



MINUTES

**FORT MYERS BEACH TOWN COUNCIL
TOWN HALL – COUNCIL CHAMBERS
2523 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931**

SPECIAL MEETING

AGENDA

October 16, 2009

9:00 AM

I. CALL TO ORDER

The meeting was called to order by Vice Mayor Herb Acken at 9 a.m. Present With Vice Mayor Acken were Council members Babcock, List and Raymond along with Interim Town Manager Green and Attorney Anne Dalton. Mayor Kiker was absent due to health issues.

II. PLEDGE OF ALLEGIANCE

All stood to participate in the Pledge of Allegiance.

III. PUBLIC HEARING:

- A. FMBDC12006-0001 and FMBDC12006-0002, White Sands, Captiva Villas, and Bayside CPD Amendments.

Attorney Dalton swore in all those in attendance who were prepared to speak.

Attorney Beverly Grady for the applicant indicated they were exercising their right for a continuance and requested a date be set for the next hearing.

Council voiced their opinions on the lateness of the request for the continuance however, granted time for public comment.

Public Comment Opened
No Public Comment
Public Comment Closed

MOTION: Councilmember Babcock made a motion to continue the hearing to December 7th, 2009 at 9 a.m. with a total time for the hearing to 3 hours and if it is not completed by noon it will be continued with a second by Councilmember List.

Vice Mayor Acken noted he would not support the motion as he felt 3 hours would not be enough time for presentation as well as public comment.

Councilmember Babcock stated Council had an entire packet of information and they did not need to go over every issue again and felt 3 hours should be more than sufficient.

Vice Mayor Acken made a secondary motion to amend the primary to remove the time constraints of Councilmember Babcock's motion.

There was no second to Vice Mayor Acken's secondary motion. Vice Mayor Acken removed his secondary motion.

VOTE: Motion passed 4 to 0

Vice Mayor Acken reiterated the hearing had been continued to date certain December 7th, 2009 at 9 a.m.

IV. ADJOURNMENT

Councilmember Babcock moved for adjournment.

Vice Mayor Acken declared the hearing continued at 9:25 a.m.

MOTION: Councilmember Babcock made a motion to adjourn with a second by Vice Mayor Acken.

VOTE: Motion passed 4 to 0

Adopted 11-16-09 With/~~Without~~ changes. Motion by Babcock/List

Vote: 4-1, Acken dissent

Michelle D. Mayher
Michelle D. Mayher, Town Clerk

▪ End of document.