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**APPROVED BY COUNCIL  
JULY 19, 2017**

**FINAL ACTION AGENDA/MINUTES**

**Village Council Meeting**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
May 31, 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 Doug Warren from Gulf Coast Presbyterian 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.

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:** Vice Mayor Ribble

**Action:** Approved the agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

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

4. **ORDINANCES:**

(a) **SECOND READING AND PUBLIC HEARING:**

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 the First Local Development Order Which Includes Any Vertical Construction; Adopting Recitals; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2017-06. Mayor Boesch provided an explanation of the quasi-judicial procedures. Staff and audience members intending to testify were sworn in by Village Clerk Hall.

Disclosure of ex-parte communications and conflicts of interest: Councilmember Levitan - added two conversations with staff to list provided at first reading. Councilmember Errington - discussions; and Councilmember Batos - discussions and attended and viewed hearings.

Community Development Director Gibbs provided an introduction regarding the proposed commercial and residential project located on the west side of US 41 across from Walmart. Ms. Gibbs reviewed information presented at the May 3, 2017 Council meeting and noted that Council review of the pattern book would be delayed until prior to issuance of a development order for the first building (vertical construction) when there would be more definitive information available pertaining to the architectural theme.

**Questions or Comments:** Councilmembers Errington, Levitan, and Vice Mayor Ribble. Discussion included whether there would be choices in the pattern book and the reason for Council review of the pattern book.

Steve Hartsell, Pavese Law Firm, noted that the applicant requested that the infrastructure Development Order be approved while the pattern book continued to be reviewed, to allow for infrastructure construction. He believed that the appropriate time for pattern book review would be at the time of vertical construction. Mr. Hartsell noted that it would be helpful for any specific concerns or questions be addressed prior to their development of the pattern book; for example, the Spanish architectural style referred to at the previous Council meeting.

**Public Comment:**

Gary Green, Breckenridge, representing the Board of Directors of the Breckenridge HOA

Steve Hartsell addressed concerns raised regarding construction noise. He stated that he understood the concern and that buffers should be in place to mitigate noise.

Councilmember Levitan inquired regarding the developer clearing a strip along US 41, leaving the trees between the strip and the lake, and removing only a minimum amount of vegetation, until vertical construction commences. Mr. Hartsell agreed that was correct. David Willems, Project Engineer, stated that, after review by the Design Review Board, a note was added to the plans indicating they would preserve the existing trees to provide for a buffer; the intent was to leave as many of the trees as possible to eliminate having to plant a buffer and removing later.

Councilmember Errington inquired regarding the amount of fill dirt that would be needed. Mr. Willems responded there would be approximately 3 to 4 feet of fill for the parking lot and buildings. Councilmember Errington hoped that Mr. Hagenbuckle would hold up to his promise of providing a beautiful entryway into the Village. Mr. Hagenbuckle responded that the intent was to maintain the integrity of the whole intersection and spoke to being selective and the overall theme of the project.

Councilmember Batos inquired whether each building would be reviewed by the Design Review Board. Community Development Director Gibbs responded that the pattern book would come before the Council and the Design Review Board would review each parcel.

Councilmember Wilson said that he was satisfied with the language in Section 2 of the Ordinance.

**Motion:** Move to pass second reading of Ordinance No. 2017-06.

**Motion by:** Councilmember Errington

**Seconded by:** Councilmember Batos

**Action:** Passed second reading of Ordinance No. 2017-06.

**Vote:**

Aye: Unanimous (roll call)

Nay:

Abstentions:

## **Adjourn Regular Session and Convene Workshops**

### **5. WORKSHOPS:**

#### **(a) Estero Parkway**

Village Manager Sarkozy introduced the topic and spoke regarding the public comment process. Kyle Coleman, Assistant to Village Manager, offered a PowerPoint presentation including information regarding the initial step taken by providing a link to a survey on the Village website that ran for 10 days; 282 responses via online form, 15 responses via email, and 1 phone call; five optional road layouts were provided, as well as 2 preferred landscape density options, along with priority options for safety, beautification / landscaping, cost, and speed. Mr. Coleman also spoke to the takeaways of the first step; significant community input; residents seem undecided on road layout; clear landscape density preference; greater survey details needed; and two phase vs. one phase decision needed for next steps.

**Questions or Comments:** Vice Mayor Ribble and Councilmembers Levitan, Errington, Batos, Wilson, and Mayor Boesch. Discussion included number of survey responses; previous public comment; possibility of the Council choosing a couple of the proposed choices and conducting a charrette or some other means to obtain public comment; including sidewalks lights; obtaining the opinion or input from the residents in the area; having a complete plan of what the road would look like; safety is primary concern; expense of landscape and lights and whether residents would be willing to participate in the expense.

