VILLAGE COUNCIL WORKSHOP OF SEPTEMBER 17, 2015

The Village of Estero Council Workshop was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida.

Present: Mayor Nick Batos - District 6, Vice-Mayor Howard Levitan - District 2, Councilmember Bill Ribble, District 1, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.
Absent: Councilmember Donald Brown - District 3.

Also present: Village Manager Peter Lombardi, Village Attorney Burt Saunders, and Village Clerk Kathy Hall.

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Batos led the Pledge of Allegiance.

3. ROLL CALL

Village Clerk Kathy Hall called the roll; all members were present with the exception of Councilmember Brown.

4. APPROVAL OF AGENDA

Councilmember Errington moved approval of the agenda, seconded by Councilmember Boesch, called and carried unanimously, with Councilmember Brown absent.

5. COUNCIL BUSINESS

(A) Presentation: The Conservancy of Southwest Florida (Mayor Batos)

April Olson, Growth Management Specialist, Conservancy of Southwest Florida, presented information regarding the Conservancy of Southwest Florida which was founded in 1964, including environmental science and research; von Arx Wildlife Hospital; environmental education; policy and advocacy; natural resources; and growth management.

Vice Mayor Levitan inquired regarding Conservancy policy decisions. Discussion followed related to the Conservancy's position on the Wild Blue and Corkscrew Farms developments.

Phil Douglas, The Brooks - Lighthouse Bay resident, and Conservancy member, stated that he appreciated the Vice Mayor's inquiry and that he believed the Conservancy's position was not wrong.

Caitlin Weber, Policy Analyst, Conservancy of Southwest Florida, spoke to oil extraction and Home Rule authority, including extraction techniques; risk and impacts; State law; 2015 and 2016 Oil and Gas Regulatory Bills; and zoning never addressed by the State.

Discussion followed and Ms. Weber agreed to research whether the previous owners of land in the communities to the east of Estero reserved mineral rights when they sold; the availability of a map of Estero indicating mineral rights; and whether there were any historic wells in Estero. Ray Judah, Coordinator for the Florida Coastal and Ocean Coalition, spoke to the impacts that fracking would have to the water system.

Phil Douglas, The Brooks - Lighthouse Bay resident and member of ECCL, believed it would be helpful for Estero to take a position on fracking.

Council discussion ensued regarding scheduling the topic of fracking for a Council workshop. Consensus was to allow time to receive information from the Village Attorney and Ms. Weber, prior to scheduling for a Council workshop.

(B) Proclamation: Million Mile Movement (Councilmember Errington)

Councilmember Errington provided an explanation on the background of the Million Mile Movement, stated that the purpose was to ask Estero residents to support and get involved, and read the proclamation to be presented to Sally Jackson from Lee Memorial Health System.

Sally Jackson, Director of Community Relations, Lee Memorial Health System, spoke to the program, community engagement strategy, and the importance of daily activity. Ms. Jackson also extended appreciation to Mayor Batos and Don Eslick for their participation.

Don Eslick offered information regarding the history of the group.

Mayor Batos inquired whether Councilmembers had any objection to the proclamation; no objection was noted.

(C) Discussion: Establishing the Village of Estero False Alarm Ordinance (Village Manager)

Village Manager Lombardi explained that, prior to incorporation, the residents were covered under the Lee County false alarm ordinance and noted that the Sheriff's office requested that Estero adopt their own ordinance. He also noted that all the other cities in Lee County had a similar ordinance. He indicated that first reading of the ordinance would be on the October 7, 2015 Council meeting agenda.

Mayor Batos called for public comment and on one came forward.

(D) Discussion: Village Council 2016 Meeting Schedule (Village Manager)

Village Manager Lombardi provided suggested meeting dates for next year. Mayor Batos noted that the proposed schedule called for two meetings per month. Discussion ensued regarding allowing enough time for decision meetings; zoning hearings; vacation time and FLC conference attendance; daytime meetings rather than nighttime meetings; December meetings; the 7-day lead time for agenda preparation; and meeting every Wednesday, January through June. The meeting schedule would come back to Council at the September 23, 2015 special meeting.

(E) Discussion: Resolution Authorizing the Investment of Village Surplus Funds in the Local Government Trust Fund (Village Manager)

Village Manager Lombardi explained that Florida Statute Ch. 218 required an investment policy for the Village's idol funds; there were certain types of investments that were permitted, one of which was the Local Government Surplus Trust Fund administered by the State of Florida. Discussion ensued and Mayor Batos requested that the Village Manager check into investing the funds with Sun Trust Bank.

Mayor Batos called for public comment and no one came forward.

(F) Discussion: Update on Enrollment in the National Flood Insurance Program and Participation in the Community Rating System (Mayor Batos and Village Attorney Saunders)

Village Attorney Saunders noted that he presented information at yesterday's Council and there was nothing different than what he brought up last night. Brief discussion followed regarding the discount as well as the number of flood policies in Estero.

(G) Discussion: Southwest Florida Regional Planning Council Building Assessment (Mayor Batos and Councilmember Errington)

Mayor Batos stated that Southwest Florida Regional Planning Council was asking for participation in paying a one-time special assessment and noted that Lee County had declined. Discussion followed and the question arose of whether the Village was required to join a regional planning council. Village Attorney Saunders believed the Village was not required to participate; however, he would research. Brief discussion followed regarding the Estero Bay Agency on Bay Management, along with comments from Patty Whitehead, Old Estero resident and member of the Estero Bay Agency on Bay Management.

6. PUBLIC INPUT ON NON-AGENDA ITEMS

Don Eslick, ECCL, provided an update on ECCL matters and indicated that they have tried to be supportive in attempting to disseminate information to the public. He stated that it would be helpful for ECCL to receive important information and documents when the Council receives such items. He added that ECCL was available to coordinate efforts in support of the Village.

7. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmember Ribble noted that, in preparation of a November Florida League of Cities meeting, he would be gathering information regarding future key issues for the Village. Brief discussion ensued.

Mayor Batos stated that the Village would need to have someone monitor what was going on in Tallahassee and that the Council should consider hiring a lobbyist. Brief discussion followed and Village Attorney Saunders was requested to put a proposal together.

Councilmember Errington reported on the recent Estero Historic Preservation Citizens Committee meeting and that FGCU had given permission for scanning documents. She also

noted that April Olson from the Conservancy of SW Florida would be making a presentation regarding the Estero River at the October 28 Council Workshop.

8. VILLAGE MANAGER'S COMMENTS

None.

9. VILLAGE ATTORNEY'S COMMENTS

Village Attorney Burt Saunders reported that, after reviewing the contract for Community Development issues, he noticed that it contained a citation process and inquired whether the Village Attorney would be the prosecutor. He stated that policy issues could be discussed when the Council reviewed the ordinance. Brief discussion regarding code compliance rather than code enforcement followed.

10. ADJOURN

Councilmember Errington moved to adjourn the meeting, seconded by Councilmember Boesch, called and carried unanimously.

Mayor Batos adjourned the meeting at 3:50 p.m.

ATTEST:

By: Kathy Hall

Kathy Hall, MMC
Village Clerk

VILLAGE OF ESTERO, FLORIDA

By:

Nicholas Batos
Mayor

Minutes approved as presented: October 7, 2015