

**FORT MYERS BEACH
TOWN COUNCIL MEETING
APRIL 5, 2004
Town Hall-Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA**

I. CALL TO ORDER: The regular meeting of the Fort Myers Beach Town Council was called to order on Monday, April 5, 2004 at 6:30 P.M. by Mayor Dan Hughes.

Members present at the meeting: Councilman Bill Thomas, Councilman Howard Rynearson, Mayor Dan Hughes, Vice Mayor Terry Cain, Councilman Bill Van Duzer

Excused absence from the meeting: None

Staff present at the meeting: Town Manager Marsha Segal-George, Martin A. Redovan, CPA, Deputy Town Manager John Gucciardo, Mound House Executive Director Theresa Schober, Town Attorney Richard Roosa, Community Development Director Dan Folke

II. PLEDGE OF ALLEGIANCE: All those present assembled and recited the Pledge of Allegiance.

III. INVOCATION BY REV. LORRAINE DILL, CHAPEL BY THE SEA:
The invocation was given by Rev. Dill.

IV. MULHOLLAND STEWARDSHIP AWARD CEREMONY:

Mayor Hughes turned the meeting over to Vice Mayor Cain who as Chair of the MRTF has been instrumental in these awards. Ms. Cain explained that these awards had been implemented through MRTF 2 years ago and gave some history on the subject. She described the work of art which is the award recipients' recognition and the criteria for selection. She presented awards to the Beach Elementary School 5th Grade Class and Miss Hundley for two beach cleanups and other efforts; Turtle Time, Eve Haverfield, Director for their volunteer efforts in protecting sea turtles and their beach nesting sites; and the Friends of Matanzas Pass Preserve, Tom Myers, President for their volunteer efforts at the undeveloped 56-acre Preserve.

Ms. Hundley thanked those who were involved and the Council and community for this award. Ms. Haverfield recalled working with Mr. Mulholland on the MRTF and expressed appreciation for this award on behalf of over 100 Turtle Time volunteers, some of whom were present. Tom Myers expressed gratification that young people were becoming involved in environmental issues early and acknowledged the efforts of his group's volunteers, some of whom also volunteer with Turtle Time. This was followed by a photo opportunity and a celebration party with cake and bouquets of wildflowers for everyone. Ms. Cain thanked all of the volunteers and the award recipients.

V. PUBLIC COMMENT:

Jay Light came forward and recalled being appointed by the Council to the Anchorage Advisory Committee. He made it clear that he came forward as an individual speaking for himself rather than on behalf or behest of that committee. He called attention to a

recommendation from the committee which is an agenda item for this meeting, to the effect that proof of liability insurance not be required of boaters as a condition of using the mooring field and urged that this advice be followed. He referred to the Staff position to be presented by Director of Public Services Matt Feeney and stressed that such insurance requirement would be contrary to the stated goal of the committee, which is to make the anchorage as user-friendly as possible, and would discourage potential users, pointing out that Fort Myers Beach would be the only town in the vicinity to have such a requirement. He cited an article in last month's issue of *Boat US Members* magazine referring to Federal Government deliberations on such a requirement, which he felt would be strongly resisted by the boating lobby. He cautioned against Fort Myers Beach being on the cutting edge of such a requirement, preferring that this be deferred until and unless there were a mandate from a higher governmental authority. He also gave a personal example with respect to obtaining liability insurance, and the cost thereof.

VI. CONSENT AGENDA:

A. APPROVAL OF MINUTES, MARCH 8, 2004 AND MARCH 15, 2004:

MOTION: Motion was made by Councilman Rynearson and seconded by Councilman Van Duzer to approve the minutes of March 8, 2004 and March 15, 2004.

DISCUSSION: Mayor Hughes pointed out that the proper spelling is Carlton Ryfel, not Rifle.

VOTE: Motion was approved by unanimous vote.

VII. ADMINISTRATIVE AGENDA:

A. DISCUSSION AND ACCEPTANCE OF 2002-2003 AUDIT:

Town Manager Marsha Segal-George introduced Martin A. Redovan, CPA who conducted the audit and who proceeded to explain the financial statements for both the Town and the Town Public Works Services. Addressing the Town financials first, he pointed out that his firm's responsibility is to report on the Town's compliance with laws, rules, regulations, grants, and internal control. He explained that the report is an unqualified opinion, which is the highest level of assurance that can be rendered on financial statements. He continued by going over the details of his reports, stating that there were no instances of non-compliance, nor were there material weaknesses or reportable conditions. A management letter was referenced. He also referred to a FEMA grant which he described as a pass-through to property owners for flood mitigation, requiring monitoring of the individuals' efforts and participation. A congestion pricing grant was also referenced. He called attention to standard language used in the reports and cited two current year comments, one dealing with the timeliness of billing of special assessments for the Old San Carlos improvements, and the other dealing with Central Parking System accounting. He also cited responses from the Town Manager.

