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**APPROVED BY COUNCIL  
MAY 3, 2017**

## **FINAL ACTION AGENDA/MINUTES**

**Village of Estero  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
Village Council Meeting  
April 19, 2017 9:30 a.m.**

- 1. OPENING EXERCISES:** (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, and ceremonial presentations)

**Call to Order:** 9:30 a.m.

**Pledge of Allegiance:** Led by Mayor Boesch.

**Invocation:** Pastor Nolen Rollins from Legacy Church.

**Roll Call:** Present: Mayor Jim Boesch - District 5, Vice Mayor Bill Ribble, District 1, Councilmember Howard Levitan - District 2, Councilmember Katy Errington - District 4, Councilmember Nick Batos - District 6, and Councilmember Jim Wilson - District 7. Absent: Councilmember Donald Brown, District 3, excused absence.

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Assistant to Village Manager Kyle Coleman, Village Clerk Kathy Hall, Finance Director Lisa Roberson, and Development Review Manager Walter McCarthy.

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

Councilmember Wilson requested moving agenda item 12 (a) to immediately follow agenda item 5.

**Motion:** Move to approve the agenda as revised, moving agenda item 12 (a) to immediately follow agenda item 5.

**Motion by:** Vice Mayor Ribble

**Seconded by:** Councilmember Batos

**Action:** Approved the agenda as revised.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

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

4. **CONSENT AGENDA:**

(a) Approval of March 15, 2017 Council Meeting Minutes

(b) Approval of April 5, 2017 Council Meeting Minutes

**Motion:** Move to approve the Consent Agenda.

**Motion by:** Vice Mayor Ribble

**Seconded by:** Councilmember Wilson

**Action:** Approved the Consent Agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

5. (a) Presentation of FY 2015-2016 Audit Report – Marty Redovan and Rob Willems, CliftonLarsonAllen LLP

Marty Redovan provided an overview of the results of the audit, indicating that they have issued an unmodified (“clean”) opinion on the Village’s financial statements for the fiscal year ending September 30, 2016, highlighting compliance with *Government Auditing Standards*, internal control over financial reporting, and corrective actions taken on prior audit findings.

Village Manager Sarkozy conveyed appreciation for the clean audit and underscored the performance of the Finance Director and her team. He noted that controls were put into place to overcome last year’s deficiencies.

Brief discussion followed regarding fund balances; possibility of obtaining a condensed version of the report for the public; and appreciation for the positive findings in the report.

**Motion:** Move to accept the audit report.

**Motion by:** Vice Mayor Ribble

**Seconded by:** Councilmember Errington

**Action:** Accepted the audit report.

**Vote:**

Aye: Unanimous (roll call; Councilmember Brown absent)

Nay:

Abstentions:

Note: Agenda item 12 (a) was addressed immediately following agenda item 5.

**(b) Horizon Council – Christopher Spiro, Spiro & Associates**

Mr. Spiro offered a PowerPoint Presentation discussing goal; history of the public/private board; efforts with the Lee County Economic Development Office; representation; contributions; and upcoming projects. Mr. Spiro also explained that the Horizon Council is an advisory board; if the Village brought forth issues, the Horizon Council would address the issues and advise accordingly. Brief discussion followed.

**6. Planning and Zoning Board Applicant Interviews and Appointment of Board Member**

The following individuals were interviewed:

Amy Wicks  
James Gilmartin  
Robert King  
Mark Novitski  
Greg Toth  
Emery Viazanko  
Dell Jones

Questions of applicants included: previous attendance at a Planning and Zoning Board meeting; the amount of hours and commitment involved; conflicts of interest; applicant's vision for Estero; full-time residency; and thoughts on interrelationship between land use planning and transportation planning.

**Public Comment:** None.

Discussion included Board Member qualification requirements of Ordinance No. 2015-01; every member should be sympathetic to the Village Plan; recusal due to conflicts of interest; Comprehensive Plan in process and transportation as a major component.

**Motion:** Move to appoint Robert King to fill the unexpired term of Ned Dewhirst; term expiration date of 3/31/2018.

**Motion by:** Councilmember Levitan

**Seconded by:** Vice Mayor Ribble

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

Discussion included Mr. King's expertise with transportation issues, which would assist with the Comprehensive Plan process.

**Action:** Appointed Robert King to fill the unexpired term of Ned Dewhirst; term expiration date of 3/31/2018.

**Vote:**

Aye: Unanimous (roll call; Councilmember Brown absent)

Nay:

Abstentions:

The meeting went into recess at 10:38 a.m. and reconvened at 10:44 a.m.

**7. ACTION ITEMS:**

- (a) Resolution No. 2017-10 A Resolution of the Village Council of the Village of Estero, Florida, Approving the Vacation of Part of a Drainage Easement for the Estero Veterinary Clinic; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2017-10. Village Manager Sarkozy provided a brief explanation of the request for a vacation, involving approximately 169 square feet of a drainage easement internal to the Plaza Del Sol subdivision.

In response to questions, Development Review Manager McCarthy further explained that the drainage easement was located off Arcos Avenue in Plaza del Sol, northeast corner of Corkscrew Road and Three Oaks Parkway.

