

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
DECEMBER 7, 2022**

VILLAGE COUNCIL MEETING

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

November 16, 2022 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Pastor Phil McMillan, Ocean Church

PLEDGE OF ALLEGIANCE

Councilmember Ward

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, Community Development Director Mary Gibbs, Land Use Attorney Nancy Stroud, Public Works Director David Willems, Finance Director Kevin Greenville, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve.

Motion by: Councilmember Ward

Seconded by: Councilmember Ribble

Action: Approved agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

3. RECOGNITION

- (a) Howard Levitan – Florida Chapter American Planning Association
Outstanding Local Elected Official

Staff Presentation/Comments

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

Council Questions or Comments

Councilmember Boesch and Vice Mayor McLain.

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

In person

Michael Throme, Meadowbrook

5. CONSENT AGENDA

- (a) November 2, 2022 Village Council Meeting Minutes
- (b) Financial Report for Month ended September 2022

Council Questions or Comments

Councilmember Wilson

Motion: Motion to approve the Consent Agenda.

Motion by: Councilmember Wilson

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:

6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None.

7. ACTION ITEM

- (a) Greater Estero Chamber of Commerce approval of financial support for Strategic Plans for Future Growth and Impact.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Presentation/Information by

Pamela Mueller, President of the Greater Estero Chamber of Commerce
Sharon Van Rite, Chairman of the Greater Estero Chamber of Commerce

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve Greater Estero Chamber of Commerce approval of financial support of \$12,500 remaining balance for Strategic Plans for Future Growth and Impact.

Motion by: Councilmember Ward

Seconded by: Councilmember Boesch

Action: Approved Greater Estero Chamber of Commerce approval of financial support of \$12,500 remaining balance for Strategic Plans for Future Growth and Impact.

Vote: (Roll Call)

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

Nay: Councilmember Ribble

Abstentions:

(b) Resolution No. 2022-35 Confirming the Appointment of Robert M. Eschenfelder, Esq., as Village Attorney

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Wilson.

Public Comments

None.

Motion: Motion to approve Resolution No. 2022-35.

Motion by: Councilmember Wilson

Seconded by: Councilmember Ribble

Action: Approved Resolution No. 2022-35.

Vote: (Roll Call)

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

Nay:

Abstentions:

(c) Resolution 2022-36 Approving the Final Budget Amendment for Fiscal Year 2021- 2022

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Mayor Errington.

Public Comments

None.

Motion: Motion to approve Resolution No. 2022-36.

Motion by: Councilmember Fiesel

Seconded by: Councilmember Boesch

Action: Approved Resolution No. 2022-36.

Vote: (Roll Call)

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

Nay:

Abstentions:

8. SECOND READING AND PUBLIC HEARING

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

(a) Second Reading of Ordinance 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.

Kristen Petry, Pergola Landscape Architecture

Neale Montgomery, Pavese Law Firm

Wayne Everett, Representative of applicant, DR Horton

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve Ordinance No. 2022-11 with conditions including the revision to condition 13 for Option 1.

Motion by: Vice Mayor McLain

Seconded by: Councilmember Ribble

Action: Approved Ordinance No. 2022-11 with conditions including the revision to condition 13 for Option 1.

Vote: (Roll Call)

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

Nay:

Abstentions:

Recess 11:42 a.m. and convene at 11:54 a.m.

(b) Second Reading and Public Hearing 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

Robert Pritt, Interim Village Attorney

Nancy Stroud, Land Use Attorney

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to adopt Ordinance No. 2022-13 as amended by the “Revised Option” language in handout dated November 15, 2022.

Motion by: Councilmember Ribble

Seconded by: Councilmember Ward

Action: Adopted Ordinance No. 2022-13 as amended by the “Revised Option” language in handout dated November 15, 2022

Vote: (Roll Call)

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

Nay:

Abstentions:

(c) Second Reading and Public Hearing of Ordinance No. 2022-17 Adopting Flood Maps

An Ordinance of the Village Council of the Village of Estero, Florida, Adopting New Flood Insurance Rate Maps (FIRM) for Flood Zones in the Village of Estero; Providing for Severability; and Providing for an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

None.

Public Comments

None.

Motion: Motion to adopt Ordinance No. 2022-17.

Motion by: Councilmember Fiesel

Seconded by: Vice Mayor McLain

Action: Adopted Ordinance No. 2022-17.

Vote: (Roll Call)

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

Nay:

Abstentions:

9. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

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

Consensus for Councilmember Larry Fiesel for the renewal to serve on Horizon Council

Consensus for the Village to use the shopping bags that were purchased for Veteran's Day event with an information document to give out at "Light Up Estero".

11. VILLAGE ATTORNEY'S REPORT

None.

12. VILLAGE MANAGER'S REPORT

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Ribble and Mayor Errington.

Consensus for Legislative Agenda to focus on Septic to Sewer.

Adjourn Regular Session at 12:34 pm and Convene Workshop Item at 12:34 pm.

13. WORKSHOP

(a) Village of Estero Utility Expansion Projects Update

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Council Questions or Comments

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

14. ADJOURNMENT at 12:53 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](#).