



## MINUTES

### FORT MYERS BEACH TOWN COUNCIL TOWN HALL – COUNCIL CHAMBERS

2523 ESTERO BOULEVARD  
FORT MYERS BEACH, FLORIDA 33931

## WORKSESSION

Monday December 6, 2010

2:00 PM

### I. CALL TO ORDER

Mayor Kiker called the meeting to order at 2:05 p.m. Present with Mayor Kiker was Vice Mayor Raymond, Council members List, Babcock and Mandel along with Town Manager Stewart, Town Attorney Miller and Town Clerk Michelle Mayher.

### II. PLEDGE OF ALLEGIANCE

All stood for Pledge of Allegiance.

### III. ADDITIONAL DISCUSSION AND PUBLIC INPUT ON BEACH ACCESS RESTROOMS

Town Manager Stewart provided an overview indicating there had been community concern regarding the restrooms. Discussion included possible alternate locations and the legal use of the accesses.

#### Public Comment Opened

- **Chris Schaab** favored beach access restrooms, suggesting Avenue C as a location.
- **Garr Reynolds** referenced a letter published in the local paper from a man who noted the lack of restroom facilities, asking who the town was trying to serve. Mr. Reynolds felt there was a problem for everyone by placing the restrooms on the island, not just the residents on the beach accesses.
- **Artis Chester** stated it was her third time addressing Council and that she was also speaking for her neighbors to the north and south of her residence. Ms. Chester indicated they did not want public restrooms in their neighborhood at the Sterling access.

▪ **Scott Severaid** 3600 Estero Boulevard, traveled from Iowa for the meeting, thanked Council for hearing the concerns of the citizens and asked Council to place restrooms in public areas. Mr. Severaid stated the proposed placement on Connecticut Street would be 10' from his porch and 2 bedroom windows, which he felt was a totally unacceptable location.

▪ **Janet Salian 5800 Estero Boulevard** spoke for herself as well as her parents, Harry and Jean Gottlieb, who reside on the Aberdeen beach access. She expressed that her parents felt the restrooms were not needed, however, she felt there should be some restroom facilities but the way the locations were selected was lacking. Ms. Salian asked if studies had been done to determine which accesses had the highest traffic, and why an ADA compliant restroom would be placed at a non-ADA compliant beach access.

### **Public Comment Closed**

Mayor Kiker questioned the process used for selecting the sites. Town Manager Stewart responded referencing a document provided by Public Works Director Cathie Lewis in November, which showed the ranking of the accesses by various criteria, and that there was no negative feedback from the Palm Street beach access.

Cathie Lewis noted the Palm Street access was bordered by the Estero Beach Club to the north and DiamondHead to the south, with no responses from adjacent property owners. Councilmember Babcock asked whether Council wanted to continue with the project, if so, there needed to be a decision on placement of the units, the criteria used to select correct locations, and a better process to engage responses from the public. Mr. Babcock offered his opinion that they should not be placed in residential areas.

Vice Mayor Raymond stated he did like the restrooms but not the locations, offering choices such as at Santini Plaza, Town Hall, Key Estero Shops, Seafarers, Sea Grape Plaza or the Library with informational signs on the Gulf side beach accesses.

Councilmember Mandel thanked all those who made public comment, that there needed to be a balance found, and asked what other locations might be considered that did not cause concern with residential property owners.

Mayor Kiker felt there was a right for everyone to have access to a public restroom on a public beach, that there needed to be a global view of all the beach accesses, suggesting the issue being turned over to CRAB for review.

Council decided to keep the one unit that was self contained as a mobile unit for events and not convert it for sewer hookup, another unit was determined for Palm and the largest unit would go to Seafarer's park.

Vice Mayor Raymond suggested Santini Plaza as the location for the remaining unit.

▪ **Scott Severaid** noted to Council that Connecticut was not one of the original locations also that it was one of the higher cost locations.

Mayor Kiker suggested a location next to Junkanoo as a primary location with a secondary location of Santini, recommending to staff to do the necessary research for utilizing those locations for the 4<sup>th</sup> restroom unit.

Vice Mayor Raymond reminded Council of the need for a sign at the accesses directing the public to the nearest restroom, with Mayor Kiker suggesting the notations being put on the beach access flags and a pedestrian crossing sign at the location.

*Recess: 3:30 p.m. Reconvene: at 3:45 p.m.*

#### **IV. SHORT TERM RENTALS BUSINESS CASE**

Town Manager Stewart referenced a four page document provided for Council review in response to Council's request that staff provide a more in depth analysis of a short term rentals business case.

Vice Mayor Raymond thanked staff for their work stating the need for safety and fairness for all rentals, that the fee would be a pass through fee from the owner to the renter and that it would provide equality for all. Vice Mayor Raymond also wanted to see the name of a 24/7 contact person placed on the outside of the structure.

In response to Councilmember Mandel, Council provided a consensus to move forward with the program with a 2 year cycle.

Councilmember Babcock felt staff did a nice job putting it together in a simplified form then suggested a higher start up fee for the first year as well as putting something in place for when a property changed owners.

Mayor Kiker's thoughts included fees for new enrollees, measurements to show if the program was or was not working, cross checking for homestead exemption, cost analysis of extra benefits, additional duties for the enforcement officer while he's on the property inspecting and maintaining an up to date database.

#### **V. TDC GRANT FUNDING REQUESTS**

Town Manager Stewart indicated staff had provided Council with TDC applications, reviewing 5 bullet points per memo:

- Establishment of beach vegetation in nourishment area
- Aesthetic Improvements to Restroom Units – wraps
- Chickee Hut/Shade Shelter Newton Property
- Mound House Restoration
- Beach and Street Enforcement (B.A.S.E.)

There was consensus from Council to proceed with the Chickee Hut/ Shade Shelter for Newton.

An engineering study of the beach was questioned by Councilmember Babcock with Town Manager Stewart stating the C.A.C. strongly recommended to the TDC to deny the request. Councilmember List asked if staff should prepare a presentation on behalf of the town for the C.A.C.

A discussion ensued regarding making all the beach accesses ADA compliant followed by consensus of Council to request TDC funding for bike racks at beach accesses.

There was also a consensus from Council to request funding from the TDC making the waterslide/pool at Bay Oaks a tourist attraction.

Councilmember Babcock questioned items for the next 2 months work sessions.

The items decided on for the December 20<sup>th</sup> M & P Meeting were:

- Mound House
- Bonus Discussion
- Strategy Session for 2010 Budget Discussion (recommended calendar)

Council discussed its meeting time frames, individual methodologies, meeting management, patience, tolerance and whether the meetings were headed in the direction.

Councilmember Babcock suggested Council only deal with the Mound House at the next worksession, December 20<sup>th</sup>, placing the bonus discussion on a regular meeting and moving the strategy discussion to January. Council gave a consensus for the above suggestions.

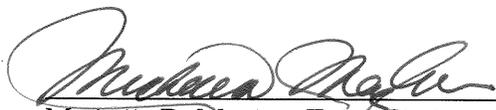
Council continued to rehash agendas, meeting topics and time lines.

## VI. ADJOURNMENT

*Meeting Adjourned 5:20 p.m.*

Adopted 01-03-11 With/Without changes Motion by Babcock/Raymond

Vote: 5-0

  
Michelle D. Mayher, Town Clerk

- End of document.

Fort Myers Beach Town Council  
December 6, 2010