

This Final Action Agenda/Minutes is supplemented by electronic recordings of the meeting, which may be reviewed upon request to the Village Clerk. Village Council meetings from June 8, 2016 forward can be viewed online at <http://estero-fl.gov/council/watch-meetings-online/>. 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  
JUNE 21, 2017**

## **FINAL ACTION AGENDA/MINUTES**

### **Village Council Meeting**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
May 17, 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 Mark Goodman from Christ Community Ministries.

**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.

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 Community Development Director Mary Gibbs.

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

**Motion:** Move to approve the agenda.

**Motion by:** Councilmember Wilson

**Seconded by:** Councilmember Ribble

**Action:** Approved the agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

**3. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Richard Ferreira, Spring Creek Village, Bonita Springs, addressed concerns regarding lighting on Coconut Road.

**4. CONSENT AGENDA:**

(a) Approval of April 24, 2017 Council Meeting Minutes

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

**Motion by:** Councilmember Batos  
**Seconded by:** Councilmember Errington

**Action:** Approved the Consent Agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

**5. ORDINANCE FIRST READING:**

(a) Ordinance No. 2017-06 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Lee County Zoning Resolution Z-14-028 for the Mixed Use Planned Development Known as Estero Grande, Being Approximately 29.6 Acres Located Generally West of U.S. 41 at the Intersection of Estero Parkway, to Require Approval of a Pattern Book Prior to Issuance of a Local Development Order for Vertical Construction; Adopting Recitals; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2017-06. Community Development Director Gibbs reviewed information provided at the May 3, 2017 meeting. She explained that, in order to change the county resolution, an ordinance was necessary; “vertical construction” meant first building; the Planning and Zoning Board reviewed the ordinance last night and the Board recommended approval of the ordinance with changes provided by the applicant.

**Questions or Comments:** Councilmembers Levitan, Errington, Batos, Vice Mayor Ribble and Mayor Boesch. Discussion included concern regarding proposed revised wording of the ordinance, which will be available at second reading/hearing; concern regarding the Pattern Book, which would come back to Council prior to any construction; and property rights.

**Public Comment:** None, due to the public hearing scheduled for May 31, 2017.

**Motion:** Move to pass Ordinance No. 2017-06 for first reading.

**Motion by:** Councilmember Levitan  
**Seconded by:** Councilmember Wilson

**Action:** Passed Ordinance No. 2017-06 for first reading.  
**Vote:** (roll call)  
**Aye:** Councilmembers Levitan, Batos, Wilson, Vice Mayor Ribble and Mayor Boesch  
**Nay:** Councilmember Errington  
**Abstentions:**

- (b) Ordinance No. 2017-03 An Ordinance of the Village Council of the Village of Estero, Florida, Establishing a Bonus Density Program for Certain Properties Which Contribute Funds to Purchase Public Lands; Providing for Purpose, Applicability, Definitions, Minimum Requirements, Procedures for Approval, Establishment of the Contribution Amount, and Payment and Use of Funds Collected; Providing for Severability; Providing a General Repealer Clause; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2017-03. Community Development Director Gibbs provided an explanation of the ordinance, which affords opportunities for land acquisition to provide future opportunities for land preservation, recreation, open space, or similar needs, in lieu of affordable housing programs. She noted that staff recommended that the program apply only to existing zoned projects that have previously approved bonus density – Downtown Estero, Estero on the River, and Estero Grande.

Village Manager Sarkozy added that this is regarding how to deal with the issues on a preexisting County policy; this is one way to re-direct funds to the priorities of the Village.

**Questions or Comments:** Councilmembers Levitan, Batos, Wilson, Errington, and Mayor Boesch. Discussion included confusion regarding applicability of the three properties (Downtown Estero, Estero on the River, and Estero Grande); whether the developers had an issue with the proposed ordinance; a portion of the bonus density funds should remain in District 4; and whether to wait to hold second reading/public hearing until the District 3 position was filled.

**Public Comment:** None.

**Motion:** Move to pass Ordinance No. 2017-03 for first reading.

**Motion by:** Councilmember Levitan  
**Seconded by:** Councilmember Ribble

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

**Action:** Passed Ordinance No. 2017-03 for first reading.  
**Vote:**  
**Aye:** Unanimous (roll call)  
**Nay:**  
**Abstentions:**

**6. ACTION ITEMS:**

**(a) Estero Life Magazine 3-Month Trial Period for Full-Page Articles**

Village Manager Sarkozy reviewed the discussion from the May 3, 2017 meeting; a single page article about the Village, providing public outreach; and suggested either a 1-month or 3-month trial period.

**Public Comment:**

Doug Saxton, Reserve  
Gary Israel, Estero Life Magazine

**Motion:** Move to approve a 3-month trial period to place full-page articles in *Estero Life Magazine*, beginning with the July 2017 issue.

**Motion by:** Councilmember Batos  
**Seconded by:** Councilmember Errington

**Action:** Approved a 3-month trial period to place full-page articles in *Estero Life Magazine*, beginning with the July 2017 issue.

