

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 BY COUNCIL

JULY 20, 2022

VILLAGE COUNCIL MEETING

Village of Estero Council Chambers

9401 Corkscrew Palms Circle

Estero, FL 33928

July 6, 2022 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Pastor Phil McMillan Ocean Church.

PLEDGE OF ALLEGIANCE

Led by Vice Mayor McLain

ROLL CALL

Present: Mayor Katy Errington - District 4, Vice Mayor Jon McLain - District 3, Councilmember Joanne Ribble - District 1, Councilmember Larry Fiesel - District 2, Councilmember Jim Boesch - District 5, Councilmember Jim Ward - District 6 (via Zoom), and Councilmember Jim Wilson - District 7 (via Zoom).

Also present

Village Manager Steve Sarkozy, Interim Village Attorney Robert Pritt, Land Use Attorney Nancy Stroud, Interim Finance Director Britt Martin (via Zoom), Public Works Director David Willems, Community Development Director Mary Gibbs, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to permit Councilmembers Wilson and Ward to participate remotely in Zoom Presentation.

Motion by: Councilmember Fiesel

Seconded by: Councilmember Ribble

Action: Approved motion to permit Councilmembers Wilson and Ward to participate remotely in Zoom Presentation.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

Motion: Motion to approve agenda with tabling 8b.

Motion by: Vice Mayor McLain

Seconded by: Councilmember Boesch

Action: Approved agenda with tabling 8b.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ward, Wilson, Ribble, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

3. PROCLAMATION

- (a)** The Honorable Senator Kathleen C. Passidomo Florida Senate President-Designate

Council Questions or Comments
Mayor Errington.

Presentation/Information by
Senator Kathleen C. Passidomo Florida Senate President

4. RECOGNITIONS

The Honorable Senator Kathleen C. Passidomo Florida Senate President-Designate
The Honorable Senator Ray Rodrigues The Florida Senate
The Honorable Representative Adam Botana The Florida House of Representatives

Lobbyist
Ron Book, Ronald L. Book, P.A.
Rana Brown, Ronald L. Book, P.A.
Lena Juarez, JEJ & Associates
Robert Miller, JEJ & Associates

Presentation/Information by
Rana Brown, Ronald L. Book, P.A.
Lena Juarez, JEJ & Associates

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

In Person

Mark Novitski, Bella Terra
Mari Torres, Marsh Landing

eComment

Jack Otte, Island Club

6. CONSENT AGENDA

(a) June 15, 2022, Council Meeting Minutes

(b) Financial Report for Month ended May 2022

Motion: Motion to approve the Consent Agenda.

Motion by: Councilmember Ribble

Seconded by: Vice Mayor McLain

Action: Approved the Consent Agenda.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ward, Wilson, Ribble, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

7. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None.

8. ACTION ITEMS

(a) Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2021, by Jeff Tuscan, CPA, Tuscan &. Company, PA.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Presentation/Information by

Jeff Tuscan, CPA, Tuscan &. Company, PA

Council Questions or Comments

None.

Public Comments

None.

Motion: Motion to approve Comprehensive Annual Financial Report

Motion by: Councilmember Boesch
Seconded by: Councilmember Fiesel

Action: Approved Comprehensive Annual Financial Report

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ward, Wilson, Ribble, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

- (b)** First Amendment to Master Interlocal Agreement Regarding Distribution Formula for Allocation of Revenue from Local Option Fuel Tax.

ITEM TABLED

- (c)** Resolution No. 2022-20 Joint Local Mitigation Strategy Plan

A Resolution of the Village of Estero, Florida; Providing for the Adoption of the 2022 Joint Local Mitigation Strategy Plan, prepared by the Local Mitigation Strategy Planning Team of Lee County, as the Formal Guide for the Village of Estero's Hazard Mitigation Activities; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Fiesel

Public Comments

None.

Motion: Motion to adopt Resolution No. 2022-20.

Motion by: Councilmember Ribble

Seconded by: Vice Mayor McLain

Action: Adopted Resolution No. 2022-20.

Vote: (Roll Call)

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

Nay:

Abstentions:

(d) Resolution No. 2022-18 Village Council Rules of Procedure

A Resolution of the Village Council of the Village of Estero, Florida, Amending Village Council and Advisory Board Rules of Procedure; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Robert Pritt, Interim Village Attorney

Council Questions or Comments

Councilmembers Boesch, Fiesel, Ward, Wilson, Ribble, Vice Mayor McLain, and Mayor Errington.

Public Comments

None.

Motion: Motion to adopt Resolution No. 2022-18.

Motion by: Councilmember Fiesel

Seconded by: Vice Mayor McLain

Action: Adopted Resolution No. 2022-18.

Vote: (Roll Call)

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

Nay: Councilmember Ward

Abstentions:

9. FIRST READING

(a) First Reading of Ordinance No. 2022-05 Redistricting of the Village District Boundaries

An Ordinance of the Village Council of The Village of Estero, Florida; Updating and Revising the District Boundaries Described in the Village Charter for the Election of Council Members in Accordance with the 2020 U.S. Census Data, the Village Charter, State Law and Federal Law; Adopting the Map Indicating the Revised Boundaries; Providing for Creation of Legal Descriptions; Providing for Codification; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Robert Pritt, Interim Village Attorney

Presentation/Information by

Kurt Spitzer, KS&A Government Consultants

Council Questions or Comments

Councilmembers Boesch, Ribble, Fiesel, Ward, Wilson, Vice Mayor McLain, and Mayor Errington.