**Public Comment:** None.

**Motion:** Move to approve the vacation of part of a drainage easement for Estero Veterinary Clinic and adopt Resolution No. 2017-10.

**Motion by:** Councilmember Batos

**Seconded by:** Councilmember Levitan

**Action:** Approved the vacation of part of a drainage easement for Estero Veterinary Clinic and adopted Resolution No. 2017-10.

**Vote:**

Aye: Unanimous (roll call; Councilmember Brown absent)

Nay:

Abstentions:

- (b) Estero River Boating Committee Reimbursement Request

Village Manager Sarkozy explained that the reimbursement request was as a result of the presentation at the April 19, 2017 Council meeting related to signage improvements on the Estero River. He noted that, should the reimbursement be approved, the Village would only pay the amount that we have sufficient documentation indicating that the expenditure met public purpose.

**Public Comments:**

Gary Israel, President and Publisher, Estero Life Magazine  
Dan Gladney, Pelican Sound

**Motion:** Move to approve the request for reimbursement in the amount of \$2,869.47.

**Motion by:** Councilmember Errington

**Seconded by:** Councilmember Batos

**Questions or Comments:** Councilmembers Levitan, Errington, Batos, Vice Mayor Ribble and Mayor Boesch. Discussion included: signs were in place and appeared to be working; the public purpose was obvious; the signage benefits the Village and the public; this should not be a precedent for others by saying an expense is for the public good; possibility of holding a workshop that involves all communities along the river; importance of policing on the river; taking advantage of funding through West Coast Inland Navigation District. In response to an inquiry whether the Village was responsible for the signs once the reimbursement was made, Village Attorney Saunders said that he would suggest that the Village would be responsible in terms of maintenance and making certain they were in good repair. He added that, as long as the signs were correct, there would be no issue.

**Action:** Approved the request for reimbursement in the amount of \$2,869.47.

**Vote:**

Aye: Unanimous (roll call; Councilmember Brown absent)

Nay:

Abstentions:

**(c) Office Space Acquisition**

Village Manager Sarkozy explained that the remainder of the second floor of Village Hall has been offered to the Village. Kyle Coleman offered a PowerPoint presentation and addressed office space needs and terms of the agreement.

**Questions or Comments:** Councilmembers Levitan, Wilson, Errington, and Vice Mayor Ribble. Discussion included storage of files versus scanning documents; additional conference rooms; explanation of the lease options provided by staff; and remaining "Village Lite."

**Public Comment:** None.

**Motion:** Move to support Option B and bring back the lease agreement to the next Council meeting.

**Motion by:** Councilmember Wilson

**Seconded by:** Vice Mayor Ribble

**Action:** Supported Option B and the lease agreement will be brought back to the next Council meeting.

**Vote:**

Aye: Unanimous (roll call; Councilmember Brown absent)

Nay:

Abstentions:

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

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

Councilmember Errington: Reported on a recent Charlotte Harbor National Estuary Technical Advisory Committee program held at Koreshan State Park that she attended and a Koreshan State Historic Site nature trail tour that she participated in.

Councilmember Wilson: Shared that, in recent discussions with Community Development staff, he was told that the Village should have the results of the traffic study within 30 to 45 days. He also spoke to amendments made by Lee County to their traffic study contract and the hope that this calendar year valid traffic data would be available. Brief discussion followed regarding the scope of the Village traffic study.

**10. VILLAGE ATTORNEY'S REPORT:**

Village Attorney Saunders reported on the legislative session in Tallahassee.

**11. VILLAGE MANAGER'S REPORT:** None.

**Adjourn Regular Session and Convene Workshop**

The meeting went into recess at 11:35 a.m. and reconvened at 11:41 a.m.

**12. WORKSHOP ITEMS:**

(a) Horizon Council – Christopher Spiro, Spiro & Associates

This agenda item was addressed immediately following agenda item 5 (a).

(b) South Lee County Watershed Initiative Update – Josh Evans, J.R. Evans Engineering

Village Manager Sarkozy explained that this related to the Village Stormwater Master Plan.

Josh Evans provided introductory comments. Roger Copp, Water Science Associates, offered a PowerPoint presentation that included: the Corkscrew Watershed and MIKE SHE Model Domain; modeling requirements for regional model; objectives for the regional modeling task; update of modeling project for the Village of Estero; structures west of I-75; network and structures; cross sections from more recent studies; map of calibration stations in model; next steps; how irrigation is represented in model; model calibration process; and future uses of the regional model. Mr. Copp was hopeful that the model would be ready by June.

**Questions or Comments:** Councilmembers Levitan, Wilson, Errington, Batos, Vice Mayor Ribble and Mayor Boesch. Discussion included: an inquiry whether they would be interviewing people; whether they would be able to determine what the impacts would be from some of the projects; and evaluating conditions of culverts and flowways.

A motion to adjourn was duly made and passed.

**12. ADJOURNMENT:** 12:26 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall  
Kathy Hall, MMC, Village Clerk

By: James R. Boesch  
James R. Boesch, Mayor