

**TOWN OF FORT MYERS BEACH
TOWN COUNCIL MEETING
APRIL 23, 2007**

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIENCE

Present: Mayor Boback, Councilmember Meador, Councilmember Acken, Town Manager Gary Parker, Town Attorney Anne Dalton, Community Development Director Jerry Murphy, Finance Director Evelyn Wicks,

Absent: Vice Mayor Kiker

CONSENT AGENDA:

- A. Approval of minutes
- B. Appointment to the Anchorage Advisory Committee
- C. Request by Edison Sailing School
- D. Pension Plan Update.

Councilmember Meador pulled Item D, Pension Plan Update.

MOTION: Councilmember Shenko moved to approve the Consent Agenda; Councilmember Meador seconded.

VOTE: 4-0 In favor.

- D. Pension Plan: Councilmember Meador asked to have this item deferred until the Council can get further detail regarding the amendments and staff's inquiry into the Florida Retirement System.

Mayor Boback mentioned having received a letter of interest from Mr. John Shaw, seeking appointment to the Marine Resources Task Force.

MOTION: Councilmember Acken moved to appoint John Shaw to the Marine Resources Task Force. Councilmember Shenko seconded.

VOTE: 4-0 in favor.

ADMINISTRATIVE AGENDA:

- A. Presentation on Lee County Transit Authority by Commissioner Ray Judah.**
Commissioner Judah gave a brief outline on the Transit Authority and spoke to encourage and plea to the Town Council to have a representative from the Town on this committee.

PUBLIC COMMENT:

Pat Smith – expressed her efforts to keep up with all the local taxing authorities.

- B. Presentation on CERT’s Program by Chief Becker**

Chief Becker was unable to attend and has asked to reschedule

- C. Request by Lee County Board of County Commissioners for an appointment to the Human Services Council**

Attorney Dalton offered to seek permission from the Board of County Commission to serve in a dual capacity; as a business person currently appointed by Commissioner Janes, and as a representative for the Town of Fort Myers Beach.

PUBLIC COMMENT:

None

- D. Corporate Resolution/ SunTrust Credit Card**

Finance Director Evelyn Wicks explained that the Town has had this credit card in place for a number of years, and this item is to change the card to the appropriate signers.

PUBLIC COMMENT:

None

MOTION: Councilmember Shenko moved for approval with the suggested signers.
Councilmember Acken seconded.

VOTE: 4-0 in favor.

- E. CCNA Selection Update and Authorization**

Town Manager Parker explained that this item is a request for Council to authorize staff to continue negotiations as governed by the Consultants Competitive Negotiations Act.

PUBLIC COMMENT

None

Councilmember Acken moved approval for continued negotiations.
Councilmember Shenko seconded.

VOTE: 4-0 in favor.

F. Discussion regarding the proposed change in the Public Comment format

PUBLIC COMMENT

Pat Smith spoke in favor of the current format such that public comment is given as each agenda item is discussed.

Councilmember Acken brought this item forward, and expressed his preference to have public comment on any general item at the beginning of the meeting.

The general consensus of the Council was to allow public comment on any item at the beginning of the meeting, and encourage members of the public to hold their public comment on agenda items until that item is heard, and then allow public comment at the end of the meeting, as is currently the practice.

G. Request by Chamber of Commerce for Advertising in Gulfshore Magazine

PUBLIC COMMENT

None

Councilmembers chose to take no action on this item.

TOWN MANAGER'S ITEMS:

A. Discussion on New Water Restrictions:

Town Manager Parker expressed staff's recommendation to adhere to the direction of the South Florida Water Management District and seek a motion to approve the plan as presented.

PUBLIC COMMENT

None

Town Attorney Dalton read the title of Town Resolution 07-18.

MOTION: Councilmember Shenko moved approval of Resolution 07-18, with a warning being issued until May 11, 2007. Mayor Boback seconded.

VOTE: 4-0 in favor.

TOWN ATTORNEY'S ITEMS:

A. Attorney Dalton read into the record Councilmember Shenko's voting conflict, Form 8B, Memorandum of Voting Conflict for County, Municipal and other Local Public Officers, and it states on the second page: " I, William E. Shenko, Jr., hereby disclose that on 4.23.07, a measure came or will come before my agency which inured to the special gain or loss of James and Patricia Purtell the matter regarding Fred Paine Case Number FMBZVL200700002 is the same issue as the adjoining property owned by James Purtell. I have represented Mr. Purtell in the

past. I may have given Mr. Purtell legal advice regarding the matter prior to running for Town Council. I do not represent Mr. Purtell or Mr. Paine at this time, but I feel I must avoid the appearance of impropriety. Dated 4.23.07, and signed by William E. Shenko, Jr.”

PUBLIC COMMENT:

Chris Loffreno encouraged public input to the Public Safety Task Force regarding the issue of Segways.

Al (last name not distinguishable) inquired about the past consideration of hiring retired police officers for traffic control.

ADJOURNMENT: 8:24 PM.

Respectfully submitted,


Michelle Mayher
Town Clerk

approved as presented.

MOTION: *Shenko/Meador*

VOTE: *5-0*

MM Mayher 5-14-07