



**MINUTES**  
**FORT MYERS BEACH TOWN COUNCIL**

Town Hall – Council Chambers  
2523 Estero Boulevard  
Fort Myers Beach, FL 33931

October 24, 2007  
6:30 PM

Mayor Boback called the meeting to order. All councilmembers were present as well as representatives of the Town's advisory committees: Charles Hester, chair of the Marine Resources Task Force, Jim Rodwell, chair of the Anchorage Advisory Committee, Tom Babcock, chair of the Local Planning Agency, Karen Swanbeck, chair of the Public Safety Task Force, Pat Smith, vice-chair of the Traffic Mitigation Agency and Betty Simpson, chair of the Cultural and Environmental Learning Center Advisory Board.

**Opened Public Comment**

None

**Closed Public Comment**

**MOTION:** Councilmember Shenko moved to approve the minutes of September 17, 2007. Vice Mayor Kiker seconded the motion.

**VOTE:** Motion passed 5-0.

Town Manager, Gary Parker advised Council that Mr. David Sallee would be facilitating the Goals and Objectives meeting scheduled for November 15, 2007.

Special Assessment Consultation Selection Attorney Dalton stated that she had been directed to return to the three proposers and clarify whether there is any expectation on the proposers' part to have another outside consultant to provide information to the Town, aside from the legal component. Edwards Cohen withdrew their proposal. Fowler White and Nabors Giblin responses are in the packet.

**MOTION:** Councilmember Meador moved to engage Nabors Giblin on the project. Councilmember Shenko seconded the motion.

**VOTE:** Motion passed 5-0.

An open dialogue began between the Town Council and the Advisory Committee members. The first item for discussion was, "What's working, and what's not."

**MRTF**, Charles Hester indicated that this committee would like to extend term limits, have staggered terms like the LPA, that larger committees have synergy, he would like to relax the membership requirements and consider allowing off-island members, as MRTF has not had luck with ex-officio members.

**AAC**, Jim Rodwell concurred with C. Hester, they currently have one vacancy, although they had two members who were gone all summer. AAC would like the ordinance that governs this committee to be updated.

**LPA**, Tom Babcock began by asking if the council wants to schedule a joint meeting of Council and LPA. Mr. Babcock advised Council that whenever an LPA resolution is going before the Council, a member of the LPA will attend that meeting. Mr. Babcock spoke to what he considered a civility matter, that instead of Council saying that quasi-judicial decisions are wrong, he would prefer it be said that interpretation is different. This discussion continued with comments that often times the situation that is presented to Council is changed from when presented to the LPA, that some proposed LDC changes should be sent to the LPA for consideration. Community Development Director Jerry Murphy spoke on behalf of staff, that this was a good discussion and staff can handle the directives.

**PSTF**, Karen Swanbeck reported that the committee is very pleased with the situation of the meeting minutes, and perhaps an area of improvement would be communication. Mayor Boback introduced the idea of a councilmember being appointed as liaison for each advisory committee. Discussion continued as to the possibility that council could “steer” the committees’ focus, that the committees could have a member designated as a contact person for agenda items.

**TMA**, Pat Smith reiterated that having the minutes done has been a great relief. Ms. Smith said the communication, or a lack thereof was very frustrating, that committees spend a great deal of time and work and nothing happens. Ms. Smith liked the idea of staggered terms.

**CELCAB**, Betty Simpson said their seven member format works, they like two year staggered terms, the residency requirements are fine, CELCAB has an ex-officio member and it works for them, they are in favor of joint meetings, the minutes are wonderful, communication has been stellar and the workshop regarding Newton was very helpful.

**MRTF** chair, Charles Hester, added his appreciation of the minutes’ transcription.

Recess 7:55 PM

Reconvene 8:10 PM

#### Update on Committee Activities

**AAC**, Jim Rodwell indicated that they did not adopt a Policies and Procedures Manual. The committee is working on the dinghy doc regulations, that the revised harbor management plan is in the process and will be brought forward, and they have received the engineering report.

**LPA**, Tom Babcock said that the LPA was doing a process analysis on the whole legislative change process, particularly changes in the LDC. The LPA, with much credit to Mr. Bill Spikowski, has compiled a list of change requests that have been suggested. Mr. Babcock indicated that the LPA is looking for better guidelines and criteria to use in their prioritization process.

**PSTF**, Karen Swanbeck said that they had a session on neighborhood watches, learning that they tend to start out great, and then phase out. The PSTF has talked about holding a Safety Awareness seminar, and they are open to other tasks.

**TMA**, Pat Smith spoke to the pedestrian by-way project, and that they had reworked the cost and now have firm numbers. The Agency has inventoried the vehicular directional signs, have done a survey of the trolley stops, and mentioned that the trolleys cannot make the turn from 1<sup>st</sup> street onto Old San Carlos because of the curbing.

**CELCAB**, Betty Simpson reported that they will have a cost estimate at the November 8, 2007 meeting, that they are moving the landscape plan to the next phase, the exhibit design and landscape phase have had expert input. Ms. Simpson further described the changes currently being made to the entrance and to the exhibit.

**MRTF**, Charles Hester advised that they have adopted a Policies and Procedures Manual, have elected a new vice chair, have recently acquired two new members, they regret the loss of staff member Colleen Young. Mr. Hester spoke to gulf front seawall projects being confined to codifying the definition. The algae infestation could have worldwide impact if a use can be found for this algae. Mr. Hester spoke of MRTF doing an educational brochure, and the upcoming Mulholland Stewardship Award.

#### Topics of Mutual Interest

**LPA**, Tom Babcock indicated that with land use, capital improvement projects and long range plans, they will communicate with the other committees and with the Council. Mr. Babcock indicated that the LPA would like to work with Sanibel on the LOBO Sensor Study. He mentioned that the Times Square Redevelopment plans are currently in limbo.

**PSTF**, Karen Swanbeck indicated that their focus is on public education as to the use of crosswalks.

**TMA**, Pat Smith would like to see the developer(s) for the Times Square areas come and talk regarding how the traffic flow can be mitigated.

**CELCAB**, Betty Simpson advised regarding the home restoration, removing the post 1921 structures. Ms. Simpson further spoke of the interpretive signage.

**MRTF**, Charles Hester advised that the committee had voted to do away with printed packets in a conservation effort, that at their November 14, 2007 meeting Attorney Dalton would attend and speak regarding the Sunshine Law, encouraging any other advisory committee members to attend. Mr. Hester expressed a desire to have advisory committee agendas and minutes on the Town's website.

AAC, Jim Rodwell expressed his appreciation of the evening's exchange.

Attorney Dalton sought input regarding the possible amendments to the advisory committee ordinances.

After some discussion, Attorney Dalton indicated that the requested changes would be that each appointment would be for a 2 year term; terms will be staggered ; term limits will be eliminated; all current terms would be extended to the first available Town Council meeting in October 2008; committee appointments will be made the first available Town Council meeting in October beginning in 2008.

Council further indicated to relax the residency / property owner requirements except for with the LPA. A quorum for the committee may be less than a majority except for the LPA. Minimum membership requirement of five members will be eliminated, and the maximum membership of seven will stand.

**Opened Public Comment**

None

**Closed Public Comment**

**ADJOURNMENT**

The meeting adjourned at 10:00 PM

Adopted 11-19-07 With Without Changes Motion by Shenko/Meador  
(Date)

Vote: 5-0

  
Michelle D. Mayher  
Town Clerk

- End of Document