

**FORT MYERS BEACH
TOWN COUNCIL MEETING
OCTOBER 4, 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, October 4, 2004 at 6:30 P.M. by Mayor Bill Thomas.

Members present at the meeting: Mayor Bill Thomas, Vice Mayor Garr Reynolds, Councilman Don Massucco, Councilman Howard Rynearson, Councilman Bill Van Duzer.

Excused absence from the meeting: None.

Staff present at the meeting: Town Manager Marsha Segal-George, Deputy Town Manager John Gucciardo, Town Attorney Richard Roosa, Director of Public Services Matt Feeney

Transcriber's note: The tape began with the Pledge of Allegiance.

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

III. INVOCATION – PASTOR TOM SNAPP, ST. PETER LUTHERAN CHURCH:
The invocation was given by Pastor Snapp.

IV. PUBLIC COMMENT:

Carol Schardt, of Madera Road came forward and read a letter from George Whistler, a resident since 1979.

Carol Schardt again came forward and made some comments on the budget. She had specific comments with respect to protection of the Mound House and Newton Property.

Bill Shenko, Jr., a FMB resident, came forward and addressed the budget process. He requested and was given permission to hand out a copy of the *News-Press* advertisement for this meeting and expressed concern that the ad did not mention the budget hearing. He suggested that the rollback rate be adopted at this meeting since there had been procedural errors, expressing further concern that other funding could be jeopardized. He further suggested termination of the Town Manager and Town Attorney at this meeting.

Nancy Mulholland, a 15-year resident of FMB came forward and read a letter recalling the purposes and goals of incorporation and the meetings and charettes that took place. Her remarks also addressed the allocation of tax dollars and the amount that goes to FMB.

Jeanne Bigos, a 15-year employee of the Outrigger Beach Resort, came forward and spoke on behalf of the Sand Sculpting Festival event which will be held on FMB, asking for support.

William F. Kenney of Fort Myers Beach came forward and spoke about the sewer system and its capacity. He was particularly concerned that there be a cleanout of sand and debris left from the hurricanes.

Pat A. Smith of 50 Fairview Blvd. came forward and made some comments about the budget. She noted that some people have suffered both financially and personally due to the storms and recommended a tax reduction.

Pascual Loffreno came forward and referred to his request for a letter on short-term rentals that he had made at the last meeting. He spoke with Jerry (Murphy?) as directed, but did not receive satisfaction. He also commented about a Council vote on a project to clean out the channel at Laguna Shores, where he has lived for 32 years.

V. CONSENT AGENDA:

- A. APPROVAL OF MINUTES, EMERGENCY COUNCIL MEETING 8/11/04 AND REGULAR COUNCIL MEETING ON 9/20/04**
- B. PROCLAMATION FOR RED RIBBON WEEK – OCTOBER 23 – 29 (WAR ON DRUGS)**
- C. AGREEMENTS WITH WCIND FOR SUB-GRANT FUNDING:**

MOTION: Motion was made by Councilman Ryneerson to approve the Consent Agenda. Motion was seconded by Councilman Van Duzer.

DISCUSSION: Councilman Massucco called attention to Page 15 of the September 20 minutes and said that the remarks beginning “Mr. Mayor, could I interject ... this might help the situation” were made by him and not by Mr. Roosa.

Vice Mayor Reynolds referred to Page 1 of the September 20 minutes and asked that the use of the word “objected” be changed to “asked.” On Page 7, middle of the 2nd line, he also had some clarification. 2nd paragraph, middle of the page, he had some comments on the verbatim remarks about attendance at meetings. On Page 9, the reference was to Iona Lakes, not “Island Lakes.” He also apologized to Councilman Ryneerson with respect to the remarks at the top of Page 11 which he said were directed to everyone and not solely to Mr. Ryneerson. He also pointed out that his comment which was transcribed as “ ... you’d have to” was “ ... you didn’t have to.” He also had some further comments about the accuracy of the transcription.

VOTE: Motion was passed by unanimous vote.

