

Final Action Agenda/Minutes are supplemented by audio and video recordings of the meetings, as well as transcripts. Video recordings of Village Council meetings from June 8, 2016 forward, as well as agendas, staff reports, resolutions, ordinances, and other documents related to the meetings can be viewed online at <https://estero-fl.gov/agendas/> at the corresponding meeting date.

APPROVED JULY 8, 2020

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL MEETING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
June 17, 2020 9:30 a.m.**

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

INVOCATION: Pastor Tim Carson – Estero United Methodist Church

PLEDGE OF ALLEGIANCE: Led by Mayor Bill Ribble

ROLL CALL: Present: Mayor Bill Ribble - District 1, Vice Mayor Katy Errington - District 4, Councilmember Howard Levitan - District 2 (via teleconference), Councilmember Jon McLain - District 3, Councilmember Jim Boesch - District 5, and Councilmember Nick Batos - District 6. Councilmember Jim Wilson (via teleconference)- 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, Village Deputy Clerk Tammy Duran, and Executive Assistant to the Village Manager Carol Sacco

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:

Motion: Move to approve the agenda.

Motion by: Vice Mayor Katy Errington

Seconded by: Councilmember Jon McLain

Action: Approved the agenda.

Vote: (Verbal)

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

Nay:

Abstentions:

3. PRESENTATION:

Florida Gulf Coast University Update on Water Institute presented by Dr. Michael Martin and Greg Tolley and presentation of the preliminary water quality findings for the Estero River, presented by Don Duke, Ph.D., P.E.

Staff Presentation/Comments: Village Manager Steve Sarkozy

Presentation:

Dr. Michael Martin - FGCU

Dr. Don Duke -FGCU

Council Questions or Comments: None.

Public Comment: None.

Recessed Regular Meeting at 9:51 a.m. to move workshop item 12a up.

12. WORKSHOP ITEMS:

(a) Septic to Sewer Report

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Burt Saunders, Village Attorney

Presentation:

D. Brent Addison, P.E., Banks Engineering

Council Questions or Comments:

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

Public Comment:

In Person:

Dr. Joe Miceli, PH.D, Rookery Pointe

Council Member Jason Maughan, City of Sanibel

Patty Whitehead, Old Estero

eComment:

Marc Goldstein, Pelican Sound

Janet O'Hara, Pelican Sound Watercraft and River Committee

Bob Dion, Pelican Sound Golf and River Club

Conclusion of Workshop at 10:45 am. Regular Meeting reconvened.

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

5. CONSENT AGENDA:

- (a) May 27, 2020 Village Council Meeting Minutes
- (b) Financial Report for Month Ended April 30, 2020

Motion: Move to approve the Consent Agenda.

Motion by: Vice Mayor Katy Errington
Seconded by: Councilmember Jon McLain

Action: Approved the Consent Agenda.

Vote: (Verbal)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble
Nay:
Abstentions:

6. ACTION ITEMS:

- (a) Estero on the River declare 11 vacant structures as surplus property and approve Demolition RFB 2020-06

Staff Presentation/Comments:
Steve Sarkozy, Village Manager
Lisa Roberson, Finance Director

Council Questions or Comments:
Councilmembers Levitan and McLain, Vice Mayor Errington, and Mayor Ribble

Public Comment: None.

Motion: Motion to authorize the Village Manager to execute the contract and any other related ancillary documents on behalf of the Village of Estero Council.

Motion by: Councilmember Jim Boesch
Seconded by: Councilmember Jon McLain

Action: Authorized the Village Manager to execute the contract and any other related ancillary documents on behalf of the Village of Estero Council.

