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**DRAFT**

**FINAL ACTION AGENDA/MINUTES**

**VILLAGE COUNCIL MEETING**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
July 10, 2019 9:30 a.m.**

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

**PLEDGE OF ALLEGIANCE:** Led by Councilmember Levitan.

**INVOCATION:** Pastor Mark Goodman from Christ Community Ministries.

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

Also present: Village Attorney Burt Saunders, Assistant to Village Manager Kyle Coleman, Public Works Director David Willems, Finance Director Lisa Roberson, Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

**2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:**

**Motion:** Move to approve the agenda with the following revisions: 1) Pull Agenda Item 8 (a) First Reading of Ordinance No. 2019-26 and bring back on a future agenda date to be determined by the Village Manager; 2) Pull Agenda Item 4 (c) from Consent Agenda for discussion under Agenda Item 5; 3) Pull Agenda Item 6 (b) Resolution No. 2019-08 Adopting the Village of Estero Bicycle and Pedestrian Master Plan Bike and bring back in an interactive workshop, date to be determined by the Village Manager; and 4) Address Agenda Item 6 (d) Florida Gulf Coast University (FGCU) Estero River Monitoring Contract at the beginning of Action Items.

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember Boesch

**Action:** Approved the agenda with revisions.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

**3. PUBLIC COMMENT ON NON-AGENDA ITEMS:** None.

**4. CONSENT AGENDA:**

**(a)** Financial Report for Month Ended June 30, 2019

**(b)** June 26, 2019 Council Meeting Minutes

**(c)** First Reading of Ordinances Amending/Repealing Lee County Regulations

**Public Comment:** None.

**Motion:** Move to approve the Consent Agenda, pulling Agenda Item 4 (c) First Reading of Ordinances Amending/Repealing Lee County Regulations for discussion under Agenda Item (5).

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember Boesch

**Action:** Approved the Consent Agenda, pulling Agenda Item 4 (c) First Reading of Ordinances Amending/Repealing Lee County Regulations for discussion under Agenda Item (5).

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

**5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA**

**4 (c)** First Reading of Ordinances Amending/Repealing Lee County Regulations

**Questions or Comments:** Councilmembers Batos, Levitan, Wilson, McLain, and Vice Mayor Errington.

Titles of Ordinances No. 2019-14 through 2019-20 were read by Village Clerk Hall.

**Motion:** Move to pass first reading of Ordinances No. 2019-14 through 2019-20 and schedule second reading and public hearings for October 2, 2019.

**Motion by:** Councilmember Wilson  
**Seconded by:** Councilmember McLain

**Action:** Passed first reading of Ordinances No. 2019-14 through 2019-20 and schedules second reading and public hearings for October 2, 2019.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

## 6. ACTION ITEMS:

**Note:** Agenda Item 6 (d) was addressed first.

- (a) Cape Coral Police Department Request for Letter of Support for Edward Byrne Memorial Justice Assistance Grant (JAG) Program

**Staff Presentation/Comments:** Kyle Coleman, Assistant to Village Manager.

**Questions or Comments:** Councilmembers Levitan and Batos.

Shannon Northorp representing Cape Coral Police Department provided further information regarding the Assistance Grant Program.

**Public Comment:** None.

**Motion:** Move to authorize the Village Manager to sign the letter of support to Ms. Rona Kay Cradit, Bureau Chief, Office of Criminal Justice Grants, Florida Department of Law Enforcement.

**Motion by:** Councilmember Levitan  
**Seconded by:** Councilmember McLain

**Questions or Comments:** Councilmembers Levitan and Batos.

**Action:** Authorized the Village Manager to sign the letter of support to Ms. Rona Kay Cradit, Bureau Chief, Office of Criminal Justice Grants, Florida Department of Law Enforcement.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

- (b) Resolution No. 2019-08 A Resolution of the Village Council of the Village of Estero, Florida, Adopting the Village of Estero Bicycle and Pedestrian Master Plan; and Providing an Effective Date

Agenda Item was pulled from the agenda to be scheduled for a future workshop, date to be determined by the Village Manager.

- (c) Design and Permitting Services for Coconut Road Crosswalks and Drainage Improvements CN 2018-05

**Staff Presentation/Comments:** David Willems, Public Works Director.

**Questions or Comments:** Mayor Ribble.

**Public Comment:** None.

**Motion:** Move to: 1) Approve the contract with Kisinger Campo & Associates, Corp. to provide professional engineering services to proceed with the design and permitting services work required for the Coconut Road Crosswalks and Drainage Improvements. 2) Authorize the Village Manager to execute the contract on behalf of the Village of Estero Council.