Public Comment

None.

Motion: Motion to pass first reading of Ordinance No. 2022-05 with the map 2A-1 and set second reading for July 20, 2022.

Motion by: Vice Mayor McLain

Seconded by: Councilmember Ribble

Action: Passed first reading of Ordinance No. 2022-05 with the map 2A-1 and set second reading for July 20, 2022.

Vote: (Roll Call)

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

Nay: Councilmember Ward

Abstentions:

10. PUBLIC HEARINGS

(a) Ordinance No. 2022-06 Comprehensive Plan Text Amendment - Property Rights Element

An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Amendment to the Village of Estero Comprehensive Plan to Add a Property Rights Element to the Text as Provided in Exhibit “A” and Made a Part Hereof; Providing for Transmittal to the State Land Planning Agency and Others as Required by State Statute; Providing for Severability; Providing for Conflicts; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Council Questions or Comments

Vice Mayor McLain, and Mayor Errington.

Public Comment

None.

Motion: Motion to transmit Comprehensive Plan Amendment and Ordinance No. 2022-06 to state review agency.

Motion by: Councilmember Ribble

Seconded by: Councilmember Fiesel

Action: Approved motion to transmit Comprehensive Plan Amendment and Ordinance No. 2022-06 to state review agency.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ribble, Ward, Wilson, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

- (b)** Ordinance No. 2022-07 Comprehensive Plan Amendment – Village Owned Property at Northeast Corner of US 41 and Corkscrew Road

An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Amendment to the Village of Estero Comprehensive Plan to Amend the Future Land Use Map for a 31.5 Acre Property at the Northeast Corner of US 41 and Corkscrew Road from Village Center to Public Parks and Recreation; Providing for Severability; Providing for Conflicts; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Council Questions or Comments

Councilmember Ribble, Vice Mayor McLain, and Mayor Errington.

Public Comment

None.

Motion: Motion to pass Ordinance No. 2022-07 on the first reading.

Motion by: Councilmember Boesch

Seconded by: Vice Mayor McLain

Action: Passed Ordinance No. 2022-07 on the first reading.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ribble, Ward, Wilson, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

- (c)** Ordinance No. 2022-08 Rezoning 31.5 acres of Village-owned property at the northeast corner of Corkscrew Road and US 41.

An Ordinance of the Village Council of the Village of Estero, Florida, Considering a Rezoning from Mixed-Use Planned Development (MPD) and Agriculture (AG2) to Parks and Community Facilities (PCF) for a 31.5 Acre Property at the

Northeast Corner of US 41 and Corkscrew Road; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Land Use Attorney, Nancy Stroud provided information regarding Council business and quasi-judicial hearings. All audience members and staff providing testimony for the hearing were sworn in by Village Clerk, Carol Sacco.

There were no conflicts of interest or ex-parte communications noted.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Council Questions or Comments

None.

Public Comment

None.

Motion: Motion to pass first reading of Ordinance No. 2022-08.

Motion by: Councilmember Ribble

Seconded by: Councilmember Fiesel

Action: Passed first reading of Ordinance No. 2022-08.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ribble, Ward, Wilson, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

(d) Resolution No. 2022-19 Capital Improvement Program for Fiscal Year 2022-2023

A Resolution of the Village Council of the Village of Estero, Florida, Adopting the Capital Improvement Program for Fiscal Year 2022-2023; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

None.

Public Comment

None.

Motion: Motion to move Capital Improvement Hearing and Resolution 2022-19 on to second public hearing on July 20, 2022.

Motion by: Councilmember Boesch

Seconded by: Councilmember Fiesel

Action: Passed motion to move Capital Improvement Hearing and Resolution 2022-19 on to second public hearing on July 20, 2022.

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ribble, Ward, Wilson, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

11. SECOND READING AND PUBLIC HEARING

- (a)** Second Reading and Public Hearing for Ordinance No. 2022-04 establishing a Community Development District for the Corkscrew Crossing Property.

An Ordinance Establishing Corkscrew Crossing Community Development District; Providing a District Name; Setting Forth the Authority for Adopting the Ordinance; Establishing the External Boundaries of the District; Designating the Initial Members of the Board of Supervisors; Establishing the Governing District Charter as Florida Statutes Chapter 190; Providing for Notice to Subsequent Purchasers; Pertaining to Modifications that may Arise from Consideration at Public Hearing; Providing for Conflict, Severability and an Effective Date.

The applicant's representatives were in attendance.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Council Questions or Comments

None.

Public Comment

None.

Motion: Motion to approve Ordinance No. 2022-04.

Motion by: Councilmember Boesch

Seconded by: Councilmember Ribble

Action: Approved Ordinance No. 2022-04

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ribble, Ward, Wilson, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

12. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

13. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmembers Fiesel, Wilson, Ward, Ribble, Vice Mayor, and Mayor Errington.

14. VILLAGE ATTORNEY'S REPORT

None.

15. VILLAGE MANAGER'S REPORT

Village Manager Steve Sarkozy

Adjourn Regular Session at 12:49 p.m. and Convene Workshop Items at 12:49 p.m.

13. WORKSHOP

(a) FY 2022/2023 Proposed Budget

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Ward.

Public Comment

None.

14. ADJOURNMENT at 12:55 pm.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Katy Errington, Mayor

(td/CS)

For an official copy of the signed minutes, please submit a [Public Record Request](#).