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**APPROVED BY COUNCIL
FEBRUARY 10, 2016**

FINAL ACTION AGENDA/MINUTES

**Village of Estero
21500 Three Oaks Parkway
Estero, FL 33928
Village Council Regular Meeting
January 20, 2016 10:00 a.m.**

1. CALL TO ORDER: 10:01 a.m.

2. INVOCATION: Offered by Pastor Mark Goodman from Christ Community Ministries.

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

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

4. APPROVAL OF AGENDA:

Motion: Move to approve the agenda.

Motion by: Councilmember Ribble

Seconded by: Councilmember Brown

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

5. CONSENT AGENDA:

(A) Approval of Minutes

(1) January 6, 2016 Regular Meeting

(2) January 6, 2016 Workshop

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Ribble

Seconded by: Councilmember Errington

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

6. COUNCIL BUSINESS:

- (A) Second Reading and Public Hearing: Ordinance No. 2016-01 An Ordinance of the Village Council of the Village of Estero, Florida, Approving the Third Budget Amendment for Fiscal Year 2015-2016; and Providing an Effective Date - for the record, the notice was published pursuant to Florida statutes

Village Clerk Hall read the title of Ordinance No. 2016-01. Village Manager Sarkozy provided a brief explanation regarding the ordinance that provided additional appropriations to the Village Hall Capital Outlay in the 2015-2016 budget funding from supplemental appropriations due to the preliminary estimates for the Village Hall occupancy costs potentially requiring additional funding in the amount of \$200,000.

Public Comment: None.

Motion: Move to adopt Ordinance No. 2016-01.

Motion by: Councilmember Wilson

Seconded by: Councilmember Ribble

Action: Adopted Ordinance No. 2016-01.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (B) First Reading: Ordinance No. 2016-02 A Zoning Ordinance of the Village Council of the Village of Estero, Florida; Rezoning 1.36 Acres Located at 21700 S. Tamiami Trail, from Mixed Planned Development to Commercial Planned Development, for the Development of up to 15,000 Square Feet of Commercial Uses, Including Fast Food, and Including Conditions of Development; Approving Certain Deviations; Providing for Conflict; Providing for Severability; and Providing an Effective Date

Questions or Comments by: Vice Mayor Levitan.

Motion: Move to continue this item to a date when the staff report is available.

Motion by: Vice Mayor Levitan

Seconded by: Councilmember Wilson

Questions or Comments by: Vice Mayor Levitan, Councilmembers Errington, Boesch, Wilson and Mayor Batos.

Action: Continued this item to a date when the staff report is available.

Vote:

Aye: Unanimous

Nay:

Abstentions:

(C) Annual Adoption of Council Appointments

Village Manager Sarkozy provided an explanation of the appointments list, which had been discussed with each Councilmember. He noted that the list would also be included in the Council Rules of Procedure.

Public Comment: None.

Motion: Move to approve the Council Appointments list.

Motion by: Councilmember Errington

Seconded by: Councilmember Wilson

Questions or Comments by: Councilmember Wilson and Mayor Batos.

Action: Approved the Council Appointments list.

Vote:

Aye:

Nay:

Abstentions:

(D) Suspend Bidding Procedure and Adopt as an Emergency Action, Securing a Consulting Traffic Engineer for Studies on Coconut Road

Village Manager Sarkozy reviewed discussion from a previous Council meeting regarding engaging an engineer to perform a traffic study on Coconut Road; a proposal was received from Trebilcock Consulting Solutions in the amount of \$16,500. Discussion followed related to the Florida Consultant's Competitive Negotiation Act and the Village purchasing ordinance.

Public Comment: None.

Motion: Move to approve the proposal from Trebilcock Consulting Solutions and waive the competitive bidding procedures outlined in the Village purchasing ordinance.

Motion by: Councilmember Ribble
Seconded by: Councilmember Errington

Action: Approved the proposal from Trebilcock Consulting Solutions and waived the competitive bidding procedures outlined in the Village purchasing ordinance.

Vote:
Aye: Unanimous
Nay:
Abstentions:

8. PUBLIC INPUT ON NON-AGENDA ITEMS:

None.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Vice Mayor Levitan provided an update regarding the Village Center and spoke regarding the recent workshop presented by Bill Spikowski; Village Comprehensive Plan amendments process; and developers that have requested concurrent approvals.

Councilmember Brown provided an update regarding the Lee Memorial Health System binding arbitration.

Councilmember Errington offered appreciation to the Village Manager, Community Development Director, and staff; noted that it would be helpful for the Planning and Zoning Board to participate in the zoning hearing process; and wanted to make certain that the public was aware of new developments. Note: at the February 10, 2016 meeting, Councilmember Errington clarified that she did not agree with Planning and Zoning Board Members commenting during the Council zoning hearing presentation.

Councilmember Boesch reminded Council of the upcoming grand opening for Hertz.

10. VILLAGE ATTORNEY COMMENTS:

Village Attorney Saunders provided updates regarding the charter amendment and the fracking Bill.

11. VILLAGE MANAGER COMMENTS:

Village Manager Sarkozy provided copies of a summary of public comments received at the January 12, 2016 Village Center Master Planning Process public forum and spoke to the next steps involved. He also reported that he authorized a permanent part-time position to assist the Finance Director, in order to address an audit flag regarding segregation of duties.

A motion to adjourn was made and duly passed.

12. ADJOURN: 10:37 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: *Kathy Hall*
Kathy Hall, MMC
Village Clerk

By: *Nicholas Batos*
Nicholas Batos
Mayor