

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 SEPTEMBER 9, 2020

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL ZONING HEARING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
July 22, 2020 9:30 a.m.**

1. CALL TO ORDER

INVOCATION: Father Tony Gilborges – Our Lady of Light Catholic Community

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 (via teleconference) - District 2, Councilmember Jon McLain - District 3, Councilmember Jim Boesch - District 5, Councilmember Nick Batos - District 6, and Councilmember Jim Wilson (via teleconference) - District 7.

Also present: Village Manager Steve Sarkozy, Village Attorney Derek Rooney, Deputy Village Manager Kyle Coleman, Public Works Director David Willems, Finance Director Lisa Roberson, 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: (Roll Call)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

Note: Councilmember Wilson lost connection and did not vote on this item.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

In Person:

Jack Meeker, Copperleaf Brooks

eComment:

Bob Dion, Pelican Sound Golf and River Club

4. CONSENT AGENDA:

(a) July 8, 2020 Village Council Meeting Minutes

(b) Financial Report for Month Ended May 30, 2020

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Nick Batos

Seconded by: Vice Mayor Katy Errington

Action: Approved the Consent Agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

5. ACTION ITEMS:

(a) Presentation of Proposed Budget for Fiscal Year 2020-2021

Recommended Action: Review proposed Budget for Fiscal Year 2020-2021

Financial Impact: The proposed budget will provide funding for the Fiscal Year 2020-2021

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Lisa Roberson, Finance Director

Council Questions or Comments:

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

Public Comment: None.

No Motion Made

- (b) Resolution No. 2020-13 A Resolution of the Village Council of the Village of Estero, Florida, Determining the Proposed Millage Rate for Fiscal Year 2020-2021, Setting the Date, Time and Place for the Public Hearings Required by State Law; Directing Staff to Transmit Necessary Documentation Pursuant to the Requirements of Florida Statutes and the Rules and Regulations of the Department of Revenue of the State of Florida; and Providing an Effective Date

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Lisa Roberson, Finance Director

Council Questions or Comments:

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

Public Comment: None.

Motion: Motion to adopt Resolution No. 2020-13.

Motion by: Councilmember Jim Wilson

Seconded by: Councilmember Nick Batos

Action: Adopted Resolution No. 2020-13

Vote: (Roll Call)

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

Nay:

Abstentions:

- (c) Resolution No. 2020-12 A Resolution of the Village Council of the Village of Estero, Florida, Naming the Lee County Supervisor of Elections as the Village of Estero's Qualifying Official; and Providing an Effective Date.

Recommended Action: Approve Resolution 2020-12 Naming the Lee County Supervisor of Elections as the Village of Estero's Qualifying Official and authority for the Village Manager to enter into the attached agreement with the Lee County Supervisor of Elections, which is an expansion of the existing interlocal agreement between the parties.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Lisa Roberson, Finance Director

Council Questions or Comments:

Councilmember Batos, Vice Mayor Errington, and Mayor Ribble

Public Comment: None.

Motion: Motion to approve Resolution 2020-12 Naming the Lee County Supervisor of Elections as the Village of Estero's Qualifying Official and authority for the Village Manager to enter into the attached agreement with the Lee County Supervisor of Elections, which is an expansion of the existing interlocal agreement between the parties.

Motion by: Councilmember Nick Batos

Seconded by: Vice Mayor Katy Errington

Action: Approved Resolution 2020-12 Naming the Lee County Supervisor of Elections as the Village of Estero's Qualifying Official and authority for the Village Manager to enter into the attached agreement with the Lee County Supervisor of Elections, which is an expansion of the existing interlocal agreement between the parties.

Vote: (Roll Call)

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

Nay:

Abstentions:

(d) Transportation Impact Fee Credit Agreement

Recommended Action: Approve the WCI/Lennar Transportation Impact Fee Credit Agreement between WCI/Lennar and the Village of Estero for the Pelican Colony Traffic Signal. Authorize the Mayor to execute this agreement on behalf of the Village of Estero Council.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Derek Rooney, Village Attorney

Council Questions or Comments:

Councilmembers Levitan, McLain, Batos, and Mayor Ribble

Public Comment: None.

Motion: Motion to approve the WCI/Lennar Transportation Impact Fee Credit Agreement between WCI/Lennar and the Village of Estero for the Pelican Colony Traffic Signal. Authorize the Mayor to execute this agreement on behalf of the Village of Estero Council.

Motion by: Councilmember Nick Batos

Seconded by: Councilmember Howard Levitan

Action: Approved the WCI/Lennar Transportation Impact Fee Credit Agreement between WCI/Lennar and the Village of Estero for the Pelican Colony Traffic Signal. Authorize the Mayor to execute this agreement on behalf of the Village of Estero Council.

Vote: (Roll Call)

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

Nay:

Abstentions:

(e) Corkscrew Road/Puente Lane Traffic Signal Interlocal Agreement

Approve the Interlocal Agreement between Lee County and the Village of Estero for Corkscrew Road/Puente Lane Traffic Signal.

Because the Lee County Commission is currently on summer break the proposed Interlocal Agreement will not be considered until later in August, it is anticipated that there may be additional requested changes to the draft agreement.

