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**APPROVED BY THE COUNCIL
OCTOBER 2, 2019**

**FINAL ACTION AGENDA/MINUTES
VILLAGE COUNCIL
ZONING AND COMPREHENSIVE PLAN HEARINGS**

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
September 25, 2019 9:30 a.m.**

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

INVOCATION: Pastor Kevin Morris from Hope Presbyterian Church.

PLEDGE OF ALLEGIANCE: Led by Vice Mayor Errington.

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

Also present: Village Manager Steve Sarkozy, Village Land Use Counsel Nancy Stroud, Community Development Director Mary Gibbs, Public Works Director David Willems, and Village Clerk Kathy Hall.

2. PUBLIC COMMENT ON NON-AGENDA ITEMS:

Gary Israel, The Speakers Assembly of Southwest Florida

3. PUBLIC HEARING:

Consider Adoption of Compliance Agreement to Resolve Administrative Challenge to the Village's Comprehensive Plan

Staff Presentation/Comments: Community Development Director Gibbs; Village Land Use Counsel Stroud.

Council Questions or Comments: Councilmember Levitan.

Public Comment: None.

Motion: Move to adopt the Compliance Agreement.

Motion by: Councilmember Levitan

Seconded by: Councilmember Boesch

Action: Adopted the Compliance Agreement.

Vote: (Roll call)

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

Nay:

Abstentions:

4. ORDINANCE SECOND READING AND PUBLIC HEARING:

Second Reading of Ordinance 2019-24 Relating to Adoption of a Comprehensive Plan Text Amendment to Future Land Use Policy 1.2.3. Wetlands

Ordinance No. 2019-24 An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Amendment to the Village of Estero Comprehensive Plan to Change the Text of Future Land Use Policy 1.2.3. Relating to Wetlands; Providing for Transmittal of the Amendment to the State of Florida and Other Reviewing Agencies as Required by Statute; Providing for Severability; Providing for Conflicts; and Providing an Effective Date

Staff Presentation/Comments: Village Clerk Hall; Community Development Director Gibbs; Village Land Use Counsel Stroud.

Council Questions or Comments: None.

Public Comment:

Patty Whitehead, Old Estero

Motion: Move to adopt Ordinance No. 2019-24.

Motion by: Councilmember Levitan

Seconded by: Councilmember Boesch

Action: Adopted Ordinance No. 2019-24.

Vote: (Roll call)

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

Nay:

Abstentions:

5. ORDINANCE SECOND READING AND PUBLIC HEARING:

Second Reading of Ordinance No. 2019-25 Relating to the Corkscrew Crossing Zoning Amendment

Ordinance No. 2019-25 An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions a Zoning Amendment with Deviations to Permit a Proposed 590-Unit Residential Project Known as Corkscrew Crossing for Property Located at 12840 and 12970 Corkscrew Road in the Village of Estero, Florida, and Comprising Approximately 395.6 Acres in the Residential Planned Development; Providing for Severability; and Providing an Effective Date

Mayor Ribble explained the quasi-judicial process. Staff and audience members intending to provide testimony were sworn-in by Village Clerk Hall.

Disclosure of Ex Parte Communications: Councilmember Levitan and Vice Mayor Errington. Conflicts of Interest: None.

Staff Presentation/Comments: Village Clerk Hall; Community Development Director Gibbs; Village Land Use Counsel Stroud.

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

Presentations by:

Neale Montgomery, Esq., Land Use Attorney, Pavese Law Firm
Mike Myers, Senior Ecologist, Passarella & Associates
Mike Delate, P.E., Engineer, Q. Grady Minor & Associates, P.A.
Jim Banks, P.E., Traffic Engineer, JMB Transportation Engineering, Inc.

The meeting went into recess at 10:53 a.m. and reconvened at 11:05 a.m.

Council Questions or Comments: Councilmembers Levitan, Batos, McLain, Wilson, and Vice Mayor Errington.

Public Comment:

Sarah Spector, Roetzel & Andress, representing Wildcat Run
Patty Whitehead, Old Estero
Barbara Saxton, The Reserve, representing Friends of River Oaks
Kelly McNab, Conservancy of Southwest Florida
Meredith Budd, Florida Wildlife Federation
Reas Graber, Bella Terra

Rebuttal: Neale Montgomery, Esq., Land Use Attorney, Pavese Law Firm

Council Questions or Comments: Councilmembers Levitan, Boesch, Batos, and Vice Mayor Errington.

Motion: Move to adopt Ordinance No. 2019-25.

Motion by: Councilmember Levitan

Seconded by: Councilmember Wilson

Action: Adopted Ordinance No. 2019-25.

Vote: (Roll call)

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

Nay:

Abstentions:

A motion to adjourn was made and duly passed.

6. ADJOURNMENT: 11:39 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: 
Kathy Hall, MMC, Village Clerk

By: 
Bill Ribble, Mayor