2016-16. The applicant's presentation will include both.**

**Recommended Action:** Motion to pass first reading and transmit amendments to the state for further review.

**Attachment:** [Staff Report and Ordinances](#)

**(b) Rezoning for The Reef Phase II First Reading and Public Hearing**

Ordinance No. 2016-16 An Ordinance of the Village Council of the Village of Estero, Florida, Approving a Rezoning from Commercial Planned Development to Residential Planned Development with One Deviation to Allow a 60 Unit Multiple Family Project for Property Located at Three Oaks Parkway Consisting of Approximately 5.32 Acres; Providing for Severability; and Providing an Effective Date

**Recommended Action:** Motion to pass first reading.

**Attachment:** [Staff Report and Ordinances](#)

**7. UNFINISHED BUSINESS:** (Any business held over from a previous meeting, other than public hearings and ordinances)

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

**9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS**

**10. VILLAGE ATTORNEY'S REPORT**

**11. VILLAGE MANAGER’S REPORT:**

- (a) Stormwater Master Plan Update

**12. ADJOURNMENT**

If you desire to address the Council, please complete a Public Comment Card and return it to the Village 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 Board meeting due to a disability or physical impairment should contact Village Clerk Kathy Hall, 239-221-5033, 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.”