Authorize the Mayor to execute this agreement on behalf of the Village of Estero Council including any minor revisions to the agreement requested by Lee County which do not alter the scope or intent of the agreement.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Derek Rooney, Village Attorney

Council Questions or Comments:

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

Public Comment:

eComment

Lou Frattarelli, Preserve at Corkscrew

In-Person

Neale Montgomery, Pavese Law Firm

Motion: Motion to Approve the Interlocal Agreement between Lee County and the Village of Estero for Corkscrew Road/Puente Lane Traffic Signal. Authorize the Mayor to execute this agreement on behalf of the Village of Estero Council including any minor revisions to the agreement requested by Lee County which do not alter the scope or intent of the agreement.

Motion by: Councilmember Jim Boesch

Seconded by: Vice Mayor Katy Errington

Action: Approved the Interlocal Agreement between Lee County and the Village of Estero for Corkscrew Road/Puente Lane Traffic Signal. Authorize the Mayor to execute this agreement on behalf of the Village of Estero Council including any minor revisions to the agreement requested by Lee County which do not alter the scope or intent of the agreement.

Vote: (Roll Call)

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

Nay:

Abstentions:

- (f)** Solid Waste Agreement for Municipal Solid Waste Disposal, Solid Waste System Assessment and Supplemental Services

The Lee County Commission will be taking action to approve the agreement at their meeting on August 24, 2020. County staff has indicated that all contracts with member cities are identical. We will be monitoring the County approval process and should any significant change be found between agreements the Estero Village Council will be advised and have the option to revoke this agreement at a meeting in September.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Derek Rooney, Village Attorney

Lisa Roberson, Finance Director

Presentation

Doug Whitehead, Solid Waste Director, Lee County

Council Questions or Comments:

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

Public Comment: None.

Motion: Motion to approve the attached “Inter-Local Agreement for Municipal Solid Waste Disposal, Solid Waste System Assessment and Supplemental Services” with Lee County.

Motion by: Vice Mayor Katy Errington

Seconded by: Councilmember Jon McLain

Action: Approved the attached “Inter-Local Agreement for Municipal Solid Waste Disposal, Solid Waste System Assessment and Supplemental Services” with Lee County.

Vote: (Roll Call)

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

Nay: Councilmember Boesch

Abstentions:

6. FIRST READING OF ORDINANCES:

- (a) Ordinance 2020-06 An Ordinance of the Village Council of the Village of Estero, Florida, providing for The Authority to Establish Special Assessments; Establishing Procedures Imposition and Collection of Special Assessments; Authorizing The Issuance of Obligations Secured by Such Assessments; Providing for Severability; Providing for Codification; And Providing for an Effective Date.

Recommended Action: Pass first reading and set second reading for September 9, 2020 at 5:30 p.m.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Derek Rooney, Village Attorney

Council Questions or Comments:

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

Public Comment: None.

Motion: Motion to pass the first reading of Ordinance 2020-06 and set second reading for September 9, 2020 at 5:30 p.m.

Motion by: Vice Mayor Katy Errington

Seconded by: Councilmember Jon McLain

Action: Passed the first reading of Ordinance 2020-06 and set second reading for September 9, 2020 at 5:30 p.m.

Vote: (Roll Call)

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

Nay:

Abstentions:

7. SECOND READING OF ORDINANCES:

- (a) Ordinance No. 2020-05 An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Official Village Seal; Providing for Conflict; Providing for Severability; Providing for Codification; Providing an Effective Date.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Derek Rooney, Village Attorney

Council Questions or Comments:

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

Public Comment: None.

Motion: Motion to approve Ordinance 2020-05 Adopting an Official Village Seal.

Motion by: Councilmember Nick Batos
Seconded by: Vice Mayor Katy Errington

Action: Approved Ordinance 2020-05 Adopting an Official Village Seal.

Vote: (Roll Call)

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

Nay:

Abstentions

8. SECOND PUBLIC HEARING:

- (a) Resolution No. 2020-14 A Resolution of the Village Council of the Village of Estero, Florida, Adopting the Capital Improvement Program for Fiscal Year 2020-2021; and Providing an Effective Date

Recommended Action: Motion to adopt Resolution No. 2020-14

Staff Presentation/Comments:
Steve Sarkozy, Village Manager

Council Questions or Comments:
Councilmembers Levitan and Mayor Ribble

Public Comment:

eComments

Louis Frattarelli, Representing ECCL Transportation Council

Bob Dion, Pelican Sound Golf

Motion: Motion to approve Resolution No. 2020-14.

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

Action: Approved Resolution No. 2020-14.

Vote: (Roll Call)

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

Nay:

Abstentions

9. PUBLIC COMMENT ON NON-AGENDA ITEMS

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

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

11. VILLAGE ATTORNEY'S REPORT: None.

12. VILLAGE MANAGER'S REPORT None.

13. ADJOURNMENT 12:12 p.m.

ATTEST:

By: 
Steve Sarkozy, Acting Village Clerk

(td/SS)

VILLAGE OF ESTERO, FLORIDA

By: 
Bill Ribble, Mayor