VI. ADMINISTRATIVE AGENDA:

A. CONTINUED PUBLIC HEARING ON BUDGET FOR 2004-05

Mr. Roosa noted that there has been a great deal of concern and perhaps misinformation with regard to the Town’s status on these hearings. He advised that following last Monday’s meeting he wrote a letter to Velma Smith, who is the person in charge of TRIM compliance, and enclosed copies of the TRIM notice that was originally distributed to the various property owners and copies of all of the advertisements to date that have been published in the local paper. In this letter he said that the major question was the jurisdiction or authority of the Council to adopt the 1 millage rate so that funds would be available to address and attempt to resolve some of the traffic issues. He said he spoke with her by phone after she had reviewed these documents and she said (1) that the Town’s notices to date are in compliance with Florida Statutes, and (2) she reminded him of one of the early years in which the budget was adopted before the millage was adopted, and that sequence put the Town in violation of the Statute, which was corrected by a re-hearing in which the millage was adopted and then the budget. This completely corrected the situation. He acknowledged that while there are severe penalties that apply for failing to follow the statutory requirements, such failure can be corrected at subsequent meetings. He said that in his opinion and that of Ms. Smith, Council has the authority to adopt the 1 mill rate as a tentative millage and subsequently adopt it at the next meeting. The Tax Collector has agreed to accept the millage determined next Monday. He proceeded to read the 2 resolutions. Mr. Roosa then advised Mayor Thomas that these resolutions are both properly before the public for Council’s consideration.

Mayor Thomas then opened the meeting to the public on the millage and budget.

Pat Smith again came forward and noted major and minor errors in the budget as published. She said it does not add up to \$13.056 million as stated, but \$12.plus million, or a 13.3 per cent or \$1.4 million increase instead of what was published. She made reference to Staff salaries in the budget including LPA attorney. She pointed to a number of discrepancies in

figures and questioned whether those adversely affected by the storms want their tax money spent in certain ways. She went on to question individual items.

Bill Shenko again came forward and advised that he had filed a written complaint after being told to get out of Council chambers at the first budget hearing. He noted that Velma Smith had contacted the Town after receiving this complaint and disagreed that everything is resolved procedurally. He also agreed with Ms. Smith's remarks that this is an appropriate year to determine where expenses and taxes can be reduced. He asked that Council "stop being rubber stamps."

There being no further public comment, the Public Hearing portion of the budget hearings was then closed.

Councilman Van Duzer addressed a question to Mr. Roosa concerning the notices that have been put out for this meeting and was told that they are correct. He verified with Mr. Roosa that these notices comply with the letter of the law and that there are no resulting problems.

Mr. Van Duzer asked and was given permission to comment on some of what he described as "misinformation" contained in the public comments. He described a review of his own taxes since the Town incorporated, and found that over 11 years the portion of his taxes that goes to the Town has gone up \$14.11. He referred to another speaker who said that her taxes had gone up \$25.00. He stressed that the Town's millage rate and budget do not address the total tax bill. He further noted that neither this nor any previous Council has raised the tax millage rate since the Town incorporated. It was 1.09 at incorporation and is now at 1 after having been reduced twice in small increments. He called attention to the fact that a property owner with a \$2,000.00 a year tax bill pays the Town of FMB \$100.00; with a \$10,000.00 tax bill the Town gets \$500.00. By rolling back 15 per cent a \$2,000.00 tax bill would be reduced by \$15.00, and the \$10,000.00 tax bill would be reduced by \$75.00. He also emphasized that if FMB were not a town and the County tax rate were in effect, taxes on FMB would increase. He acknowledged that taxes will be going up, but this is not by an action of this Council or this Town, but by increase in property values due to the real estate market. He also noted that under Save our Homes and the homestead exemption, the tax bill cannot be raised more than 3 per cent per year, but when a property is sold, it is reassessed at the price it sells for. Mr. Van Duzer also shared his own personal experiences with respect to taxes and storm damage.

Mr. Massucco verified the procedures with respect to Council action on these resolutions.

Vice Mayor Reynolds was not recognized following an exchange with Mayor Thomas.

Mr. Gucciardo asked a procedural question of Mr. Roosa and was given an explanation.

1. Resolution 04-28 – Tentatively establishing and levying ad valorem taxes

MOTION: Motion was made by Councilman Rynearson to adopt Resolution 04-28 setting a tentative millage rate of 1.000. Motion was seconded by Councilman Van Duzer.

DISCUSSION: Councilman Massucco expressed frustration inasmuch as people are demanding a millage rollback and he feels Council must give it to them. He said the Town has the money and can afford it and asked why the rate cannot be rolled back to .85.

Councilman Rynearson acknowledged that this was true, but also recalled attending a meeting 6 months ago in which the public demanded that Estero Blvd. be upgraded with sidewalks and bike paths, which cannot be done without funds. This is his reason for holding the millage where it is.

Councilman Van Duzer recalled doing a great deal of research and soul-searching on this issue in recent days and expressed the opinion that if the millage is rolled back to .85 it will not provide what people expect. He said he believes people have been misinformed and asked that the public check into the figures he presented above.

