

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

JANUARY 24, 2024

VILLAGE COUNCIL REGULAR MEETING

Village of Estero Council Chambers

9401 Corkscrew Palms Circle

Estero, FL 33928

January 3, 2024 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Pastor Todd Weston River of Life Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Jon McLain - District 3, Vice Mayor Joanne Ribble - District 1, Councilmember Larry Fiesel - District 2, Councilmember Lori Fayhee – District 4, Councilmember Rafael Lopez - District 5, Councilmember Jim Ward - District 6, and Councilmember George Zalucki - District 7.

Also present

Village Manager Steve Sarkozy, Village Attorney Robert Eschenfelder, Community Development Director Mary Gibbs, Kevin Greenville, Finance Director, Robert Wiley, Project Manager, 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 Fiesel

Seconded by: Councilmember Fayhee

Action: Approved agenda.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

4. CONSENT AGENDA

(a) December 6, 2023 Council Meeting Minutes

(b) December 13, 2023 Special Village Council Meeting Minutes

Motion: Motion to approve consent agenda.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Lopez

Action: Approved consent agenda.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None.

6. ACTION ITEMS

(a) Village of Estero Information Security Policy

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Kevin Greenville, Finance Director

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmember Fiesel, Vice Mayor Ribble, and Mayor McLain.

Public Comments

None.

Motion: Motion to adopt the Village of Estero Information Security Policy.

Motion by: Councilmember Lopez

Seconded by: Councilmember Fiesel

Action: Adopted the Village of Estero Information Security Policy.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

(b) Approval of code enforcement lien compromise payment from Pro Energy, LLC

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

None.

Public Comments

None.

Motion: Motion to accept a payment of \$30,000 from ProEnergy, LLC, in compromise of the Village's code enforcement lien on the owner's property at 8800 Corkscrew Road, and to authorize the Village Manager or his designee to file a release of lien once the payment has been made.

Motion by: Councilmember Fayhee

Seconded by: Councilmember Zalucki

Action: Accepted a payment of \$30,000 from ProEnergy, LLC, in compromise of the Village's code enforcement lien on the owner's property at 8800 Corkscrew Road, and to authorize the Village Manager or his designee to file a release of lien once the payment has been made.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

(c) Village Wide Traffic Study Contract

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmembers Zalucki, Ward, Fiesel, Vice Mayor Ribble, and Mayor McLain.

Public Comments

In Person

None.

eComments

Steven Hamburger, Wild Blue
Phyllis Mojzis, Villa Palmeras

Motion: Motion to approve Contract EC 2024-07 with Johnson Engineering, Inc. to prepare the Village Wide Traffic Study for \$249,480, approve a \$25,000 contingency for additional services that may be required to complete the project, authorize the Village Manager to sign the contract and other additional implementing documents within the scope of the contract on behalf of the Village of Estero Council, and authorize the Village Manager to execute an amendment to the agreement to add the locations added by council. Vice Mayor Ribble would like to add the intersection Meadowbrook and Coconut to the study. Councilmember Zalucki would like to add the intersections Corkscrew and Estero Crossing Blvd and Corkscrew and Bella Terra Blvd to the study.

Motion by: Vice Mayor Ribble
Seconded by: Councilmember Ward

Action: Approved Contract EC 2024-07 with Johnson Engineering, Inc. to prepare the Village Wide Traffic Study for \$249,480, approve a \$25,000 contingency for additional services that may be required to complete the project, authorize the Village Manager to sign the contract and other additional implementing documents within the scope of the contract on behalf of the Village of Estero Council, and authorize the Village Manager to execute an amendment to the agreement to add the locations added by council. Vice Mayor Ribble would like to add the intersection Meadowbrook and Coconut to the study. Councilmember Zalucki would like to add the intersections Corkscrew and Estero Crossing Blvd and Corkscrew and Bella Terra Blvd to the study.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

(d) Right of Way Acquisition Services Contract

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Robert Eschenfelder, Village Attorney
Robert Wiley, Project Manager

Council Questions or Comments

Councilmembers Fiesel, Lopez, Zalucki, Vice Mayor Ribble, Mayor McLain

Public Comments

None.

Motion: Motion to approve contract EC 2024-06 with Florida Acquisition Services to provide right-of-way acquisition services to the Village of Estero and authorize the Village Manager to sign the contract and other implementing documents within the scope of the contract on behalf of the Village of Estero Council.

Motion by: Councilmember Fiesel

Seconded by: Councilmember Lopez

Action: Approved contract EC 2024-06 with Florida Acquisition Services to provide right-of-way acquisition services to the Village of Estero and authorize the Village Manager to sign the contract and other implementing documents within the scope of the contract on behalf of the Village of Estero Council.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

- (e) Estero Bay Village, Sunny Groves & Cypress Bend Gravity Sewer Smoke & Closed-circuit Television (CCTV) Testing Change Order No. 1

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Wiley, Project Manager

Council Questions or Comments

Vice Mayor Ribble and Mayor McLain.

Public Comments

None.

Motion: Motion to approve Change Order No. 1 in the amount of \$8,500.00 to Contract EC 2022-83 with National Water Main Cleaning Company for the gravity sewer line testing in the Estero Bay Village, Sunny Grove, and Cypress Bend mobile home developments, approve a 10% (of the total project cost) project contingency of \$9,400, and authorize the Village Manager to sign Change Order No. 1 to Contract EC 2022-83 with National Water Main Cleaning Company.

Motion by: Councilmember Fiesel

Seconded by: Councilmember Zalucki

Action: Approved Change Order No. 1 in the amount of \$8,500.00 to Contract EC 2022-83 with National Water Main Cleaning Company for the gravity sewer line testing in the Estero Bay Village, Sunny Grove, and Cypress Bend mobile home developments, approve a 10% (of the total project cost) project contingency of \$9,400, and authorize the Village Manager to

sign Change Order No. 1 to Contract EC 2022-83 with National Water Main Cleaning Company.

Vote: (Roll Call)

Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

7. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

8. VILLAGE ATTORNEY'S REPORT

Robert Eschenfelder, Village Attorney

9. VILLAGE MANAGER'S REPORT

Steve Sarkozy, Village Manager

Adjourn Regular Session at 10:39 am and Convene Workshop Item 10:39 am.

10. WORKSHOP

(a) Review of the Code Enforcement law and procedures

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Mary Gibbs, Community Development Director

Stanley Knight, Code Compliance Manager

Council Questions or Comments

Councilmembers Zalucki, Ward, Fayhee, Lopez, Vice Mayor Ribble, and Mayor McLain.

Public Comments

Clark McKenzie, Estero

Council requested to get periodic updates on code compliance cases.

11. ADJOURNMENT at 11:23 am

Motion by Councilmember Fiesel and seconded by Councilmember Fayhee.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: _____

By: _____

Carol Sacco, CMC, Village Clerk

Jon McLain, Mayor

(td/CS)

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