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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  
June 7, 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:** Offered by 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.

Also present: Village Manager Steve Sarkozy, Tony Pires, Esq. on behalf of 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 Batos

**Seconded by:** Councilmember Levitan

**Action:** Approved the agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

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

4. **CONSENT AGENDA:**

(a) Approval of May 3, 2017 Council Meeting Minutes

(b) Financial Report for April 30, 2017

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

**Motion by:** Councilmember Wilson

**Seconded by:** Councilmember Levitan

**Action:** Approved the Consent Agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

5. **DISTRICT 3 COUNCIL CANDIDATE INTERVIEWS:**

The following candidates were interviewed:

Barry Freedman

Frank Howe

William Williams

Note: Tim Byal withdrew his application due to time commitment involved with being on the Council; he indicated that he would be interested in working with subcommittees in the future.

Questions included: definition of the Florida Sunshine Laws and Code of Ethics; complete streets; Estero Parkway; Government Lite; time commitment; entrances to the Village; developing a sense of place; improving the quality of life in the Village; citizen participation; Village landscaping; Estero River; periodic septic system testing; DR/GR; have they read the charter; micro management of the Village Manager; what is the most important thing you want to accomplish in the next 2 years; should we be stronger in our opinions to the County; and Corkscrew Road.

**Public Comment:**

Adele Amico, Osprey Cove

Mayor Boesch explained that one additional candidate would be interviewed on June 21, 2017.

## 6. ACTION ITEMS:

- (a) Resolution No. 2017-13 A Resolution of the Village Council of the Village of Estero, Florida, Providing for the Adoption of the 2017 Joint Unified Local Mitigation Strategy, Prepared by the Local Mitigation Strategy Working Group of Lee County, as the Formal Guide for the Village of Estero Hazard Mitigation Activities; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2017-13.

Village Manager Sarkozy reviewed discussion at the May 3, 2017 Council workshop and noted that this was an important part of the Village's FEMA flood insurance rating. Fire Chief Scott VanderBrook also reviewed information provided at the Council workshop.

**Public Comment:** None.

**Motion:** Move to adopt Resolution No. 2017-13.

**Motion by:** Councilmember Wilson

**Seconded by:** Councilmember Levitan

**Action:** Adopted Resolution No. 2017-13.

**Vote:**

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (b) Resolution No. 2017-14 A Resolution of the Village Council of the Village of Estero, Florida, Supporting Florida Department of Transportation Installing Signs on US 41, Between Corkscrew Road and Coconut Road, Designated as "Coach Jeff Sommer Memorial Highway"; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2017-14.

Village Manager Sarkozy explained that, during the Legislative Session that recently concluded, SB 368 was passed which designates portions of roadways throughout the state. One section of this bill designates US 41 between Corkscrew Road and Coconut Road as "Coach Jeff Sommer Memorial Highway". State law requires that Florida Department of Transportation (FDOT) receive a resolution supporting the installation of the signs from the local government in which the road is located prior to sign installation.

**Questions or Comments:** Councilmember Errington read from a prepared statement that proposed extending the Sommer memorial highway from the north edge of Estero to the south edge of Estero. She made a motion to amend the resolution; however, there was no second.

Zachary Burch, FDOT Government Affairs and Communications Manager, explained the process for highway designation within the state. The request was a part of SB 368; only the Legislature can designate a highway in honor of an individual. Mr. Burch also responded to questions regarding the signs.

Discussion ensued regarding the possibility of asking Representative Rodrigues to request the designation for the additional portion of the highway, if that portion was not already dedicated to another person.

Village Manager Sarkozy inquired whether Council would want to add this as an early item to the legislative agenda. Daphnie Bercher, Gray Robinson, (on behalf of Village Attorney Saunders) said that if it was the desire of the Council, they could take care of this. Councilmember Levitan believed that discussion should continue, however, Council should wait in order to determine what the legislative priorities will be. Councilmember Errington conveyed the importance of designating the length of the roadway as a memorial to Coach Sommer within the Village limits.

**Public Comment:** None.

**Motion:** Move to adopt Resolution No. 2017-14.

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember Batos

**Action:** Adopted Resolution No. 2017-14.

**Vote:**

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (c) Resolution No. 2017-15 A Resolution of the Village Council of the Village of Estero, Florida, Supporting and Encouraging the Metropolitan Planning Organization to Retain the CSX/Seminole Gulf Rail Corridor as Part of the SUN Trail Priority Network; and Requesting the Metropolitan Planning Organization to add Two "Opportunity Trails", 1) The Beach Loop from Fort Myers Beach to Bonita Springs, and 2) An Alternative Trail on Three Oaks Parkway and Imperial Parkway (From Estero Parkway to Bonita Beach Road); and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2017-15.

Village Manager Sarkozy explained that the resolution was a result of the February 2017 joint workshop with Bonita Springs City Council.

**Questions or Comments:** Councilmembers Levitan, Batos, Wilson and Mayor Boesch. Discussion included the reason for the resolution and the trail options that needed to be provided by the end of June.

**Public Comment:**

Doug Saxton, Reserve

Patty Whitehead, Old Estero

**Motion:** Move to adopt Resolution No. 2017-15.

**Motion by:** Councilmember Batos

**Seconded by:** Councilmember Errington

**Action:** Adopted Resolution No. 2017-15.

**Vote:**

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (d) Waiver to Competitive Bidding Procedure and Professional Services Agreement between Village of Estero and J.R. Evans for the Village's Participation in the National Flood Insurance Program and Community Rating System

Village Manager Sarkozy explained that staff recommended approval of a waiver to utilize J.R. Evans Engineering because of their prior experience providing technical assistance to the Village and due to their expertise in this particular area as well as knowledge of the Community Rating System (CRS). He noted that the preliminary CRS rating is "6" on a scale of 1 to 10, which was higher than anticipated. Brief discussion ensued.

