

**Town of Fort Myers Beach
Town Council Workshop
January 28, 2005**

**Place: Mound House
280 Connecticut Street
Ft. Myers Beach, FL 33931**

Mayor Garr Reynolds opened the workshop on Saturday, January 28, 2006 at 9:16 AM.

Council Present:

Mayor Garr Reynolds

Councilman Charles Meador, Jr.

Councilman Dennis Boback

Vice Mayor Don Massucco

Councilman Bill Shenko, Jr.

Staff Present:

John Gucciardo, Interim Town Manager

Damon Grant, Public Works Director

Matt Feeney, Public Services Director

Rachel Lambert, Adm. Services Director

Jerry Murphy, Comm. Development Director

Theresa Schober, Mound House Co-Director

Town Attorney:

Anne Dalton

INTRODUCTION:

John Gucciardo introduced the format of the day. The goal of the workshop was to be more an introduction to various staff projects in conjunction with issues brought forth by council, than a final conclusion.

He explained that a certain level of anxiety is created when there is a shift in policy from that which has been in operation over the years under the guidance of previous administration. Therefore, each presentation is made with the hope of creating some dialogue to guide staff in carrying the shift in policy brought about by new members of Council.

PRESENTATION OF INTERIM TOWN MANAGER

John began with pointing out his role as Deputy Town Manager. He approached it from the point of a to-do list outlining those areas set as priorities by previous councils.

He deferred the items of "Storm Season Policy" and "Water Utility" to be discussed in the afternoon portion of the workshop.

He pointed out that areas that he thought this Council may want to consider: permanent town hall and the possibility of town having its own cable channel.

A permanent town hall was determined important, but not of a high priority. The point was made that it was important to get a handle on budget issues before any expenditures can be made. Several options were discussed. It was noted that the gathering of information in

terms of available property and the required square footage should be continued so that seven or nine months from now, this issue may become a priority.

There was no consensus regarding the need of a dedicated TV channel at this time since this operation would require a huge amount of staff time.

John described his work with grants as it relates to FEMA. A summary of repetitive loss claims and FEMA coverage was briefly described. There are two types of programs: Flood Mitigation Program and Hazard Mitigation Program.

In the past, there has been a lot of hands-on assistance. This requires a lot of staff time, way beyond what other districts do. An example given was the Lighthouse Project. There was some discussion on what some of both the positive and negative effects of this project. One of the suggestions made was that an administrative fee be charged to reimburse the Town for staff time allocated to helping the applicants seeking FEMA assistance beyond basic education of the process and the forms necessary to apply. (Tape 1 contains a complete description.)

PRESENTATION OF ADMINISTRATIVE SERVICES DIRECTOR

Rachel Lambert began by pointing out what the Town Charter describes as a Town Clerk's responsibilities and aligning those duties with what she already does as administrative services director. The only aspect not covered was that of administering oaths, since she is not a notary. Two additional duties would be that of announcing and directing public comment and providing guidance in the implementation of Robert's Rule of Order. It was suggested that this could be added, if the Council so chooses, by the newly appointed Town Manager.

A discussion of public record was brought forth and emphasized that everything that comes to Town Hall becomes a public record. It is opened, copied, and filed as a public record. However, material that is already available to the public need not be filed in Town Hall. .

The concern about the Town's website was expressed. Council was informed that it is being worked on by getting a more robust server. It was mentioned that the website is not user friendly.

Town Council also noted that Council Minutes need to be more succinct. Rachel indicated that this is now being worked on and Council should see the results in the very near future.

The need for codification of Town Ordinances is needed. Proposals for Council's approval will be coming in the near future.

A brief description of CDBG (Community Development Block Grant) was given. The two main categories being funded are Housing Rehab and Public Services. The two public service programs are: After School Program and Senior Program.

Rachel gave a brief description of her involvement with the homeless issue. A lengthy discussion ensued and it seemed to be a consensus that the Sheriff's Department needs to be more active in responding to citizens' complaint regarding the homeless on Fort Myers Beach. Much discussion revolved around enforcing our ordinances. It was pointed out that if we pick people up and decide to prosecute them, the Town may end up paying for the prosecutor and the public defendant, thereby increasing cost to the Town.

It was clear that Council wants to pursue anything legally possible that can address the homeless issue. This included researching state statutes, looking at code enforcement issues relative to Chapel by the Sea, and the possibility of having our own "small" police force in the future.