Vice Mayor Cain asked for a definition of "tickler system," which Mr. Redovan explained as a calendar system that alerts to significant dates coming up.

Mayor Hughes also asked Staff about billing for interest and verified that the CPA's suggestions would be followed.

The Public Works financials were then addressed by Mr. Redovan, pointing out that an accumulated deficit of approximately \$57,000.00 has been turned into a positive equity of \$322,000.00 via the operations for the current year. Capital contribution connection fees were emphasized because they contributed to the increase in equity, but these will not be recurring revenue.

Councilman Thomas asked about a figure which Mr. Redovan explained was to FP&L and deferred to Deputy Town Manager John Gucciardo for clarification.

The Management Letter was referenced by Mr. Redovan, who clarified specific portions and gave his recommendations.

MOTION: Motion to accept the FY 2002-2003 Auditor's Report on the Town of Fort Myers Beach General Purpose Financial Statement was made by Councilman Thomas and seconded by Councilman Rynearson.

VOTE: Motion was approved by unanimous vote.

MOTION: Motion to accept the Auditor's Report for the Town of Fort Myers Beach Public Works Services, Inc. for Fiscal Years ending 2002 and 2003 was made by Councilman Van Duzer and seconded by Councilman Rynearson.

DISCUSSION: Clarification was obtained that it was appropriate for the Council to vote on this issue, but it would also appropriately be voted upon by the Council sitting as the Public Works Services, Inc. Board.

VOTE: Motion was approved by unanimous vote.

Mr. Redovan expressed appreciation to the Town Manager, the Deputy Town Manager, and the Finance Director for their cooperation and assistance during the audit. Ms. Segal-George pointed out that this had been a difficult year with short staff and other projects such as parking meters having been added, and also specifically recognized the efforts of Finance Director Janeen Paulaskis and Mr. Gucciardo. Mr. Van Duzer noted that the Town's financial position had been greatly improved and complimented Staff on their efforts.

B. RANKING OF ARCHITECTURAL FIRMS FOR THE MOUND HOUSE PRESERVATION PLAN:

A memo from Mound House Executive Director Theresa Schober was referenced by Mayor Hughes. Ms. Schober came forward and explained her memo which describes a Request for Professional Services for an architect to do a restoration plan. A rehabilitation of the garage structure has been included in this latest version. Four architects submitted proposals. CELCAB established a ranking committee to streamline the selection process consisting of herself, Vice Chair of CELCAB Bill Grace who has had extensive experience with historic structures, and Public Works Director Damon Grant. They met on March 22nd and developed a ranking system based on the 9 criteria outlined in the competitive negotiations including experience, competence, knowledge & capabilities of the personnel, proximity to the project area, recent and projected workload, approach to the project detailed in the proposal, the ability to perform the work in a timely fashion, ability to work within a fixed budget and a demonstrated ability to coordinate and control all aspects of the project. Focus was placed on 3 of the 9 criteria, namely, experience on similar projects, knowledge & capabilities combined with competence of the firm, and ability to begin and complete in a timely fashion. Two of the proposals were considered excellent in the various aspects: Renker Eich and Parks of St. Petersburg, and Bender and Associates Architects from Key West. She explained that travel cost and expense from Key West versus St. Petersburg was taken into consideration. Additionally, the St. Petersburg firm was the only one whose representatives personally visited the site. Parker Mudgett Smith Architects of Fort Myers was the 3rd ranked candidate, with less qualifying experience than the other two. The 4th firm came in well behind the other 3 and

was not considered a viable alternative. After being presented to CELCAB, a recommendation was made for presentation to Council that the Town enter into negotiations with Renker Eich and Parks, and if no agreement is reached, then to Bender and Associates, and if still no agreement is reached, then with Parker Mudgett Smith.

