

**MINUTES OF THE
FORT MYERS BEACH
TOWN COUNCIL
MARCH 5, 2007**

Town Hall- Council Chambers
2523 Estero Boulevard
Fort Myers Beach, Fl 33931
March 5, 2007

Executive Session	Closed To The Public	4:30 PM
Town Council Workshop	Open To The Public	5:00 PM
Regular Town Council Meeting	Open To The Public	6:30 PM

**SPECIAL MEETING OF
THE FORT MYERS BEACH
TOWN COUNCIL**

4:30 PM

I. CALL TO ORDER

Mayor Boback opened Special Town Council Meeting on March 5, 2007 at 4:45 PM.

Members Present: Councilman Reynolds, Vice Mayor Massucco, Mayor Boback

Absent: Councilman Meador and Councilman Shenko

Ms. Dalton announced the request for an executive session is to discuss issues related to Shenko vs. Werner lawsuit, and other matters related to that lawsuit. Ms. Dalton requested to commence the Executive Session and proceed as closed to the public.

II. MOTION TO ENTER INTO EXECUTIVE SESSION

MOTION: Vice Mayor Massucco made a motion to commence Executive Session.

VOTE: The motion passes 3-0.

III. ADJOURN

MOTION: Vice Mayor Massucco made a motion to adjourn Special Town Council Meeting.

VOTE: The motion passes 3-0.

FORT MYERS BEACH TOWN COUNCIL WORKSHOP
5:00 PM
AGENDA

I. CALL TO ORDER

Mayor Boback opened Town Council Workshop and announced there will be no public comment during the workshop.

Members Present: Mayor Boback, Vice Mayor Don Massucco, Councilman Garr Reynolds, Councilman Bill Shenko, Jr.

Absent: Councilman Charles Meador, Jr.

Town Staff Present: Town Attorney Anne Dalton, Town Manager Gary Parker, Community Development Director Jerry Murphy, and Town Clerk Michelle Mayher.

II. DISCUSSION OF PROPOSED AGENDA ITEMS FOR AN
UPCOMING JOINT MEETING WITH THE LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

Mayor Boback announced this discussion will entail details regarding the agenda for the upcoming joint meeting with the Lee County Board of County Commissioners. Mayor Boback expressed that they have put together an agenda along with Commissioner Janes, Town Manager Gary Parker, and County Manager Don Stilwell. Mayor Boback announced the three items which will be on this upcoming agenda:

Beach Renourishment:

- A. Status of Engineering Study by the Town of Fort Myers Beach.
- B. Status of the inter-local agreement discussions between the County and Town.

Transportation and Traffic:

- A. Status of Lane Management by the Bridge.
- B. Engineering Assistants.
- C. Estero Boulevard Improvements.

Beach Sub-Station:

Mayor Boback pointed out that there will be some time limits on each item. Commissioner Janes and Mr. Stilwell requested to have the meeting from 9:00 through 11:00 instead of 9:00 through 12:00. Mayor Boback expressed that he is proposing for the County to redo Estero Boulevard one mile per year for the next six years and to have

the County put money in the Budget for next year in order to begin work on Estero Boulevard. Mayor Boback suggested beginning on the South end of the island which will give the opportunity to see whether or not they can widen their rights-of way.. Mayor Boback reported that they have about \$1.8.million of gas tax money that the County is holding for the use of road infrastructure. Mayor Boback added that it has been suggested by Scott Gilbertson to begin with\$1.8 million towards engineering construction for the Estero project. Mayor Boback's response is not to go forward with this as it is the County's road and the funds should be committed by the County, not the Town. Mayor Boback suggested holding onto the \$1.5 or 1.8 million so it can be used by the Town in the event the Times Square Project is finalized, at which time they can may use those funds for the road they may need for that project. Councilman Shenko expressed that he was not in favor of using their gas tax money on a portion of Estero Boulevard which they do not own, pointing out that the side streets need many improvements, such as drainage, and other things. Councilman Shenko also pointed out the water system, stating that they do not want to run into having the roads put in, to then address the underground water system. .

Mayor Boback expressed that they needed to have the County commit to the project and promote the funds.

Vice Mayor Massucco referred to the underground electric lines, stating that it would be part of the criteria to gain right-of way at the North end of the Island, stating that they did not have enough right-of way to do what they really want to do regarding the street project with the sidewalks etc. Vice Mayor pointed out that they will need to discuss more on how they are going to gain the right-of way in order to accomplish what they want without submerging the electrical lines.

