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**APPROVED BY COUNCIL
MAY 4, 2016**

FINAL ACTION AGENDA/MINUTES

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
Village Council Regular Meeting
April 6, 2016 9:30 a.m.**

1. CALL TO ORDER: 9:30 a.m.

2. PLEDGE OF ALLEGIANCE: Led by Mayor Batos.

3. INVOCATION: Pastor not available.

4. 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 Clerk Kathy Hall, Community Development Director Mary Gibbs, and Finance Director Lisa Pace.

5. APPROVAL OF AGENDA:

Motion: Move to approve the agenda.

Motion by: Councilmember Ribble

Seconded by: Councilmember Errington

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

6. CONSENT AGENDA:

(A) Approval of Minutes

(1) March 9, 2016 Zoning Hearing

(2) March 16, 2016 Regular Meeting

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Boesch

Seconded by: Councilmember Wilson

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

7. COUNCIL BUSINESS:

(A) Presentation: Dale Barstow, Municipal Code Corporation - Code of Ordinances

Village Manager Sarkozy provided a brief introduction and noted that this would be a labor intensive, long term project.

Dale Barstow, Vice President of Sales, provided background of Municipal Code Corporation and an explanation of the options available for conversion and online posting of Code of Ordinances.

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

Discussion included conversion of the Lee County code; the length of the process; online hosting of Code of Ordinances; code enforcement; and the magistrate process.

Public Comment: None.

Mayor Batos indicated that the Village Manager would be coordinating the codification process.

(B) Land Development Code Amendments Discussion

Community Development Director Gibbs provided an overview of the process, noted that the Comprehensive Plan transmittal was shipped yesterday, April 5, 2016, the latest amendments to Land Development Code were developed by the consultant, and contained greater detail than the Comprehensive Plan. Ms. Gibbs provided brief details related to pattern books; density; overlays; new zoning district; standards to be outlined; tiers; graphics; visual aspects; and flexibility.

Community Development Director Gibbs spoke briefly regarding the upcoming schedule, noting that dates would depend upon comments being submitted by the State.

Questions or Comments by: Mayor Batos and Councilmember Errington.

Discussion included density and the working group.

Public Comment:

Jim Wallace, Genova

(C) Capital Improvement Program Discussion

Village Manager Sarkozy made a brief introduction and invited Council to provide specific projects that staff could help refine and the process going forward.

Finance Director Pace supplied a handout entitled “Village of Estero Capital Program Fiscal Year 2016-2017” and provided page-by-page explanations, noting specific use restrictions.

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

Discussion included partnering with the State on projects; parks improvements; early public involvement with the process; and the possibility of obtaining information regarding outstanding Development Orders.

Input on specific projects:

Councilmember Brown: Estero Parkway sidewalks, roads, resurfacing, paving, lighting, bike paths

Councilmember Errington: Landscaping city wide, medians and shoulders, from Corkscrew north, as well as Estero Parkway and Three Oaks Parkway; boardwalk alongside the river

Vice Mayor Levitan: River access and Village-wide bike trail study

Councilmember Wilson: Create sinking fund for the Village portion of widening Corkscrew Road, from Ben Hill Griffin to at least Bella Terra; land acquisition funds

Mayor Batos: Gateway signs; repaving entire Village

Councilmember Ribble: Entrance to Corkscrew Palms Circle

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

Discussion included disagreement regarding listing county roads; bonding for road improvements; process of taking over county roads; and ownership along Trailside Drive.

Mayor Batos asked that staff prepare the project list and distribute to the Council for further comment and additions.

Public Comment:

Scott Vanderbrook, Chief, Estero Fire Rescue
Beverly MacNellis, representing Estero Community Improvement Foundation and Estero Historic Preservation Citizens Committee
Don Eslick, ECCL
Gary Israel, Stoneybrook

(D) Council Rules of Procedure

Village Attorney Saunders provided a brief explanation of the Council rules and noted that Land Use Counsel Nancy Stroud provided input regarding the quasi-judicial portion of the rules.

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

Discussion included opportunity to re-read and provide additional comments; executive sessions; and agenda packets. Mayor Batos asked that further comments be forwarded to the Village Attorney or Village Manager.

(E) Second Reading and Public Hearing: 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 Manager Sarkozy introduced and the Village Clerk read the title of Ordinance No. 2016-03.

Questions or Comments by: Mayor Batos requested that a public survey be conducted.

Public Comment:

Representative Ray Rodrigues provided copies of a survey that he commissioned through Clearview Research, as an Estero resident and champion of incorporation, and requested that the question of Council compensation be placed on the ballot for a Charter amendment.

William Williams and Vicki Olson offered support of the ordinance.

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

Discussion ensued regarding the survey presented by Representative Rodrigues.

Motion: Move to adopt Ordinance No. 2016-03.

Motion by: Councilmember Boesch

Seconded by: Councilmember Wilson

Questions or Comments by: Vice Mayor Levitan addressed the numerous incorporation meetings and drafting the Charter.

Action: Adopted Ordinance No. 2016-03.

