

**FORT MYERS BEACH  
TOWN COUNCIL**

**Town Hall- Council Chambers  
2523 Estero Boulevard  
Fort Myers Beach, Fl 33931  
December 20, 2006**

---

<b>EXECUTIVE SESSION</b>	<b>CLOSED TO THE PUBLIC</b>	<b>5:00 PM</b>
<b>AGENDA</b>	<b>Special Town Council Meeting</b>	<b>6:30 PM</b>

---

**I. 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 David Sallee, Community Development Director Jerry Murphy, Public Works Director Jack Green, Finance Director Evelyn Wicks.

**II. PLEDGE OF ALLEGIANCE:**

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

**III. REVIEW OF TOWN MANAGER CONTRACT**

**MOTION:** Councilman Meador made a motion to accept contract for Town Manager for Mr. Parker. Councilman Shenko 2<sup>nd</sup> the motion.

*Discussion:*

Mayor Boback announced they had put an offer on the table which would be a fair offer for Mr. Parker to come on board with the Town.

Councilman Meador expressed that Council should give Mr. Parker their 100% support in making this vote.

Councilman Shenko agreed with Councilman Meador adding that Mr. Parker will be taking the place of two. Mr. Shenko expressed that he is in support of it 100%.

Vice Mayor Massucco responded that by paying the \$120,000 it is an incentive for Mr. Parker to stay with the Town.

Councilman Reynolds also approves with the decision and is in favor with Mr. Parker.

**VOTE:** The motion passes 5-0.

**IV. DISCUSSION OF LITIGATION SHENKO VS. WERNER ET AL.**

**MOTION:** Councilman Meador made a motion to authorize Ms. Dalton to go forward with the Stipulation Agreement for final judgment of Shenko vs. Werner ET AL.

Vice Mayor Massucco 2<sup>nd</sup> the motion.

Councilman Shenko announced he has filed form 8B voting conflict regarding the Shenko vs. Werner, and he is the plaintiff in the litigation.

**VOTE:** The motion passes 4-0; with Councilman Shenko abstaining.

Ms. Dalton announced that she represents the Town Clerk in this matter, and Ms. Dalton will sign a stipulation on her behalf.

**V. ADJOURNMENT**

*Mayor Boback opens public comment:*

- No public comment was given.

*Mayor Boback closes public comment:*

**MOTION:** Councilman Shenko made motion to adjourn. Mayor Boback 2<sup>nd</sup> the motion.

**VOTE:** The motion passes 5-0.

Mayor Boback adjourned the meeting at 5:56 PM

*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](http://www.fmbeach.org).*

Respectfully submitted,  
Debbie Cardoso

---

Town Clerk

Date Approved



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, William E. Shenko, Jr, hereby disclose that on 12 - 20, 2006:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*I am the Plaintiff in the Litigation which is being discussed in the Shenko v. Werner & Town of Ft. Myers Beach agenda item.*

12-20-06

Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.