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**APPROVED BY COUNCIL
JANUARY 3, 2018**

FINAL ACTION AGENDA/MINUTES

Village Council Meeting

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
December 6, 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 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, Village Attorney Burt Saunders, Village Land Use Attorney Nancy Stroud, Assistant to Village Manager Kyle Coleman, Village Clerk Kathy Hall, Finance Director Lisa Roberson, and Community Development Director Mary Gibbs.

Mayor Boesch announced that the documents for the Edison Farms purchase by Lee County were formally signed. The Commissioners also approved a plan for construction of eight baseball diamonds at the player development complex in Fort Myers and will purchase land behind Estero High School for use as multipurpose athletic fields.

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

Motion: Move to approve the agenda.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Errington

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

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

4. CONSENT AGENDA:

(a) Financial Report for October 31, 2017

(b) October 4, 2017 Council Meeting Minutes

(c) October 18, 2017 Council Meeting Minutes

(d) October 25, 2017 Council Zoning Hearing and Comprehensive Plan Workshop

Public Comment: None.

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Levitan

Seconded by: Councilmember Batos

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

5. ACTION ITEMS:

(a) Village of Estero Land Development Code Update RFQ 2017-01

Village Manager Sarkozy provided an explanation regarding the RFQ process; the project, which was included in the budget, will take approximately 12 to 18 months; six qualified proposals were received and were ranked by staff; Canin Associates out of Orlando was recommended as the #1 firm. It was noted that Canin Associates have national recognition.

Public Comment: None.

Motion: Move to (1) Concur with and approve the ranking of consultants for RFQ 2017-01 Village of Estero Land Development Code Update as follows: Number 1 – Canin Associates; Number 2 – Clarion Associates; Number 3 – Johnson Engineering; Number 4 – The Mellgren Planning Group; Number 5 – Kimley-Horn and Number 6 – Keith & Schnars; and (2) Authorize staff to negotiate a contract with the Number 1 ranked firm, Canin Associates, to provide professional consulting services to update the Village's transitional Land Development Code.

Motion by: Councilmember Wilson
Seconded by: Vice Mayor Ribble

Questions or Comments: Councilmember Levitan commented that the Village was lucky with the firms that wanted to help with this project. Councilmember Errington conveyed appreciation for what the staff has done and that they have taken on a monumental task. Mayor Boesch recognized Councilmember Levitan's work on this as well.

Action: (1) Concurred with and approved the ranking of consultants for RFQ 2017-01 Village of Estero Land Development Code Update as follows: Number 1 – Canin Associates; Number 2 – Clarion Associates; Number 3 – Johnson Engineering; Number 4 – The Mellgren Planning Group; Number 5 – Kimley-Horn and Number 6 – Keith & Schnars; and (2) Authorized staff to negotiate a contract with the Number 1 ranked firm, Canin Associates, to provide professional consulting services to update the Village's transitional Land Development Code.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

(b) Railroad Crossing Agreements

Village Manager Sarkozy provided an explanation regarding the railroad crossing agreements with Seminole Gulf Railway. Previously, Lee County held these rights, prior to the Village assuming maintenance responsibilities for the roads bisected by railroad lines. Each crossing agreement will cost the Village \$3,600 per year.

Questions or Comments: Councilmembers Levitan and McLain. Discussion included maintenance of swales and culverts; and Estero Parkway.

Public Comment: None.

Motion: Move to approve the five provided railroad crossing agreements and one provided general agreement.

Motion by: Vice Mayor Ribble
Seconded by: Councilmember McLain

Action: Approved the five provided railroad crossing agreements and one provided general agreement.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

(c) Estero Village Hall 2nd Floor Remodel RFB 2017-01 Bid Award

Village Manager Sarkozy explained the remodeling plan for the second floor of Village Hall; of significance was to create some meeting room space along with a nicer entry. He believed the bid was reasonable.

Assistant to Village Manager Kyle Coleman offered a PowerPoint Presentation that included: Initial Construction Background; 2nd Floor Renovation Background; Proposed Layout; Updated Budget; and Design Features.

