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AGENDA

VILLAGE COUNCIL MEETING

9401 Corkscrew Palms Circle, Estero, Florida

October 2, 2019 9:30 a.m.

Village Council: District 1 – Bill Ribble, Mayor; District 2 – Howard Levitan; District 3 – Jon McLain; District 4 – Katy Errington, Vice Mayor; District 5 – James Boesch; District 6 – Nick Batos; District 7 – Jim Wilson

1. CALL TO ORDER: 9:30 am

INVOCATION: Pastor Nicholas Weston - River of Life Assembly of God

PLEDGE OF ALLEGIANCE

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

Also present: Village Manager Steve Sarkozy, 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 Deputy Clerk Tammy Duran

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve agenda

Motion by: Councilmember Levitan

Seconded by: Vice Mayor Errington

Action: Approve agenda

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

Jack Meeker, Copperleaf

4. CONSENT AGENDA:

- (a) Financial Report for Month Ended August 31, 2019
- (b) September 18, 2019 and September 25, 2019 Council Meeting Minutes

A motion to approve the consent agenda was made and duly passed.

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA: None

6. ACTION ITEMS:

- (a) Resolution No. 2019-21 A Resolution of the Village of Estero, Florida, Establishing a Fee for Electronic Document Filing; and Providing an Effective Date

Staff Presentation/Comments: Village Manager Sarkozy; Village Deputy Clerk Duran read the resolution in its entirety. Community Development Director Mary Gibbs

Public Comment: None.

Council Comments/Questions:

Motion: Motion to adopt Resolution No. 2019-14 with an effective date of September 1, 2019.

Motion by: Councilmember Boesch
Seconded by: Councilmember McLain

Action: Approved Resolution No. 2019-14

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

7. SECOND READINGS/ PUBLIC HEARINGS OF ORDINANCES:

- (a) Ordinance No. 2019-28 An Ordinance of the Village Council of the Village of Estero, Florida, Approving Updates to the Capital Improvements Element to Update the Capital Improvements Schedule for Fiscal Year 2019/2020 and Adopt the Most Recent Lee County School District Capital Improvement Plan; Providing for Conflict; Providing for Severability; and Providing an Effective Date

Staff Presentation/Comments: Village Manager Sarkozy; Village Deputy Clerk Duran read the ordinance in its entirety. Community Development Director Mary Gibbs

Public Comment: None.

Council Comments/Questions: Councilmembers Wilson, Boesch, and Mayor Ribble

Motion: Motion to approve Ordinance No. 2019-28.

Motion by: Councilmember Wilson

Seconded by: Councilmember Batos

Action: Approved Ordinance No. 2019-28

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

(b) Ordinances Amending and Repealing Inapplicable Lee County-only Regulations

Staff Presentation/Comments: Village Manager Sarkozy; Village Deputy Clerk Duran read the ordinances in its entirety, Village Attorney Saunders, Community Development Director Gibbs

(1) Ordinance No. 2019-14 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Gas Franchise Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions: None

Motion: Motion to approve Ordinance No. 2019-14.

Motion by: Councilmember Levitan

Seconded by: Councilmember Boesch

Action: Approved Ordinance No. 2019-14

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

Ordinance No. 2019-15 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Solid Waste Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions:

Motion: Motion to approve Ordinance No. 2019-15.

Motion by: Councilmember Batos

Seconded by: Vice Mayor Errington

Action: Approved Ordinance No. 2019-15

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (2) Ordinance No. 2019-16 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Lobbyist Provisions of the Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions: Councilmember McLain.

Motion: Motion to approve Ordinance No. 2019-16.

Motion by: Councilmember Wilson

Seconded by: Councilmember Levitan

Action: Approved Ordinance No. 2019-16

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (3) Ordinance No. 2019-17 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Mobile Homes Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions: None

Motion: Motion to approve Ordinance No. 2019-17.

Motion by: Vice Mayor Errington

Seconded by: Councilmember Boesch

Action: Approved Ordinance No. 2019-17

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (4) Ordinance No. 2019-18 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Motor Vehicles and Traffic Provisions of the Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions: None

Motion: Motion to approve Ordinance No. 2019-18 with the correction on line #1311 leaving the word sheriff in.

Motion by: Councilmember McLain

Seconded by: Councilmember Batos

Action: Approved Ordinance No. 2019-18 with correction.

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (5) Ordinance No. 2019-19 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Special Events Permitting Provisions of the Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions: Council Member Levitan, Vice Mayor Errington, and Mayor Ribble

Motion: Motion to approve Ordinance No. 2019-19.

Motion by: Vice Mayor Errington

Seconded by: Councilmember Boesch

Action: Approved Ordinance No. 2019-19

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:
Abstentions:

- (7) Ordinance No. 2019-20 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Noise Control Provisions of the Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None.

Council Comments/Questions: Council Members Boesch, Levitan, Vice Mayor Errington, and Mayor Ribble

Motion: Motion to approve Ordinance No. 2019-20.

Motion by: Councilmember Levitan

Seconded by: Councilmember Wilson

Action: Approved Ordinance No. 2019-2020

Vote:

Aye: Council Members Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:
Abstentions:

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

9. **COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS**

Council Questions/Comments: Councilmembers Wilson, Batos, Boesch, Levitan, Vice Mayor Errington, and Mayor Ribble

10. **VILLAGE ATTORNEY'S REPORT:** None

11. **VILLAGE MANAGER'S REPORT**

12. **WORKSHOP ITEMS:**

(a) Commercial PACE Program

Staff Presentation/Comments: Village Manager Sarkozy

Presentation by:

Mike Lingins
Ryan Bartkus
Jeff Baise

Council Questions and Concerns: Councilmembers Levitan, McLain, Wilson, Batos, Vice Mayor Errington, and Mayor Ribble

Public Comment

Jamie C Grofik – Coconut Point

(b) US-41 Beautification Grant Update

Staff Presentation/Comments: Village Manager Sarkozy; Public Works Director Willems

Council Questions and Concerns: Councilmembers Levitan, Boesch, McLain, Wilson, Batos, Vice Mayor Errington, and Mayor Ribble

13. ADJOURNMENT 11:36 am.

If you desire to address the Council, please complete a Public Comment Card and return it to the Village Clerk. Citizens desiring to speak must step up to the podium, state their full name and address, and whom he or she represents.

ADA Assistance – Anyone needing special assistance at the Board meeting due to a disability or physical impairment should contact Village Clerk Kathy Hall, 239-221-5033, at least 48 hours prior to the meeting.

Pursuant to Section 286.0105, Florida Statutes:

“If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a recording of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”