

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  
OCTOBER 19, 2022**

**VILLAGE COUNCIL MEETING**

**Village of Estero Council Chambers  
9401 Corkscrew Palms Circle  
Estero, FL 33928**

**September 21, 2022 3:30 p.m.**

**1. CALL TO ORDER**

**INVOCATION**

Rabbi Greenberg Chabad of Bonita Springs & Estero.

**PLEDGE OF ALLEGIANCE**

Led by Councilmember Fiesel

**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, and Councilmember Jim Wilson - District 7.

**Also present**

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

**2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS**

**Motion:** Motion to approve agenda.

**Motion by:** Councilmember Boesch

**Seconded by:** Vice Mayor McLain

**Action:** Approved agenda.

**Vote:** (Roll Call)

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

**Nay:**

Abstentions:

**3. PUBLIC COMMENT ON NON-AGENDA ITEMS**

**Staff Presentation/Comments**

Carol Sacco, Village Clerk

**In Person**

Melissa Proctor, Estates at Estero River

**4. CONSENT AGENDA**

(a) September 8, 2022, Council Meeting Minutes

(b) Resolution No. 2022-26 A Resolution of the Village Council of the Village of Estero, Lee County, Florida, Establishing Meeting Dates, Time, and Location for Meetings of the Village of Estero Council for 2023

**Motion:** Motion to approve the Consent Agenda.

**Motion by:** Councilmember Ribble

**Seconded by:** Councilmember Fiesel

**Action:** Approved the Consent Agenda.

**Vote:** (Roll Call)

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

Nay:

Abstentions:

**5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA**

None.

**6. PUBLIC HEARINGS**

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

No ex parte communication or conflicts of interest were noted.

(a) Final Plan approval for West Bay Island High Rise

Resolution No. 2022-22 A Resolution of the Village Council of the Village of Estero, Florida, Approving with Conditions the Final Plan Approval and Two Deviations for West Bay Club Island High Rise, Located on POD 5, West of US 41 at the end of Williams Road; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager  
Nancy Stroud, Land Use Attorney  
Mary Gibbs, Community Development Director

**Presentation/Information by**

Dana Hume, Johnson Engineering

**Council Questions or Comments**

Vice Mayor McLain.

**Public Comments**

None.

**Motion:** Motion to adopt Resolution No. 2022-22.

**Motion by:** Councilmember Boesch

**Seconded by:** Councilmember Wilson

**Action:** Adopted Resolution No. 2022-22.

**Vote: (Roll Call)**

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

Nay:

Abstentions:

**(b) Replat - Island Club Tower at West Bay Club**

No ex parte communication or conflicts of interest were noted.

Resolution No. 2022-29 A Resolution of the Village Council of the Village of Estero, Florida, Approving the Replat of Tract MF-1 and Tract LK 5-2, West Bay Club, Located on POD 5, West of US 41 at the end of Williams Road; and Providing an Effective Date.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager  
Mary Gibbs, Community Development Director  
Nancy Stroud, Land Use Attorney

**Council Questions or Comments**

None.

**Public Comments**

None.

**Motion:** Motion to adopt Resolution No. 2022-29.

**Motion by:** Councilmember Ward

**Seconded by:** Councilmember Fiesel

**Action:** Adopted Resolution No. 2022-29.

**Vote:** (Roll Call)

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

Nay:

Abstentions:

## 7. **FIRST READINGS**

- (a)** First Reading of Ordinance No. 2022-09 addressing Conflict of Interest – Planning, Zoning and Design Board

Ordinance No. 2022-09 An Ordinance of the Village Council of the Village of Estero, Florida, Amending Section 2-302C.2. of the Village Land Development Code to Change Membership Qualifications of the Planning Zoning and Design Board; Providing a Severability Clause; and Providing an Effective Date.

### **Staff Presentation/Comments**

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Nancy Stroud, Land Use Attorney

### **Council Questions or Comments**

Councilmember Fiesel and Vice Mayor McLain

### **Public Comments**

None.

