



MINUTES

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

WORKSESSION

AGENDA

January 5, 2009

9:00 AM

I. CALL TO ORDER

Mayor Kiker called the Town Council Work Shop to order at 9:07 a.m. Present with Mayor Kiker was Vice Mayor Acken, Council members Babcock, List and Raymond.

II. PLEDGE OF ALLEGIANCE

All present participated in the Pledge of Allegiance.

III. WORKSESSION PRIORITIZATION

Council decided to go through the Agenda Management list, followed by a prioritization of the items, along with a discussion of whether they are short or long term projects, and if the item needed to go to a committee before coming back to Council.

- Update List
- Discuss actual projects
- Categorize projects (need to go to committees etc.)
- Prioritize within categorize
- Develop Schedule
- Maintain and monitor project

Vice Mayor Acken questioned the length of time into the future Council felt was appropriate to plan and prioritize projects since March could be bringing forth new Council members that may have different ideas.

Mayor Kiker felt the process should be put into place, allowing the new Council members to review how the Town was running and then make changes should they so choose.

Council began to list projects.

- Beach Nourishment
- Noise Ordinance
- Water Utility
- Waste Management
- Water System Replacement
- Estero Boulevard
- Prioritization
- Status Update for Assigned Committees
- Summer Schedule
- Workshop Discussion
- Town Manager and Town Attorney Evaluation
- Town Hall, Buy or Lease
- Budget Modification
- Budget Strategic Planning
- New Revenue Sources
- P and P Review
- Short Term Rentals
- Discussion and Future of DRA
- Town Attorney Position
- LPA, M& P
- Sign Ordinance
- Escalation Process
- Meeting Efficiencies
- Property For Purchase Opportunities
- Charter Changes/Financing/Restructure or Organizational Changes Possibilities
- Alcohol Restrictions or Allowances
- Appropriate Communications
- Budget Reviews/Scheduling
- Mound House Planning
- Environmental
- Mandatory Recycling
- Green Technology/LDC
- Administrative Appeals Process/LDC
- Trolley
- Bay Oaks
- Joint Meeting with BOCC
- Downtown Redevelopment

Council took a moment to discuss structuring a proclamation letter for Interim Town Manager Jack Green.

Council began discussion on the intent and/or definition of each project.

- Bay Oaks Advisory Board Ordinance (**Completed**)
- Parks and Recreation Ordinance (?) (Cathie Lewis)
- Animal Control Ordinance and Fee Schedule
- Vacation Ordinance (**Completed**)
- Water Rate Petition (**Review in May**)
- Committee Ordinance Multi-Seat (**Completed**)
- Administrative Determination of Seawalls (**Wait on Beach Nourishment**)
- Ex Officio Advisory Committee (**Completed**)
- Landmark Historic Sign Approval by Council (**Move to LDC**)
- Update from Lobbyists (**On Going Recurring Updates**)
- Town Hall Meetings (**PR/Scheduling**)
- Employee Human Resources – Dalton (?)
- Beach Elementary Council (**Special Projects**)
- Town Manager Evaluation/ Performance Criteria (**August 2010**)
 - Mayor Kiker reviewed the process set forth with previous Town Manager Janke regarding presenting him with criteria to be completed, then evaluated by Council and the need to continue the process on a regular basis. Councilmember Babcock indicated it was not only the completion of tasks but how they were done, noting the importance of how the criteria were carried out. Councilmember Babcock requested input from Council before the interviewing process to establish criteria, splitting task oriented with performance oriented criteria.
- Management Planning/Visioning
- Strategic Planning
- Goal Setting
- Budgeting
- Budget Modification (**Scheduling**)
- Bay Oaks Transition
- Referendum on Water Utility
- Fee Schedule Bay Oaks (**Completed**)
- Fee Schedule Review (**Town Wide**)
- Economic Revitalization
- New Revenue Sources
- Reserve Fund Policies
- Town Hall Buy and/or Lease (**Special Project**)
- Municipal Code Legal Expenses (**? to Anne Dalton**)
- Project Management (**Workshop Item**)
 - Council discussed the ideas on project management, the Town Manager and staff's responsibilities as well as Council knowing when not to micro-manage staff's work. Council then began a discussion on the Mound House project.

