

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 2, 2024

VILLAGE COUNCIL BUDGET AND SPECIAL MEETING

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

September 18, 2024 5:05 p.m.

1. CALL TO ORDER

INVOCATION

Father Tony Gilborges Our Lady of Light

PLEDGE OF ALLEGIANCE

ROLL CALL

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, Public Works Director David Willems, Finance Director Kevin Greenville, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. PUBLIC BUDGET HEARINGS

(a) Resolution No. 2024-18 Adopting Final Millage Rate for Ad Valorem Taxes

A Resolution of the Village Council of the Village of Estero, Lee County, Florida, Adopting the Final Millage Rate for the Levying of Ad Valorem Taxes for the Village of Estero, Lee County, Florida, for Fiscal Year 2024-2025; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to adopt Resolution No. 2024-18 with the Mill rate 0.7300.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Fayhee

Action: Adopted Resolution No. 2024-18 with the Mill rate 0.7300.

Vote: (Roll Call)

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

Nay:

Abstentions:

(b) Resolution No. 2024-19 Adopting Final Budget FY 2024/2025

A Resolution of the Village of Estero, Lee County, Florida, Adopting the Final Budget for Fiscal Year 2024-2025; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

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

Public Comments

Robert Whitehead, Old Estero

Patty Whitehead, Old Estero

Motion: Motion to approve a Premier Membership of \$649 to the Estero Chamber of Commerce.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Fayhee

Action: Approved a Premier Membership of \$649 to the Estero Chamber of Commerce.

Vote: (Roll Call)

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

Nay:

Abstentions: Councilmember Ward

Motion: Motion to adopt Resolution No. 2024-19.

Motion by: Councilmember Zalucki
Seconded by: Councilmember Fiesel

Action: Adopted Resolution No. 2024-19.

Vote: (Roll Call)

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

Nay:

Abstentions:

3. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve agenda.

Motion by: Councilmember Fiesel
Seconded by: Councilmember Lopez

Action: Approved agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

Patty Whitehead, Old Estero

5. CONSENT AGENDA

- (a)** September 11, 2024 Village Council Meeting Minutes
- (b)** Resolution No. 2024-20 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 2025; and Providing an Effective Date.
- (c)** Financial Report for Month ended May 2024

Motion: Motion to approve consent agenda.

Motion by: Councilmember Fayhee
Seconded by: Councilmember Ward

Action: Approved consent agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None.

7. FIRST READING

(a) First Reading of Zoning Ordinance No. 2024-11 Via Coconut

An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions an Amendment to the Estero Planned Development (EPD) for a 20-acre Parcel on the West Side of Via Coconut, South of Corkscrew Road; Providing for Severability; and Providing an Effective Date

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to pass first reading and schedule second reading for October 2, 2024.

Motion by: Councilmember Fiesel

Seconded by: Councilmember Lopez

Action: Passed first reading and schedule second reading for October 2, 2024.

Vote: (Roll Call)

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

Nay:

Abstentions:

8. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmember Fayhee, Vice Mayor Ribble and Mayor McLain.

Consensus to create a plaque for Don Eslick.

9. VILLAGE ATTORNEY’S REPORT

Robert Eschenfelder, Village Attorney No Report

10. VILLAGE MANAGER’S REPORT

No Report

Adjourn Regular Session at 6:17 pm and Convene Workshop Items at 6:17 pm.

11. WORKSHOP

(a) Brooks/Three Oaks Parkway Update

Staff Presentation/Comments

Steve Sarkozy, Village Manager
David Willems, Public Works Director

Council Questions or Comments

Councilmembers Zalucki, Fiesel, Lopez, and Mayor McLain.

Public Comments

None.

12. ADJOURNMENT at 6:25 pm

Motion by Councilmember Fiesel and seconded by Councilmember Lopez.

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](#).

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Ward Jim	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Village Council
MAILING ADDRESS 9401 Cerbscrew Palms Circle	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Estero Lee	NAME OF POLITICAL SUBDIVISION: Village of Estero
DATE ON WHICH VOTE OCCURRED September 18, 2024	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jim Ward, hereby disclose that on September 18, 2024:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows: Board of Directors

Liaison for Greater Estero Chamber of Commerce
Conflict of Interest

9/18/24
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.