Councilman Reynolds expressed that he is in favor with Councilman Shenko's and Mayor Boback's suggestions as to begin at the South end. Councilman Reynolds added that he was not in favor of undergrounding utilities.

Mayor Boback reiterated their goal would be to begin at a mile and half a year, and to try to get the County to put it into their Budget.

Mayor Boback referred to the Town hiring its own engineer to review the County's Plans, and decipher the County's approach to sand placement.

Councilman Shenko expressed a desire to have an engineer look for alternatives, and not just betterments.

Mayor Boback addressed the inter-local agreement discussions between the County and Town, reminding Council that it was decided that both the County and the Town's attorneys would work on the issues which were brought forward.

Vice Mayor Massucco questioned the easements and if the County would be responsible.

Ms. Dalton responded that there is no absolute requirement for the Town to acquire the easements.

Councilman Shenko commented that 12% of the benefit is for storm protection, and 80% of the benefits are for recreation, suggesting having a cap on the Town's financial responsibility.

Jack Green reported that the County has confirmed the bridge can sustain a third lane, and that it appears that the County would not prohibit that use as a dedicated bus lane, or a right turn lane only. Mr. Green reported that there would be additional railing, pedestrian barrier requirements, one on the West side 54-inches from the road service. Mr. Green reported it would cost approximately \$ ¼ of a million, and raised the question who will pay.

Mayor Boback emphasized the fact that they need to decide whether or not they want to have a road behind the Times Square/Seafarers' project. Councilman Shenko agreed that they do need to have a traffic engineer for this project, but suggested the Town and County can split the cost 50%.

Mr. Green reported that he was waiting for direction from Scott Gilbertson regarding where they would start, the hardest place or the South end.

Mayor Boback referred to the Sub-Station, pointing out that both the Town Manager and himself discussed the matter in detail with Captain Powell. They were told this needed to be taken to the County.

Councilman Shenko expressed that he was in favor of having a Sub-Station.

III. ADJOURNMENT

MOTION: Councilman Shenko made a motion to adjourn. Vice Mayor Massucco 2nd the motion.

VOTE: The meeting is adjourned at 6:10.

REGULAR MEETING OF THE FORT MYERS BEACH TOWN COUNCIL

6:30 PM

AGENDA

CALL TO ORDER

Members Present: Mayor Dennis Boback, Vice Mayor Don Massucco, Councilman Garr Reynolds, Councilman Charles Meador, Jr., Councilman Bill Shenko, Jr.

Absent: None.

Town Staff Present: Town Attorney Anne Dalton, Town Manager Gary Parker, Community Development Director Jerry Murphy, Public Works Director Jack Green, Finance Director Evelyn Wicks, Town Clerk Michelle Mayher.

PLEDGE OF ALLEGIANCE:

All present stood for the recitation of the Pledge of Allegiance.

INVOCATION:

PUBLIC COMMENT: Please note that public comment will be heard at the time the agenda item is discussed.

CONSENT AGENDA-APPROVAL OF MINUTES

- A. Approval of Minutes: February 5, 2007
- B. Special Events Permit Application- Shamrock St. Patty's Day Party

MOTION: Vice Mayor Massucco to approve Consent Agenda.

Councilman Shenko pulled item A, and announced he will 2nd the approval of item B.

VOTE: The motion passes 5-0.

Councilman Shenko made corrections on page 2-11. Town Manager's name Gary Parker; Councilman name left out on discussion, and Councilman Shenko received a memo that they were going to discuss merger, not that it was merging.

MOTION: Councilman Shenko made a motion to approve the minutes with those changes. Councilman Meador 2nd the motion.

VOTE: The motion passes 5-0.

INTRODUCTION OF ORDINANCE

A. Introduction of Ordinance 07-03; Amending Regulation in LDC Chapters 14 and 27

Mayor Boback directed Ms. Dalton to read the introduction of Ordinance 07-03; Amending Regulations in LDC Chapters 14 and 27.

Mayor Boback opens public comment:

No public comment was given.

Mayor Boback closes public comment:

Discussion:

Vice Mayor Massucco expressed that he was confused with the LPA's resolution which was signed by Robert Simon instead of Chair Babcock questioning if this was done on a different meeting.

Ms. Dalton reported that when she prepared the Resolution, Chair Babcock was not available to sign, and Mr. Simon is the Vice Chair of the LPA.

