FORT MYERS BEACH
TOWN COUNCIL MEETING
SEPTEMBER 22, 2003
Town Hall-Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA

I. CALL TO ORDER

The Regular Meeting of September 22, 2003 was opened by Mayor Daniel Hughes on Monday, September 22, 2003 at 6:33 P.M.
Council Members present at the meeting: Mayor Daniel Hughes, Vice Mayor Terry Cain, Council Members Howard Rynearson, Bill Thomas and Bill Van Duzer.
Excused absence from the meeting: None
Staff Present at the Meeting: Town Manager Marsha Segal-George, Deputy Town Manager John Gucciardo, Community Development Coordinator Dan Folke, Service Delivery Director Damon Grant, Town Attorney Richard Roosa

II. PLEDGE OF ALLEGIANCE

All present assembled and recited the Pledge of Allegiance.

III. INVOCATION BY REV. DICK TAFEL, NEW CHURCH OF SW FLORIDA

The invocation was given by the Reverend Dick Tafel.

Rev. Tafel then asked for a moment of personal privilege to introduce the new minister of the New Church of Southwest Florida, Rev. Nadine Cotton. Mayor Hughes welcomed Rev. Cotton to the community and extended good wishes to her from the Town Council and all of the Town's citizens.

IV. PUBLIC COMMENT

Charlene Graham, Manager of McDonald's at the corner of Summerlin and San Carlos, came forward to address the Council on the Summerlin/San Carlos overpass issue. She stated that as a group they do not believe there is a need for this overpass. She handed out some materials which she had prepared and read a letter addressed to the Council: "The pull of Southwest Florida is the beaches. Tourists and residents come in droves to your city for your beaches. And as a business community in Southwest Florida we thrive for our tourist season, it's what puts the food on our plates and helps us to survive the off season. Summerlin and San Carlos is the gateway to your paradise, and we are part of your community, as you are ours. We assist each other in meeting the needs of our guests. These guests come to our area for the beauty and ambiance. We are a nice relaxation from the rat race lives and if they wanted to visit a large concrete metropolitan city, they would be in Miami, Orlando, Tampa or Daytona instead of our beautiful Southwest Florida. Lee County DoT is planning an overpass to start elevation at Pine Ridge Road and ending at Kelly Cove. We have been told numerous reasons by the employees of Lee County DoT as to why we need this overpass. First reason is the increase in traffic. From the Lee County website we researched traffic counts for various locations around the overpass area, starting as early as 1991. (She stated that a list of these locations had been attached to the letter.) There has not been any sizeable increase in the area since 1997. In some locations there has been a decrease in traffic counts. The next reason we've been told is the safety issue. Our intersection is failing miserably. We also looked at the top 50 accident sites in Lee County for the past three years, and the report is also there. And we're not listed. There are many other areas that need a solution such as an overpass before this intersection does. Then we are told it is a left turn from Summerlin Road to San Carlos Boulevard that is a problem.

The County cannot allow enough green time for making the left turn, which causes cars to back up into Summerlin, causing accidents. When asked at previous meetings how many accidents have happened because of this, there is no answer given. According to the research we've done, about 50 per cent of the traffic to your city turn left on Pine Ridge Road. I asked Don deBerry how many cars during peak hour make a left turn from Summerlin to San Carlos. His answer was 429. Then we asked the same of Pine Ridge. His answer was 417. In my math that shows a 12-car difference between the two intersections. Mr. deBarry then added that there is a problem turning left from San Carlos to Summerlin Road leaving Fort Myers Beach going to Sanibel. Unless the City of Fort Myers Beach and the City of Sanibel plan on expanding Estero Boulevard and Periwinkle to four lanes, we feel that this overpass will cause more traffic problems for your city by pushing traffic in an already congested area at a much faster pace. So far the Board of County Commissioners have approved (approximately) $879,000.00 to design survey and plans development of a four-lane overpass over San Carlos Boulevard. They have also approved the authorization to borrow $55.4 million for the Sanibel Causeway and Summerlin/San Carlos overpass. Quoted cost of the overpass to vary between 8 million to 13 million dollars. During the December 16th Board of County Commissioners meeting, we asked if they approved this action did it mean that they would go ahead with the overpass. We were told that it does not and two of the County Commissioners stated that they were unsure of their stand on this overpass. The following have already stated that they are against the overpass: Kelly Greens, Cinnamon Cove, Linda Loma, Fort Myers Beach Chamber of Commerce, Bayside Estates, the City of Sanibel. If all these people are against the overpass, who does it benefit? The various groups against the overpass are joining together with petitions, protests and meetings with department heads, and the news media to insure that it's public knowledge …

