



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

February 19, 2008

MINUTES

I. CALL TO ORDER

Mayor Boback called to order the meeting of the Town Council at 7:31 PM. In addition to Mayor Boback, present was Vice Mayor Kiker, Councilmember Acken, Councilmember Shenko, Councilmember Meador, Town Manager David Sallee, Town Attorney Anne Dalton, Town Clerk Michelle Mayher and Public Works Director Jack Green.

II. PUBLIC COMMENT

Opened Public Comment:

Public Comment was heard.

- Bob Raymond spoke regarding stormwater management.

Closed Public Comment.

III. CONSENT AGENDA: -

A. Approval of Minutes: February 4, 2008

MOTION: Councilmember Meador moved approval of the consent agenda. Councilmember Acken seconded the motion.

VOTE: Motion passed 5-0.

IV. PROCLAMATIONS:

A. Proclamation: National Arbor Day

Mayor Boback read the proclamation declaring April 18, 2008 as National Arbor Day. A member of the garden club accepted the proclamation and promoted the tree sale.

Mayor Boback requested moving the administrative agenda item B. up to be heard next. Council concurred.

VI. ADMINISTRATIVE AGENDA:

A. Funding Request from Beach Elementary School

Beach Elementary School PTO president, Tracey Gore addressed the Council indicating how out of date the school library books were, and based on a survey done by the school principal, it would take \$50,000.00 to purchase what is needed. Principal Larry Wood explained his budget from the school board and the accelerated reader program. Cathy Trent, the curriculum specialist for Beach School indicated that it has been up to each school to come up with the dollars. Discussion ensued as to the beach school going to the school board for funding, getting a commitment from the Fort Myers Beach Library and the PTO attempting to raise funds and then come back to the council in order to revisit this request.

MOTION: Councilmember Acken moved for the Town to match funds raised by the PTO in an amount not to exceed \$5,000.00. Mayor Boback seconded the motion.

VOTE: Motion passed 3-2, with Councilmember Shenko and Councilmember Meador dissenting.

A. Mandatory Recycling

PUBLIC COMMENT

Opened Public Comment:

None

Closed Public Comment

Public Works Director Jack Green indicated that the Council had requested representation from Lee County Solid Waste to answer questions regarding the mandatory recycling ordinance. Mr. Lindsay Sampson, Director Lee County Solid Waste answered questions regarding compliance and the Town and Lee County's interlocal agreement. Discussion ensued regarding enforcement, and Attorney Dalton indicated the criminal aspect of the proposed ordinance had been deleted and that deletion was acceptable to the County.

MOTION: Councilmember Shenko made a motion to bring forward an ordinance as it relates to business recycling, multifamily residential and commercial construction, demolition and debris, with the understanding that the Town is not looking at criminal provisions as were proposed in the original ordinance. Councilmember Acken seconded the motion.

VOTE: Motion passed 5-0.

V. RESOLUTIONS:

A. Resolution 08-09, Charter Amendment – Plurality

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RESOLUTION NUMBER 08-09.

Opened Public Comment:

None

Closed Public Comment

MOTION: Councilmember Meador moved the passage of resolution 08-09 with the correction, that since the town clerk cannot amend the charter, and the town council cannot authorize the clerk to amend the charter, that where ever that language appears, have it read that the town council authorizes the town clerk to affect the amendment of the charter. Councilmember Shenko seconded the motion.

VOTE: Motion passed 5-0.

B. Resolution 08-10, Appointment to Canvassing Board

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RESOLUTION NUMBER 08-10 REQUESTING APPOINTMENT OF THE TOWN CLERK TO THE TOWN CANVASSING BOARD FOR PURPOSES OF THE GENERAL ELECTIN TO BE HELD ON APRIL 8, 2008; PROVIDING AN EFFECTIVE DATE

Opened Public Comment:

None

Closed Public Comment

MOTION: Councilmember Meador moved the adoption of resolution 08-10. Vice Mayor Kiker seconded the motion.

VOTE: Motion passed 5-0.

VI. ADMINISTRATIVE AGENDA:

C. Introduction of Ordinance 08-03, Open House Signs

Opened Public Comment:

None

Closed Public Comment

MOTION: Councilmember Meador moved to have Ordinance 08-03 move forward to a public hearing. Councilmember Shenko seconded the motion.

AMEND: Councilmember Meador amended his motion to move this ordinance forward and have it come back to Council on March 10 2008 at 3:00 PM.

D. Exhibit Fabrication Firm Selection for Mound House – Action

Director Theresa Schober requested Council authorize a letter of intent to contract to ArtGuild, Inc. for the fabrication and installation of interpretive exhibits for the shell mound and grounds of the Mound House.

Opened Public Comment:

None

Closed Public Comment

MOTION: Councilmember Shenko moved to authorize staff to submit a letter of intent to contract to ArtGuild Inc. for the fabrication and installation of interpretive exhibits for the shell mound and grounds of the Mound House. Councilmember Acken seconded the motion.

VOTE: Motion passed 5-0.

E. Classification Study – Award of RFP

Town Manager David Sallee identified that the Town prepared a request for proposal for development of a position classification and compensation system, and award the contract to Cody and Associates.

MOTION: Councilmember Meador moved to table this discussion until the incoming town manager has had a chance to look at it. Councilmember Acken seconded the motion.

Opened Public Comment:

None

Closed Public Comment

VOTE: Motion passed 5-0.

VII. TOWN MANAGER'S ITEMS:

A. Financial Advisor

Town Manager David Sallee requested Council's authorization for the Town to seek a financial advisor for the utility and for the Town .

MOTION: Councilmember Shenko moved to authorize Town staff to seek a financial advisor or a financial institution for the management of Town funds. Councilmember Acken seconded the motion.

VOTE: Motion passed 5-0.

VIII. TOWN ATTORNEY'S ITEMS

A. Status of Town Manager Negotiations

Attorney Dalton outlined the draft employment agreement between the Town and Mr. Scott Janke.

Opened Public Comment:

None

Closed Public Comment

MOTION: Vice Mayor Kiker moved that the Town accept the agreement with Mr. Janke and direct the Town Attorney to finalize the agreement pursuant to Council direction. Councilmember Shenko seconded the motion.

VOTE: Motion passed 5-0.

MOTION: Councilmember Meador moved that Council direct the Town Attorney to prepare an ordinance to be placed on the agenda to be introduced bringing our notification period for water rate increases from four months to thirty days. Councilmember Shenko seconded the motion.

VOTE: Motion passed 5-0.

IX. COUNCILMEMBERS ITEMS AND REPORTS

Councilmember Acken asked to be informed as to where citizens who may want to purchase the trees in the tree program, where they can go to see the mature trees.

Vice Mayor Kiker asked for an overview on the CIP for the water system; a flow chart or timeline.

X. PUBLIC COMMENT

Opened Public Comment:

None

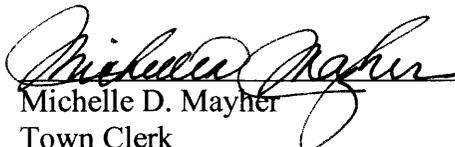
Closed Public Comment

XI. ADJOURNMENT

The meeting adjourned at 10:27 PM

Adopted 3.3.08 (Date) With/Without Changes. Motion by Shenko/Acken

Vote: 4-0


Michelle D. Mayher
Town Clerk