Councilman Van Duzer asked about the possibility of speaking with both of the top 2 candidates. Town Attorney Richard Roosa explained that the Town is limited by the Florida Statutes in the selection of architects and engineers, and negotiations must be sequential. Mayor Hughes asked if references had been contacted, and Ms. Schober replied that they had chosen not to contact references, but to evaluate based on the preservation awards, experience, and the buildings that had been listed. Mayor Hughes noted that both Bender and Associates and Parker Mudgett Smith had done considerable work in Key West, particularly with similar old homes, and cited a personal contact who had spoken very highly of Bender and Associates. He expressed concern with the one-point difference based on the cost of transportation. Ms. Schober emphasized the fact that only one of the firms, Renker et al, had made personal contact, which she cited as a higher degree of interest in the project.

Councilman Rynearson expressed a preference that Council interview the top two candidates.

Vice Mayor Cain disagreed and reiterated that the top two are so close, and the issue of personal involvement indicated extra effort on the top candidate's part.

Mayor Hughes expressed agreement with the idea of interviewing both, but pointed out that neither he nor Vice Mayor Cain would be sitting on Council at the time.

MOTION: Motion was made by Councilman Van Duzer to enter into negotiations with Renker, Eich and Parks. Motion was seconded by Vice Mayor Cain with the addition that if such negotiations fail, the succeeding candidates be contacted as per CELCAB's motion; Mr. Van Duzer agreed with this provision.

VOTE: Motion was approved by unanimous vote.

Mr. Van Duzer asked if it would be possible to have Ms. Schober and Damon Grant present when Council meets with the candidate. Ms. Segal-George described the negotiation and contract procedure.

C. ANCHORAGE COMMITTEE RECOMMENDATION FOR LIABILITY INSURANCE:

Matt Feeney came forward and presented the Staff memo on this subject. He explained that currently, liability insurance is not a requirement of the least agreement, which documents were approved by the Florida Department of Environmental Protection during the permitting process, and as such, would require approval for any modifications. At Council's direction, Staff questioned the DEP regarding the reason for omitting an insurance requirement. No explanation was offered, and DEP indicated that if the Town chose to include such a provision, they would approve it. This was brought forward for discussion by the Anchorage Advisory Committee, and on March 17th they came up with a recommendation stating that liability insurance should not be a requirement for the users of the Matanzas Harbor Mooring Field, listing significant reasons therefor. As outlined in Mr. Feeney's memo, these were: (1) Requiring proof of insurance would not be user friendly to out-of-town boaters desiring to use the field; (2) the Harbormaster and Town are adequately indemnified in the lease agreement; (3) insurance on vessels, particularly older vessels, can be quite costly, making insurance cost-prohibitive to many in the boating community; and (4) it is not currently required by other municipal anchorages. The Anchorage Advisory Committee accordingly made the recommendation not to require such insurance. Staff takes a different view, and Mr. Feeney

cited several instances in which it is believed the Town could be held liable for damages to vessels in the mooring field. Staff is therefore recommending that liability insurance be required of all vessels using the Town mooring field.

Mayor Hughes recalled attending an early Anchorage Advisory Committee where this subject was brought up, and expressed surprise that it was not required in other municipal anchorages. From a legal standpoint, he agrees that insurance should be required. However, he also sympathized with Mr. Light's position. He pointed out that indemnification is only effective when there are assets, and if insurance is too costly for some boaters, he expressed doubt that they would have any assets of consequence. Mayor Hughes expressed appreciation for Mr. Light's comments.

Mr. Van Duzer asked Mr. Roosa to clarify whether the Town has protection in the least agreement. Mr. Roosa explained that in the event one tenant damages another tenant, the Town has indemnity from both tenants and would not be a party to any lawsuits; however, if there were to be a claim by someone not under lease with the Town, which could be the case, there could be a potential risk of liability.

Mr. Rynearson verified with Mr. Feeney that other municipalities who do not have insurance stated that they thought it would be a good idea; Mr. Feeney explained that while it is not an absolute requirement, some passively ask for it on their applications. Mr. Rynearson was of the opinion that it would be a good idea to require liability insurance.

Ms. Cain asked Mr. Feeney whether any of the other municipalities had experience with the need for insurance. He replied that all of them wish they had it, but it has not been required by the DEP to date.

Mr. Van Duzer recalled that in the case of auto insurance it is possible to obtain liability insurance at lower cost without including comprehensive and collision, and asked whether this is possible in the case of boats as well. Mayor Hughes advised that 3rd party liability insurance does not require collision.

MOTION: Motion was made by Councilman Rynearson to adopt the Staff recommendation to require liability insurance, and that the ten year-rounds be required to furnish a certificate of insurance annually as well. There was discussion about the method of providing proof of coverage.