Mr. Massucco quoted from a document with respect to the figure to be used for traffic mitigation. It was verified by Mr. Gucciardo that \$330,000.00 figure was an early property value projection which has since been modified to approximately \$280,000.00. Mr. Massucco also noted that there will be considerable grant money available for Estero Blvd. improvements and expressed the opinion that by eliminating this amount from the budget that project would not be

adversely affected. He suggested that rolling back the millage would have a beneficial psychological effect.

Mayor Thomas said that he believes in fiscal responsibility and would like the millage to stay where it is at 1.0. He said that there were many emergencies and there may be unknown expenses as a result. He said he has read a League of Cities report in which 3 of the 5 cities reporting are in fiscal problems because of the storms. He noted that the small amounts in question will not really be of benefit to the individual taxpayers. He also referred to certain proposals concerning reserve funds in the news media which are not legally permissible, noting that much of the information circulating is not factual.

VOTE: Vice Mayor Reynolds requested an oral roll call vote.
Councilman Rynearson: Aye; Councilman Van Duzer: Aye; Vice Mayor Reynolds: No; Mayor Thomas: Aye; Councilman Massucco: No. Motion was carried by a 3-2 vote.

Mayor Thomas and Town Manager Segal-George noted that the final hearing will be next Monday, October 11, 2004 at 6:30 P.M.

Vice Mayor Reynolds expressed thanks to Ms. Pat Smith for bringing up questions on budget figures.

2. Resolution 04-29 – Tentatively adopting the Town Budget for 2004-05:

MOTION: Motion was made by Councilman Rynearson and seconded by Mayor Thomas to tentatively adopt the Town Budget for 2004-2005.

DISCUSSION: Councilman Van Duzer advised the public that there will be another Public Hearing at the next meeting before this budget is adopted. He encouraged anyone with concerns to come forward at that time. He noted that a budget is a guideline that provides parameters for future expenditures but is not set in stone, adding that the carryover has in the past been higher than it is now. He said he intends to do further research on the budget figures.

Ms. Segal-George noted that the draft budget has been available for review by anyone since June at Town Hall and also on the Town's Website. She offered to meet with Ms. Smith or any of the public before the next budget hearing.

Mr. Massucco invited Ms. Smith to set up an appointment to do so. He also pointed out that there is \$250,000.00 in the budget for land acquisition and suggested a moratorium on this. Ms. Segal-George explained that this item was put into the budget at Council's direction, so Council can remove it. Mr. Massucco said he would not address any other line items at this time.

Vice Mayor Reynolds said he would like to see the budget corrected and brought back with balanced figures. He said until then he cannot vote to approve the budget. Mr. Gucciardo requested that the Vice Mayor set some time for them to meet, offering to go over the figures with Mr. Reynolds and address specific items.

Councilman Van Duzer suggested that Councilman Massucco bring forward any other concerns that he has at this time. Mr. Massucco then made reference to the proposed purchase of the Pink Shell Cottages. Ms. Segal-George explained that \$30,000.00 has not been spent but is included in the budget for Council to spend if it so chooses. The Town is now paying for storage of the cottages, and this was again done at Council direction because the Historic Society was trying to get additional land from the School Board to place those 2 cottages where the other 2 are. Only if Council decides to actually purchase them and move them back onto the Island would the \$30,000.00 have to be spent. She stressed that Council can decide to remove this item from the budget. Mr. Van Duzer recalled working with these cottages for some time and being on the Council when the decision was made to attempt to preserve one or both of these cottages. He described continuing efforts by the Historical Society to obtain permission to place them on the site, at which time the public expressed a desire for historic preservation, of which was the outcome. He suggested that if Council finds that people are no longer interested in this, it be brought up again and a vote taken accordingly. Mr. Massucco also noted the \$40,000.00 line item for historical grants, bringing up the issue of raising people's houses.

Vice Mayor Reynolds observed that references to Council actions pertain to previous Councils. He also recalled conversations with members of the historical committee who gave him other opinions about these cottages. Ms. Segal-George reiterated that the cottages have not yet been purchased, and recalled meetings with the Historical Society within the past 6 months which she and Mr. Van Duzer had attended wherein a desire was expressed to try to obtain use of the land from the School Board. She emphasized that this is not an item based on any Staff recommendation, but one that came from the community, and the Council at that time asked that this money be placed in the budget. In reply to a question by Mr. Reynolds, Ms. Segal-George estimated that this took place around last January. She added that the storage arrangements end in November or December, so this Council will have to make a decision prior to that time whether or not to purchase the cottages. The Town has been paying storage of \$400.00 a month based on a decision by the previous Council. Mr. Reynolds also made reference to the Newton property. Director of Public Services Matt Feeney explained the contract for purchase and storage of these cottages, which are presently owned by the individual who moved them off the Island. If Council chooses not to allocate the \$30,000.00 the cottages would default to his ownership and the \$1,500.00 deposits returned to the Town.

