

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 MEETING

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

October 2, 2024 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Pastor Sam Killman First Baptist Estero

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, Village Land Use Attorney Nancy Stroud, 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. 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) September 18, 2024 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) Estero Sports Park Design Services Contract - RFP 100424

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmember Ward and Mayor McLain

Public Comments

None.

Motion: Motion to approve Contract 24025 in the amount of \$321,990 with Perez Planning + Design LLC to prepare schematic plan and design guidelines for the Estero Sports Park, approve a \$32,000 contingency for additional service that may be required to complete the project, and 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 to approve and execute any subsequent amendments which do not require an increase in the not to exceed budget (with contingency).

Motion by: Councilmember Lopez

Seconded by: Councilmember Ward

Action: Approved Contract 24025 in the amount of \$321,990 with Perez Planning + Design LLC to prepare schematic plan and design guidelines for the Estero Sports Park, approve a \$32,000 contingency for additional service that may be required to complete the project, and 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 to approve and execute any subsequent amendments which do not require an increase in the not to exceed budget (with contingency).

Vote: (Roll Call)

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

Nay:

Abstentions:

- (b) Estero on the River Construction Manager at Risk Contract Guaranteed Maximum Price (GMP) Amendment No. 01

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmembers Ward, Fiesel, Zalucki, and Mayor McLain

Public Comments

None.

Agenda items 6(b) is deferred to October 16, 2024 as a workshop item.

- (c) Estero on the River Construction Manager at Risk Contract Amendment No. 01 – Phase 2 Preconstruction Services.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Mayor McLain.

Public Comments

None.

Motion: Motion to approve Contract Number 24004 Amendment No. 01 in the amount of \$350,100 with Manhattan Construction for Phase 2 Preconstruction Services, approve a \$35,000 contingency for additional service that may be required to complete the project, and 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 to approve and execute any subsequent amendments

which do not require an increase in the not to exceed budget (with contingency).

Motion by: Councilmember Zalucki

Seconded by: Councilmember Lopez

Action: Approved Contract Number 24004 Amendment No. 01 in the amount of \$350,100 with Manhattan Construction for Phase 2 Preconstruction Services, approve a \$35,000 contingency for additional service that may be required to complete the project, and 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 to approve and execute any subsequent amendments which do not require an increase in the not to exceed budget (with contingency).

Vote: (Roll Call)

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

Nay:

Abstentions:

(d) Corkscrew Road CMAR Contract Guaranteed Maximum Price (GMP) Addendum No. 01

Agenda items 6(d) is deferred to October 16, 2024 as a workshop item.

(e) Disaster Training Programs Development Contract

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Robert Eschenfelder, Village Attorney

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve EC 2023-31 Supplemental Task Order # 3 with Hagerty Consulting, Inc. to assist the Village to develop written procedures and training for pre and post disaster and authorize Village Manager to execute contract.

Motion by: Vice Mayor Ribble

Seconded by: Councilmember Fayhee

Action: Approved EC 2023-31 Supplemental Task Order # 3 with Hagerty Consulting, Inc. to assist the Village to develop written procedures and

training for pre and post disaster and authorize Village Manager to execute contract.

Vote: (Roll Call)

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

Nay:

Abstentions:

7. FIRST READINGS

- (a) First Reading of Ordinance No. 2024-13 Estero Townhomes EPD (Toll Bros.).

An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions and Deviations a Rezoning to Estero Planned Development (EPD) For a 21.4 Acre Tract of Property Located in the Northeast Corner of Sandy Lane and 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 Fiesel, Lopez, Ward, Zalucki, Fayhee, Vice Mayor Ribble, and Mayor McLain.

Public Comments

None.

Motion: Motion to pass first reading and schedule second reading for October 16, 2024

Motion by: Councilmember Fayhee

Seconded by: Councilmember Ward

Action: Passed first reading and schedule second reading for October 16, 2024

Vote: (Roll Call)

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

Nay:

Abstentions:

- (b) First Reading of Ordinance No. 2024-15 regarding Declarations of Local Emergencies

An Ordinance of the Village Council of the Village of Estero, Florida, Amending Article II of Chapter 10 of the Village Code (Local States of Emergency); Making Related Findings; and Providing for Severability, Codification and an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmember Zalucki

Public Comments

None.

Motion: Motion to pass first reading and schedule second reading for October 16, 2024

Motion by: Councilmember Fayhee

Seconded by: Councilmember Lopez

Action: Passed first reading and schedule second reading for October 16, 2024

Vote: (Roll Call)

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

Nay:

Abstentions:

8. SECOND READING AND PUBLIC HEARING

(a) Second 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

Land Use Attorney Stroud provided information regarding Board business and quasi-judicial hearings. All audience members and staff providing testimony for the hearings were sworn in by Village Clerk Sacco.

No ex parte communication or conflicts of interest were noted.

Staff Presentation/Comments

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

Presentation/Information by

Richard Yovanovich, Coleman, Yovanovich & Koester
John O'Donnell, Royal Properties & Riverside Investment & Atlantic Residential
Richard Aaronson, Royal Properties & Riverside Investment & Atlantic Residential
Tyler Lampkey, Royal Properties & Riverside Investment & Atlantic Residential

Mark Mclean, MHK Architecture
Charlie Krebs, Bowman/Holes Montes
Christian Andrea, ALD

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve Ordinance No. 2024-11 with revisions to condition 14 (project phasing) and the addition of a condition related to the carport design.

Motion by: Councilmember Ward

Seconded by: Councilmember Lopez

Action: Approved Ordinance No. 2024-11 with revisions to condition 14 (project phasing) and the addition of a condition related to the carport design.

Vote: (Roll Call)

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

Nay:

Abstentions:

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmembers Fiesel, Lopez, Ward, Zalucki, and Mayor McLain.

Councilmember Fiesel notified the council of his intent to attend a family member's event and will not be attending the October 16th Village Council Meeting.

10. VILLAGE ATTORNEY'S REPORT

No Report

11. VILLAGE MANAGER'S REPORT

No Report

12. ADJOURNMENT at 12:46 pm

Motion by Councilmember Fiesel and seconded by Councilmember Ward.

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](#).