

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
FEBRUARY 1, 2023**

VILLAGE COUNCIL MEETING

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

February 15, 2023 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Rabbi Greenberg-Chabad of Bonita & Estero

PLEDGE OF ALLEGIANCE

Councilmember Wilson

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 (arrived 9:36 am), Village Land Use Attorney Nancy Stroud (arrived 10:34 am), Village Attorney Robert Eschenfelder, 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: Councilmember Ribble

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

None.

4. CONSENT AGENDA

(a) February 1, 2023, Council Meeting Minutes

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:

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None.

6. ACTION ITEM

(a) Resolution No. 2023-02 Authorizing the Demolition of a Village Owned Structure on 8801 Corkscrew Road.

A Resolution of the Village Council of the Village of Estero, Florida, Authorizing The Demolition of a Village Owned Structure; Making Related Findings; Providing for Severability and for an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

None.

Public Comments

Gail Langner, Estero Historical Society

Motion: Motion to authorize Village Manager to take the necessary actions to demolish the residential structure and convey salvaged elements to third parties in the Village's best interests.

Motion by: Councilmember Boesch

Seconded by: Councilmember Ribble

Action: Motion passed to authorize Village Manager to take the necessary actions to demolish the residential structure and convey salvaged elements to third parties in the Village's best interests.

Vote: (Roll Call)

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

Nay:

Abstentions:

(b) DR-4673 Hurricane Ian Funding Agreement

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Fiesel and Mayor Errington.

Public Comments

None.

Motion: Motion to authorize the Village Manager to execute the Federally Funded Subaward and Grant Agreement for Hurricane Ian between the Village and the State of Florida.

Motion by: Councilmember Ribble

Seconded by: Councilmember Wilson

Action: Motion passed to authorize Village Manager to execute the Federally Funded Subaward and Grant Agreement for Hurricane Ian between the Village and the State of Florida.

Vote: (Roll Call)

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

Nay:

Abstentions:

(c) Estero on the River Non-Native Plant Treatments

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve award of Request for Bids No. RFB 2023-01, Estero on the River Non-Native Invasive and Nuisance Plant Treatments to Milborne, LLC to provide the services as provided in the contract, at a grand total cost of \$82,317.41, approve a contingency fund amount of \$8,230 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur and authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Motion by: Councilmember Ward

Seconded by: Councilmember Fiesel

Action: Approved award of Request for Bids No. RFB 2023-01, Estero on the River Non-Native Invasive and Nuisance Plant Treatments to Milborne, LLC to provide the services as provided in the contract, at a grand total cost of \$82,317.41, approve a contingency fund amount of \$8,230 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur, and authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Vote: (Roll Call)

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

Nay:

Abstentions:

(d) Agreement for Land Use and Code Enforcement Special Magistrate Services

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Wilson and Vice Mayor McLain

Public Comments

None.

Motion: Motion to approve agreement for Land Use and Code Enforcement Special Magistrate Services with Robert Pritt at the hourly rate listed in the Agreement. Grant the Village Manager the authority to renegotiate and execute the renewal of this Agreement on an annual basis, if doing so is in the best interest of the Village of Estero, authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Motion by: Councilmember Ribble
Seconded by: Vice Mayor McLain

Action: Approved agreement for Land Use and Code Enforcement Special Magistrate Services with Robert Pritt at the hourly rate listed in the Agreement. Grant the Village Manager the authority to renegotiate and execute the renewal of this Agreement on an annual basis, if doing so is in the best interest of the Village of Estero, authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Vote: (Roll Call)

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

Nay:

Abstentions:

7. FIRST READING

- (a) First reading of Ordinance No. 2023-02, amending Land Development Code to establish standards for elevated single-family homes.

An Ordinance of the Village Council of the Village of Estero, Florida, Creating § 5-15 of the Village Land Development Code to Add Standards for Development of Elevated Single-Family Homes; Making Related Findings; and Providing for Severability, Codification and an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Robert Eschenfelder, Village Attorney

Council Questions or Comments

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

Public Comments

Clarke McKenzie, Estero

Motion: Motion to pass first reading of Ordinance No. 2023-02 and set second reading for March 1, 2023.

Motion by: Councilmember Wilson

Seconded by: Councilmember Ward

Action: Passed first reading of Ordinance No. 2023-02 and set second reading for March 1, 2023

Vote: (Roll Call)

Aye: Councilmembers Boesch, Fiesel, Ward, Wilson, 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. There were no ex-parte communications or conflicts of interest noted.

- (a)** Second Reading of International Design Center Zoning Ordinance No. 2023-01 and Resolution No. 2023-01 (12th Amendment to Development of Regional Impact Development Order)

Ordinance No. 2023-01

An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Zoning for International Design Center to Allow Office Uses in Addition to the Existing Design Center Uses on a 19.1-Acre Property on the South Side of Corkscrew Road, East of Interstate 75; Providing for Severability; Providing for Conflicts; and Providing an Effective Date.

Resolution No. 2023-01

A Resolution of the Village Council of the Village of Estero, Florida, Adopting a Recodified Development Order for the Stoneybrook (Corkscrew Pines) Development of Regional Impact (DRI) (12th Amendment to DRI DO State #3-8384-40); and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Nancy Stroud, Land Use Attorney

Presentation/Information by:

Dan Delisi, Delisi Inc

Neale Montgomery, Pavese Law Firm

Council Questions or Comments

Councilmember Ribble, and Vice Mayor McLain.

Public Comments

None.

Motion: Motion to approve Zoning Ordinance 2023-01.

Motion by: Councilmember Wilson
Seconded by: Councilmember Fiesel

Action: Approved Zoning Ordinance 2023-01.

Vote: (Roll Call)

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

Nay:

Abstentions:

Motion: Motion to approve Resolution 2023-01 (12th Amendment to Development of Regional Impact Development Order).

Motion by: Councilmember Ribble
Seconded by: Councilmember Boesch

Action: Approved Resolution 2023-01 (12th Amendment to Development of Regional Impact Development Order).

Vote: (Roll Call)

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

Nay:

Abstentions:

9. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

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

11. VILLAGE ATTORNEY'S REPORT

None.

12. VILLAGE MANAGER'S REPORT

Steve Sarkozy, Village Manager.

13. ADJOURNMENT at 11:02 am

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](#).