At this point Mayor Hughes informed Ms. Graham that she was out of her allotted time and asked her to summarize. She replied that it is being requested that since the City of Sanibel has taken a position, the Fort Myers Beach Town Council discuss this overpass and take a position also.

Scott Hubbard, manager of the Albertson's at the corner under discussion came forward to say that he wanted the Council to be aware that there are other businesses besides McDonald's opposed to this overpass. He said that there were representatives from some of the other businesses who are against the overpass in attendance, and some who could not be present but who also are opposed to it.

Mayor Hughes remarked that everyone got a copy of the memo from the Traffic Committee indicating that there will be a meeting on this subject at Cinnamon Cove in October. It is not a matter that is on the Council's agenda, nor has there been any communication whatsoever from the County on this subject.

Town Manager Segal-George said that the County has neither made nor offered a presentation to the Town that she is aware of, and if the Town Council were to take a position they would like to have some kind of presentation in advance of that.

Councilman Howard Rynearson said that at a meeting of the Traffic Committee that he attended, his position at that time was that he didn't think it was fair for the Council to take a position until they had heard both sides. Neither side had previously been heard from until this evening. Once both sides are heard, then perhaps they can do so.

V. CONSENT AGENDA

Mayor Hughes wished to pull Item A of the minutes for a brief correction

Councilman Howard Rynearson asked to pull Item C-1 of the minutes.

Vice Mayor Terry Cain asked to pull Number 1 under Proclamations, National Estuaries Day.

Items B.2, B.3 and B.4 are simply proclamations for Leukemia Lymphoma Awareness Month, National Alcohol and Drug Addiction Recovery Month, National Good Neighbor Day and C-2 is

the Bay Oaks Recreational Center Interlocal Agreement for next year. Item D is a renewal of a hearing examiner's contract.

MOTION: Motion was made by Councilman Bill Thomas and seconded by Councilman Howard Rynearson to approve the Consent Agenda with the exceptions of Items A, B-1 and C-1.

VOTE: Motion passes unanimously.

Mayor Hughes proposed a correction to the minutes of April 8, 2002 as follows: On the last page, where it says, "Motion made by Mayor Dan Hughes and seconded by Howard Rynearson to draft this resolution," he believes this should read "to approve the draft resolution as presented to the Council."

MOTION: Mayor Hughes made a motion to approve the minutes of April 8, 2002 with the above correction, seconded by Councilman Howard Rynearson.

VOTE: Motion passed unanimously.

Vice Mayor Terry Cain spoke regarding Item B.1, the proclamation of National Estuaries Day. The Town of Fort Myers Beach is the southernmost town in the Charlotte Harbor National Estuaries Program. There will be a National Estuaries Day event at the Mound House on September 27, 2003 from 10:00 A.M. to 2:00 P.M. which will include learning about native plants, how to kayak, and lots of other good things. There will be no food vendors. Ms. Cain encouraged everyone to come out to National Estuaries Day. She then read the proclamation, as follows:

The Town of Fort Myers Beach Proclamation:

Whereas, Charlotte Harbor was designated as an estuary of National Significance in 1995, and accepted into the National Estuary Program, one of four in the State of Florida, and one of only 28 in the United States, and

Whereas the Charlotte Harbor National Estuary Program, a partnership of citizens, elected officials, resource managers, and commercial and recreational resource users who are working to improve the water quality and ecological integrity of the Greater Charlotte Harbor Watershed, jointly developed and approved a comprehensive conservation and management plan for the Charlotte Harbor Watershed in February 2000, and

Whereas estuaries are unique environments where the rivers meet the seas and a vital component to the world's ecosystems, serve as nursery grounds for the majority of commercial and recreational fish and shellfish consumed by Americans, as well as improve water quality by filtering pollutants, act as buffers to protect shorelines from erosion and flooding, and provide essential food and habitat for birds, fish and other wildlife, and

