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**APPROVED BY COUNCIL  
MARCH 6, 2019**

**FINAL ACTION AGENDA/MINUTES  
VILLAGE COUNCIL SPECIAL MEETING**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
October 31, 2018 9:30 a.m.**

**1. CALL TO ORDER: 9:30 a.m.**

**PLEDGE OF ALLEGIANCE:** Led by Mayor Boesch.

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

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 approve the agenda.

**Motion by:** Councilmember Wilson

**Seconded by:** Vice Mayor Ribble

**Action:** Approved the agenda.

**Vote:**

Aye: Unanimous (Roll Call vote)

Nay:

Abstentions:

### 3. ACTION ITEM:

#### (a) Consideration of Resolution No. 2018-18 and Purchase and Sale Agreement

Resolution No. 2018-18 A Resolution of the Village Council of the Village of Estero, Florida, Authorizing the Purchase of 62.05± Acres Adjacent to the Estero River; Determining that it is in the Best Interest and Welfare of the Village and its Residents; and Providing an Effective Date

Village Clerk Hall read the title of the resolution.

Village Manager Sarkozy provided a brief overview; December 12 will be the next time this will be on the agenda

Village Attorney Saunders addressed waiving Council rules regarding dealing with reconsideration, and have a motion to reconsider the vote the Council had at their last meeting.

**Motion:** Move to waive Council rules.

**Motion by:** Councilmember McLain

**Seconded by:** Councilmember Batos

**Action:** Move to waive Council rules.

**Vote:**

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

Nay: Councilmember Levitan

Abstentions:

Village Attorney Saunders stated that this is the same contract that was fully explained at the last meeting. Village Attorney Saunders noted the change on page 3. It now states that the final decision to proceed with the purchase has to have approval from the Village Council. The Village Manager does not have the authority.

**Questions or Comments:** Questions were asked whether issues could be addressed during the due diligence in addition to questions about the life estate, the title search, and the kayak operation. Village Attorney Saunders and Village Manager Sarkozy responded to questions.

**Public Comment:**

Mark Novitski, Bella Terra, supports the effort; concerned about selling off some of the property to pay down the debt.

Allen Hergenbahn, Coconut Shores, concern regarding the floodplain in the area and whether there has been thought about bringing it up to code. There are zoning issues that council is concerned about; does Village Partners own the property? How many developers have expressed interest in purchasing the property?

**Motion:** Move to adopt Resolution No. 2018-20, authorizing the purchase of 62.05± acres adjacent to the Estero River; determining that it is in the best interest and welfare of the Village and its residents; and providing an effective date.

**Motion by:** Councilmember Errington

**Seconded by:** Councilmember McLain

**Action:** Motion to approve Resolution No. 2018-20, authorizing the purchase of 62.05± acres adjacent to the Estero River; determining that it is in the best interest and welfare of the Village and its residents; and providing an effective date.

**Vote:**

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

**Nay:** Councilmember Levitan

**Abstentions:**

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

Mark Novitski, Bella Terra, asked how the Village addressed issues on its borders, and inquired regarding the public getting help from FEMA.

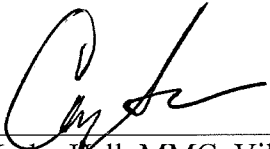
A motion to adjourn was made and duly passed.

**5. ADJOURNMENT: 9:54 a.m.**

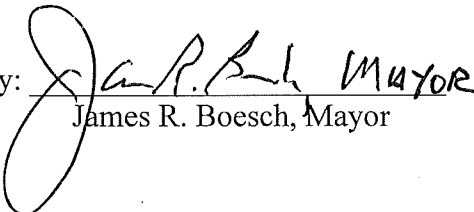
ATTEST:

VILLAGE OF ESTERO, FLORIDA

By:

  
Kathy Hall, MMC, Village Clerk  
*on behalf of Kathy Hall*

By:

  
James R. Boesch, Mayor