Questions or Comments: Vice Mayor Ribble and Councilmembers Levitan, Batos, and Errington. Discussion included lighting, air conditioning, security system and doors, and the existing kitchen.

Public Comment: None.

Motion: Move to approve the contract with OneSource Construction Company & Builders, Inc. in the amount of \$155,667.76 for the labor, materials, and required ancillaries to provide a turnkey remodel of the 2nd floor of the Estero Village Hall under RFB 2017-01 and authorization for the Village Manager to sign the contract.

Motion by: Vice Mayor Ribble
Seconded by: Councilmember Errington

Action: Approved the contract with OneSource Construction Company & Builders, Inc. in the amount of \$155,667.76 for the labor, materials, and required ancillaries to provide a turnkey remodel of the 2nd floor of the Estero Village Hall under RFB 2017-01 and authorized the Village Manager to sign the contract.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

(d) Resolution No. 2017-34 A Resolution of the Village Council of the Village of Estero, Florida, Approving a Budget Amendment for Fiscal Year 2017-2018; and Providing an Effective Date

The title of Resolution No. 2017-34 was read by Mayor Boesch. Finance Director Roberson provided an explanation of the resolution; carry forward from the prior fiscal year budget and additional \$45,000.

Public Comment: None.

Motion: Move to adopt Resolution No. 2017-34, which provides 2017-2018 funding for the remodel of the 2nd floor of Village Hall.

Motion by: Councilmember Wilson
Seconded by: Councilmember Errington

Action: Adopted Resolution No. 2017-34, which provides 2017-2018 funding for the remodel of the 2nd floor of Village

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

- (e) Legal Services Agreement between Village of Estero and Smolker, Bartlett, Loeb, Hinds & Sheppard, P.A.

Village Manager Sarkozy explained that, as part of this year's budget, a reserve was created for additional expert legal services related to public land use regulations concerning private property rights. He further explained that the Village was not in need of these services currently; however, it would serve the Village well to have additional expert legal services secured and readily available. Village Manager Sarkozy noted that the firm, that would be on-call as needed, had a strong record of defending cities.

Questions or Comments: Councilmember Wilson inquired regarding closed Council sessions.

Public Comment: None.

Motion: Move for approval of the contract and authorize Village Manager to sign the Legal Services Agreement with Smolker, Bartlett, Loeb, Hinds & Sheppard, P.A. for litigation services.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Wilson

Action: Approved the contract and authorized Village Manager to sign the Legal Services Agreement with Smolker, Bartlett, Loeb, Hinds & Sheppard, P.A. for litigation services.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

6. PUBLIC COMMENT ON NON-AGENDA ITEMS:

Joe Miceli, 20271 Rookery Drive, Rookery Pointe, opioid crisis for babies.

7. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Vice Mayor Ribble: (1) Spoke regarding the upcoming Estero High School Culinary Competition Team event and distributed a letter from Estero High School Principal, Clayton Simmons.

Councilmember Levitan: (1) Spoke regarding developments in other parts of the county, particularly in the DR/GR, that the Community Development Director and her team monitor. In particular, south of Edison Farms east of I-75, there is a proposal making its

way through the Bonita Springs system, with respect to the Bonita Grande Mine utilizing a scheme similar to what Wild Blue came up with an enhancement overlay district, proposing to build approximately 2500 homes. The developer is Oakbrook Properties. There may be issues that could impact Estero. This is at the beginning of the process and staff will continue to monitor.

Councilmember Errington: (1) The Estero River has been cleaned and is ready for business. (2) Light up Estero, sponsored by the Rotary Club, was a huge success; the tree in the lobby of Village Hall was donated by the Rotary Club. (3) She attended the League of Women Voters meeting on Saturday; Lee Health representatives were in attendance and provided a report on the medical center and healthy life center. (4) She contacted the Governor's office regarding possible recognition of an Estero resident who will turn 110 this month; the Village hosted a celebration last year for her birthday. (5) Inquired regarding the resolution she proposed earlier on the opioid crisis for babies, and asked how long the Council meant when they deferred her resolution.