Mr. Light requested the opportunity to address Council again, which was granted. He expressed the opinion that Council was going to create legislation that cannot be enforced, and/or discouraging two-thirds of the potential boaters that the Town would like to attract. He called attention to the fact that he has never been asked for proof of insurance at a local marina. He also stressed that many insurers are getting out of the business of insuring boats, and in some instances it is simply impossible to obtain insurance, cost factors notwithstanding. In the event this becomes the industry standard, the Town would have no recourse but to comply; however, he cautioned against the Town's becoming a pariah by initiating a requirement at this time. In response to a question by Mayor Hughes, Mr. Light stated that he is usually in favor of taking the lead, but not in this instance.

There was consensus to let other members of the public speak at this time.

Bill Karda of 22676 Island Pines Way, a boater and 20-year resident of Fort Myers Beach, came forward and advised that while he can see both sides, he has an older boat and is aware that a survey is needed to get insurance. He also has a new boat which is insured. He expressed the opinion that it would be irresponsible of the Town not to require liability insurance. He felt it would be appropriate to be a leader in this issue.

The motion was seconded by Councilman Thomas.

DISCUSSION: The amount of liability coverage to be required came under

discussion, as well as the cost thereof. Mayor Hughes asked for further input but did not make this a part of the motion.

Mr. Van Duzer observed that it is becoming difficult to obtain insurance on older homes but is concerned about potential liability to the Town. He said he is required to have insurance at his private dockage in the Keys.

Mr. Thomas said he seconded the motion because he believes the owner of the vessel should be required to carry insurance, and not be a burden to the taxpayers.

VOTE: Motion was approved by unanimous vote.

Mayor Hughes observed that a future Council can take a further look at this decision if it is found to be creating a problem. Staff was directed to investigate and determine what coverage amount is customary and normal in the industry.

D. UPDATE AND REQUEST FOR ADDITIONAL CONSULTING FOR CANAL PROJECT:

Mr. Feeney reported that he had recently received a fully signed petition for canal dredging from Canal #15, which is Madera Drive, encompassing Yachtsman's Cove Subdivision. He is requesting permission from Council to begin working with that canal-front community in a cooperative dredging project that would be used to set the Town model for future cooperative canal dredging projects in the Town. He envisions this project being accomplished in segments, each one coming before Council for approval. The request also includes extending the contracted consulting services with Hans Wilson & Associates which would include determining the amount of material for removal in Canal #15, and to begin the permit application process. The total could be either \$10,765.00 if dredging outside the mouth of the canal is not required, or \$16,865.00 because submerged land permitting, which a more lengthy and costly process, would be required. An additional item for consideration is that in his Scope of Services Mr. Wilson originally called for two public meetings, whereas Staff is requesting a third, for which a price of \$650.00 additional was quoted. That meeting would be held with Yachtsman's Cove, the consultant, and Town Staff. \$11,415.00 and \$17,515.00 would be the resultant figures.

Mayor Hughes suggested bifurcating the issues and called for a motion to approve Canal #15, Yachtsman's Cove, as the first canal-front community to begin a cooperative dredging project.

Mr. Rynearson called attention to Mr. Metz's memo and cautioned that the property owners must be aware that the Town is not paying for anything beyond the engineering as set forth above. Mayor Hughes pointed out the differences between the storm water drainage project and the canal dredging project. Mr. Feeney advised that the funding component, with some multiple options to come before Council at a later date, would be worked out during Staff meetings with Yachtsman's Cove.

MOTION: Motion was made by Vice Mayor Cain to approve Yachtsman's Cove as the first canal community to be investigated for dredging. Motion was seconded by Councilman Rynearson.

VOTE: Motion was approved by unanimous vote.

Mayor Hughes then asked for a motion to approve an addition to the scope of work and extension of the contract with engineering consultant Hans Wilson and Associates, at a cost as outlined above by Mr. Feeney.

MOTION: Motion was made by Councilman Van Duzer to move ahead with Phase I and Phase II as outlined above. Motion was seconded by Councilman Thomas.

DISCUSSION: Mr. Van Duzer observed that it was beneficial to have the prices set forth, and Mayor Hughes verified that the figures include the additional meeting.

VOTE: Motion was approved by unanimous vote.

Jack Metz, President of Yachtsman's Cove, spoke against expenditure of funds by the Town prior to the residents' determination and approval of what their costs will be.