The agenda item of Town Responsibilities and Off-Island Committees was moved to the afternoon discussion.

PRESENTATION OF PUBLIC WORKS DIRECTOR

Damon Grant gave a brief description of the many drainage projects and capital improvement programs he is presently overseeing. He pointed out the goal of paving approximately 3 miles of roadway per year.

He explained that bringing maintenance services in-house was a cost saving measure as well as an improvement in service. He pointed out the increase demand in maintenance service with the addition of the Newton Property, the Mound House, and the Beach Accesses. A combination of Time Square dollars and TDC dollars goes toward the salary of the crew coordinator.

The public works department was the one most affected by the current hurricane seasons. Damon and staff have been able to document damages and obtain approximately 90% of FEMA reimbursement thus far. When asked by Council whether or not he planned to stay, he responded that he would like to stay on. However, rumors abounded with threats of staff terminations by the incoming Council. Hopefully, staff can assess the change in direction and begin to implement changes as needed.

One important project brought forth was the North Estero Project which needs to be completed within 18 months in order to secure 1.5 million dollars presently on hold as a hazard mitigation project. It was suggested that a summary of the project along with the pertinent time line and costs be brought to the Council as a Consent Agenda Item. (More detail found on Side B of Tape 1)

The question of the need for a maintenance facility was discussed. Several options for its location were presented. Suggestion was made to look at property off-island as a possibility for such a facility which would be a lot cheaper. The logistics for garbage disposal were discussed.

The question of placing some drainage pipes in the South end of the Island was discussed and the suggestion of using swales was brought forth. Damon pointed out that the placement of

these swales would be in the County right-of-way. Suggestion was made to work with the County to get this done.

Project with Pink Shell development was brought forth to acquaint the Council with their request for a beach access. Council direction was sought regarding how to handle this project procedurally. It can be handled administratively or through public hearing. It was suggested that it be handled administratively with a description of the project coming before Council as a consent agenda item.

More questions regarding road pavement arose. It was explained that all the streets were inventoried and those requiring the most work were given first priority etc. A suggestion was made that it may be wise to increase the drainage projects when we budget capital improvements. (More detail of the discussion may be found on Side A of Tape 2.)

Lunch Break

PRESENTATION OF THE COMMUNITY DEVELOPMENT DIRECTOR

Jerry Murphy distributed his updated resume and gave the Council some background information regarding his present position.

He pointed out the projects in which he is presently involved, asking for Council direction:

- Neptune Inn will be coming to Council to address the owners' concern in making what is now a hotel into condos. It is scheduled for February 6th, where a continuance will be sought.
- There is a review of impact fees.
- Location of business signs, when "A-frame" signs were no longer allowed.
- There are several post-disaster development projects for which permits are being requested.
- Code enforcement is mainly driven by complaints and Council directions
- Special events take up a large portion of staff time with very little return to the town.

Discussion followed regarding older properties changing its original use thereby making them illegal units. There are many illegal units, too many to address them all. However, when the owner comes for a permit, these units are reviewed thoroughly and addressed at that time. The review of applications is very time consuming and it is further complicated by working through Lee County for the permit process. This lead to the question of how difficult would it be to bring all of this work in-house. The response from Jerry was that it would be his hope that this could be done without incurring additional cost. At this point a suggestion was made that Jerry be allowed to fill the two positions which are already approved in the budget. There was a majority support for this.

Another topic of discussion was "special events." A suggestion was made for charging for special event permits to cover the cost to the Town. Many of the sponsors of these events are for-profit groups and, therefore, should pay for the cost of cleanup, policing, etc. Jerry suggested that each special event should be placed on the Consent Agenda for the Council's review, three meetings before the event is scheduled.

The change in Land Use Case meeting times was discussed. It was pointed out that having them at a time when the public can attend is very important even if it meant paying the County staff over time. The distinction was made between getting public input by letter and getting public input at a hearing when the person is sworn in. Only the sworn testimony can be considered in the decision making process. No amount of letters or petitions may be considered when deciding on an issue. (Full discussion on Tape 2 Side B.)

PRESENTATION OF THE PUBLIC SERVICES DIRECTOR

Matt Feeney began by briefly describing his position as a “catch-all” at it relates to environmental and water-related issues and parks and rec.