VOTE: Vice Mayor Reynolds requested a roll call vote.

Councilman Rynearson: Aye; Councilman Massucco: No; Mayor Thomas: Aye; Councilman Reynolds: No; Councilman Van Duzer: Aye. Motion was passed by a vote of 3-2.

B. APPLICANT FOR CITIZENS ADVISORY COMMITTEE (CAC) OF THE MPO:

Claude Raymond, a property owner for 14 years and full-time resident of about a year, came forward. He provided his previous background as member of the Planning Board, Chairman of the Industrial and Commercial Development for his home town, the School Board, police commission, and more. He said he really does like the Town and believes in the residents taking time to volunteer.

Councilman Van Duzer said that as the Town's representative on the Metropolitan Planning Organization, he is glad to have Mr. Raymond on board for what he described as a very serious and time-consuming job.

MOTION: Motion was made by Councilman Van Duzer to approve Mr. Raymond's appointment to the CAC of the MPO. Motion was seconded by Mayor Thomas.

DISCUSSION: Mr. Van Duzer noted that Jim Bagley had served on that committee for a number of years and did a very good job for FMB. He welcomed Mr. Raymond and offered to set up a meeting with Mr. Bagley. Mayor Thomas expressed appreciation to Mr. Van Duzer for serving on this committee.

VOTE: Motion was passed by unanimous vote.

C. UPDATE ON HARBOR PLAN – MATT FEENEY:

Mr. Feeney presented an update on the Harbor Plan including setbacks encountered due to the storms and recovery efforts. To date, 12 abandoned vessels have been removed from the harbor, not including those relocated with the assistance of Hurricane Charley, some of which he described as to the Town's benefit. A sewage collection vessel has been purchased to facilitate the mandatory pumpout when the mooring field is built, and the operational agreement for upland services has also been executed with Salty Sam's. Most of this was concluded June 30th at the last Council meeting prior to summer break. He described the mooring field project, which was originally slated for construction to begin August 30th. The contractor, who is headquartered in Tequesta on the East Coast, American Underwater Contractors, recovered quite quickly from Charley, as did the Town, and construction was rescheduled for September 7th. However, both Hurricanes Frances and Jeanne caused damage to the contractor's home and business, necessitating further rescheduling. Mooring piles are now scheduled to be driven beginning next Monday, October 11th, with an approximate 4-week completion time.

Councilman Massucco referenced an article he read concerning a mooring field elsewhere that has sustained severe storm damage. He asked whether this was the same system as is being installed at FMB. Mr. Feeney advised that the Stuart mooring field lost about 40 boats out of a capacity of about 100+ boats. There were 2 major failures: (1) There was a requirement for PVC enclosing the mooring lines which acted as a gigantic sea anchor; it was used as a protection from abrasion for manatees, and there is no intention of sleeving the downlines with PVC at FMB and (2) Chafing, which is the natural wear & tear of lines as they are attached to ground tackle such as a cleat. Chafing gear of varying degrees of complexity can be used. The other key is planned, scheduled, effectively managed maintenance. The Harbormaster has been tasked to inspect the moorings, particularly the chafing gear, daily and report any malfunctions. Every mooring will be inspected by diving at least annually. However, there are no guarantees during hurricanes, and boaters will always be advised to move their vessels upriver to protected shelter.

Mr. Massucco referred to a 12-page agreement with WCIND. Mr. Feeney advised that he already manages another such agreement and feels it is manageable.

D. SPECIAL EVENTS – REQUEST FOR FUNDING:

Ms. Segal-George recalled that 3 of the items were before Council at its previous meeting, and one has been added, which is the FMB Civic Association for the Annual Town Birthday Party. They had forgotten to apply and were not on the original matrix. She said it was her understanding that Council had asked for more detail with regard to the events that were held last year, and that additional detail has been provided. She also noted that there are some time constraints under which certain organizations require a decision as soon as possible.

MOTION: Motion was made by Councilman Van Duzer and seconded by Vice Mayor Reynolds to approve the request for \$1,000.00 from the Art Association for their Member Theme Show scheduled for March 2005.