MOTION: Vice Mayor Massucco made a motion to move Ordinance 07-03 forward to a first hearing. Councilman Reynolds 2nd the motion.

Discussion:

Councilman Meador responded that he will hold his comments until he has the opportunity to review the material in detail.

Councilman Shenko made comments regarding having beach chair police and that they would now have to license people with beach chairs, and did not see a need for this. Councilman Shenko also wanted to see anything starting 10-feet landward of the wrack line all the way out into the Gulf of Mexico to Texas if they can get permits to clean it from the State of Florida that it is approved; and that the only time it comes to Council is if they are asking for Town money to spend to do it.

Mayor Boback reported that Lee County does not rake beaches until the 3rd tide cycle and not on wet sand. Lover's Key State Park staff does not rake and count on the debris to break down and biodegrade on its own.

Mayor Boback referred to certain language taken out: referring to "under no circumstances may a person, place or a range of any watercraft vessel or associated equipment in any manner which blocks pedestrian traffic on the beach."

Ms. Dalton responded that the changes were brought forward by MRTF to the LPA.

Mr. Murphy pointed out that neither MRTF nor the LPA were invited to be present to discuss this, as it is only an introduction.

VOTE: The motion passes 4-1; with Councilman Shenko dissenting.

TOWN MANAGER REPORTS

A. CCNA Selection Update and Authorization

Mr. Parker announced that they are requesting Council to authorize staff to enter into negotiations based on the selection committee ranking firms responding to the ongoing professional services under continuing contract for environmental assessments, landscape architecture, civil engineering, and marine engineering.

Mayor Boback opens public comment:

No public comment was given.

Mayor Boback closes public comment:

MOTION: Vice Mayor Massucco made a motion to authorize town staff to enter into the negotiations of engineering activities with firms ranked by the selection committee, and approved by Town Council. Councilman Shenko 2nd the motion.

Discussion:

Councilman Shenko asked for clarifications if this was going to be for the top three in every category, Public Works Director Green responded that it would be for the top three.

VOTE: The motion passes 5-0.

B. Discussion and Direction on Snug Harbor Request for Waiver of Riparian Rights

Mr. Parker referred to item B, seeking direction on Snug Harbor request for waiver of Riparian Rights. Mr. Parker reported this would be a 25-foot set back of the Riparian Rights line on the East-side of the Old San Carlos right-of-way. Mr. Parker reports Snug

Harbor is seeking a permit to expand the Mooring facilities, and that the proposed plan calls for dock expansion which encroaches into the Riparian setbacks. Mr. Parker reports approval would allow for Snug Harbor to expand their mooring slips, and enhance the safety of vessels maneuvering in the area.

Mayor Boback opens public comment:

No public comment was given.

Mayor Boback closes public comment:

MOTION: Councilman Reynolds made a motion to reject the request.
Councilman Meador 2nd the motion.

Vice Mayor Massucco asked if they were going to hear from one of the Coastal engineers.

Hans Wilson represents Kiric Investments.

Mr. Green pointed out that this issue was presented to Council previously in April of 2006 and reports that Mr. Wilson along with Kiric Investments modified the plan regarding Riparian Rights. Mr. Green pointed out that the proposal has been modified and at the request of Kiric Investments and Mr. Wilson, Vice Mayor Massucco agreed to bring it back to Council for reconsideration.

Vice Mayor Massucco questioned Mr. Wilson as to the Town's gain if they were to give up the 25-foot Riparian right?

Mr. Wilson responded that they were responding to city Council request to keep the thorough fair between the right-away. Mr. Wilson added that they have pulled back their proposed structures in order to increase the view window from the section of the shoreline where the boardwalk would continue across. Mr. Wilson proceeded with his presentation regarding their proposal.

Mr. Green reported that staff was seeking a waiver on the East side in order to build a dinghy dock, stating that Mr. Wilson and Mr. Hendricks were willing to provide a waiver to the Town benefit in order to have the dingy dock application move forward,. Mr. Green also reports with this modified proposal there would be safer navigation.

Councilman Reynolds referred to Mr. Wilson in regards to his proposal, but questioned where would the Town stand with the proposal. Councilman Reynolds pointed out that in their proposal they are not requesting a 25-foot setback to their Riparian Rights; but that in Mr. Wilson's proposal they were requesting a 25-foot setback into the Town's Riparian Rights, pointing out he was not in favor of giving away the Town's Riparian Rights.

