

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  
JANUARY 17, 2018**

**FINAL ACTION AGENDA/MINUTES**

**Village Council Meeting**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
January 3, 2018 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 Nolen Rollins from Legacy Church.

Pastor Rollins also spoke regarding the March 16, 2018 Village of Estero 3<sup>rd</sup> Anniversary Celebration, 6:00 p.m. until 9:00 p.m. at the Estero Community Park.

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

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Assistant to Village Manager Kyle Coleman, Finance Director Lisa Roberson, Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

**Motion:** Move to approve Councilmember Levitan to attend the meeting via teleconference.

**Motion by:** Councilmember Wilson  
**Seconded by:** Councilmember McLain

**Action:** Approved Councilmember Levitan to attend the meeting via teleconference.

**Vote:**

**Aye:** Unanimous (Councilmember Batos absent)

**Nay:**

**Abstentions:**

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

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

**Motion by:** Vice Mayor Ribble

**Seconded by:** Councilmember McClain

**Action:** Approved the agenda.

**Vote:**

Aye: Unanimous (Councilmember Batos absent)

Nay:

Abstentions:

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

**4. CONSENT AGENDA:**

- (a) Financial Report for Month Ended November, 2017
- (b) Final Financial Report for Fiscal Year Ended September 30, 2017
- (c) November 1, 2017 Council Meeting Minutes
- (d) November 15, 2017 Council Meeting Minutes
- (e) November 29, 2017 Council Comprehensive Plan Workshop Minutes
- (f) December 6, 2017 Council Meeting Minutes

**Public Comment:** None.

**Questions or Comments:** Councilmember Wilson commented that he was pleased to see in the Final Financial Report for Fiscal Year Ended September 30, 2017, that the Local Communications Service Tax remittances increased due to staff working with the state to ensure proper allocation and that the report revealed the addition of \$2.3M were set aside in reserve funds. Vice Mayor Ribble agreed with the comments.

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

**Motion by:** Councilmember Wilson

**Seconded by:** Councilmember Errington

**Action:** Approved the Consent Agenda.

**Vote:**

Aye: Unanimous (Councilmember Batos absent)

Nay:

Abstentions:

**5. ACTION ITEMS:**

None.

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

Jerry Ericksen, Villages at Country Creek, seeking information regarding property owned by Village Partners, LLC; he was referred to the Village Manager.

Clark MacKenzie, 20679 Highlands, addressed concern regarding people living illegally on the property owned by Village Partners, LLC.

Tommy Klein, Bella Terra, addressed concern regarding blasting in the area and damage to property that he has become aware of. Village Attorney Saunders stated that the company performing the blasting is responsible for any damages as a result of blasting. Mayor Boesch commented that the blasting is in the county and suggested that Mr. Klein contact Commissioners Kiker and Pendergrass. Councilmember Wilson indicated that formal complaints are filed through the State Fire Marshal's office.

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

Councilmember Wilson reported that he has been fielding complaints regarding blasting in the area.

Councilmember Errington: Reported that she has received complaints regarding the blasting in the area, as well. She also spoke regarding the resolution she proposed late in 2017 related to the opioid crisis for babies; she believed that Council should pass the resolution to show support for Senator Passidomo. Mayor Boesch responded that the point was that Council has not seen the final bill; he suggested that Council could adopt a resolution indicating support without naming a proposed bill. Village Attorney Saunders noted that the bill was for a pilot program and there have been some issues raised. He indicated that he could bring something to Council for their consideration related to the infant opioid crisis.

Councilmember McLain: Reported that Village staff has been working on the Estero Parkway project and a workshop has been scheduled for the January 17, 2018 Council meeting. He noted that the project would be a lengthy process.

Vice Mayor Ribble: Reminded Council that the FGCU Institute for Entrepreneurship runway program would be held at the FGCU tech building, 6:00 p.m., January 8; 5 teams would be competing for grants.

Mayor Boesch: Regarding Edison Farms, two communities have been contacted that have preserve lands in the rear of the property; both are willing to have their attorney look into the possibility of merging the properties with the Edison Farms property, which would result in a 10% increase. He also mentioned the Village Hall 2<sup>nd</sup> floor remodel project.

