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APPROVED BY COUNCIL
AUGUST 17, 2016

FINAL ACTION AGENDA/MINUTES

Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
Village Council Meeting
July 6, 2016 9:30 a.m.

- 1. OPENING EXERCISES:** (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, and ceremonial presentations)

Call to Order: 9:30 a.m.

Pledge of Allegiance: Led by Mayor Batos.

Invocation: Offered by Pastor Todd Weston from River of Life Assembly of God.

Roll Call: Present: Mayor Nick Batos - District 6, Vice Mayor Howard Levitan - District 2, Councilmember Bill Ribble, District 1, Councilmember Donald Brown - District 3, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Village Clerk Kathy Hall, Finance Director Lisa Pace, and Community Development Director Mary Gibbs.

- 2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:**

Motion: Move to approve the agenda.

Motion by: Councilmember Wilson

Seconded by: Councilmember Boesch

Action: Approved the agenda.

Vote:

Aye:

Nay:

Abstentions:

3. CONSENT AGENDA:

- (a) Minutes of May 24, 2016

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Errington

Seconded by: Councilmember Ribble

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

4. WORKSHOP ITEMS:

- (a) Annual Update from Bonita Springs Utilities, Inc.
- Jim Strecansky, President and John Jenkins, Executive Director

Jim Strecansky presented information regarding the background of Bonita Springs Utilities, Inc., the service area, and awards received for safety and best tasting water.

John Jenkins addressed the water and wastewater systems, as well as rates comparison; emergency management; current projects and issues; and sustainability efforts.

Public Comment: None.

Questions or Comments by: Councilmembers Errington, Boesch, Vice Mayor Levitan, and Mayor Batos.

Discussion included where the line ended in Estero and began in Lee County; how the borders were decided; the types of contaminants removed from the water; process of getting properties in their area connected; continuing development in the DR/GR; and mixture between wells.

- (b) Review of Emergency Operations Response Plan
- Scott Vanderbrook, Fire Chief

Fire Chief Vanderbrook spoke to the mission statement; local government responsibilities; comprehensive emergency management plan; geographical divisions; South Lee County shelters; notifications; and next step action items.

Questions or Comments by: Councilmembers Wilson, Ribble, Boesch, Errington, Mayor Batos, and Vice Mayor Levitan.

Discussion included storm surge; list and rating of shelters; growing population; updating hazard areas; and Fire Department assistance in writing emergency management plans for the local communities.

Public Comment: None.

(c) Proposed 2016-2017 Budget

Village Manager Sarkozy presented information regarding the year in review and the year ahead; construction projects; public input from May 24, 2016 workshop; General Fund summary; and potential capital project allocation.

Questions or Comments by: Vice Mayor Levitan, Councilmembers Boesch, Ribble, Wilson, Errington, and Mayor Batos.

Discussion included unallocated fund balance; transient room tax; recent information regarding the tax value for Estero; and budget process transparency.

Public Comment: None.

5. PUBLIC HEARINGS:

(a) Proposed Capital Improvement Program

Village Manager Sarkozy explained that the list of capital projects remains open; a list would be prepared of properties that might be of interest and may be available; he urged caution as the program began to develop; and noted that this hearing was in order to satisfy Charter requirements and provide a finance plan rather than a spending plan. He also referred to the Estero standard and making certain that it could be maintained, as well as considering road maintenance responsibilities should the Village take over roads.

Public Comment:

Robert King, ECCL Transportation
Doug Saxton, The Reserve

Vice Mayor Levitan inquired regarding funds in the budget for the bike lane study. Discussion followed related to efforts working through the Metropolitan Planning Organization and Florida Department of Transportation, as well as the budget line item for Bicycle and Pedestrian Study Grant.

Meeting went into recess at 10:55 a.m. and reconvened at 11:06 a.m.

6. ORDINANCES:

(a) **FIRST READING:**

- (1) Case No. DCI 2015-00009 Genova
Ordinance No. 2016-08 An Ordinance of the Village Council of the Village of Estero, Florida, Approving a Rezoning from Agricultural District (AG-2) and Commercial Planned Development District (CPD) to Estero Planned Development District (EPD) to Allow a 205 Unit Multifamily Residential Project with Associated Amenities for Property

Located at 9050 Corkscrew Road Consisting of Approximately 16.95 Acres; Denying the Application for a Rezoning to Residential Planned Development District (RPD); Approving a Master Concept Plan, Certain Deviations and Conditions of Development; Providing Findings; Denying the Application for a Comprehensive Plan Amendment from Suburban Land Use Category to Intensive Development Land Use Category; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-08. Community Development Director Gibbs provided a brief explanation and update, and noted that, to date, the Comprehensive Plan had not been accepted by the State.

Motion: Move to pass first reading and advance Ordinance No. 2016-08 to second reading and public hearing on July 13, 2016.