Mr. Wilson responded that they were not requesting the Town to give up 25-feet of Riparian Rights; he noted that they were accommodating the request from Town Council to back off of that in order to facilitate creating the marina, but modifying the marina.

Councilman Meador agreed with Councilman Reynolds, stating that they would be giving away a lot, and they will not be getting anything in return. Councilman Meador pointed out on their previous proposal they only spoke about the Riparian Rights which would favor the West-side of the harbor, but questioned if in the future whether or not they will present another proposal with more expansions. Councilman Meador was not in agreement stating that he did not see a fair side to the proposal.

Councilman Shenko pointed out that they were moving the slips away from them; the slips will be narrow enough which will prevent big boats in the slips. Councilman Shenko expressed that he did not see anything that would adversely affect the proposal and stated that he liked the proposal subject to being brought back with an acceptable agreement as to the proposed Town mooring area.

Mayor Boback expressed that he shared the same concerns as did Councilman Meador regarding conflict of interest with Mr. Wilson working both for the Town and something that is being brought before the Town.

Ms. Dalton responded that there shouldn't be a problem because they will be different projects.

Councilman Shenko also disclosed that Mr. Wilson represented his family years ago when they operated a marina, which was sold some time ago, but he has worked with his family many years ago.

Mayor Boback referred to the boardwalk of 63-feet which has been taken out, asking who would be responsible for the additional dock, if it was the Town or Kiric Investments.

Mr. Wilson responded that the Town had made a proposal that they would be putting it in.

Councilman Meador expressed that he may reconsider the proposal if it comes back with something solid with the Town. Councilman Meador reiterated what is being proposed tonight is to waive the public rights, and get nothing in return.

Mayor Boback expressed that they needed to have something concrete in writing where the Town would have some benefit.

Vice Mayor Massucco pointed out two concerns previously mentioned as to the Town entering into an agreement with a private enterprise; and the condition of the seawall of the area.

Mr. Green reported that the seawall was stabilized but still exist the hole in the upland part behind the seawall which was initially created. Mr. Green notes that the County has taken a stance that the problem has to be taken care of by the property owners and the contractor who initially did the work.

Mayor Boback suggested withdrawing the Motion instead of turning it down; tabled it and bring back it with more information and in writing.

Councilman Meador deferred to the motion maker.

Councilman Reynolds did not like the idea of withdrawing the motion, but withdrew his motion and requested a hearing with more information regarding the matter.

Councilman Meador withdrew his 2nd, pointing out his preference that it come back with more information regarding both sides.

Mayor Boback announced that the item will tabled and asked to bring it back with more information.

C. Special Events Permit Application – Fort Myers Beach Art Association

Mr. Parker announced that the Art Association received funding from the Town for their last three art shows, reporting that the funds help present the art shows and contribute to the prize money awarded, adding that the prizes consist of scholarships awarded to those seniors who intend to continue on to art school. Mr. Parker recommends that they approve the request, to waive the application and banner fees and approve the Association's request for funding for their spring show for a total of \$1,580.00.

Mayor Boback opens public comment:

No public comment was given.

Mayor Boback closes public comment:

MOTION: Councilman Shenko made a motion to approve as submitted amount of \$1,580.00. Councilman Reynolds 2nd the motion.

Discussion:

Councilman Reynolds questions the amount of \$1,580.00 as the original request was for \$1,400.00.

Nicole Olsen reported the additional amount would cover the banner fee, at \$150.00 and the Special Events Application fee of \$30.00 which totaled \$1,580.00.

Councilman Meador only questioned if the motion was to approve \$1,400.00 or \$1,580.00.

Councilman Shenko expressed that they should endorse it.

Mayor Boback also was in favor.

VOTE: The motion passes 5-0.

D. Request for Approval of Parking Contractor Selection

Mr. Parker requested Council to approve the Selection of Central Parking System, including the beach and street enforcement program. Mr. Parker reports the current contract expires March 8, 2007.

Mayor Boback opens public comment:

Harry Heist expressed his opinions regarding the parking enforcement.

Mayor Boback closes public comment:

MOTION: Councilman Reynolds made a motion to accept the Parking Agreement with Central Parking as written. Vice Mayor Massucco 2nd the motion for discussion.

Discussion:

Councilman Meador referred to the packet that he had as not having an agreement.

Mr. Green concurred that he was limiting the amount of material to add in the packets.