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

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

Village Manager Sarkozy asked that Community Development Director Gibbs introduce the Village's Principal Planner, Matt Noble; his first day with the Village is today.

**Adjourn Regular Session and Convene Workshop**

**10. WORKSHOP ITEMS:**

**(a) Big Cypress Basin**

Village Attorney Saunders stated that, due to the very wet season, significant flooding issues affecting Bonita Springs were highlighted and focus on areas impacted increased. He explained that Big Cypress Basin was created in Collier County, which covers a large portion of Lee County. He further explained that some funds being collected by the Southwest Florida Water Management District (SWFWMD) could be turned over to Big Cypress Basin; the thought was that the same \$4 - \$4.5M per year that is paid to SWFWMD could be shifted to Big Cypress Basin. Village Attorney Saunders noted that he has spoken with Lee County delegation; Senator Benacquisto's reaction was that she was going to do some research and is taking a cautious approach. Senator Passidomo understands and is supportive in making a change happen; Representative Caldwell expressed support, but was cautious moving ahead. Village Attorney Saunders said that he would have more information at the January 17, 2018 Council meeting related to expansion of the boundary by the district or by legislature and that Council could decide whether to update their 2018 Legislative Priorities agenda.

**Questions or Comments:** Mayor Boesch, Councilmember Levitan, and Vice Mayor Ribble. Discussion included Big Cypress Basin working under Southwest Florida Water Management District; a lot of funds have gone to the eastern part of the state; suggestion that a joint meeting be arranged with the Bonita Springs Council; suggestion that a liaison be appointed from the Council. Village Attorney Saunders spoke regarding Council making a motion while participating in a workshop.

**Motion:** Move to appoint Mayor Boesch as liaison.

**Motion by:** Vice Mayor Ribble

**Seconded by:** Councilmember McLain

**Action:** Appointed Mayor Boesch as liaison.

**Vote:**

**Aye:** Unanimous (Councilmember Batos absent)

**Nay:**

**Abstentions:**

Mayor Boesch requested that Village Attorney Saunders assist with the joint meeting.

In response to a request from Councilmember Errington, Village Attorney Saunders described the Big Cypress Basin boundary and noted that he would provide a map to the Council tomorrow.

Village Manager Sarkozy noted that, in conversations, he has heard that this is the only area in the state where the funds do not follow the hydrologic boundaries; if the funds were directed to Big Cypress Basin, the funds would be subject to approval of that Board.

Councilmember Errington wanted to make certain that the representative from SWFWMD would be kept apprised and involved in the joint meeting with Bonita Springs Council.

**(b) Review of Comprehensive Plan**

Community Development Director Gibbs spoke regarding the December 19, 2017 Planning and Zoning Board hearing, the upcoming January 10, 2018 Village Council hearing, and the reason for today's workshop.

Mayor Boesch noted that, during a discussion yesterday, it was the Community Development Director Gibbs' opinion that all comments received for the record have been considered; some of the suggested changes were made to the document, but not all. Councilmember Wilson inquired whether testimony would be taken today. Community Development Director Gibbs responded that testimony would be taken at the January 10, 2018 public hearing.

Laura DeJohn, Johnson Engineering, using a PowerPoint Presentation, explained the Vision statement; Future Land Use; Most Recent Changes and Next Steps & Projects Identified in the Plan.

Ben Smith, LaRue Planning, continuing with the PowerPoint Presentation explained Transportation; Alternative Transportation Map; Housing; Intergovernmental Coordination; Infrastructure; Conservation and Coastal Management; Recreation and Open Space; Capital Improvements; Changes to Public School Facilities; and Next Steps and Projects Identified in Plan.

**Questions or Comments:** Councilmember Wilson inquired regarding redevelopment and annexation.

A motion to adjourn was made and duly passed.

**11. ADJOURNMENT:** 10:44 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall  
Kathy Hall, MMC, Village Clerk

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