VOTE: Motion was passed by unanimous vote.

MOTION: Motion was made by Councilman Van Duzer and seconded by Vice Mayor Reynolds to approve the FMB Civic Association for the Annual Town Birthday Party to be held in December 2004 in the amount of \$1,500.00.

VOTE: Motion was passed by unanimous vote.

MOTION: Motion was made by Mr. Van Duzer and seconded by Mr. Rynearson to approve the FMB Chamber of Commerce request for the Sand Sculpting Festival to be held in November 2004 in the amount of \$5,450.00.

DISCUSSION: Councilman Massucco said he enjoys the Sand Sculpting event and believes it is good for the Beach but noted the request is \$1,450.00 more than last year. He said he would be in favor of holding the Town's contribution to the same as previous years. Ms. Segal-George noted that a representative from the event was present.

It was explained that the increase was to provide additional trolleys in response to previous comments that there was not enough trolleys.

Mr. Van Duzer observed that this is a signature event for FMB and that the requested amount was a small percentage of the total \$58,700.00 expense budget. The Town's contribution is intended to cover sanitation and trolley transportation costs. He expressed the opinion that the event benefits both residents and businesses on the Island and is an event to be proud of.

Vice Mayor Reynolds spoke in agreement with Councilman Massucco that last year's figure should be allocated. He questioned the appropriateness of running trolleys from the south end.

VOTE: Motion was passed by unanimous vote.

MOTION: Motion was made by Councilman Van Duzer to approve the Times Square and Old San Carlos Improvement Alliance request for their Art Fest 2004 in November 2004 in the amount of \$2,850.00, part of which is for security and part for event staffing with an art director and bookkeeper, noting that he would take objection to compensating Alliance members for what he described as a very beneficial event with a total budget of \$5,700.00. Motion failed for lack of a second.

Vice Mayor Reynolds questioned whether the Times Square Alliance is receiving allotted funds as they have in the past. Ms. Segal-George explained that under the CRA in the Downtown area, they have a TIF which includes an item of \$20,000.00 which can only be used in that area. This is used for the Farmer's Market and for street performers, and this is separate from the amount requested for special events. Council makes the decision whether or not to fund special events on an individual basis. Mr. Reynolds expressed the opinion that Times Square special events should be included in the \$20,000.00.

MOTION: Motion was made by Councilman Rynearson to decline this event, with the statement that he has for years opposed funding businesses to make money on events. Motion was seconded by Vice Mayor Reynolds.

DISCUSSION: Councilman Van Duzer asked for clarification regarding the \$20,000.00 of CRA money and asked whether it was Times Square tax money; he was told that it was. Ms. Segal-George explained that it can only be spent in that district, at the discretion of Council. It was verified that these funds do not come from other taxpayers. Mr. Van Duzer expressed the opinion that there is continual friction between residents and businesses. He feels that this event is beneficial to everyone on the Island.

Mr. Rynearson clarified his motion by saying that he does not believe in spending taxpayer's money to benefit businesses so they can make money. He cited expenditures made in that area and said he believes the Town has gone above and beyond what it needs to do for these businesses, and it is now time for the businesses to promote what they now have.

Mr. Reynolds noted that Council supports the businesses in a variety of non-public ways. At his request, the motion was repeated.

VOTE: Motion passed by a vote of 4-1, Councilman Van Duzer casting the "nay" vote.

VII. COUNCIL MEMBER ITEMS AND REPORTS:

Vice Mayor Reynolds was called upon but requested that someone else go first.

Councilman Van Duzer: No items.

Councilman Massucco: No items.

Councilman Rynearson: No items.

Councilman Thomas: No items.

Vice Mayor Reynolds:

MOTION: For discussion, Vice Mayor Reynolds moved that Council consider the removal of Town Attorney and the Town Manager. Motion was seconded for discussion by Councilman Massucco.

DISCUSSION: Councilman Massucco commented that there has been much controversy in the past few weeks beginning with how the hurricane was handled, and that many legal questions have come up since then. He expressed the opinion that Council is not being

advised properly and said he is becoming upset and frustrated with this and the continuing controversies. He said that while he acknowledges that a motion to fire is dramatic, it is going to be necessary to make some changes, and expressed the opinion that this might be an appropriate time.

