

This Final Action Agenda/Minutes is supplemented by electronic recordings of the meeting, which may be reviewed upon request to the Village "Clerk. Staff reports, resolutions, ordinances, and other documents related to this meeting are available at <https://estero-fl.gov/agendas/> at the corresponding agenda date.

**APPROVED BY COUNCIL
APRIL 6, 2016**

FINAL ACTION AGENDA/MINUTES

**Village of Estero
21500 Three Oaks Parkway
Estero, FL 33928
Village Council Regular Meeting
March 16, 2016 10:00 a.m.**

1. CALL TO ORDER: 10:00 a.m.

2. PLEDGE OF ALLEGIANCE: Led by Mayor Batos.

3. INVOCATION: Offered by Pastor Doug Warren from Gulf Coast Presbyterian Church.

4. ROLL CALL: 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 (excused absence).

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Village Clerk Kathy Hall, and Community Development Director Mary Gibbs.

5. APPROVAL OF AGENDA:

Motion: Move to approve the agenda.

Motion by: Councilmember Ribble
Seconded by: Councilmember Boesch

Action: Approved the agenda.

Vote:

Aye: Unanimous (Councilmember Brown absent)

Nay:

Abstentions:

6. CONSENT AGENDA:

- (A) Approval of Minutes
 - (1) February 10, 2016 Regular Meeting
 - (2) February 24, 2016 Regular Meeting
 - (3) February 24, 2016 Workshop
 - (4) March 2, 2016 Workshop

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Errington

Seconded by: Councilmember Wilson

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous (roll call; Councilmember Brown absent)

Nay:

Abstentions:

7. COUNCIL BUSINESS:

- (A) Phil Flood, Intergovernmental and Community Outreach Representative-Principal, South Florida Water Management District

Due to difficulties with the meeting room equipment, the presentation will be rescheduled.

- (B) Comprehensive Annual Financial Report for the Nine Months Ended September 30, 2015

Village Manager Sarkozy introduced Martin Redovan of CliftonLarsonAllen LLP.

Mr. Redovan provided an explanation of the independent auditors' report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards*. Discussion included the scope of the testing on internal control and compliance, and the result of the testing.

Questions or Comments by: Councilmembers Wilson and Boesch.

Public Comment: None.

Motion: Move to accept the report.

Motion by: Councilmember Wilson

Seconded by: Councilmember Ribble

Action: Accepted the report.

Vote:

Aye: Unanimous (roll call vote; Councilmember Brown absent)

Nay:

Abstentions:

- (C) Resolution No. 2016-06 A Resolution of the Village Council of the Village of Estero, Florida, Accepting the Hertz Corporate Center Replat; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2016-06 and Community Development Director Gibbs provided a brief explanation.

Questions or Comments by: None.

Public Comment: None.

Motion: Move to adopt Resolution No. 2016-06.

Motion by: Councilmember Boesch

Seconded by: Councilmember Ribble

Questions or Comments by: Mayor Batos suggested that resolutions accepting plats be placed on the consent agenda in the future.

Action: Adopted Resolution No. 2016-06.

Vote:

Aye: Unanimous (roll call vote; Councilmember Brown absent)

Nay:

Abstentions:

- (D) First Reading: Ordinance No. 2016-03 An Ordinance of the Village Council of the Village of Estero, Florida, Providing for Councilmember Compensation; Providing for Severability; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-03.

Questions or Comments by: Mayor Batos.

Public Comment:

William Williams

Charles Dauray

Wayne Smith

Jim Sheehy
Vicki Olson
Don Eslick, ECCL

Motion: Move to approve first reading of Ordinance No. 2016-03 and set second reading for April 6, 2016.

Motion by: Vice Mayor Levitan
Seconded by: Councilmember Ribble

Action: Approved first reading of Ordinance No. 2016-03 and set second reading for April 6, 2016.

Vote:
Aye: Unanimous (roll call vote; Councilmember Brown absent)
Nay:
Abstentions:

(E) Update on Village Center Planning Process

Village Manager Sarkozy provided background information and explanation, and noted that the intent was to submit some revisions to the Comprehensive Plan and Framework Plan.

Community Development Director Gibbs provided explanation of Framework Plan map revisions; vested rights language revisions; land use category renamed from Central Estero to Village Center; and density ranges increased for each Tier. She indicated that the Planning and Zoning Board would be reviewing and making a recommendation to Council and that the transmittal hearing had been scheduled before the Village Council for March 30.

