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**APPROVED BY COUNCIL
SEPTEMBER 5, 2018**

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL MEETING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
June 6, 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 Rich Lewman 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, Assistant to Village Manager Kyle Coleman, Public Works Director David Willems, Finance Director Lisa Roberson, Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

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

Motion: Move to add Agenda Item 6 (d) – School Resource Officers and approve the agenda as revised.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Errington

Action: Added Agenda Item 6 (d) – School Resource Officers and approved the agenda as revised.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

3. PUBLIC COMMENT ON NON-AGENDA ITEMS:

Barbara Saxton, representing Friends of River Oaks Preserve, 10 acres of land on East Broadway, announced that the property owner agreed to work with Friends of River Oaks Preserve to allow the use of the land for an organization known as “Tag a Pet for a Vet”. Ms. Saxton also announced that the property owner and the Conservation Foundation would be entering into a purchase agreement.

Tina Clark, founder of “Tag a Pet for a Vet”, spoke regarding the nonprofit organization that places rescue pets with veterans.

**4. PRESENTATION: Vice Mayor Ribble - Florida League of Cities’
Home Rule HERO Award**

Award was presented by Mayor Boesch followed by an explanation regarding the concept of Home Rule.

5. CONSENT AGENDA:

(a) Financial Report for Month Ended April, 2018

(b) April 18, 2018 Council Meeting Minutes

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Wilson

Seconded by: Councilmember McLain

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

6. ACTION ITEMS:

(a) Approval of Consultants Ranking for the Bicycle and Pedestrian Master Plan

Mayor Boesch provided a brief explanation of the Lee County Metropolitan Planning Organization (MPO); the organization will be fully funding the Bicycle and Pedestrian Master Plan for the Village. Public Works Director Willems spoke to the process and noted that the MPO has a list of general planning consultants under contract; the consultants were invited to respond to a list of Estero specific questions to help MPO and Village staff select the best qualified consultant for the study. Director Willems stated that the selection committee convened to rank the consultants which resulted in the following ranking: Number 1-Jacobs; Number 2 - Kittelson & Associates; and Number 3 - Tindale Oliver.

Questions or Comments: Councilmember Levitan addressed concern that no information was provided regarding the consultants and recommended that this agenda item be tabled until further information was provided to Council. Village Manager Sarkozy noted that the contractual obligation would be with the MPO rather than the Village. Concern was raised regarding delaying the MPO. Vice Mayor Ribble noted that the MPO was not holding a meeting this month so there would be no delay as long as Council acted on this issue at the next Council meeting.

Public Comment: None.

Motion: Move to table this agenda item for two weeks.

Motion by: Councilmember Levitan

Seconded by: Councilmember McLain

Action: Tabled this agenda item for two weeks.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

(b) Estero Parkway

Village Manager Sarkozy provided introductory comments and noted that, over the past several months, the project consultant investigated many roadway design options to improve Estero Parkway. He indicated that the options had been narrowed down to two: Option "A": 4-lane roadway, 10.5 ft. lanes, 7-ft. buffered bike path, 6-ft sidewalks; and Option "B": 2-lane roadway, 12 ft. lanes, 7-ft. buffered bike path, three roundabouts, and 8 to 10-foot sidewalks through the middle segment of roadway. Village Manager Sarkozy also addressed Councilmembers' liaison roles, noting that Councilmember McLain was the liaison for this project and had been meeting with residents.

Questions or Comments: Councilmembers McLain, Batos, Wilson, Errington, Levitan, Vice Mayor Batos, and Mayor Boesch. Discussion included dealing with physical realities of the roadway; numerous public meeting and workshops; evaluating comments; the belief that the majority of residents supported Option A; restrictions of Option B; roundabouts; concern regarding the letter from San Carlos Park Fire Department and Estero Fire Recue addressing concern for reducing the road from four lanes to two lanes; since prior to incorporation there have been discussions with residents regarding Estero Parkway; complete streets seminar; opportunity to set the tone with this project; significant savings if the 3 roundabouts were not built; both options are complete streets; the history related to contiguous sidewalks when the Walmart project was completed; how the bike lanes came up; and Option A being the better option due to funding.

Public Comment:

Joe Miceli, Rookery Pointe, inquired regarding the possibility of installing stop signs along the roadway or installing speed bumps.

Ed Mehmehl, Rookery Pointe, inquired regarding considering additional left turn lanes.

Diane Schwartz, Rookery Pointe, considering closing the island opposite of Rookery Pointe and Cypress View.

Don Eslick, ECCL, spoke regarding an ECCL survey on the two alternatives.
Robert King, Transportation Director, ECCL, believed that Option B provided greater safety.
Tony Clese, Cascades, addressed safety concerns; inquired regarding an additional option that was presented at earlier workshops.
Bill Williams, Cascades, conveyed appreciation to the many participants in this process.
Adrian Genotti, Cascades, was not in favor of taking a half-foot of road away and did not believe that a 7 ft. bike lane was necessary.
Doug Saxton, The Reserve, also representing Bike/Walk Lee, addressed support for Option B.
Doris Loigman, Cascades, suggested that the speed limit be reduced to 40 mph and installing traffic lights.
Mary Ann Lariviere, Cascades, in favor of Option B; addressed concern regarding width of lanes for cars and bikes.