Mr. Van Duzer requested that Staff be directed to meet with Yachtsman's Cove, and Ms. Segal-George pointed out that property owners' costs cannot be determined until the engineering work is completed. At that time figures will be presented to Yachtsman's Cove and Council. Mr. Rynearson observed that there are other canals who may want to become involved, but that no figures can be given until the preliminary evaluations are done. Mayor Hughes called attention to the fact that this is optional on the part of the canal-front property owners, and that there will be no effort to force participation if they decide they do not want to do it once costs are established.

At this time Mayor Hughes declared the Fort Myers Beach Town Council to be in recess. He then declared that the Fort Myers Beach Public Works Services, Inc., a Florida not-for-profit corporation was in session, the Board of Directors being the same as the Town Council members.

E. WATER UTILITY REFINANCING:

Mr. Gucciardo advised that he had presented documents summarizing the Staff work done on this issue and recalled a suggestion at an earlier meeting that the Board may want to act in advance of the August 2004 refinance date on the indebtedness of the utility due to favorable interest rates at this time. Given Council's direction to do so, documents from SunTrust for this purpose were compiled, and loan documents were also provided. The potential amount of the loan was discussed. Council had provided the opinion that if the loan were refinanced up to the original amount, the additional funds would be unrestricted and could be used for other purposes. Several possible capital projects were mentioned.

Mayor Hughes noted a discrepancy in that all the documents restrict the purpose of the funds to 3 specific items, but nothing about the use to offset operational costs. Mr. Gucciardo advised that clarification had been requested from the lender's attorney but are basing assumptions based on the opinion of Town Counsel.

Mr. Gucciardo clarified some questions by advising that as of today, the interest rate is a fixed rate at 2.75 per cent for a 3-year period, up to the original loan amount of \$3,600,000.00. The original rate was 4 per cent.

MOTION: Motion was made by Mr. Rynearson to refinance \$3,600,000.00 at a fixed rate of 2.75 per cent for 3 years. Motion was seconded by Mr. Van Duzer.

VOTE: Motion was approved by unanimous vote.

Mr. Hughes asked Mr. Gucciardo and Mr. Roosa whether it was necessary to adopt a resolution, and he was advised that when acting as the utility, this is not necessary. The vote that was just taken becomes a resolution. It was suggested that a deputy secretary be appointed, and procedural issues were discussed. Rachel Lambert was agreed as the appointee.

MOTION: Motion was made by Mr. Thomas and seconded by Mr. Ryneanson to appoint Rachel Lambert as the deputy secretary of Fort Myers Beach Public Works Services, Inc.

VOTE: Motion was approved by unanimous vote.

Mr. Ryneanson asked whether any action was necessary on the audit. It was agreed that the audit needed to be accepted by this Board.

MOTION: Motion was made by Mr. Ryneanson and seconded by Mr. Thomas to accept the auditor's report for Fort Myers Beach Public Works Services, Inc. for the Fiscal Years ending 2002 and 2003 including the Management Letter.

VOTE: Motion was approved by unanimous vote.

At this time Mayor Hughes declared the Fort Myers Beach Public Works Services, Inc. to be adjourned. He then declared that the Fort Myers Beach Town Council was reconvened. He further advised that it was necessary that the Town guarantee the note for the Fort Myers Beach Public Works Service. Mayor Hughes asked for a resolution number.

F. CONFIRMATION OF THE REFINANCING BY RESOLUTION:

MOTION: Motion to approve the resolution of the Town guaranteeing the aforesaid indebtedness of the Public Works Services was made by Councilman Ryneanson and seconded by Councilman Van Duzer.

VOTE: Motion was approved by unanimous vote.

G. UPDATE ON BAY TO BEACH CONVERSION – REQUEST FOR DIRECTION:

Community Development Director Dan Folke referred to a memo dated March 30, 2004 giving an update on Staff work and research on violation notices at the Bay to Beach property at 740 Estero Blvd. There is an existing motel which was converted to a multiple family dwelling which according to Land Development Code Section 34-1807 must comply with the density under the Comprehensive Plan. Fourteen hotel units were converted to fourteen dwelling units. Since the date of the memo there has been some successful communication with the State Department of Business and Professional Regulation, which approved the formation of the condominium. There have been conversations between the DBPR attorney, Town Attorney, and Bay to Beach attorney, and Bay to Beach has agreed to cease sales of the units until the zoning issue is resolved. Mr. Folke explained the significance of the two types of zoning and how problems could occur, particularly in the event of a disaster. He said the solution would be to have the property rezoned to a Residential Planned Development, which Council would have to approve under a predisaster buildback scenario. Mr. Folke is recommending that as long as the property owner shows good faith in moving forward with an application, they be given the necessary time to go through the process, which could take a minimum of 6 months.