Whereas National Estuaries Day is a time to celebrate the importance of estuaries, and

Whereas Charlotte Harbor National Estuaries Program will celebrate National Estuaries Day over a one-month period with its program partners offering wading trips, guided walks, paddling events, boat tours, marine exhibits, and other programs, and

Whereas Charlotte Harbor National Estuaries Program will be one of eight estuaries featured in a two-day live broadcast on October 3 and 4, known as Estuaries Live,

Now therefore be it proclaimed by the Town of Fort Myers Beach that September 27, 2003 shall be known as National Estuaries Day, and encourages all citizens to recognize the importance of this natural resource, and this Proclamation will be forwarded to Dr. Lisa Beaver, who is the Director of the Charlotte Harbor National Estuaries Program.

Mayor Hughes pointed out that the wording should be changed from "is forwarded to" instead of "shall be forwarded" since it is being adopted at this time.

MOTION: Motion was made by Vice Mayor Terry Cain and seconded by Councilman Bill Van Duzer that this Proclamation be forwarded to Dr. Lisa Beave with amendment as noted.

VOTE: Motion passed unanimously.

Councilman Bill Van Duzer spoke regarding the Lee County Community Development Interlocal Agreement. In the process of going through that document he found an error in the amounts that are addressed. He has had conversations with Community Development Coordinator Dan Folke about this. On Page 3 it says the total of last year's agreement was $106,184.00, but when added the total is only $93,668.00 There was an additional $12,516.00 that was taken out of there altogether for the Hearing Examiner services, which are now going under a separate contract. The only reason he brings this up is because of instead of being an increase of only about $3,000.00 it's actually an increase of $15,975.00 in that contract, a 17 per cent increase. He said that Mr. Folke would address the differences in those figures.

Mr. Folke stated that he had spoken this afternoon with Mary Gibbs, the Director of Lee County Community Development, who prepares the Interlocal every year together with him. The increase is a $15,000.00 increase, the majority of which came from the salary of the Code Officer. When looking back at the previous years' Interlocal Agreements, she felt that the salary had not really been adjusted over the last few years, and so the base salary for this year is a base of $44,381.00, which she said that was an increase of about $8,000.00 from the base salary that had been included in last year's agreement. On top of this are benefits, which they calculated at 38 per cent, and some merit pay and CPI. So the total of $63,631.00 is calculated for the one full-time Code Officer, and this is where the majority of those increases came from.

The other area is in Line Item C, Attendance at Land Use Hearings, which went from $4,173.00 to $8,350.00, because in their calculation they had not included the time of the Zoning Director, Pam Houck, who has been coming down to all of the Land Use Hearings at both the LPA and the Town Council. Last year's agreement only covered two of the staff planners, on average, that come down every time, and this year they included Ms. Houck's time, thus the increase to $8,350.00.

DISCUSSION: It was observed that the Town isn't in a very good bargaining position on this subject. When services are contracted out and there are significant increases by the other party, such as Lee County in this case, there may be a time when we could hire someone on staff for less than the contractor is charging.

Ms. Segal-George pointed out that the Council approved the Bay Oaks Interlocal, which came in $20,000.00 under budget. It came in at $218,448.00, significantly less than the original amount they were provided by the County, which was $332,642.00. In contracting out services sometimes you can negotiate a particularly good price, and sometimes you can't. On this one it's relatively small with regard to the services that aren't fee-supported. There really isn't much room to negotiate when the County has raised salaries significantly. She thinks we get good value for the price we pay for Community Development.

MOTION: Motion was made by Councilman Bill Van Duzer and seconded by Vice Mayor Terry Cain to approve the Interlocal Agreement with Lee County on Community Development.

VOTE: Motion carried unanimously.