Vote: (Roll call vote)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble
Nay:
Abstentions:

- (b) Resolution No. 2020-08 A Resolution of the Village Council of the Village of Estero, Florida Authorizing the Purchase of 9.2± acres on Williams Road and the Sale of 2.7 acres of surplus property on County Road; Determining that it is in the best interest and welfare of the Village and its residents; providing for appropriate budget transfers and providing an effective date.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Council Questions or Comments:

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

Public Comment: None

Motion: Move to: Approve Resolution No.2020-08, which authorizes the Mayor to sign the purchase agreement and sale agreement and authorizes the Village Manager and Village Attorney to complete any necessary due diligence or other actions to consummate and close the purchase and sale of the properties in accordance with terms of the Purchase and Sale Agreements.

Motion by: Vice Mayor Katy Errington

Seconded by: Councilmember Jon McLain

Action: Approved Resolution No.2020-08, which authorizes the Mayor to sign the purchase agreement and sale agreement and authorizes the Village Manager and Village Attorney to complete any necessary due diligence or other actions to consummate and close the purchase and sale of the properties in accordance with terms of the Purchase and Sale Agreements.

Vote: (Roll call vote)

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

Nay: Councilmembers Levitan, Batos and Mayor Ribble

Abstentions:

- (c) Resolution No. 2020-09 A Resolution of the Village Council of the Village of Estero, Florida, Naming Steve Sarkozy As Acting Village Clerk, In Addition To His Role As Village Manager; And Providing An Effective Date.

Staff Presentation/Comments: None.

Council Questions or Comments: None.

Public Comment: None.

Motion: Move to approve Resolution No.2020-09 Naming Steve Sarkozy Acting Village Clerk

Motion by: Vice Mayor Katy Errington
Seconded by: Councilmember Jim Boesch

Action: Approved Resolution No.2020-09 Naming Steve Sarkozy Acting Village Clerk.

Vote: (Roll call vote)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble
Nay:
Abstentions:

(c) Design Review Board (DRB)

Staff Presentation/Comments:
Steve Sarkozy, Village Manager

Council Questions or Comments:
Councilmember Batos

Public Comment: None.

Motion: Motion to appoint Barry Freedman and Jim Wallace to an interim term through March 31, 2021, or upon the effective date of the Land Development Code.

Motion by: Vice Mayor Katy Errington
Seconded by: Councilmember Jim Boesch

Action: Appointed Barry Freedman and Jim Wallace to an interim term through March 31, 2021, or upon the effective date of the Land Development Code.

Vote: (Roll call vote)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble
Nay:
Abstentions:

(d) Happehatchee Operating Agreement

Staff Presentation/Comments:
Steve Sarkozy. Village Manager

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

Public Comment:

Patty Whitehead, Old Estero

Motion: Move to approve the Village Manager to sign the provided agreement with the YMCA.

Motion by: Councilmember Jon McLain

Seconded by: Vice Mayor Katy Errington

Action: Approved the Village Manager to sign the provided agreement with the YMCA.

Vote: (Roll call vote)

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

Nay:

Abstentions:

(f) Letter to Lee County requesting disaster response services.

Staff Presentation/Comments:

Steve Sarkozy. Village Manager

Council Questions or Comments: None.

Public Comment: None.

Motion: Move to approve a letter to be sent to Lee County, from Village Manager Sarkozy, requesting Lee County disaster response services, in the case of a Lee County declared emergency.

Motion by: Councilmember Jim Boesch

Seconded by: Vice Mayor Katy Errington

Action: Approved letter to be sent to Lee County, from Village Manager Sarkozy, requesting Lee County disaster response services, in case of a Lee County declared emergency.

Vote: (Roll call vote)

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

Nay:

Abstentions:

7. FIRST READING OF ORDINANCES:

- (a) Zoning Ordinance No. 2020-03 An Ordinance Of The Village Council Of The Village Of Estero, Florida, Approving With Conditions A Rezoning From Agriculture (AG-2) To Commercial Planned Development With Deviations, To Allow A Commercial Development On Property Located At 8111 Broadway East, East Of U.S. 41 And North Of Estero United Methodist Church; Providing For Severability; And Providing An Effective Date.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Mary Gibbs, Director of Community Development

Council Questions or Comments:

Councilmembers Levitan, McLain, Batos, Vice Mayor Errington, and Mayor Ribble

Public Comment: None.