Councilman Van Duzer said he did not expect an issue like this to come up under Council Member Items and would not support the motion the way it is offered. He said that if something like this needs to be discussed, it should be included as an agenda item and discussed properly, with proper documentation to the public for their input as well. He said he keeps hearing about all of the things Council has done wrong but cannot agree with Councilman Massucco that we do everything wrong. He thinks that any mistakes made were honest mistakes and disagrees with the motion being presented in this manner and suggested the motion be changed to put the issue on a future agenda.

Vice Mayor Reynolds said he had difficulty making the motion but made reference to hassles, misconceptions and misrepresentations and questioned whether this should continue for the duration of the Town. He said he does not believe anyone was guaranteed employment and verified with Mr. Roosa that his contract is on a month-to-month basis. Mr. Reynolds said he found trouble with many of Mr. Roosa's rulings. He asked for a copy of the Town Manager's contract, which he said he had not seen and said he does not know what is involved in terminating her services and would like to know. He said that generally there is a reason when there is continuing dissension. He added that the reason it was brought up at this point was that this is the only opportunity to speak and he thought it appropriate to bring to Council. He then amended his motion to continue this discussion at another Council meeting within the next 2 weeks. Councilman Massucco seconded the amended motion.

Mayor Thomas observed that the 2 members supporting the motion have been on the Council for 6 months, and one of them has been on the Council 6 months and absent for 2. He said that when serious accusations to relieve professional employees are made there must be grounds for why they are being released. He said that in 6 months he did not see any grounds for releasing anyone but has seen some accusations about some procedural problems in the budget and some accusations about how the evacuation was handled during the hurricane. He said that certain lawsuits that have been filed, and the way names are mentioned in the lawsuits, are nothing but political. He said that this has been a political agenda from the beginning, and no matter how sound Council's actions are, there is always an undercurrent about how to get the Town Manager and the Town Attorney. He said he cannot support such a prejudiced motion.

Councilman Rynearson also said he cannot support the motion until he sees legal proof that they have done something wrong, which nobody has shown. He said this is nothing but a witch hunt and he will not be a part of it.

Vice Mayor Reynolds expressed the opinion that when 2 Council members say something the other 3 do not agree with, they are downplayed and criticized, sometimes personally. He said that the Town deserves a serious consideration by professionals who are giving not only their true efforts and time to the Town, but also good results. He asked to call the question.

Mr. Van Duzer added that he will not support the motion because he believes it is out of place and poor timing. He apologized to a Council member for "losing his cool" last week and said it will not happen again, but this is something he cannot handle because he sincerely believes that we would not be where we are and have done the great things that have been done as a Town without the present leadership. He said he could not consider changing that leadership without some proof of wrongdoing.

VOTE: Motion failed on a vote of 3-2. "Aye" votes were cast by Councilman Massucco and Vice Mayor Reynolds.

Vice Mayor Reynolds and Councilman Van Duzer had an impromptu exchange concerning other ways Council members can have items placed on the agenda. He also thanked the public who were present and urged them to review the budget and come back with input.

VIII. TOWN MANAGER'S ITEMS: No items.

IX. TOWN ATTORNEY'S ITEMS: No items.

X. PUBLIC COMMENT:

Joe Yerkes, a new resident who purchased Mid-Island Beach Marina, came forward and said he came only to watch and learn and gain experience, but he desired to comment constructively on the demeanor of the Council. He said that he is uncomfortable with the bickering between 2 Council members, with the accusations from the public about the "untidiness" of the procedures, and the division of opinion as well as the possible discrepancy of the budget figures. He said that all of this is of grave concern to him. He said that after 40 years he has returned and has invested a great deal of money in the Beach to try to make a success for himself and his family, and repeated that he is very uncomfortable with what he has seen tonight. He asked that Council and the public find ways to eliminate the untidiness and bickering. He noted that budgets should always add up before they are submitted, and that the Mayor and Vice Mayor should be able to sit next to each other "without bickering like children." He entreated everyone to find a way to work towards something positive.

Pat Smith agreed with the previous speaker but stressed that it is incumbent on administration to prepare a budget that goes together. She cited numerous issues which she has with the budget as submitted. She cited these issues as "proof of somewhat incompetence" in the positions referred to. Recalling her past experience with major budgets, she described this one as very poor quality. She also referred to various problems following the hurricane which she said should have been provided for earlier.

Jeff Warner, a year-round resident, came forward and spoke about the ad valorem taxes. He suggested some revisions for Council to consider upon review prior to the next vote.

XI. ADJOURNMENT: Meeting was adjourned at 8:59 P.M.

Respectfully submitted,

Patricia L. Middlekauff
Transcribing Secretary