Councilman Meador expressed that he was not in favor of approving a contract that is not present for review.

Councilman Shenko also pointed out that there were other factors not mentioned such as the revenue the parking meters bring in, and how much money goes out with Beach Patrol. Councilman Shenko expressed he was not prepared to approve the contract as there is not enough information presented.

Vice Mayor Massucco expressed his concerns regarding the maintenance of the meters, suggesting they get pulled for accuracy on a regular basis, and put that in the contract.

Mayor Boback expressed that the Beach Patrol really has no power to do anything other than writing a parking ticket.

Mr. Green concurred, they can write out parking tickets however, states that the Town Council can empower the Beach and Street Enforcement to take on Code Enforcement Services if it is done properly.

Councilman Reynolds withdrew his motion as he felt they have no where to go on the matter. Vice Mayor withdrew his 2nd.

Mr. Green asked Council for direction regarding the current contract stating that it will expire on the seventh.

Mayor Boback suggested pursuing the option, and get information they need. They will table if for the next meeting on March 19, 2007.

E. Request for Approval of Beach Renourishment Analysis Proposal

Mr. Parker announced that this is to approve Beach Renourishment Plan Review Proposal, provided by Applied Technology Management. Mr. Parker reported the total cost would be \$26,760.00.

Mayor Boback opens public comment:

Frank Schilling made suggestions regarding engineers who can study where there is erosion and can compare what the plan is.

Mayor Boback closes public comment:

Discussion:

Councilman Meador pointed out that a toll study would be throwing away \$25,000.00, for something they have already been told by engineers.

Councilman Shenko reports that the contract doesn't call to analyze the technical data that the County has used to determine where renourishment is needed, and if the fill can be used to other areas. Councilman Shenko suggested having a study adding to the County's plan, but to also study changing the County's plan.

Vice Mayor Massucco pointed out that it is not an in-depth survey.

Mayor Boback pointed out that they had originally asked the firm to analyze the County's plan, and report whether or not they feel that would be the best placement for the sand to take care of the beach.

Mr. Green responded the direction given to him was to put out the proposal, negotiate with the firm ranked number one. He spoke to them regarding the concerns with the County's plan and if it was sufficient, and if it addressed the true needs of beach renourishment. Mr. Green reiterated that they were being asked to review the current plan, and to review the base study, and to take a look at the existing conditions.

MOTION: Councilman Shenko made a motion to accept the proposal for consulting services with ATM with the following addition in page two; subparagraph F; That ATM

shall address the financial and technical ability to change the core of engineering and the County's plan to renourished new areas if necessary, and not renourish areas that they may determine have acreted or are stable using new and existing erosion data.
Councilman Reynolds 2nd the motion.

VOTE: The motion passes 5-0.

Councilman Meador pointed out that Mr. Spikowski has a list of laundry items that he should move forward with those items to the LPA, and give direction to Mr. Murphy to work with Mr. Spikowski regarding the matter.

Councilman Reynolds pointed out that Mr. Spikowski overloads himself, stating that someone should help him in order to speed things up.

A. Wilker Foreclosure Status

Ms. Dalton requested Council to review a letter sent by Mr. Moran concerning the Wilker foreclosure. Ms. Dalton reported that she had filed a motion for entry of judgment on affidavit based on Town Council direction.

Mayor Boback opens public comment:

Mr. Moran pointed out to Council that he has provided a packet regarding his client's situation.

Mayor Boback closes public comment:

Ms. Dalton reports the stipulation signed by Mr. Wilker stated that he will come into compliance by October 14; the stipulation gave at the Town's discretion an extension until November 23rd. Ms. Dalton reviewed the documents presented by Mr. Moran. She pointed out the following:

The first application for permit was on August 21st and was rejected.

The second was on September 25th and was rejected.

There was a hiatus of two months to November 29th and was rejected.

There was another hiatus of two months to January 31st and it was rejected.

There was another hiatus of a couple of weeks February 12th and was rejected as well.

Mr. Murphy responded in his review of what he has seen from Lee County is that Lee County has done their job as the Town's consultant on the matter. Mr. Murphy noted that the contractor was not able to satisfy building code requirements in making its submittals is not the Town's problem.

Mayor Boback pointed out that during this process they have made several attempts to get information regarding the situation from Mr. Moran and Mr. Wilker to no avail.

