

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
NOVEMBER 20, 2024
VILLAGE COUNCIL MEETING**

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

November 6, 2024 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Father Hugh McGuigan 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. 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 Fayhee, Fiesel, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain.

Nay:

Abstentions:

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

4. CONSENT AGENDA

(a) October 16, 2024 Village Council Meeting Minutes

Motion: Motion to approve consent agenda.

Motion by: Vice Mayor Ribble
Seconded by: Councilmember Zalucki

Action: Approved consent agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None.

6. ACTION ITEMS

(a) Approval of Special Magistrate Services Agreement

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmember Ward

Public Comments

None.

Motion: Motion to approve Special Magistrate Services Agreement Between the Village of Estero and Patrick Neale, Esq.

Motion by: Councilmember Lopez
Seconded by: Councilmember Ward

Action: Approved Special Magistrate Services Agreement Between the Village of Estero and Patrick Neale, Esq.

Vote: (Roll Call)

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

Nay:

Abstentions:

- (b) Agreement between the Village of Estero and the Estero Forever Foundation for Management of the Happehatchee Complex.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Councilmembers Ward, Fayhee, Zalucki, and Vice Mayor Ribble

Public Comments

None.

Motion: Motion to approve the Agreement Between the Village of Estero and the Estero Forever Foundation for Management of the Happehatchee Complex, and to authorize the Village Manager to execute the agreement.

Motion by: Councilmember Zalucki

Seconded by: Councilmember Lopez

Action: Approved the Agreement Between the Village of Estero and the Estero Forever Foundation for Management of the Happehatchee Complex, and to authorize the Village Manager to execute the agreement.

Vote: (Roll Call)

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

Nay:

Abstentions:

- (c) Interlocal Property Sale Agreement Between Lee County and Village of Estero

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

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

Public Comments

Brandon Miller, Estero

Motion: Motion to approve the Interlocal Agreement between the Village and County for acquisition of County Park land.

Motion by: Councilmember Fayhee

Seconded by: Councilmember Ward

Action: Approved the Interlocal Agreement between the Village and County for acquisition of County Park land.

Vote: (Roll Call)

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

Nay:

Abstentions:

- (d) Brooks Community Development District Interlocal Agreement – Three Oaks Parkway Paths.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Council Questions or Comments

Councilmember Ward, Vice Mayor Ribble and Mayor McLain

Public Comments

None.

Motion: Motion to approve the Interlocal Agreement with The Brooks Community Development District (CDD) for improvements to the Three Oaks Parkway paths and authorize the Village Manager to execute the agreement and any related documents or amendments as may be necessary which do not increase cost above \$380,000.

Motion by: Councilmember Ward

Seconded by: Vice Mayor Ribble

Action: Approved the Interlocal Agreement with The Brooks Community Development District (CDD) for improvements to the Three Oaks Parkway paths and authorize the Village Manager to execute the agreement and any related documents or amendments as may be necessary which do not increase cost above \$380,000.

Vote: (Roll Call)

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

Nay:

Abstentions:

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

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmember Zalucki, Fayhee, Ward, Fiesel, Vice Mayor Ribble, and Mayor McLain.

Public Comments

eComment

Gary Wagman, River Creek

Motion: Motion to approve Contract Number 24005 GMP Addendum No. 01 and staff is to come back to Council within 45 days with scope reduction and cost reduction for Council to review.

Motion by: Councilmember Lopez

Seconded by: Vice Mayor Ribble

Action: Approved Contract Number 24005 GMP Addendum No. 01 and staff is to come back to Council within 45 days with scope reduction and cost reduction for Council to review.

Vote: (Roll Call)

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

Nay:

Abstentions:

- (f) Estero on River Construction Manager at Risk Contract Guaranteed Maximum Price (GMP) Addendum No. 01

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Robert Eschenfelder, Village Attorney

Council Questions or Comments

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

Public Comments

None.

Motion: Motion to approve Contract Number 240004 GMP Addendum No. 01 with the adjustment of removing the sidewalk and making it mulch at a savings of \$500,000.