- Funding Committee Publishing (**Removed**)
- Worksessions
- Policy and Procedures (**Review Manual & Update**)
- Newton Park Master Plan (**Project**)
- Escalation Process (**P & P**)

Per Mayor Kiker, define a process that engaged people at certain levels at certain times, taking the personality out of it, noting the Town did not have a good escalation process in place. Mayor Kiker stated a predefined policy needed to be in place to provide consistency and continuity always.

- Right of Way Issues

Council Breaks (No Time Noted)
Council Reconvenes Worksession (No Time Noted)

Council discussed the many types of right of way issues and how to classify them.

Cathie Lewis, Interim Public Works Director joined the meeting to explain the Parks and Recreation Ordinance, noting now that the Town has their own park there were several things that staff would like to see happen such as police patrolling along with a few other items that need to be brought up to date from the original ordinance. Ms Lewis indicated she needed to revise the ordinance and then bring it forward to Council for consideration.

- Referendum on Water Utility
- Mound House

Councilmember Babcock indicated that Council recently had approved the Mound House Master Plan with the exception of the observation deck and the parking, with the parking to be addressed as part of the hearing on Connecticut Street with a request to Mr. Green to put on an agenda time to discuss the pier so Council could make a decision. Mayor Kiker also noted they were to have information regarding the impact as high or low utilization. Vice Mayor Acken reminded Council that they did not approve anything as the Master Plan was still in place from 2007 and Council modified the action list.

Council then began a discussion on the pier and the best way to categorize and place it for further consideration. Vice Mayor Acken felt the biggest concern was the intensity which would be dealt with during the hearing on Connecticut Street which would provide a forum for public input on the pier.

- Vacation Ordinance (**Completed**)
- Outstanding LDC issues (**On Going**)
- Noise Ordinance (**Scheduled for a Meeting**)

- Comprehensive Plan EAR (**LDC**)
- Post Disaster Emergency Operations (**Staff**)
- V-Zoned Commercial Issues (**Staff**)
 - Councilmember Babcock noted there could be ways to rezone the whole downtown consistent with FEMA and for something to be built that the Town would like to see a developer complete. Mayor Kiker suggested moving Estero Boulevard and the location for the future buildings, with Councilmember Babcock indicating the ability to turn Estero Boulevard into a pedestrian mall or raising everything having all commercial upstairs.
- Historical Sign Determination (**Staff**)
- Off Shore Drilling (**Completed**)
- Auditor Requirements (**Administrative**)
- RFP, Request for Proposals
 - Mayor Kiker indicated he was not happy with the audits and after talking to other firms felt the Town was not getting their money's worth. Mayor Kiker felt whenever there were contract services there needed to be a time frame and it then automatically would go out to RFP.
- Mandatory Recycling (**Green**)
- Storm Water Master Plan
- Bayside Access
- Discussion of Future of DRA
- Budget Workshops (**Removed**)
- Mass Transit Traffic Transportation, M & R, Maintenance and Repair (C.Lewis)
- Town Branding
- Customer Survey, Customer Feedback

Council then began discussion of categories deciding on Worksession, M & P, Projects and Scheduling and Town Council Meeting.

Council Breaks (no time noted)
Council Reconvenes (1:00 p.m.)

- Property Purchases and Opportunities – M & P
- Charter Financing and Restructuring – M & P
- Alcohol Restrictions – Workshop
- Appropriate Communications – Workshop
- Budget Review – M & P
- Reviews and Scheduling – Scheduling
- RFP – M & P
- Green, LDC Comp. Plan – Workshop
- Administrative Appeal Process – Workshop
- Trolley – Workshop
- Economic Revitalization – M & P
- PR for Town – Workshop
- Beach Nourishment – Workshop
- Water System Replacement – M & P