**Public Comment:** None.

**Motion:** Move to approve (1) Waiver to competitive bidding procedures; and (2) Agreement with J.R. Evans Engineering for continuing consulting services related to the Village's participation in the National Flood Insurance Program (NFIP) and Community Rating System (CRS) program.

**Motion by:** Councilmember Wilson

**Seconded by:** Councilmember Errington

**Action:** Approved (1) Waiver to competitive bidding procedures; and (2) Agreement with J.R. Evans Engineering for continuing consulting services related to the Village's participation in the National Flood Insurance Program (NFIP) and Community Rating System (CRS) program.

**Vote:**

Aye: Unanimous (roll call)

Nay:

Abstentions:

6. **UNFINISHED BUSINESS:** None.

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

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

Vice Mayor Ribble: Spoke to wrap up of the legislative session and the summary packet provided to Council entitled "On Tap @ The Cap."

Councilmember Levitan: Reported that the Comprehensive Plan working group would be meeting on a weekly basis. He noted that the major issues were future land use and transportation.

Councilmember Errington: Reported that she has been busy with projects; however, was not ready to make a report.

Councilmember Batos: Spoke regarding CS/CS/HB 1021 and asked that the Village Manager research and find out what it meant for local governments.

Councilmember Wilson: Addressed disappointment with the *News Press* that there was no mention of the Village lowering the tax rate in a recent article.

Mayor Boesch: Reported that he and Bonita Springs Mayor Simmons met with County Commissioners regarding Edison Farms to make sure that it stays a natural sanctuary in perpetuity; they believed they had success with three Commissioners; however, this was not a given. The County Manager did not feel it was safe to say negotiations would be done by the end of July.

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

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

Village Manager Sarkozy noted that the Village has a good initial rate from FEMA, however, work would continue on a rate reduction. Regarding Estero Parkway, he noted that the Village has authority within the current contract with Tetra Tech to provide project scoping.

**Adjourn Regular Session and Convene Workshop**

The meeting went into recess at 11:25 a.m. and reconvened at 11:35 a.m.

**11. WORKSHOP ITEMS:**

- (a)** Patty Narozny, Director, Hot Works Fine Arts & Craft Shows - Request for Temporary Signage for Special Events

Village Manager Sarkozy introduced the topic regarding a request for special event temporary signage. Community Development Director Gibbs explained that the request was to temporarily place 25 "real estate" type signs and 6 banners in order to advertise the art show held at the Miromar Design Center; signage to be located at the design center as well as four entrances to Miromar Outlets and along Corkscrew Road leading up to the event site. Ms. Gibbs noted that if Council wanted to proceed, the sign code would need to be revised. She also noted that staff examined ordinances from Boca Raton and Fort Myers Beach for comparison purposes for special events; a summary of the ordinances was provided.

**Questions or Comments:** Councilmember Levitan clarified that staff recommendation was to not revise the code. Vice Mayor Ribble commented regarding the Village having a difficult time keeping up with the sign violations.

Patty Narozny referred to a letter from a resident and spoke to higher standards that she adheres to. She believed that this art show was Estero's number 1 art event and spoke to the economic impact for the Village. She pointed out that they have been placing the signs for the art show in the manner this since 2008 and commented that 4 cities in the surrounding area allow them to place temporary banners and signs for special events.

**Questions or Comments:** Councilmembers Levitan, Batos, and Errington. Discussion included opposition to sanctioning banners in the Village; the legality of placing a banner on a fence; if sign approval was not granted how would they attract attendance; how the Village would benefit; there is a huge sign problem already; who would approve signs for special events; it was important for the Village to be creative and to find a way to work with people who want to do events; whether people holding signs was prohibited; whether there was enough sentiment on the Council to change the code; whether the requestor had thought about holding the art show at a school; and whether they qualify as a non-profit. Ms. Narozny responded that if the art show was held at a school she believed that it would appear to be a craft show; she also responded that they qualify as a non-profit. Council consensus was to not change the code.

**(b) Calvin, Giordano and Associates (CGA) Update**

Community Development Director Gibbs stated that a list of suggestions was provided to CGA; the goal was to have the best customer service possible, along with training, reports, and performance metrics.

Chris Giordano, Sarah Sinatra Gould, and Larry Hilton were introduced.

Chris Giordano offered a PowerPoint presentation that provided information related to operational customer service including customer service enhancements and monitor and eliminate customer complaints; fiscal - monitor revenues and expenses monthly and CGA to develop a plan to address efficient provision of commercial building inspections for large projects; reports; building inspections; code enforcement activities; permitting; training schedule; and Inkforce updates. He noted that their goal was to continue to improve the quality and level of service to the Village community. They feel that they have addressed the challenges with the turn over and they were confident the current team would provide long term continuity in the departments.

**Questions or Comments:** Councilmember Ribble stated that the biggest crises was the turnover and noted that he has not had one complaint since the last time they appeared before the Council. Mayor Boesch noted that people seemed to be pleased and it appeared that CGA was moving on the right track.

**Public Comment:** None.

A motion to adjourn was made and duly passed.

**12. ADJOURNMENT:** 12:33 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall  
Kathy Hall, MMC, Village Clerk

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