Motion: Motion to pass first reading of Ordinance No. 2020-03 and schedule second reading/public hearing for July 15, 2020.

Motion by: Councilmember Nick Batos

Seconded by: Councilmember Jim Boesch

Action: Approved motion to pass first reading of Ordinance No. 2020-03 and schedule second reading/public hearing for July 15, 2020.

Vote: (Roll call vote)

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

Nay:

Abstentions:

- (b) Ordinance No. 2020-04 An Ordinance Of The Village Council Of The Village Of Estero, Florida, Approving With Conditions An Amendment To The South Estero Commercial Center Commercial Planned Development To Add Medical Office As A Use On The 1.14 Acre Lot (Lot 4) Located On The East Side Of Us 41, 700 Feet South Of The Corkscrew Road Intersection And Corkscrew Village Shopping Center; Providing For Conflicts; Providing For Severability; And Providing An Effective Date.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Mary Gibbs, Director of Community Development

Council Questions or Comments:

Councilmember McLain, Levitan, and Vice Mayor Errington

Public Comment: None

Motion: Motion to pass first reading of Ordinance No. 2020-04 and schedule second reading/public hearing for July 15, 2020.

Motion by: Vice Mayor Katy Errington

Seconded by: Councilmember Jon McLain

Action: Approved motion to pass first reading of Ordinance No. 2020-04 and schedule second reading/public hearing for July 15, 2020.

Vote: (Roll call vote)

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

Nay:

Abstentions:

8. PUBLIC COMMENT ON NON-AGENDA ITEMS:

Barbara Saxton, The Reserve

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Council Questions or Comments:

Councilmembers Batos, Boesch, McLain, Levitan, Vice Mayor Errington and Mayor Ribble.

10. VILLAGE ATTORNEY'S REPORT:

(a) Gray Robinson Retainer

Motion: Motion to approve the Village Manager to sign the renewal of the retainer dealing with Lobbying Issues with Gray Robinson

Motion by: Councilmember Nick Batos

Seconded by: Vice Mayor Katy Errington

Action: Approved the Village Manager to sign the renewal of the retainer dealing with Lobbying Issues with Gray Robinson

Vote: (Verbal)

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

Nay:

Abstentions:

(b) Village Manager Evaluation

Council Questions or Comments:

Mayor Ribble

11. VILLAGE MANAGER’S REPORT:

- (a) COVID-19 Update

Adjourn Regular Session at 12:00 pm, and Convene Workshop at 12:19 pm

12. WORKSHOP ITEMS:

- (b) Capital Improvement Plan (CIP)

Staff Presentation/Comments:

Steve Sarkozy, Village Manager
David Willems, Public Works Director

Council Questions or Comments:

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

Public Comment:

Lou Frattarelli, ECCL Transportation
Barry Freedman, The Vines
Barbara Saxton, Friends of River Oaks

- (c) Branding

Staff Presentation/Comments:

Steve Sarkozy, Village Manager
David Willems, Public Works Director

Council Questions or Comments:

Councilmembers Levitan, McLain, Boesch, Batos, and Mayor Ribble

Council agreed to move forward and formalize at their next meeting on July 8th.

Public Comment: None.

- (d) Bike & Pedestrian Master Plan

Staff Presentation/Comments:

Steve Sarkozy, Village Manager
David Willems, Public Works Director

Council Questions or Comments:

Councilmembers Batos, Levitan and Mayor Ribble

Public Comment:

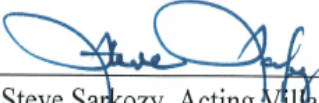
Vik Chhabra, Country Oaks

Agreed to move forward to adopt a plan.

A motion to adjourn was made and duly passed.

13. ADJOURNMENT: 1:30 p.m.

ATTEST:

By: 
Steve Sarkozy, Acting Village Clerk

(td/SS)

VILLAGE OF ESTERO, FLORIDA

By: 
Bill Ribble, Mayor