

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
NOVEMBER 02, 2022**

VILLAGE COUNCIL MEETING

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

October 19, 2022 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Father Tony Gilborges from Our Lady of Light Catholic Community
Pastor Phil McMillan from Ocean Church, Estero

PLEDGE OF ALLEGIANCE

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 (left at 2:00 pm).

Also present

Village Manager Steve Sarkozy, Interim Village Attorney Robert Pritt, Land Use Attorney Nancy Stroud, 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 Ribble

Seconded by: Councilmember Fiesel

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

In Person

Beth Wardlan, The Vines
Tom Rubbecke, The Vines
Tony Peterson, The Vines

4. CONSENT AGENDA

- (a)** September 21, 2022, Council Meeting Minutes
- (b)** September 27, 2022, Special Council Meeting Minutes
- (c)** Financial Report for Month ended August 2022

Motion: Motion to approve the Consent Agenda.

Motion by: Councilmember Boesch
Seconded by: Councilmember Ward

Action: Approved the Consent Agenda.

Vote: (Roll Call)

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

Nay:
Abstentions:

5. PRESENTATIONS

Hurricane Ian Impact and Community Response

Staff Presentation/Comments

Steve Sarkozy, Village Manager
David Willems, Public Works Director
Mary Gibbs, Community Development Director
Carol Sacco, Village Clerk

Collaboratory's initiatives in Lee, Collier, Charlotte, Hendry, and Glades Counties

Presentation/Information by
Sarah Owen

Estero Forever Foundation

Presentation/Information by
George Zalucki

Council Questions or Comments
Mayor Errington.

6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA
None.

7. ACTION ITEM

(a) Resolution No. 2022-31 relating to recovery for Hurricane Ian

A Resolution of the Village Council of the Village of Estero, Florida, Relating to Recovery from Hurricane Ian; Ratifying and Confirming all Actions of the Mayor, Council Members, Village Manager, And Village Staff in Conjunction with Hurricane Protection and Post-Hurricane Recovery; Continuing the Waiver of Normal Procurement Requirements During the Recovery Period; Authorizing the Village Manager and Staff to Continue to Collaborate with Federal, State and Local Governments and other Providers Relating to Hurricane Recovery; and Providing an Effective Date.

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
None.

Public Comments
None.

Motion: Motion to adopt Resolution No. 2022-31.

Motion by: Councilmember Fiesel
Seconded by: Councilmember Ribble

Action: Adopted Resolution No. 2022-31.

Vote: (Roll Call)

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

Nay:

Abstentions:

8. FIRST READINGS

- (a) First Reading of Ordinance No. 2022-13, Land Development Code Amendment - Flood Hazard Reduction Standards

An Ordinance of the Village Council of the Village of Estero, Florida, amending Land Development Code Section 7-3 “Flood Hazard Reduction Standards” to update the effective flood insurance study applicable to the village, amend the process for determining substantial improvement and substantial damage determinations, update reference to the Florida Building Code Historic Buildings Chapter, specify elevation of and foundations for manufactured homes in flood hazard areas, provide standards for non-elevated accessory structures in flood areas, and amend definitions; clarifying and reenacting the repeal of Ordinance 2015-16; providing for severability; providing for conflicts; and providing for 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.

Public Comments

None.

Motion: Motion to pass first reading of Ordinance No. 2022-13 and set second reading and public hearing for November 2, 2022.

Motion by: Councilmember Boesch

Seconded by: Councilmember Ward

Action: Passed first reading of Ordinance No. 2022-13 and set second reading and public hearing for November 2, 2022.

Vote: (Roll Call)

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

Nay:

Abstentions:

- (b) First Reading Ordinance No. 2022-14 Coconut Trace Commercial Planned Development Zoning Amendment.

An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Coconut Trace Commercial Planned Development (CPD) Zoning to Allow a Real Estate Sales Center for Off-Site Sales on A 3.5-Acre Property on the West Side of US 41 North of Coconut Road across from Coconut Point Mall; 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

Councilmember Ward, Vice Mayor McLain, and Mayor Errington.

Public Comments

None.

Motion: Motion to pass first reading of Ordinance No. 2022-14 and set second reading and public hearing for November 2, 2022.