Councilman Meador responded that they were led to believe that nothing was happening on Mr. Moran's end. Councilman Meador expressed that his decision on the matter would have been far different had he known of the efforts being made by Mr. Moran and his client. Councilman Meador also expressed his regrets that staff had provided incorrect information regarding the status of the Wilker foreclosure, and apologized to Mr. Moran and his client, Mr. Wilker. Councilman Meador suggested giving the extension necessary to make the repairs..

Councilman Meador asked Mr. Moran how much time he needed to make the repairs.

Mr. Moran responded that the time should be conditioned upon permit issuing, which would be reasonable and 60-days after a permit is issued that Mr. Wilker has affirmative duty to comply with material compliance with the changes. Mr. Moran noted that if he needed additional time, 10-days prior to the 60-days, he will submit it in writing what additional time is required with specifications as to why. Mr. Moran added upon completion of the repairs he recommends inspection of the repairs, and should there be problems found during inspection, that they are given 20-days to cure the written problems as specified on inspection.

MOTION: Councilman Meador made a motion to approve the above, adding provided Mr. Moran's client does proceed in good faith to apply for a permit. Councilman Shenko 2nd the motion.

Mr. Moran reports the permit is on the desk of local persons.

Councilman Meador pointed out that would be the Town of Fort Myers Beach.

Discussion:

Vice Mayor Massucco agrees to give the extended time.

Councilman Reynolds expressed to Mr. Moran that he should have given more time regarding the situation, but hopes to have this taken care of.

Councilman Shenko suggested that they is no distinction between Lee County and the VOTE: The motion passes 5-0.

B. Update on Shenko vs. Werner Attorney Fee Reimbursement

Ms. Dalton reported she is waiting for the transcripts Town Council requested her to attain. Ms. Dalton reports that Mr. Werner indicated that he was not agreeable to paying the reimbursement of attorney fees, and Ms. Dalton requested for Mr. Werner to provide Town Council a letter, as he has a detailed statement.

Mayor Boback opens public comment:

No public comment was given.

Mayor Boback closes public comment:

C. Status of Demolition of Days Inn

Ms. Dalton reports she is providing a letter by Beverly Grady, in regards Demolition of 1130 Estero Blvd, Days Inn and also Jimmy Bee's. Mr. Dalton is asking for Council's direction regarding the matter.

Mayor Boback opens public comment:

Herb Acken spoke about the impact to the businesses regarding the demolition. Harry Heist resident pointed out that this should have been done some time ago.

Mayor Boback closes public comment:

Vice Mayor Massucco expressed his concerns regarding the demolition and how it will affect the surrounding businesses.

As to Council inquiries regarding the demolition of the Days' Inn, Mr. Murphy responded that the building official would put the conditions, but noted that he has been unable to communicate with him and does not know the conditions at this point.

TOWN COUNCIL ITEMS AND REPORTS

Vice Mayor Massucco referred to a memorandum from the Public Safety Task Force, and noted the projects they are undergoing, he congratulated the Town for being named a Tree City, and also referred to emails and comments being made to staff members.

Mayor Boback requested information regarding a lobbying Ordinance..

Ms. Dalton responded that she will bring forward for Council's direction at their next meeting.

FINAL PUBLIC COMMENT: Public comment at this time is heard on any item and/or issue of concern.

Mayor Boback opens public comment:

Pat Smith supported Council for not taking action on the parking contract. Herb Acken reported that they are applying for a DEP permit to do the demolition. Grace Workman thanked Vice Mayor Massucco and Councilman Reynolds for their service.

Chris Loffreno, Public Safety Task Force referred to issues regarding safety they will be presenting tomorrow at their meeting.

Mayor Boback closes public comment:

ADJOURNMENT

MOTION: Vice Mayor Massucco made a motion to adjourn. Councilman Shenko 2nd the motion.

VOTE: The motion passes 5-0.

Mayor Boback adjourned the meeting at 9:42 PM

NEXT MEETING: March 12, 2007 at 4:00 PM

NOTE: This meeting is televised live on Comcast Channel 11.

If a person decides to appeal a decision made by the Council in any matter considered at this meeting/hearing, such people may need to ensure that a verbatim record of the proceeding is made, to include the testimony and evidence upon which any such appeal is to be based. Please note: Agendas will be available on the Friday prior to this meeting at www.fmbeach.org.

Respectfully submitted,

Debbie Cardoso

3-19-07

Passed on Consent Agenda
No changes

Motion: Massucco/Shenko 5-0

Michael Rayher