Motion by: Councilmember Lopez

Seconded by: Councilmember Fiesel

Action: Approved Contract Number 240004 GMP Addendum No. 01 with the adjustment of removing the sidewalk and making it mulch at a savings of \$500,000.

Vote: (Roll Call)

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

Nay:

Abstentions:

(g) Williams Road Easement Acquisition Services Contract

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Council Questions or Comments

Vice Mayor Ribble.

Public Comments

None.

Motion: Motion to approve EC 2024-06 STA -07 in the amount of \$97,500 for Florida Acquisition & Appraisal Inc. to provide acquisition services for the Williams Road ditch, approve a \$9,750 contingency for additional services 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: Vice Mayor Ribble

Seconded by: Councilmember Fiesel

Action: Approved EC 2024-06 STA -07 in the amount of \$97,500 for Florida Acquisition & Appraisal Inc. to provide acquisition services for the Williams Road ditch, approve a \$9,750 contingency for additional services 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 Fayhee, Fiesel, Lopez, Ward, Zalucki, Vice Mayor Ribble, and Mayor McLain

Nay:

Abstentions:

(h) Block Lane Easement Acquisition Services Contract

Staff Presentation/Comments

Steve Sarkozy, Village Manager
David Willems, Public Works Director
Robert Eschenfelder, Village Attorney

Council Questions or Comments

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

Public Comments

eComment

Linda Veraja, Oaks of Estero

In-Person

Linda Veraja, Oaks of Estero
Jessica Bonanno, Oaks of Estero
Bob Johnston, Oaks of Estero
Steve Ledger, Oaks of Estero

No Action Taken

7. SECOND READINGS AND PUBLIC HEARINGS

- (a) Public Hearing for Ordinance No. 2024-09, Comprehensive Plan Amendment – Water Supply Facilities Work Plan

An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Amendment to the Village of Estero Comprehensive Plan to Change the Text to Reference the Village’s 10-Year Water Supply Facilities Work Plan and Landscape Irrigation Conservation Measures as Provided on Attachment “A” and Made a Part Hereof; Providing for Transmittal of the Amendment to the State of Florida and Other Reviewing Agencies as Required by Statute; Providing for Severability; Providing for Conflicts; and Providing an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Mary Gibbs, Community Development Director

Council Questions or Comments

None.

Public Comments

None.

Motion: Motion to approve Ordinance No. 2024-09

Motion by: Councilmember Ward
Seconded by: Councilmember Lopez

Action: Approved Ordinance No. 2024-09.

Vote: (Roll Call)

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

Nay:

Abstentions:

(b) Second Reading of Ordinance No. 2024-12 Approval Village Property Security and Trespass Policies

An Ordinance of the Village Council of the Village of Estero, Florida, Creating Article II of Chapter 2 of the Village Code Regarding Security of and Trespasses from Village Properties and Facilities; Making Related Findings; and Providing for Severability, Codification and an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

None.

Public Comments

None.

Motion: Motion to approve Ordinance No. 2024-12.

Motion by: Councilmember Zalucki

Seconded by: Councilmember Lopez

Action: Approved Ordinance No. 2024-12.

Vote: (Roll Call)

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

Nay:

Abstentions:

8. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

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

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

9. VILLAGE ATTORNEY'S REPORT

None.

10. VILLAGE MANAGER’S REPORT

None.

Adjourn Regular Session at 11:27 am and Convene Workshop Items at 11:27 am.

11. WORKSHOP

(a) Capital Improvement Plan (CIP) Priorities Discussion

Staff Presentation/Comments

Steve Sarkozy, Village Manager
David Willems, Public Works Director

Council Questions or Comments

Councilmembers Ward, Zalucki, and Mayor McLain

Public Comments

None.

(b) FEMA Update

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Mary Gibbs, Community Development Director

Council Questions or Comments

Councilmember Ward

Public Comments

None.

12. ADJOURNMENT at 11:51 am

Motion by Councilmember Fayhee 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](#).