Motion by: Councilmember Ribble
Seconded by: Councilmember Brown

Action: Passed first reading and advanced Ordinance No. 2016-08 to second reading and public hearing on July 13, 2016.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

(2) Case No. DCI 2014-00023

Ordinance No. 2016-09 An Ordinance of the Village Council of the Village of Estero, Florida, (Approving) (Denying) A Rezoning from Agricultural District (AG-2) and Community Facilities (CFD) to Estero Planned Development District (EPD) to Allow a Maximum 297 Unit Multifamily Residential Units and 30,000 Square Feet of Commercial Use with Associated Amenities for Property Located at the Southwest Corner of Via Coconut Point and Corkscrew Road Consisting of Approximately 19.3 Acres; Denying the Application for a Rezoning to Residential Planned Development District (RPD); (Approving) (Denying) a Master Concept Plan, (Certain Deviations and Conditions of Development); Providing Findings; Denying the Application for a Comprehensive Plan Amendment from Primarily Suburban Land Use Category to a New Land Use Category to be Known as Via Coconut Urban Place; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Village Clerk Hall read the title of Ordinance No. 2016-09. Community Development Director Gibbs provided a brief explanation and noted that the application was currently scheduled to go before the Planning and Zoning Board on Tuesday, July 12, 2016; however, she recommended continuing due to inadequate information and time constraints with the July 12 Planning and Zoning Board meeting and the July 13 Council meeting. Discussion ensued. It was

determined that, at the July 13 Council meeting, staff would be recommending continuance of second reading and public hearing to August or September.

Motion: Move to pass the first reading of Ordinance No. 2016-09.

Motion by: Councilmember Errington

Seconded by: Councilmember Brown

Action: Passed the first reading of Ordinance No. 2016-09.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

7. ACTION ITEMS:

- (a) Resolution No. 2016-16 A Resolution of the Village Council of the Village of Estero, Florida, Appointing the Voting Delegate for the Village of Estero for the 2016 Florida League of Cities Annual Conference and Business Meeting; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2016-16. Village Manager Sarkozy provided a brief explanation.

Councilmember Wilson nominated Councilmember Ribble.

Motion: Move to appoint Councilmember Ribble as the voting delegate and adopt Resolution No. 2016-16.

Motion by: Councilmember Wilson

Seconded by: Vice Mayor Levitan

Action: Appointed Councilmember Ribble as the voting delegate and adopted Resolution No. 2016-16.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

- (b) Resolution No. 2016-17 A Resolution of the Village Council of the Village of Estero, Florida, Supporting Collaborative Planning Efforts between the Village of Estero and the Koreshan State Park and the Estero Bay Preserve State Park; and Providing an Effective Date

Village Clerk Hall read the title of Resolution No. 2016-17. Village Manager Sarkozy provided an explanation regarding a new opportunity presented to the Village and noted that there would not be a commitment of the Village as a result of this action.

Questions or Comments by: Councilmembers Ribble, Errington, Boesch, Wilson, and Vice Mayor Levitan.

Discussion included recruiting a grant writer; a change in park name to Estero River/Koreshan Historic Site State Park; the possibility of installing a walking bridge and a pedestrian path; funding sources; pontoon boat landing and an electric-powered pontoon boat; additional bullet points and correcting minor typos in the resolution.

Public Comment:

Beverly MacNellis, representing Estero Historic Preservation Citizens' Committee
Don Eslick, ECCL

Village Manager Sarkozy stated that someone from the environmental studies group at Florida Gulf Coast University suggested that there may be some opportunities for environmental research facilities and environmental restoration.

Motion: Move to adopt Resolution No. 2016-17 with corrections to minor typos and inclusion of additional bullet points: Changing the name of the Koreshan State Park to Estero River/Koreshan Historic Site State Park; Exploring environmental research facilities and environmental restoration through the Florida Gulf Coast University Environmental Studies Group.

Motion by: Councilmember Errington

Seconded by: Councilmember Ribble

Action: Adopted Resolution No. 2016-17 with corrections to minor typos and inclusion of additional bullet points: Changing the name of the Koreshan State Park to Estero River/Koreshan Historic Site State Park; Exploring environmental research facilities and environmental restoration through the Florida Gulf Coast University Environmental Studies Group.

Vote:

Aye: Unanimous (roll call)

Nay:

Abstentions:

8. UNFINISHED BUSINESS: None.

9. PUBLIC COMMENT ON NON-AGENDA ITEMS:

Appearances by:

Holley Rauen, representing Happehatchee Center and Estero Historic Preservation Citizens' Committee

Doug Saxton, The Reserve

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmember Boesch conveyed appreciation to everyone that participated in painting the bridge.

Councilmember Wilson reported that he would be representing the Village at an upcoming ECCL meeting.

11. VILLAGE ATTORNEY'S REPORT:

Village Attorney Saunders stated that he would work with Senator Benacquisto on the issues dealing with funding.

12. VILLAGE MANAGER'S REPORT:

Village Manager Sarkozy introduced the newest staff member, Kyle Coleman, Assistant to Village Manager.

A motion to adjourn was duly made and passed.

13. ADJOURNMENT: 11:56 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: *Kathy Hall*
Kathy Hall, MMC, Village Clerk

By: *Nicholas Baños*
Nicholas Baños, Mayor