VI. ADMINISTRATIVE AGENDA

A. Request to Approve Funding for Special Events and Review of Matrix

Town Manager Segal-George said this is the first time the Council has ever had such a matrix, and that it was an attempt to get all the requests together so the Council could have some specific factual information on all the requests that were made. Nothing has changed in the actual matrix since the last meeting. However, two additional documents have been provided, one an update from the Sand Sculpting Festival with regards to a breakdown of costs, and the other is a new document from the Offshore Grand Prix. She recalled that at the last meeting she had presented a memo on the Offshore Grand Prix regarding some of her concerns on their financials. She met with two of the principals of that organization, and they have now submitted another document to the Council. There had been confusion as to how the financials were put together, and she believes they have made a good faith effort to give as accurate a report as

possible. She also provided to the Council a memo that was requested at the last meeting prepared by Finance Director Janeen Paulauskis that broke out how much was budgeted and how much was spent under Community Service, Seasonal Events, Special Events, Cultural Events, and the CRA Events. Mayor Hughes addressed this memo and observed that in every one of the categories, they came in under budget. Under Town policy, at the conclusion of the event they have to submit itemized invoices and other pertinent documentation for each of the expenditures, not just round numbers such as are presented up front for budgeting purposes.

Councilman Bill Van Duzer said that he spent a good deal of time reviewing what was requested and what was being proposed in the budget and came up with what he thinks is a fair and reasonable idea of what the Town can do, which he proposed to present to the Council for its consideration. It covers all the Community Service Items, the Seasonal Event Items, the Special Event Items, the Cultural Event Items, and the CRA Special Events. The figures below are rounded off:

Last year $8,300.00 was spent on Community Service, and $25,000.00 had been budgeted. He is going to recommend the budget be cut on that line item by the sum of $7,000.00 and that that sum be placed into another area. He recommends the Council approve the items that were spent last year if they come forward again. He said that it isn't known whether some of these same events will come forward, such as the poster contest, Earth Day, Swim Club awards, etc.

Regarding Seasonal Events, we budgeted $55,000.00 last year and spent $50,256.00 including such things as the Birthday Party, Twelve Days of Christmas, the New Year's Party, the Fourth of July, and the Holiday Town Decorations. He has come up with a figure on each one of those: BD Party $15,000.00, 12 Days $8,000.00, New Year's $15,000.00, 4th of July $12,500.00 and the Holiday Town Decorations at $10,000.00. Some of these figures are a little more or a little less than was spent on these same items last year. This totals $47,000.00, which comes in under the $55,000.00 budget.

For Special Events, last year we had budgeted $45,000.00 and we had expenditures of $12,100.00 for various items that he believes should all remain in the budget. Along with that he would like to see approved $4,000.00 to the Chamber for the Sand Sculpting Contest, the Island Arts for the Bowditch play and concert for a total of $8,000.00, the Times Square Arts Festival, which he believes is a new event, at $5,000.00, the Art Association has asked for $600.00 for a theme show, he is very much in favor of the University's WGCU-TV Program for which they are asking $12,000.00, and the Offshore Boat Race at $10,000.00. He has removed the volleyball tournament after consideration, believing it is not something that is beneficial to all the people on the Island like the other programs. That totals $39,600.00 plus $12,000.00 from last year which would be $51,000.0. This exceeds budget, but he recommends taking the $7,000.00 from Community Service and adding it to Special Events, which will then put this item back within budget without spending any more money.

The next item is Cultural Events, for which $104,000.00 had been budgeted last year and $102,000.00 was spent, a large portion of which was the Film Festival. There is some income from that event, but it still comes in around $95,000.00. The Film on the Beach, which is a part of the Twelve Days of Christmas, costs $4,800.00, and this helps to explain why the Film Festival is so expensive. It was pointed out that these are two separate items, but Mr. Van Duzer explained that there is a Film on the Beach which is also part of the Film Festival.

The CRA Special Events budget is at $20,000.00 which Mr. Van Duzer basically believes is their money and should be left available for use in a manner that they prescribe.

There was a question as to whether the Bowdich play event had not already been approved at a previous meeting. It was explained that the actual event had not been approved, but that the Town had agreed to be a sponsor so the organizers wouldn't incur insurance costs. Lee County has agreed to be a sponsor also. It was asked whether the Town had to be a sponsor if the County were doing so, and the reply was that we were going to be joint sponsors so there is no insurance cost and no fee for them to use the facility.