Village Manager Sarkozy provided additional comments and introduced Danny Nelson from Tetra Tech. Mr. Nelson addressed safety concerns; roundabout options; signalization; and median cuts.

**Questions or Comments:** Councilmembers Wilson, Levitan, Batos, Errington, Vice Mayor Ribble, and Mayor Boesch. Discussion ensued regarding roundabouts; whether to do a single-phase or multi-phased approach; there have been safety issues on Estero Parkway, however, the Sheriff's office does not consider it an "unsafe" street.

**Public Comment:**

Bill Williams, Cascades  
Sai Venkat, Reserve  
Venkat Venkatachalam, Reserve  
Doug Saxton, Reserve  
Don Eslick, ECCL  
Patty Whitehead, Old Estero  
Bob King, Bella Terra, ECCL Transportation Committee

**Questions or Comments:** Mayor Boesch and Councilmembers Levitan, Batos, and Errington. Discussion included whether the residents would be willing to participate with expense; preparation of a master plan; Metropolitan Planning Organization multimodal path; whether to install sidewalks first and do the rest later; and single-phase or multi-phased approach. Vice Mayor Ribble and Councilmembers Errington, Batos, and Wilson were in favor of a single-phase approach; Councilmember Levitan and Mayor Boesch were in favor of a multi-phased approach.

Village Manager Sarkozy indicated that a scope of services would be brought back to Council at an upcoming meeting. He also noted that staff had met with a number of the Homeowner's Associations with limited information.

The meeting went into recess at 11:40 a.m. and reconvened at 11:55 a.m.

**(b) Introduction to Capital Improvement Plan**

Village Manager Sarkozy provided a brief introduction and noted that a public hearing was scheduled for July 19, 2017.

Danny Nelson, Tetra Tech, offered a PowerPoint presentation that included information related to roads capital improvement evaluation for Broadway Avenue, Ben Hill Griffin

Parkway, River Ranch Road, Sandy Lane, US 41, Three Oaks Parkway, and Williams Road.

**Questions or Comments:** Councilmembers Levitan, Batos, Wilson, Errington, and Mayor Boesch. Discussion included analysis of roadways; improving turn lanes; concern regarding improvements to roadways in the county and improvements to roadways that have stormwater issues; and landscape along US 41. Village Manager Sarkozy addressed the stormwater master plan and the bike/pedestrian study.

**Public Comment:**

Bill Williams, Cascades  
Doug Saxton, Reserve

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

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

Vice Mayor Ribble: Inquired regarding the District 3 Council candidate interview process and noted that he would be meeting with two of the candidates tomorrow. He also spoke regarding Estero Life Magazine and Florida League of Cities.

Councilmember Levitan: Provided a report regarding the Urban Land Institute (ULI) Florida Summit that he recently attended.

Councilmember Errington: Spoke regarding the tour of the Boomer Home and property located at the southwest corner of US 41 and Broadway Avenue.

Councilmember Batos: Reported regarding: a meeting with Lee Health representatives and that updates will be coming; conversation with Dale Allen and Samantha Brown regarding SUN Trails and will be requesting that the Village Manager place a resolution on the next Council meeting agenda; a meeting with two schoolboard members; and zip code issues.

Councilmember Wilson: Provided a report regarding the Eastern Corkscrew Road Alliance and the Bonita Estero Economic Development meetings that he recently attended.

Mayor Boesch: Reported regarding: Metropolitan Planning Organization (MPO) meeting the he recently attended; a MPO institute in Tampa that he attended two weeks ago; FDOT and LDOT will be coming to Council with a presentation regarding I-75 and Corkscrew Road improvements on September 6; and will be meeting with County Commissioners to talk about Edison Farms.

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

Village Attorney Saunders reported on the legislative session in Tallahassee.

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

Village Manager Sarkozy referred to letters received on May 9, 2017 regarding flooding concerns in Marsh Landing that will be forwarded to the Village's consultant to help mitigate. He reported that Lee County inquired whether the Village would be interested in commenting regarding the widening of East Corkscrew Road; he recommended that Councilmember Wilson be assigned to discuss.

Finance Director Roberson spoke regarding the initial estimate of projected tax revenue and noted that the September 6, 2017 budget hearing date had been rescheduled for September 7, 2017, pending confirmation that Councilmembers were available.

A motion to adjourn was made and duly passed.

**12. ADJOURNMENT: 1:11 p.m.**

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall  
Kathy Hall, MMC, Village Clerk

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