Councilmember Batos: (1) Conveyed appreciation to Vice Mayor Ribble for helping with the Estero High School Culinary Competition Team event. (2) Asked the Village Manager if he could expedite evaluating the situation at Half Way Creek from US 41 going westward to Estero River. (3) Conveyed appreciation to the Lee County Commissioners and all the people involved over the years regarding Edison Farms.

Councilmember Wilson: (1) Regarding the Volunteers of America project on Corkscrew Road that he inquired about at the previous Council meeting, Community Development Director reported that they had secured the funding for the project and a building permit application has been submitted; the for sale sign was not related to their project. (2) Reported that the Florida Highway Patrol has been pulling over sand and gravel trucks on Corkscrew Road. (3) Conveyed appreciation to the Lee County Commissioners for doing things that will be good for Estero.

Mayor Boesch: (1) Read a letter that he received from citizens praising the Veterans Day celebration. (2) Conveyed appreciation to the Rotary Club on the wonderful job last Saturday at the Light up Estero event. (3) Pastor Rollins asked him to talk about a Village of Estero 3rd anniversary celebration that he would like to undertake. Consensus regarding the event was favorable.

8. VILLAGE ATTORNEY'S REPORT:

The Village Attorney spoke regarding upcoming Bills. He also addressed a proposal that is floating around regarding Big Cypress Basin. Brief discussion followed and consensus was to bring back the 2018 Legislative Agenda to Council in order to add Big Cypress Basin to the list.

9. VILLAGE MANAGER'S REPORT:

Village Manager Sarkozy expressed praise to the Rotary Club regarding the Light up Estero event.

He also reported regarding the Certificate of Achievement for Excellence in Financial Reporting (CAFR) received by the Village and praised Village Finance Director

Roberson for her great work. There were no findings and no management comments from the auditors. He also noted that the Finance Director was also working on a certified budget through the Government Finance Officers Association.

The meeting went into recess at 10:40 break reconvened at 11:00 a.m.

10. PRESENTATION: (30 minutes)

(a) Presentation from Three Florida Gulf Coast University Students

Introductory comments regarding the FGCU Institute for Entrepreneurship were offered by Vice Mayor Ribble.

Jakub Adamovicz and Michael Kunchal provided a presentation on “ROOMDIG” an app for student housing.

Dr. Sandra Kauanui, Director of the FGCU Institute for Entrepreneurship, offered a PowerPoint Presentation with detailed information regarding the Institute: Academics; Degrees; Entrepreneurship Core; Careers; Runway Program; Community Outreach; Community Partners; Future Growth Plans.

Noam Mitchell offered a presentation on “Bitcoin ATM.”

Questions or Comments: Vice Mayor Ribble, Mayor Boesch, and Councilmembers Errington, Levitan, and Wilson.

Adjourn Regular Session and Convene Workshop: 11:50 a.m.

11. WORKSHOP ITEMS:

(a) Comprehensive Plan:

(1) Land Use

Laura DeJohn, Johnson Engineering – PowerPoint Presentation: Overview; Key Terms; Objectives; Community Character; Future Land Use Categories; Specific Use Considerations; Bonus Density; Commercial Site Location Standards; Historic and Archeological Resources; Community Design Sub-Element; and Major Issues.

Questions or Comments: Councilmembers Errington and Wilson. Discussion included US 41 North Corridor and gateways; inquiry regarding documentation that will be available for the January 3, 2018 Council workshop.

Public Comment: None.

(2) Transportation

Ben Smith, LaRue Planning – PowerPoint Presentation: Major Objectives: Complete Streets; Interconnectivity; Transportation Options; Roadscapes; Innovation and Technology; Discussion and Decision Items.

Questions or Comments: Councilmembers Batos, Levitan, Errington, McLain, and Mayor Boesch. Discussion included CSX Rail Corridor policies; fire hydrants; and FPL transmission line.

Public Comment:

Robert King, Bella Terra, ECCL Transportation Committee, provided a list developed of projects they believe are important.

Councilmember Levitan noted that the Comprehensive Plan transmittal public hearing was scheduled before the Village Council on January 10, 2018; the rules were that written materials need to be submitted a week ahead of the hearing.

A motion to adjourn was made and duly passed.

11. ADJOURNMENT: 12:20 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

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