Vice Mayor Cain asked for clarification as to whether the Cultural Events budget was to remain at $104,000.00 and the CRA Special Events at $20,000.00 Mr. Van Duzer replied that this was his intention. She disagreed with the elimination of the volleyball tournament because she thinks it's good for the youth, it attracts people to the beach, and it potentially inspires young

people to emulate athletes that they see competing. She recommends retaining volleyball under Special Events for $6,500.00. Added to the recommended $39,000.00 this would bring the figure up to $46,000.00; however, Mr. Van Duzer explained that an additional $12,000.00 was spent on events last year that he expects will be repeated, so the total would actually be $59,000.00. He was suggesting this be raised from $45,000.00 to $52,000.00 including the $7,000.00 from Community Service. Ms. Cain said she would agree with that but wants to retain the volleyball tournament. Mr. Van Duzer replied that the budget figure would then have to be raised to cover this event.

Mayor Hughes observed that there is a problem in how the different events are identified and categorized. Mr. Segal-George replied that on the matrix some items would not appear, but Mr. Van Duzer said that everything on the matrix is included on the special events memo with the exception of the volleyball tournament. But the memo is current year, so some of these requests haven't been before the Council previously. The Chamber of Commerce sand sculpting event, the Art Association, and WGCU-TV are all brand new events, and then there are some that aren't exactly the same as in prior years. They will not exactly match.

Councilman Thomas asked the actual date of the Fort Myers Beach art festival, which is listed as "To Be Announced." This led to a statement by Mayor Hughes that although this is the request to approve funding for special events, it is actually affecting the Town's budget. Therefore, whatever the Council would approve under this agenda item would then be submitted under the next agenda item, which is Public Hearing on the Budget. He suggested therefore that this should now be opened as a part of the budget hearing and let the public address it if Council has no objection to this.

There being no objection voiced by the Council, the meeting was opened for Public Hearing.

Anita Cereceda came forward to say that the Art Festival is the 28th and 29th of November 2003 which is the Friday and Saturday after Thanksgiving weekend. The Alliance is doing this event in cooperation with the Fort Myers Beach Art Association, and to date they have about 28 applications submitted. Lisa Grinther and Gretchen Johnson have been working very closely with Ms. Cereceda as well as Mr. Tom Taylor, who organizes the Arts in the Park in Cambier Park in Naples. He has been a big help. They will be coming to the Council again with request for use of the street, because they plan to use both sides of San Carlos Boulevard for this event, with artists lining both sides of the street during that weekend. The volleyball tournament is an event that has been done for two years. David Carsterson who is with the U.S. Volleyball Corporation, ran the event last year and will come back next year. The goal of this event is to involve and inspire young people who come to the beach for this event. The Twelve Days of Christmas is an event that Ms. Cereceda believes will become in ten years become a major event like the sand sculpting event. It takes place in the slowest days of the year for the Times Square district. It is scheduled from the 10th to the 21st (of December?) and TDC funding of about $2,400.00 has been received for this event. They also received funds for the Art Festival from the TDC, both of these for out of area marketing, and also for the volleyball tournament. Last year the Town Council requested them to apply for those funds, and they did so. The individual events for the Twelve Days of Christmas are still in the planning stages. To answer Councilman Thomas' question, about the movie on the beach, repetition of this event has not been discussed. Their goal is to encompass the entire Island, encompass as many volunteer and not-for-profit organizations as they can in the individual events, and basically promote the Island in that very slow time for our business community.

Gretchen Johnson came forward speaking first for the Art Association to request $600.00 to help support prizes for one of their shows. She said they draw from all areas. Red Coconut and Beach Light Grill are going to sponsor shows. As a totally non-profit organization they depend on membership applications to run their operations. Secondly, speaking for the Civic Association, they are requesting funds for the Town Birthday Party, which has become an eagerly anticipated event by visitors and townspeople alike. There are about 1,000 cupcakes donated, and last year the Town Council helped with the cake, which is now a permanent feature but has to be redecorated each year, and also for the items to be given away to the attendees. The paper leis that were handed out last year were very popular. They are asking for novelty items from the Town and from the Civic Association.

Absent any further public comment, Mayor Hughes returned to the subject of the budget. He stated that the Public Hearing on the Budget is now being closed and asked for comments from the Council.