Motion: Move to move forward with Option A and include a portion of the lighting.

Motion by: Councilmember McLain

Seconded by: Councilmember Wilson

Questions or Comments: Councilmembers Wilson and Levitan. Discussion included concern regarding not knowing the installation and maintenance cost of lighting at this time.

Councilmember Levitan offered an amendment to the motion by striking “and include a portion of the lighting.” Councilmember McLain concurred.

Motion as Amended: Move to move forward with Option A.

Action: Approved Option A.

Vote: (Roll call vote)

Aye: Councilmembers Levitan, McLain, Errington, Wilson, Vice Mayor Ribble, and Mayor Boesch

Nay: Councilmember Batos

Abstentions:

The meeting went into recess at 10:55 a.m. and reconvened at 11:05 a.m.

- (c) First Reading: Ordinance No. 2018-08 An Ordinance of the Village Council of the Village of Estero, Establishing Procedures for the Declaration of a State of Local Emergency; Providing Definitions; Purpose and Intent; Authority to Declare a Local State of Emergency; Method of Declaring and Terminating a Local State of Emergency; Authority of Village Council; Effect of Declaration of a State of Local Emergency; Prohibitions During Declared State of Local Emergency; Emergency Measures and Access to Emergency Preparedness Fund; Penalties for Violations; Repeal of Prior Ordinances; Codification; Conflict and Severability; and Providing an Effective Date

Kyle Coleman, Assistant to Village Manager, provided a brief explanation of the ordinance.

Questions or Comments: Councilmember Levitan noted that he would be providing comments on the ordinance to be forwarded to Village Attorney Saunders. Councilmember Errington suggested that staff check with the Lee County Sheriff's Office regarding curfew. She also referred to Section 9 (g) of the ordinance and inquired whether there was a liability on the person doing the appointing if someone was left behind to do something. Assistant to Village Manager Coleman noted that the Fire Department requested edits to Section 8 (b).

Public Comment: None.

Motion: Move to pass first reading of Ordinance No. 2018-08.

Motion by: Councilmember Errington

Seconded by: Vice Mayor Ribble

Action: Passed first reading of Ordinance No. 2018-08.

Vote:

Aye: Unanimous (Roll call vote)

Nay:

Abstentions:

(d) School Resource Officers

Village Attorney Saunders spoke to the Marjory Stoneman Douglas High School Public Safety Act, Senate Bill 7026 (2018), that was recently enacted and the position that Lee County has taken regarding only contributing to the expense of school resource officers in the unincorporated part of the county. Mr. Saunders stated that the Village was faced with a policy decision of whether to support Lee County's action; there was no legal requirement for the Village to do so.

Questions or Comments: Vice Mayor Ribble, Councilmembers Levitan, Batos, McLain, Errington, and Mayor Boesch. Discussion included school guardians; property owners are already paying for this through the county general fund; the Village should not be involved with funding; waiting to hear from the school superintendent; and Council deciding on a position in the near future.

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

8. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmember McLain: (1) Briefed Council on the Veterans Day celebration, November 17, 2018, 11:30 a.m. to 1:30 p.m.

Councilmember Errington: (1) Regarding Koreshan State Park, Estero received \$2,000 to install safe boating signs. (2) Regarding sediment removal from Estero River, she has the name and address for funding requests; she also had a conversation with Phil Flood from South Florida Water Management District. (3) She attended the Memorial Day event at the Elks Club; it was brought to her attention that Estero needed some presence at future Memorial Day events. (4) On a recent visit to Sanibel, she saw a shared-use path sign along the roadway and suggested that the Village utilize similar signage along Sandy Lane and Broadway East.

9. VILLAGE ATTORNEY'S REPORT:

Village Attorney Saunders reminded Council of the upcoming Village Manager evaluation, set for the June 20, 2018 Village Council meeting.

10. VILLAGE MANAGER'S REPORT: None.

Adjourn Regular Session and Convene Workshop

11. WORKSHOP ITEMS:

(a) Land Development Code Project "Kick-off"

Community Development Director Gibbs provided a brief introduction.

Craig Richardson, Clarion and Associates, spoke to the following topics utilizing a PowerPoint Presentation: The Clarion Team; Work Program and Schedule; Thoughts on Project Goals; Implement Comprehensive Plan: Improve Form and Design Standards; Create Better Connections; Protect Residential Development from Encroachment; Other Issues; Public Involvement.

Questions or Comments: Mayor Boesch inquired about the involvement of the Planning and Zoning Board and Design Review Board. Community Development Director Gibbs responded that she invited all board members to today's meeting (2 were in attendance); she noted that she intended to involve the Planning and Zoning Board.

Public Comment: None.

A motion to adjourn was made and duly passed.

11. ADJOURNMENT: 12:07 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

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