Vote:

Aye: Councilmembers Ribble, Errington, Boesch, Wilson and Vice Mayor Levitan

Nay: Councilmember Brown and Mayor Batos

Abstentions:

The meeting went into recess at 11:45 a.m. and reconvened at noon.

(F) Planning and Zoning Board and Design Review Board Interviews

Applicant Interviewed:

Barry Jones

Questions or Comments by: Vice Mayor Levitan addressed absences.

(G) Board Members and Chairman Appointments

(1) Resolution No. 2016-07 A Resolution of the Village Council of the Village of Estero, Florida, Repealing Resolution No. 2015-23; Confirming the Membership and Appointing Additional Board Members to the Planning and Zoning Board; Confirming and Establishing Terms; and Providing an Effective Date

Vice Mayor Levitan spoke briefly regarding his role as liaison to the Boards and the questions posed to the applicants.

Motion: Move to adopt Resolution No. 2016-07, appoint Marlene Naratil to a three-year term; move James Tatoes from Design Review Board to Planning and Zoning Board to a three-year term, replacing Ryan Binkowski; appoint Anthony Gargano to a three-year term; appoint David Crawford to a one-year term, replacing Jeff Maas; and appoint Scotty Wood as Chairman.

Motion by: Vice Mayor Levitan

Seconded by: Councilmember Ribble

Questions or Comments by: Councilmember Boesch inquired regarding one-year Chairman rotation.

Action: Adopted Resolution No. 2016-07 with the following Board Members and terms:

	<u>Board Member</u>	<u>Term</u>
1.	<u>David Crawford</u>	4/24/2015 – 3/31/2017
2.	<u>Anthony Gargano</u>	4/06/2016 – 3/31/2017
3.	<u>Roger Strelow</u>	4/24/2015 – 3/31/2018
4.	<u>Ned Dewhirst</u>	4/24/2015 – 3/31/2018
5.	<u>Leonard “Scotty” Wood III, Chairman</u>	4/24/2015 – 3/31/2018
6.	<u>James Tatoes</u>	4/06/2016 – 3/31/2019
7.	<u>Marlene Naratil</u>	4/06/2016 – 3/31/2019

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (2) Resolution No. 2016-08 A Resolution of the Village Council of the Village of Estero, Florida, Repealing Resolution No. 2015-24 and Resolution No. 2015-39; Confirming the Membership and Appointing Additional Board Members to the Design Review Board; Confirming and Establishing Terms; and Providing an Effective Date

Vice Mayor Levitan stated that he had contacted Gerald Simons regarding absenteeism. Mr. Simons agreed that the Village may need someone that was available full time and he would not seek reappointment at this time; however, would like to be considered in the future.

Motion: Move to adopt Resolution No. 2016-08, reappoint Al O’Donnell to a two-year term; reappoint Joe McHarris to a two-year term; appoint William Glass and Anu Lacis to two-year terms; reappoint Barry Jones to a one-year term, replacing Gerald Simons; and appoint Joe McHarris as Chairman.

Motion by: Vice Mayor Levitan

Seconded by: Councilmember Ribble

Action: Adopted Resolution No. 2016-08 with the following Board Members and terms:

	<u>Board Member</u>	<u>Term</u>
1.	<u>W. Scott Anderson</u>	7/01/2015 – 3/31/2017
2.	<u>William Prys</u>	4/24/2015 – 3/31/2017
3.	<u>Patty Whitehead</u>	4/24/2015 – 3/31/2017
4.	<u>Barry Jones</u>	4/06/2016 – 3/31/2017
5.	<u>Albert O’Donnell</u>	4/06/2016 – 3/31/2018
6.	<u>Joe McHarris, Chairman</u>	4/06/2016 – 3/31/2018
7.	<u>William Glass</u>	4/06/2016 – 3/31/2018
8.	<u>Anu Lacis</u>	4/06/2016 – 3/31/2018

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

8. PUBLIC INPUT ON NON-AGENDA ITEMS:

None.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmember Ribble provided an update regarding the Council Chambers audio/video installation and the exterior sign.

Vice Mayor Levitan suggested holding a Council meeting on April 20, 2016, which was originally scheduled as a zoning hearing date.

Councilmember Errington provided a brief report regarding several meetings that she attended on behalf of the Council.

Councilmember Boesch spoke about the newly-elected Bonita Springs Council and suggested inviting them to a meet and greet. Village Attorney Saunders noted that an informal meeting would be allowed, provided it was advertised.

Councilmember Wilson conveyed appreciation to the Village Manager regarding the letter to Commissioner Kiker addressing the road project priorities.

Mayor Batos spoke briefly regarding an upcoming meeting with the Bonita Springs Mayor.

10. VILLAGE ATTORNEY COMMENTS:

None.

11. VILLAGE MANAGER COMMENTS:

Village Manager Sarkozy and Community Development Director Gibbs spoke briefly regarding two reports: Building Permit Reports and Code Compliance Case Summary.

Questions or Comments by: Vice Mayor Levitan, Councilmember Errington, and Mayor Batos.

A motion to adjourn was duly made and passed.

12. ADJOURN: 12:36 p.m.

ATTEST:

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: Nicholas Batos
Nicholas Batos, Mayor