Some of the projects reported are:

- GIS database developed as a basis to track mapping of catch basins for maintenance purposes and NPDS permits. This database can also have a variety of other uses.
- Project of removing water debris such as abandoned boats from the bay and monitoring storm water releases.
- Developing a GIS system to communicate changes in the FEMA maps.

Some areas needing Council direction are:

- Dredging of canals. Examples of Madera Canal and Laguna Shores were discussed in detail.
- Public docks in the permitting phase
- Landing area in front of Snug Harbor
- Newton Park
- Vending licensing for beach equipment
- Beach Renourishment

It was pointed out that there is a need for a policy to be in place before funding dredging projects.

The question about liability was asked and Matt explained the process used by the engineer in assessing a dredging project that can reasonably guard against liability issues. A policy needs to be set before other dredging projects are undertaken.

Another area of concern raised was that of Town Committees. It became evident that much staff time was being spent on attendance at committee meetings. Several options were suggested such as making the committees more task oriented, meeting on a quarterly basis as opposed to monthly, and/or combining committees. The question was raised as to whether or not it is necessary for staff to be at every committee meeting. The question of the Sunshine Law was also brought into the discussion.

The question of the Beach Patrol was also discussed with the intent of reviewing their role and their contract. Also Central Parking was discussed.

The Pool is run by contract. Many of the municipalities in the area have closed their pools because of too much liability and too much expense. Some suggestions were made to close the pool. (Complete discussion may be found on Tape 3)

PRESENTATION MADE BY THE FINANCE DIRECTOR(given by the Interim Town Manager)

The Finance Director was absent so the Interim Town Manager gave a basic introduction to the financials and explained that due to the new accounting software a complete report was not possible.

He further explained that a quarterly report for October, November, December is usually given to update Council on the status of the budget. The second quarterly encompasses January, February, and March taking into account the time for budget preparation in April. During April, May, and June the first draft of the budget is prepared.

What will be different now is that the budget will contain a year-to-year comparison as requested as well as a year-to-date column so as to better track income and expenditures. At the time of adoption of the budget, each department will be asked to explain its budget.

Some concern was expressed as to the lack of financials over the past several months. It was pointed out that a Comprehensive Finance Report is required of each municipality. Attendance at the League of City Conference clearly pointed out that the Town's system of reporting financial information was inadequate. It was suggested that the millage should be set by July 1st, not in September. It was pointed out that the financial reporting is the responsibility of the Finance Director, not the Deputy Town Manager.

A request for an outside independent auditing firm was suggested.

When asked about the continuation of the Film Festival, council members questioned its worth. However, due to the advanced publicity, it was suggested that it continue for this year. (Complete details on Tape 3, Side B. Some tape glitch was noticed in this section.)

Five-Minute Break

PRESENTATION MADE BY THE CO-DIRECTOR OF THE MOUND HOUSE

Theresa briefly explained her job description in terms of that of a private contractor which is better described in the management plan.

She went through each section of the information packet distributed:

- Florida Communities Trust giving a brief historical background on the original acquisition of the Mound House pointing out the Stewardship Reports for the years of 2003 through 2005.
- Walk-in Shell Mound Exhibit pointing out the grant application and the restrictive covenants involved.
- Case House Restoration filing to be on the National Registry of Historical Sites. This was denied due to non-historical additions over the years.

- Mound House Budget Summary was explained in as much detail as possible and the steps taken to identify reporting categories. It was suggested that the data needs to report the account identifications and actual employee costs associated with the Mound House.
- Mound House Site Use Summary is presently in the process of completion.

Other areas of information given was the upgrade of the electrical system throughout the house and completion of the rest room facility. Much discussion of the Friends of the Mound House took place. The question of having a private foundation raising funds without Council knowledge was raised. The suggestion that an independent audit of the Mound House might be needed was raised as well as a policy for Mound House use. Concern of meeting ADA requirements was also raised in giving tours of the facility. (Detail information may be found on Tape 3 Side B, continued on Tape 4, Side A.)

Closing Remarks

Discussion took place regarding staff resignations and some suggestions made on staff retention. Most agreed that the workshop was time well spent and acknowledged regrets that it had not taken place earlier. There was a need expressed for another workshop needed in the near future, but no time or date had been set.

Meeting ended at 5:00 PM

Councilman Meador was excused at approximately 3:00 PM

Submitted by:
Rachel Lambert
Town Clerk

