

VILLAGE COUNCIL REGULAR MEETING OF APRIL 6, 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 10:00 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

Mayor Batos proposed the addition of three items to the meeting agenda:

1. Approval of loan documents with SunTrust (as clarified by Interim Village Attorney Burt Saunders)
2. Review a list of clergy people for invocations prepared by Mr. Boesch.
3. Resolution on issue pertaining to water and land purchases in Florida

Mr. Ribble moved approval of the revised agenda, seconded by Ms. Errington, called and carried unanimously.

COUNCIL BUSINESS

1. Approval of loan documents with SunTrust

Interim Village Attorney Burt Saunders explained that SunTrust had accepted changes in the approved loan documents as requested by the GrayRobinson Law Firm. Mr. Boesch moved approval, seconded by Mr. Brown. The Mayor called for public input; however, no one came forward. The motion was called and carried unanimously.

RESOLUTION NO. 2015-17

2. Review of list of clergy people for invocations

Mr. Boesch presented a list of local clergy people who would be available to provide the invocations, and noted the diversity of backgrounds. It was agreed that suggestions for additional names should be sent to Interim Village Manager Peter Lombardi, who will check on availability and set up a rotation.

3. Resolution – Support of State Purchase of Sugar Land

After Ms. Errington presented information (copy on file) on the importance of the planned state purchase of sugar land, Mayor Batos noted that, due to time constraints, this item had been moved from tomorrow’s agenda to be considered at this time. Interim Village Attorney Burt Saunders explained that he would prepare the resolution for signatures and hand-deliver it on Wednesday to the Senate President, Speaker of the House, and Governor’s Office. The Mayor called for public input; however, no one came forward. Mr. Ribble moved approval, seconded by Ms. Errington. Following Council discussion, the motion was called and carried unanimously.

RESOLUTION NO. 2015-18

4(A) Approval of Regular Council Meeting and Workshop Minutes of March 27, 2015

Interim Village Manager Peter Lombardi requested that this item be deferred to the meeting of April 17, 2015. There were no objections from the Council members.

4(B) FIRST READING – 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 this hearing and the second hearing. Following brief discussion, members agreed to move to the next items while copies of the amended draft were made for members who had not received the most recent draft.

FOLLOWING CONSIDERATION OF ITEM 4(D):

Mr. Levitan reviewed and explained the revisions page by page. Extensive discussion ensued, during which Mr. Levitan, Attorney Saunders, Interim Village Manager Peter Lombardi, and Special Zoning Counsel Nancy Stroud answered questions from the Council. Mayor Batos called for public input; however no one came forward. Mr. Levitan moved approval, seconded by Mr. Ribble, called and carried unanimously via roll-call vote.

4(C) FIRST READING – 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 both this hearing and the second hearing. Following brief comments from Mr. Boesch, the Mayor called for public input; however no one came forward. Mr. Brown moved approval, seconded by Mr. Wilson, called and carried unanimously via roll-call vote.

4(D) FIRST READING – 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.

Mayor Batos explained the purpose of the ordinance, and Mr. Wilson offered additional clarification. The Mayor called for public input; and the following individuals came forward to comment:

Fountain Lake resident, Larry Newell

Old Estero resident, Patty Whitehead

After Mr. Levitan and Mayor Batos responded to Ms. Whitehead's concerns, Mr. Ribble moved approval, seconded by Mr. Brown. The motion was called and carried unanimously via roll-call vote.

AT THIS TIME, THE COUNCIL RESUMED CONSIDERATION OF ITEM 4(B).

PUBLIC INPUT ON NON-AGENDA ITEMS

Fountain Lake resident, Larry Newell – Hospital situation and the Agency for Health Care Administration

Marsh Landing resident, Beverly MacNellis – Hospital Planning Board as a resource

Villages at Country Creek resident, George Molnar – Village website; legal and financial information

Broadway Mobile Home Village resident, Pat Holcomb – Possible eminent domain actions on vacant land

COUNCIL / MANAGER/ATTORNEY COMMUNICATIONS AND FUTURE AGENDA ITEMS

Council Members' Comments:

Mr. Ribble commended Mr. Levitan for writing an article about transparency for Spotlight Magazine.

Mr. Levitan asked about the starting time for tomorrow's Workshop Meeting. After discussion, it was agreed that the meeting would begin at 10:00 am, and then be continued to 1:30 pm.

Mr. Boesch requested that Interim Village Manager Peter Lombardi provide Council members with copies of the Consultants Competitive Negotiations Act and the Public Business 287 Statute.

Mayor Batos:

Reported that he had requested an updated population count for Estero to be considered by the Metropolitan Planning Organization (MPO).

Noted that a proposed schedule of meetings and workshops from now through year-end would be brought up at the April 17, 2015 meeting

Requested approval of a proclamation acknowledging the Estero Council of Community Leaders (ECCL) for all their work done, including the work on incorporation; and wishing them success in their future operations. Mr. Wilson moved approval, seconded by Mr. Boesch. The Mayor called for public comment, but no one came forward. The motion was called and carried unanimously.

Interim Village Manager's Comments:

Interim Village Manager Peter Lombardi had no comments

Interim Village Attorney's Comments:

Interim Village Attorney Burt Saunders:

Noted that the Council had approved retaining the firm of Nabors, Giblin & Nickerson as Special Tax Counsel, and asked for Council consensus to authorize signature of an agreement with them. Following discussion, there was consensus to approve the request.

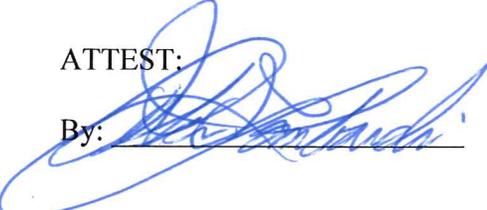
Reported on pending legislation that would require cities to pay for re-location of utilities, if the city's project makes the re-location necessary, even if the utilities are located on the city right-of-way.

Commented that the "glitch" bill had been approved by 2 of 3 committees and should have no problem/

ADJOURN

The Mayor requested a motion to adjourn. Mr. Ribble so moved, seconded by Ms. Errington, called and carried unanimously. The meeting was adjourned at 11:55 am.

ATTEST:

By: 

Interim Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: 

Mayor