**Motion:** Motion to pass first reading of Ordinance No. 2022-09 and set second reading and public hearing for October 5, 2022.

**Motion by:** Councilmember Ribble

**Seconded by:** Vice Mayor McLain

**Action:** Passed first reading of Ordinance No. 2022-09 and set second reading and public hearing for October 5, 2022.

**Vote:** (Roll Call)

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

Nay:

Abstentions:

- (b)** First Reading of Ordinance No. 2022-10 Estero Town Center (Wawa) Zoning Amendment

No ex parte communication or conflicts of interest were noted.

Ordinance No. 2022-10 An Ordinance of the Village Council of the Village of Estero, Florida, Considering a Zoning Amendment and Deviations for Estero Town Center Commercial Planned Development, Providing for Conflicts; Providing for Severability; and Providing an Effective Date

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager  
Mary Gibbs, Community Development Director  
Nancy Stroud, Land Use Attorney

**Council Questions or Comments**

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

**Public Comments**

None.

**Motion:** Motion to pass first reading of Ordinance No. 2022-10 and set second reading and public hearing for October 5, 2022.

**Motion by:** Councilmember Ribble

**Seconded by:** Councilmember Wilson

**Action:** Passed first reading of Ordinance No. 2022-10 and set second reading and public hearing for October 5, 2022.

Vote: (Roll Call)

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

Nay:

Abstentions:

**(c) First Reading of Ordinance No. 2022-11 Milan Villas Rezoning**

No ex parte communication or conflicts of interest were noted.

Ordinance 2022-11 An Ordinance of the Village Council of the Village of Estero, Florida, Rezoning a 10 Acre Property at the Northwest Corner of Three Oaks Parkway and Williams Road from Commercial Planned Development (CPD) to Residential Planned Development (RPD); Providing for Severability; Providing for Conflicts; and Providing an Effective Date.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager  
Mary Gibbs, Community Development Director  
Nancy Stroud, Land Use Attorney

**Council Questions or Comments**

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

**Public Comments**

None.

**Motion:** Motion to pass first reading of Ordinance No. 2022-11 and set second reading and public hearing for October 5, 2022.

**Motion by:** Councilmember Fiesel

**Seconded by:** Councilmember Ward

**Action:** Passed first reading of Ordinance No. 2022-11 and set second reading and public hearing for October 5, 2022.

**Vote:** (Roll Call)

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

Nay:

Abstentions:

**(d) First Reading of Ordinance No. 2022-12 Land Development Code Amendment for Lot Coverage**

Ordinance No. 2022-12 An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Village Land Development Code to Amend Section 10-3 Rules of Measurement to Revise the Definition of Lot Coverage; Providing a Severability Clause, a General Repealer Clause, and an Effective Date.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Nancy Stroud, Land Use Attorney

**Council Questions or Comments**

Councilmember Boesch

**Public Comments**

None.

**Motion:** Motion to pass first reading of Ordinance No. 2022-12 and set second reading and public hearing for October 5, 2022.

Motion by: Vice Mayor McLain

Seconded by: Councilmember Wilson

**Action:** Passed first reading of Ordinance No. 2022-12 and set second reading and public hearing for October 5, 2022.

Vote: (Roll Call)

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

Nay:  
Abstentions:

**Adjourn at 4:34 p.m. and reconvene at 5:30 p.m.**

**8. PUBLIC BUDGET HEARINGS**

- (a)** Resolution 2022-27 A Resolution of the Village Council of the Village of Estero, Lee County, Florida, Adopting the Final Millage Rate and Tentative Levying of Ad Valorem Taxes for the Village of Estero, Lee County, Florida, for Fiscal Year 2022-2023; Establishing the Date, Time, and Place for a Public Hearing to Adopt the Final Millage Rate and Final Levying of Ad Valorem Taxes for Fiscal Year 2022-2023; and Providing an Effective Date.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager  
Bob Pritt, Interim Village Attorney

**Council Questions or Comments**

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

**Public Comments**

None.