Motion by: Councilmember Ribble

Seconded by: Councilmember Fiesel

Action: Passed first reading of Ordinance No. 2022-14 and set second reading and public hearing for November 2, 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. 2022-15 for Pelican Sound Residential Planned Development Zoning Amendment

An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Pelican Sound Residential Planned Development (RPD) Zoning To Allow Recreation Uses, Including Pickleball, In the Golf Maintenance and Storage Area on a 150.23-Acre Property on the South Side of the Estero River, North of Williams Road and West of US 41; 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 Fiesel, Boesch, and Vice Mayor McLain.

Public Comments

None.

Motion: Motion to pass first reading of Ordinance No. 2022-15 and set second reading and public hearing for November 2, 2022.

Motion by: Councilmember Ward
Seconded by: Councilmember Wilson

Action: Passed first reading of Ordinance No. 2022-15 and set second reading and public hearing for November 2, 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. 2022-16 Genova Zoning Amendment.

An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Estero Planned Development Zoning Adopted by Ordinance 2016-08 For “Genova”, for a 3.6-Acre Property Parcel Within the Genova EPD at the Southeast Corner of Corkscrew Road and Via Coconut; 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, Ribble, Vice Mayor McLain, and Mayor Errington.

Public Comments

None.

Motion: Motion to pass first reading of Ordinance No. 2022-16 and set second reading and public hearing for November 2, 2022.

Motion by: Councilmember Boesch
Seconded by: Councilmember Wilson

Action: Passed first reading of Ordinance No. 2022-16 and set second reading and public hearing for November 2, 2022.

Vote: (Roll Call)
Aye: Councilmembers Boesch, Fiesel, Ward, Wilson, Ribble,
Vice Mayor McLain, and Mayor Errington.
Nay:
Abstentions:

9. SECOND READINGS AND PUBLIC HEARINGS

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

Staff Presentation/Comments

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

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve Ordinance No. 2022-09.

Motion by: Vice Mayor McLain
Seconded by: Councilmember Ribble

Action: Approved Ordinance No. 2022-09.

Vote: (Roll Call)

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

Recess 11:18 a.m. and convene at 12:22 p.m.

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.

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

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.

No conflicts of interest were noted. Councilmember Ribble spoke to Mr. Delisi at a campaign event a few weeks ago and spoke of how her friends and neighbors were anticipating and anxious for one to be in the area. No other ex parte communication noted.

Staff Presentation/Comments

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

Presentation/Information by

Dan DeLisi, DeLisi, Inc.
Maleia Storum, Bowman Consulting Group
Neale Montgomery, Pavese Law Firm
Mark Hamilton, Wawa

Council Questions or Comments

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

Public Comments

Joe Miceli, Rookery Drive.

Motion: Motion to approve Ordinance No. 2022-10 with changes to language to allow only one free-standing fast-food restaurant, and revise conditions related to the buffer and the public gathering areas.

Motion by: Vice Mayor McLain
Seconded by: Councilmember Ribble

Action: Approved 2022-10 with changes to language to allow only one free-standing fast-food restaurant, and revise conditions related to the buffer and the public gathering areas.

Vote: (Roll Call)
Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble,
Vice Mayor McLain, and Mayor Errington.
Nay:
Abstentions:

Recess 1:50 p.m. and convene at 2:00 p.m. Councilmember Wilson asked to be excused.

(c) Second 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
Robert Pritt, Interim Village Attorney

Presentation/Information by

Dan DeLisi, DeLisi, Inc.
Elizabeth Fountain, PE, JR Evans Engineering
Neale Montgomery, Pavese Law Firm
Wayne Everett, Representative of applicant, DR Horton

Council Questions or Comments

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

Public Comments

None

Motion: Motion to continue this Ordinance No. 2022-11 until November 16, 2022 Council meeting.

Motion by: Vice Mayor McLain
Seconded by: Councilmember Boesch

Action: Approved to continue this Ordinance No. 2022-11 until November 16, 2022 Council meeting.

Vote: (Roll Call)

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

Nay:

Abstentions:

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

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

None.

Public Comments

None.

Motion: Motion to continue this Ordinance No. 2022-12 until November 2, 2022 Council meeting.

Motion by: Councilmember Ribble
Seconded by: Vice Mayor McLain

Action: Approved to continue this Ordinance No. 2022-12 until November 2, 2022 Council meeting.

Vote: (Roll Call)

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

Consensus by Council to cancel the Veteran's Day Celebration due to Hurricane Ian cleanup efforts.

12. VILLAGE ATTORNEY'S REPORT

Robert Pritt, Interim Village Attorney

13. VILLAGE MANAGER'S REPORT

None.

14. ADJOURNMENT at 3:05 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](#).