Ms. Segal-George expressed concern about the units that have already been sold and the fact that homestead exemptions might be attempted. She asked whether the Property Appraiser or the owners should be notified. It was verified that some of them are now occupied. Mr. Folke said he had been told that it was the intent of some of the 9 new owners to homestead the units, and he will write a letter to the Property Appraiser advising that this

was an illegal conversion. It was determined that there were other violations as well, including environmental violations, and there is no reason to delay action on those abatements. Mr. Folke advised that they have two more weeks to abate these violations, which were previously brought to the attention of the Council, and Mayor Hughes stressed that Staff has been directed to move ahead.

Mayor Hughes asked what would happen to the nine purchasers in the event Council denies the request for rezoning. Ms. Segal-George expressed the opinion that they bought the property with its existing zoning, which is hotel rooms. She pointed out that some places on the Island that are selling hotel rooms, and if the purchasers had an understanding that they were purchasing something different, their recourse would be civil action with the seller. Ms. Segal-George pointed out that Staff had to do a great deal of research to determine exactly what has happened in this case and emphasized that these matters are being taken very seriously, with Staff going to great lengths to document what is going on, so as to prevent circumvention of the process.

VIII. COUNCIL MEMBER ITEMS AND REPORTS:

Vice Mayor Terry Cain thanked Rachel Lambert and the Staff for the award ceremony this evening.

She recommended a Citizen of the Year award for those who attend Council and other committee meetings.

Ms. Cain thanked Staff for the photos and mementos she and Mayor Hughes received from Staff prior to the meeting.

She reported that volunteers are needed for the annual staking and posting of the shorebird nesting area on Mulholland Point, a critical wildlife area on Fort Myers Beach. They will meet April 10th at the Holiday Inn parking lot at 8:30 A.M.

She expressed thanks to everyone.

Councilman Howard Rynearson advised that there will be an Easter Egg Stuffing on Thursday evening at Red Coconut. The egg hunt will take place Saturday at the school.

He also said that he will miss Mr. Hughes and Ms. Cain as their terms in office come to an end.

Councilman Bill Van Duzer also added that he will miss Mr. Hughes and Ms. Cain.

Mayor Dan Hughes reported that there had been a great St. Patrick's Day Parade under the aegis of Former Mayor Raymond Murphy, and an enjoyable luncheon at the Pink Shell on the 19th for their grand opening.

Last Friday, April 2, the entire Council was present for a V.O.I.C.E. breakfast honoring the personnel who serve as volunteer traffic controllers at the stop light.

On Saturday he was invited to appear, as was Councilman Rynearson, at the ceremony at which the U. S. Naval Reserve honored the Fort Myers Beach Fire Control District and FGCU as being exemplary employees for the way they treat those in the Reserve.

Mayor Hughes commented on a memo received from Commissioner Ray Judah in which he has directed investigation into sidewalks and bicycle paths along the Estero Blvd. corridor.

He urged everyone to vote in the runoff election on April 13th.

Tomorrow morning at 7:30 A.M. he will be on WINK radio for the final time and asked for suggestions and input.

He also thanked Staff for the photos and mementos.

IX. TOWN MANAGER'S ITEMS: None.

X. TOWN ATTORNEY'S ITEMS: None.

Ms. Cain referred to a memo which she thought Mr. Feeney was going to address regarding the Newton Property for the Seniors Group meeting. Ms. Segal-George did not believe this had been distributed yet. Ms. Cain explained that this group must move out of Bay Oaks in the summer to make room for the summer camp. Ms. Cain wanted Council approval for them to meet on the Newton property. Ms. Segal-George pointed out that Council approval would not be required, but that there were maintenance and other issues that have yet to be worked out. She said the memo to which Ms. Cain referred was for information only. There was consensus that there would be no objections by Council to such use by the Seniors Group.

XI. PUBLIC COMMENT:

Ray Murphy came forward and thanked the Mayor for his kind words about the parade, and also thanked the Town for partnering on the parade. He read a note which he had written to Ms. Cain and Mr. Hughes thanking them for their years of service to the Town of Fort Myers Beach.

XII. ADJOURNMENT: Meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Patricia L. Middlekauff
Transcribing Secretary