- Estero Boulevard – Workshop
- Customer Surveys – Workshop
- Status Update – Scheduling
- Summer Schedule Discussion – Workshop
- Town Manager and Town Attorney Evaluations – Workshop
- Town Attorney Position (Contract or In House) – M & P
- Strategic Planning – M & P
- LPA/M & P – Workshop
- Sign Ordinance – Workshop
- Meeting Efficiencies – Workshop
- Visioning – Workshop
- Budget Modification – Scheduling
- Fee Schedule Bay Oaks – Scheduling
- Fee Schedule Review - Workshop
- Town Hall – Project
- Newton Park Master Plan – Project
- Noise Ordinance – Meeting
- Joint Town Council LPA Meeting - Scheduling
- Joint Council BOCC – Scheduling
- Post Disaster Emergency Operations – Project
- Discussion of Downtown Redevelopment /DRA – Workshop

Council began discussion of a completely new plan for the business district.

Discussion then turned to how long a project would remain on a prioritization list, what would happen when another Council decided to end a project or the manner in which it had been developed to date. The topic then turned to the election of Council members.

Before leaving the meeting Vice Mayor Acken indicated his top 5 topics for prioritization which included; Noise Ordinance, Sign Ordinance, Outdoor Display, Alcohol Restriction and Beach Nourishment.

Council began their prioritization process.

- Property Purchase Opportunities – M & P

Mayor Kiker indicated he talked with Ray Judah regarding the County’s decision to explore purchasing the property in Times Square. Mr. Judah stated the County’s options to allow the process run its course in foreclosure, if there were an interest the County would talk to the Town acquiring the Town’s input. Mayor Kiker indicated he told Mr. Judah that Council had discussed it thinking it was a great opportunity to reroute Estero Boulevard and fix the problem permanently, with him also inquiring of Mr. Judah how the financing works since there was an understanding two appraisals were necessary. Mayor Kiker noted he was to have a meeting with Mr. Judah the following week and Karen Hawes would provide them with all the information pertinent to the issue at which time

Mayor Kiker could bring that information back to Council for an M & P.

Councilmember Babcock gave his thoughts on how to prioritize with Council then selecting their top 6 subjects listed under worksessions.

During the process Council changed the Administrative Appeal Process to LDC as a subset; deleted Customer Service keeping Customer Survey; made DRA a subset of Downtown Redevelopment.

Councilmember List polled Council for their top 5.

Alcohol Restrictions – 2

Appropriate Communications – 0

Green LDC Comp. Plan – (became a subset of LDC)

Trolley – 0

Public Relations – 0

Beach Renourishment – 4

Estero Boulevard – 3

Summer Scheduling – 0

Town Manager and Town Attorney Evaluations – 4

Strategic Planning – 0

Sign Ordinance –

Discussion ensued as to the placement of the sign ordinance as well as changes in the LDC that need to be made in order to make it enforceable. Sign Ordinance was then placed under LDC topics.

Meeting Efficiencies – 0

P & P Update Manual – 1

Newton Park Master Plan – 0

Escalation Process – (included in Policies and Procedures) – 2

Right of Way Issues – 1

Mound House Master Plan – 0

LDC Outstanding Issues – 5

Comprehensive Plan – 0

V- Zone Commercial Issues – 0

Mandatory Recycling – 2

Bayside Access – 0

Downtown Redevelopment – 3

Town Branding – 0

Mass Transit, Traffic, Transportation – 1

Customer Survey – 0

Totals indicated the following:

1. Outstanding LDC issues – **5**
2. Town Manager and Attorney Evaluations, Duties, Assignments, Job Descriptions, Town Attorney In House or Consultant – **4**
3. Beach Nourishment – **4**
4. Estero Boulevard – **3**
5. Downtown Redevelopment – **3**
6. Policy and Procedures Update – **2**
7. Mandatory Recycling - **2**
8. Alcohol Restrictions – **2**
9. Mass Transit – **1**

After reviewing the list from above including all the subsets to the topics, Mayor Kiker suggested for the next list to look at the items that could be dealt with right away. Council discussed prioritizing by importance and time sensitivity. Councilmember Babcock then suggested musts and wants as categories.

