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**APPROVED BY COUNCIL  
DECEMBER 6, 2017**

## **FINAL ACTION AGENDA/MINUTES**

### **Village Council Meeting**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
October 18, 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 Vice Mayor Ribble

**Invocation:** Father Hugh McGuigan from Our Lady of Light Catholic Community

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

Also present: Village Manager Steve Sarkozy, Assistant Village Attorney Derek Rooney, 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:** Vice Mayor Ribble

**Seconded by:** Councilmember Wilson

**Action:** Approved the agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

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

4. **CONSENT AGENDA:**

- (a) Financial Report for August 31, 2017
- (b) Approval of July 26, 2017 Council Meeting Minutes
- (c) Approval of August 2, 2017 Council Meeting Minutes

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

**Motion by:** Councilmember Levitan

**Seconded by:** Vice Mayor Ribble

**Action:** Approved the Consent Agenda.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

5. **ACTION ITEMS:**

- (a) Resolution No. 2017-19 A Resolution of the Village Council of the Village of Estero, Florida, Adopting a Fee for Bonus Density for Land Acquisition; Amending Resolution No. 2015-68; and Providing an Effective Date

The title of Resolution No. 2017-19 was read by Village Clerk Hall. Village Manager Sarkozy provided an explanation of the resolution.

Community Development Director Gibbs further explained the bonus density and referenced the ordinance that was previously adopted.

**Questions or Comments:** Brief discussion regarding revisions to the 5<sup>th</sup> and 8<sup>th</sup> “Whereas” and Section 1 after the Resolution was continued at the August 2, 2017 Council meeting.

**Public Comment:** None.

**Motion:** Move to adopt Resolution No. 2017-19 as revised.

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember McLain

**Action:** Adopted Resolution No. 2017-19 as revised.

**Vote:**

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

**(b) Amendment to Contract EC 2017-04 – Stormwater Master Plan**

Village Manager Sarkozy provided an explanation of the contract amendment; the recent storm events provided the opportunity to utilize the most recent data in the plan; the additional work will add \$40,000 to the total cost of the contract.

**Questions or Comments:** Vice Mayor Ribble and Councilmember Batos. Discussion included an inquiry when the study would be completed; and an inquiry regarding the original contract.

**Public Comment:** None.

**Motion:** Move to approve Amendment One to increase Contract EC 2017-04 – Stormwater Master Plan with JR Evans in the amount of \$40,000.

**Motion by:** Councilmember Errington

**Seconded by:** Councilmember McLain

**Action:** Approved Amendment One to increase Contract EC 2017-04 – Stormwater Master Plan with JR Evans in the amount of \$40,000.

**Vote:**

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

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

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

Councilmember Wilson: Provided a report regarding attendance at recent meetings, including Miromar Lakes Community Development District and East Corkscrew Alliance.

Councilmember Batos: Read in the paper that there will be another mine in Collier County and two potential mines in Lee County.

Councilmember Errington: Report included participation as a Homecoming judge at Estero High School; attendance at an FGCU event regarding human trafficking and inquired what the Council could do to bring attention to the topic; also spoke regarding hurricane debris removal.

Village Manager Sarkozy responded that overall the cleanup is going slow; all crews are working on the cleanup efforts; Lee County has been encouraged to locate an Estero drop off point and they decided to utilize the Estero Community Park; streets that the Village is responsible for have been cleaned and swept; there are some downed trees that will be picked up by the county. Vice Mayor Ribble noted that there are problems across the state, including problems with fraud. He also noted that the Pelican Landing CDD cleaned up their streets. Further discussion included information regarding the county's debris removal plan; if the Village picks up debris, a bill cannot be sent by the Village to the county.

Councilmember McLain: Report regarding Estero Parkway project – he met with the contractor yesterday; the project is moving forward. There will be Council discussion at a November meeting.

Councilmember Levitan: Update on proposed moratorium discussed at the last meeting - staff and legal counsel have been working on a draft ordinance which they will be getting ready to publish and schedule for first reading.

Vice Mayor Ribble: Spoke regarding last night's Planning and Zoning Board meeting; it was disorganized and no one knew what the motion was. He also spoke regarding information he received at the Florida League of Cities conference related to medical marijuana dispensaries.

Mayor Boesch: Provided a report regarding attendance at a recent Metropolitan Planning Organization Executive Committee meeting, where the Committee approved a motion supporting SUNTrails moving forward. He also spoke regarding the condition of the running track at the high school.

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

Assistant Village Attorney Rooney reported that he has been working on hurricane debris cleanup efforts and FEMA reimbursements in Hendry and Glades counties. He also reported that there are three medical marijuana dispensary locations in the area; all registered people are able to sell. He added that a ban is the best course of action.

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

- (a) FEMA/Hurricane – information was addressed during Council Communications agenda item.

The meeting went into recess at 10:26 a.m. and reconvened at 10:35 a.m.

**Adjourn Regular Session and Convene Workshop**

**10. WORKSHOP ITEMS:**

- (a) Florida Department of Transportation (FDOT): US-41 Landscaping Enhancement Project

Village Manager Sarkozy spoke to the collaboration between the Village and FDOT, and noted that FDOT has agreed to reimburse the Village up to \$750,000 for landscaping and planting; maintenance responsibilities will be transferred to the Village. It was estimated that the annual, recurring cost of maintenance will be approximately \$100,000.

Scott Wyndham, Wyndham Studio, introduced himself and provided information regarding his background. He spoke to the proposed multi-layering landscape and provided the preliminary design overview, concept, and plant palette.

**Questions or Comments:** Mayor Boesch, Vice Mayor Ribble, and Councilmembers McLain, Levitan, Errington, and Batos. Discussion included borders of the project; irrigation infrastructure; an inquiry as to whether it was known if any of the gated communities contribute to maintenance through development agreements; whether it was contemplated that anything would be along the sides of the road; moving forward with gateway signage; timing; carryover the concept to Estero Parkway for continuity; whether existing plants will be removed; Village responsibility for replacing/installation of irrigation; annuals and sod; annual mulching charge estimated at \$40,000. Final plans are expected in 60 days.

**Public Comment:** None.

**(b) Comprehensive Plan Status Update and Proposed Meeting Calendar**

Community Development Director Gibbs explained the reason for the Comprehensive Plan and spoke to the Planning and Zoning Board involvement and consultants assisting with the project. She presented an overview of the proposed Comprehensive Plan meeting calendar, utilizing Wednesdays that were set aside for zoning hearings. She also explained what Council should expect to see in the meeting packets. Councilmember Levitan added that workshop information would include the policy issues.

**Public Comment:** None.

**(c) 2018 Village of Estero Legislative Priorities**

Village Manager Sarkozy reviewed the information included in the packet related to the 2017 priorities list and 2018 priorities list.

**Questions or Comments:** Councilmembers Errington, Levitan, Batos, McLain, and Wilson. Discussion included extending the Coach Jeff Sommer Memorial Highway on US 41 to include from Corkscrew Road to the north end of Estero; support a bill for disclosure and inspection of septic systems at the time of property sale; designating corkscrew road as a truck free highway; designating a parkway portion for west of Alico Road and east of I-75 interchange; and weight limits on smaller delivery trucks.

**Public Comment:**

Meredith Barnard, Conservancy of Southwest Florida, support against fracking

A motion to adjourn was made and duly passed.

**11. ADJOURNMENT: 11:38 a.m.**

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall  
Kathy Hall, MMC, Village Clerk

By: James R. Boesch Mayor