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember Batos

**Action:** 1) Approved the contract with Kisinger Campo & Associates, Corp. to provide professional engineering services to proceed with the design and permitting services work required for the Coconut Road Crosswalks and Drainage Improvements. 2) Authorized the Village Manager to execute the contract on behalf of the Village of Estero Council.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

- (d) Florida Gulf Coast University (FGCU) Estero River Monitoring Contract

**Note:** This topic was addressed prior to Agenda Item 6 (a).

**Presentation by:** Dr. Greg Tolley, Professor of Marine Science and Chair of the Department of Marine and Ecological Sciences at Florida Gulf Coast University.

**Staff Presentation/Comments:** David Willems, Public Works Director.

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

**Public Comment:**

Joe Miceli, Rookery Pointe

**Motion:** Move to: 1) Approve the contract with FGCU to provide water quality monitoring and bacteria/nutrient source identification services. 2) Authorize the Village Manager to execute the contract on behalf of the Village of Estero Council.

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember McLain

**Action:** 1) Approved the contract with FGCU to provide water quality monitoring and bacteria/nutrient source identification services. 2) Authorized the Village Manager to execute the contract on behalf of the Village of Estero Council.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

(e) Consultant to Provide Project Management and Engineering Support Services

**Staff Presentation/Comments:** David Willems, Public Works Director

**Questions or Comments:** Mayor Ribble and Councilmembers Levitan, McLain, Boesch, and Vice Mayor Errington.

**Public Comment:** None.

**Motion:** Move to: 1) Approve the contract with CW3 Engineering, Inc. for the engagement of a consultant to fill the role of Public Works Project Manager. 2) Authorize the Village Manager to execute an agreement on behalf of the Village of Estero Council.

**Motion by:** Councilmember Wilson

**Seconded by:** Vice Mayor Errington

**Action:** 1) Approved the contract with CW3 Engineering, Inc. for the engagement of a consultant to fill the role of Public Works Project Manager. 2) Authorized the Village Manager to execute an agreement on behalf of the Village of Estero Council.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

**7. PUBLIC HEARING:**

- (a)** Proposed Capital Improvement Program

**Staff Presentation/Comments:** Lisa Roberson, Finance Director and David Willems, Public Works Director.

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

**Public Comment:**

Bill Carr, Riverwoods

**Motion:** Move to second public hearing; staff to include revisions in the document.

**Motion by:** Councilmember Wilson

**Seconded by:** Councilmember Levitan

**Action:** Moved to second public hearing; staff to include revisions in the document.

**Vote:** (Roll call)

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

**Nay:**

**Abstentions:**

**8. FIRST READING OF ORDINANCE:**

- (a)** Ordinance No. 2019-26 An Ordinance of the Village Council of the Village of Estero, Florida, Providing for the Authority to Establish Special Assessments; Establishing Procedures, Imposition and Collection of Special Assessments; Authorizing the Issuance of Obligations Secured by Such Assessments; Providing for Severability; Providing for Codification; and Providing for an Effective Date

Agenda item was pulled from the agenda to be rescheduled at the discretion of the Village Manager.

**9. PUBLIC COMMENT ON NON-AGENDA ITEMS:** None.

**10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:**

Councilmembers addressed: 1) a recent meeting that the Vice Mayor conducted regarding Estero River water issues; 2) liaison responsibilities; 3) future workshop idea regarding a voter referendum to approve a millage for the purpose of acquiring and managing environmentally sensitive lands for protection of water resources, wildlife, and public open space in perpetuity; 4) a library program providing books to children; and 5) recent comments made by the Lee County Hearing Examiner regarding approval of the Troyer Mines. There was not a consensus to hold the suggested workshop.

**11. VILLAGE ATTORNEY’S REPORT:**

Village Attorney Saunders addressed a public hearing related to a code enforcement lien reduction that will be scheduled at the recommendation of the Hearings Officer.

**12. VILLAGE MANAGER’S REPORT:** None.

The meeting went into recess at 11:27 a.m. and reconvened at 11:38 a.m.

**Adjourn Regular Session and Convene Workshop**

**13. WORKSHOP ITEMS:**

(a) Presentation of Proposed Budget for Fiscal Year 2019-2020

**Staff Presentation/Comments:** Lisa Roberson, Finance Director.

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

**Public Comment:** None.

A motion to adjourn was made and duly passed.

**14. ADJOURNMENT:** 11:56 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_  
Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
Bill Ribble, Mayor