**Motion:** Motion to approve Resolution No. 2022-27 with the Mill rate .75.

Motion by: Councilmember Wilson  
Seconded by: Councilmember Boesch

**Action:** Approved Resolution No. 2022-27 with the Mill rate .75.

**Vote:** (Roll Call)

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

Nay:  
Abstentions:

- (b)** Resolution 2022-28 A Resolution of the Village Council of the Village of Estero, Lee County, Florida, Adopting the Final Budget for Fiscal Year 2022-2023; and Providing an Effective Date.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager  
Bob Pritt, Interim Village Attorney

**Council Questions or Comments**

None.

**Public Comments**

None.

**Motion:** Motion to approve Resolution No. 2022-28.

**Motion by:** Councilmember Ward

**Seconded by:** Vice Mayor McLain

**Action:** Approved Resolution No. 2022-28.

**Vote:** (Roll Call)

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

**Nay:**

**Abstentions:**

## **9. SECOND READING AND PUBLIC HEARINGS**

### **(a) Comprehensive Plan Amendment – Property Rights Element**

Ordinance No. 2022-06 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**

None.

**Public Comments**

None.

**Motion:** Motion to approve Ordinance No. 2022-06.

**Motion by:** Councilmember Ribble

**Seconded by:** Councilmember Wilson

**Action:** Approved Ordinance No. 2022-06.

**Vote:** (Roll Call)

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

**Nay:**

**Abstentions:**



**(b) Comprehensive Plan Amendment – Village Owned Property at Northeast Corner of US 41 and Corkscrew Road**

Ordinance No. 2022-07 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**

Councilmembers Ward, Vice Mayor McLain, and Mayor Errington

**Public Comments**

None.

**Motion:** Motion to approve Ordinance No. 2022-07.

**Motion by:** Vice Mayor McLain

**Seconded by:** Councilmember Fiesel

**Action:** Approved Ordinance No. 2022-07.

**Vote:** (Roll Call)

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

**Nay:**

**Abstentions:**

**(c) Rezoning - Village-owned property at the northeast corner of Corkscrew Road and US 41.**

No ex parte communication or conflicts of interest were noted.

Ordinance No. 2022-08 An Ordinance of the Village Council of the Village of Estero, Florida, Considering a Rezoning from Mixed-Use Planned Development (MPD) and Agriculture (AG-2) 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.

**Staff Presentation/Comments**

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Nancy Stroud, Land Use Attorney

### **Council Questions or Comments**

Councilmembers Ward, Vice Mayor McLain, and Mayor Errington

### **Public Comments**

None.

**Motion:** Motion to approve Ordinance No. 2022-08.

**Motion by:** Councilmember Fiesel

**Seconded by:** Councilmember Ward

**Action:** Approved Ordinance No. 2022-08.

**Vote:** (Roll Call)

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

**Nay:**

**Abstentions:**

### **10. PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

### **11. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS**

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

### **12. VILLAGE ATTORNEY'S REPORT**

None.

### **13. VILLAGE MANAGER'S REPORT**

#### **Staff Presentation/Comments**

Steve Sarkozy, Village Manager

David Willems, Public Works Director

#### **Council Questions or Comments**

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

Consensus by Council to allow temporary construction to have two lanes on eastbound Corkscrew Road and eliminate the sidewalk.

**Adjourn Regular Session at 6:38 p.m. and Convene Workshop Items at 6:38 p.m.**

### **14. WORKSHOP**

**(a)** Williams Road Bike/Ped Project Update

#### **Staff Presentation/Comments**

Steve Sarkozy, Village Manager

David Willems, Public Works Director

**Council Questions or Comments**

Councilmembers Ward, Ribble, Vice Mayor McLain, and Mayor Errington.

**Public Comment**

None.

**15. ADJOURNMENT at 6:49 pm**

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_  
Carol Sacco, Village Clerk

By: \_\_\_\_\_  
Katy Errington, Mayor

(td/CS)

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