**Vote:**

Aye: Unanimous (roll call)

Nay:

Abstentions:

**6. UNFINISHED BUSINESS: None.**

**7. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Gary Green, Breckenridge, view entering the Village along US 41  
Ed Weil, Rookery Pointe, bonus density program and appreciation of the Council  
Don Eslick, ECCL, bonus density program  
Bruce Clark, Terra Vista, issues discussed and agreed to with developer of Estero Grande  
Patty Whitehead, Old Estero, bonus density program implementation concern  
Doug Saxton, The Reserve, bonus density program and a property owner that may contact the Council regarding a 10-acre parcel the he wishes to preserve

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

Councilmember Wilson: Addressed illegal advertising in the right-of-way along Three Oaks Parkway and other areas. Discussion followed regarding code enforcement on weekends.

Councilmember Batos: Reported that he received an email from FDOT regarding a bill that passed renaming a portion US 41, between Corkscrew Road and Coconut Road, as Coach Jeff Sommers Memorial Highway; prior to signs being installed, FDOT will need notice from the Village whether there are any objections. Brief discussion followed. Staff was requested to prepare a resolution for the next Council meeting.

Councilmember Errington: Inquired regarding a building with utility equipment in view and noted that she spoke at the recent meeting of the SW Florida Garden Club Association.

Councilmember Levitan: Stated he was pleased that Council was able to approve the Rules of Procedure.

Vice Mayor Ribble: Reported that he will be attending the SW Florida League of Cities meeting tomorrow.

Mayor Boesch: Reported that he would be attending the Metropolitan Planning Organization institute in Tampa this weekend.

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

Village Attorney Saunders reported that he was asked whether the Council could engage in a fact finding meeting at the Boomer House. He said that, in order for the entire Council to be there at one time, it would need to be an advertised public meeting. Consensus was for Councilmembers to view the property individually; the Village Manager will have staff take care of the arrangements.

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

**(a) Council Vacancy Update**

Village Manager Sarkozy reviewed the extensive process and information provided at the last Council meeting. He noted that the Village had received calls related to general questions about the process. He also encouraged people to call any of the Councilmembers to get clarification or information as needed. Vice Mayor Ribble spoke to the reasons for the detailed questions in the application.

**Adjourn Regular Session and Convene Workshop**

The meeting went into recess at 11:04 a.m. and reconvened at 11:15 a.m.

**11. WORKSHOP ITEMS:**

**(a) Budget Introduction**

Village Manager Sarkozy spoke to the importance of accurate revenue and expenditure estimates; financial controls put into place to provide proper span of control; and the thorough audit that resulted in exceptional ratings with no findings and no comments. He added that this year would involve resolving the Capital Improvement Program.

Finance Director Roberson reviewed the Fiscal Year 2017-2018 Budget Calendar in detail.

**Questions or Comments:** Councilmembers Wilson, Levitan, and Errington. Discussion included the recent homestead exemption bill; rental property; and reserve accounts.

**Public Comment:** None.

**(b) Estero Parkway - Initial Concept Road Cross Sections**

Village Manager Sarkozy briefly described the two proposed phases.

**Presentation by:**

Danny Nelson, Vice President, TetraTech

Mr. Nelson offered a PowerPoint Presentation that included: background information; existing Estero Parkway information; overall project description; phased approach – Phase 1 Road and Shoulder/Bike Lane, Phase 2 Sidewalk/Beautification; Village considerations - Phase 1 - lane width and bike lane width; Phase 2 - landscape standards and extent, sidewalk and linear park, and lighting standards and road signage. Mr. Nelson provided details regarding Phase 1 resurfacing and striping, including roadway and bike lane design standards, resurfacing, widening and striping, options considered, cost estimates, and five alternatives to be considered.

**Questions or Comments:** Councilmembers Levitan, Batos, Errington, Vice Mayor Ribble, and Mayor Boesch. Discussion included complete streets; shared use path; whether a speed limit reduction would be needed with alternative 3; traffic calming concepts, such as roundabouts; whether Three Oaks Parkway was 11 ft. wide; whether the Village was obligated to only put a bike lane on the roadway; whether a bike lane was required; concern regarding public input process and determining the public needs; engaging with the homeowners' associations; where the bicyclists would go if a bike lane is developed and it leads to US 41; whether there was consensus for Alternative 3.

**Public Comment:**

Doug Saxton, Reserve  
Bill Williams, Cascades  
Ron Zacher, Belle Lago  
Ed Weil, Rookery Pointe  
Venkat Venkatachalam, Reserve

**Questions or Comments:** Councilmembers Levitan, Errington, Batos, Vice Mayor Ribble. Discussion included additional concern regarding public input; safety concerns regarding Cypress View Drive as well as exits from communities heading west; whether there was consensus for a phased approach and which alternative was preferred. Consensus was to continue Estero Parkway to the next Council meeting agenda.

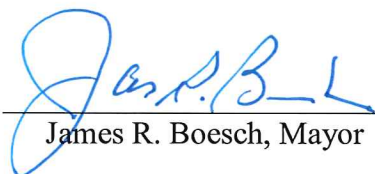
A motion to adjourn was made and duly passed.

**12. ADJOURNMENT:** 12:52 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By:   
Kathy Hall, MMC, Village Clerk

By:   
James R. Boesch, Mayor