Questions or Comments by: Mayor Batos, Vice Mayor Levitan, and Councilmember Errington. Comments addressed concerns received regarding form-based code. Vice Mayor Levitan provided an explanation regarding comprehensive plan, land use map, and density.

Public Comment:

Don Eslick, ECCL

(F) Raptor Bay Update

Community Development Director Gibbs spoke to the question raised at a recent Council meeting whether the Pelican Landing DRI was subject to jurisdiction of the Village. A memorandum from Nancy Stroud, Land Use Counsel, indicated that the DRI was subject to Village jurisdiction by virtue of Charter legislation and that the developer must submit to the Village an application to amend the golf course open space to residential development.

Motion: Move that staff prepare a letter for builder WCI, to inform them that they need to come before Estero's Planning and Zoning Board, as Estero has jurisdiction with their DRI.

Motion by: Councilmember Ribble
Seconded by: Councilmember Wilson

Questions or Comments by: Vice Mayor Levitan and Village Attorney Saunders.

Public Comment: None.

Action: Directed staff to prepare a letter for builder WCI, to inform them that they need to come before Estero's Planning and Zoning Board, as Estero has jurisdiction with their DRI.

Vote:

Aye: Unanimous (roll call vote; Councilmember Brown absent)

Nay:

Abstentions:

8. PUBLIC INPUT ON NON-AGENDA ITEMS:

Appearance by:

Ronald Chaney, Broadway Avenue W resident, addressed concern regarding a ditch and culvert that was not being kept clear. Community Development Director Gibbs indicated that Code Enforcement would review the situation.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmember Ribble provided an update regarding the furniture in the new Village Hall. He also spoke regarding the second-hand chairs that had been acquired; there were 20 extra chairs that he suggested donating to a 501(c)(3) organization. He noted that an open house event for the new Village Hall had been scheduled for April 13, 2016.

Motion: Move to direct staff to find a 501(c)(3) organization and donate the 20 extra chairs.

Motion by: Councilmember Ribble
Seconded by: Councilmember Errington

Action: Directed staff to find a 501(c)(3) organization and donate the 20 extra chairs.

Vote:

Aye: Unanimous (roll call vote; Councilmember Brown absent)

Nay:

Abstentions:

Vice Mayor Levitan conveyed appreciation to Councilmember Ribble on his efforts in making the new Village Hall a showplace for the community.

Councilmember Errington provided reports regarding meetings and events attended, including a half-day event regarding open government and sunshine laws. She also suggested inviting representatives from the Conservancy of Southwest Florida, as well as Jim Beever, SW Florida Regional Planning Council, to upcoming Council meetings to present information regarding Lake Okeechobee and red tide.

Councilmember Boesch reported that he met with residents regarding the community entrance to Villa Palmeras, and indicated that the residents would need to address their concerns to Commissioner Kiker, as Three Oaks Parkway was a County road. He also spoke regarding Bills that were recently passed by the Legislature.

Councilmember Wilson spoke regarding a list, published in the *News Press*, of local projects in the proposed State budget that he will provide to the Village Attorney and Village Manager. He offered congratulations to the newly elected officials in Bonita Springs and Fort Myers Beach. He also noted that he was continuing to meet with the East Corkscrew Alliance.

Mayor Batos reported that he met with approximately six groups, and had another six scheduled, regarding the state of the Village. He announced that he accepted, on behalf of the entire Council, the Paul Harris Fellow Award from the Rotary Club.

10. VILLAGE ATTORNEY COMMENTS:

Village Attorney Saunders stated that he planned to provide a detailed report regarding legislative issues in a few weeks. He also spoke to the possibility of two conflicts that he would be requesting a waiver: Rusty's Raw Bar and Grill and a vacation of a roadway easement. Brief discussion followed.

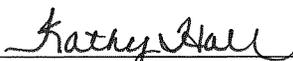
11. VILLAGE MANAGER COMMENTS:

Village Manager Sarkozy provided an update regarding upcoming agenda items, including interviewing the Planning and Zoning Board and Design Review Board applicants. He noted that the next Council meeting would be in the Council Chambers of the new Village Hall.

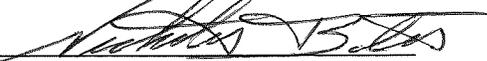
A motion to adjourn was duly made and seconded.

12. ADJOURN: 11:30 a.m.

ATTEST:

By: 
Kathy Hall, MMC
Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: 
Nicholas Batos
Mayor