1. Outstanding LDC Issues – **Want – Long Term**
2. Town Manager and Attorney Evaluations, Duties, Assignments, Job Descriptions, Town Attorney In House or Consultant – **Must – Short**
3. Beach Management – **Must – Short Term**
4. Estero Boulevard – **Must – Long Term**
5. Downtown Redevelopment – **Want – Long Term**
6. Policy and Procedures – **Want – Long Term**
7. Mandatory Recycling – **Want – Short Term**
8. Alcohol Restrictions – **Want – Short Term**
9. Mass Transit – **Want – Long Term**

Councilmember Babcock stated he also looked at the staff time and attorney time needed for topics as well as value, such as the economic benefit versus the cost to complete it or service, is the service worthy of the cost. Councilmember Babcock continued the discussion on scheduling with Mayor Kiker stating there was really a necessity for short, medium and long terms in the ranking process.

Councilmember Babcock indicated his opinion on scheduling, which he did not see happening until February, was not Town Manager but Beach Management since he felt it would be done by January 13th, making number two the number one priority of moving forward with the LDC prioritizations.

Council then began with scheduling the upcoming months.

- Beach Management - **February**
- Town Manager and Attorney Evaluations – **March**
- LDC Issues – **May**
- Estero Boulevard – **April (a)**
- Policy and Procedures – **April (b)**

- Mandatory Recycling – **April (b)**
- Alcohol Restrictions – **April (b)**
- Mass Transit/Downtown Redevelopment – **October**

Council moved on to M & P.

Mayor Kiker's choices:

- Property Purchase Opportunities
- Charter
- RFP

Councilmember Babcock's choices:

- Water Utility
- Strategic Planning Goals and Budgeting
- New Revenue Sources

Councilmember Raymond's choices same as Councilmember Babcock

Councilmember List's choices:

- Property Purchase
- Charter
- Water Utility

Property Purchase – **2 - January**

Charter – **2 - March**

RFP – **1 - February**

Strategic Planning – **2 - May**

New Revenue Sources – **2 - January**

Water Utility – **3 - March**

Budget Review – **February**

(Transcriber's note: Tape #4 began in the midst of a conversation which was not the same conversation as the end of tape #3 indicating some discussion was lost.)

Councilmember Babcock stated he wanted to see detail on Bay Oaks regarding money coming in versus what was going out.

Mayor Kiker stated for projects Council had:

- Escalation
- Town Hall Buy/Lease
- Newton Park

Escalation was then moved to Policies and Procedures. Town Hall Buy/Lease was moved to Property Purchase. Newton Park was moved.

Budget Modification coupled with Budget Review - **February**

Joint Meeting with BOCC – **May – No consensus on staff**

LPA Meeting – **May – Town Manager and Town Attorney**

- Joint Meeting with Committee Chairs and Town Council – **March – Town Manager**
- Beach Management – **Staff**
- Interlocal = **Attorney**
- Town Manager and Attorney Issues Performance and Evaluation - **no consensus**
- Property Purchase - **Town Manager and Town Attorney**
- New Revenue Sources – **Town Manager and Town Attorney**
- RFP & Budget Review - **February – Town Manager**
- Water Utility and Charter – **March – Town Manager and Town Attorney**
- Estero Boulevard - **April**
 - a. Survey Results and Engineering – **Staff**
 - b. P & P, Mandatory Recycling, Alcohol Restrictions – **Town Manager and Town Attorney**
- Outstanding LDC Issues – **May – Town Manager and Town Attorney**
- Downtown Redevelopment – **October – Town Manager and Town Attorney**
- Mass Transit - **Staff**
- Strategic Planning Goaling, Budgeting – **May – Town Manager**

MOTION: Councilmember Babcock moved for dismissal with a second by Councilmember List.

Mayor Kiker adjourned the meeting at 3:50 p.m.

Adopted 2-1-10 With/Without changes. Motion by Scott Babcock

Vote: 5-0


 Michelle D. Mayher, Town Clerk

- End of document.

Transcriber's note: All of tape #2 was blank, transcribed from DVD only during that time. DVD video ended well before meeting adjourned, worked solely from that point on from cassette tapes. Through much of meeting Council members were not using their microphones so audio quality was poor.