Councilman Van Duzer stated that if in fact the Film on the Beach isn't being done during the Twelve Days of Christmas, this $4,700.00 can be put into the volleyball tournament, which is $6,500.00. Taking $10,000.00 from Community Service would still leave excess funds under that item. This $10,000.00 could then be put under Special Events. This would enable all the events to be covered without increasing the budget. Bottom line,he said, is about $229,000.00 worth of expenditures for all of those categories, which is a sizable amount of money, and he thinks there is a limit to what the Town is able to do.

There was discussion as to whether Ms. Cereceda's intent was to withdraw the $4,700.00 for the Film on the Beach from the funding request when she said it was not planned to conduct the event. Ms. Segal-George said that the Film Festival did the film last year. It was decided that this item would be left open.

Denise Velasquez came forward to say that the Film on the Beach was part of the Film Festival which is why it is listed under Cultural Events. It is not included in the funding request from the Times Square Alliance. The three events under Cultural, the Boo Bash, Twelve Days of Christmas, and the Film Festival are all Film Festival events. Ms. Cain explained that these are all Town-sponsored events wherein the Town is participating in other organizations' events.

Mr. Van Duzer stated that regardless of the individual events, there is a total of $229,000.00 in the budget to be spent on these events. He is trying to make sure that when they are broken down under the five different categories that budget isn't exceeded.

Ms. Cain asked about taking $10,000.00 from Community Services and putting it into Special Events would be sufficient. Mr. Van Duzer is assuming that if we do this and make it $55,000.00 we will be over budget as there bill be $5,000.00 in requests, assuming that the $12,000.00 from last year is requested again. These aren't listed on the matrix. It was brought up that some of this $12,000.00 is already covered elsewhere and there was reasonable expectation that with the $10,000.00 being moved into Special Events all the anticipated events would be covered. Ms. Cain agreed.

Deputy Town Manager John Gucciardo stated that this would include the Offshore at $20,000.00 as shown on the matrix. Mr. Gucciardo thinks the Offshore should be budgeted at $10,000.00 the same as last year.

Mayor Hughes stated that these expenditures must be dealt with either in categories or as individual events, and asked the Council which was preferred.

Mr. Van Duzer said he would be happy to make a motion to approve these budgeted amounts, but he fears that some requests will then not be supported without exceeding the total budget amount.

Ms. Segal-George stated that if, as Mr. Gucciardo believes, the Offshore Grand Prix is at $10,000.00, then within the amount budgeted last year in all categories, every request on the list could be funded. So, by not budgeting more than last year for all categories, each item on the list can be explored and decision made whether to accept each one of those and fit them in the list. Council can move from category to category depending on which events are being approved. Mr. Van Duzer said that he feels this is what he did to start with, except that he was eliminating the volleyball tournament.

Mayor Hughes stated that he thought if the budget were held at the same figure as last year the Town would be in good shape.

Vice Mayor Cain Cain observed that the total amount requested for new events was $93,000.00, not including the Film Festival.

Councilman Bill Thomas requested that on the budget for Fort Myers Beach Grand Prix the funding remain at $10,000.00, the same as last year. That would save $10,000.00. He would like to see the volleyball tournament continue, because he views this as a wholesome family activity bringing a lot of revenue to the Beach.

Councilman Howard Rynearson pointed out that each one of these events includes trolley and Sheriff costs except for the Arts Association. He would like to propose to pull the trolley and Sheriff costs back in house. Starting with the example of the sand sculpture, they are asking for $2,500.00 for trolley transportation and $4,250.00 for security. He proposes they be

given an amount not to exceed $4,000.00 toward both trolley and security. He believes this would simplify bookkeeping and perhaps enable negotiation of a better price with both LeeTran and with the Sheriff's Office. Discussion centered around whether this would be an imposition on Staff and whether it would be appropriate for the Town to be making such payments directly. Mr. Rynearson stated that presently some of this is already being done by Staff. He went on to say that the Arts Association is asking for $5,000.00 of which $200.00 is for the Sheriff. He recommends giving them $4,800.00 and the Town pay the Sheriff directly instead. Another $3,000.00 could also be pulled under the Town's insurance if necessary giving them $2,000.00 instead. He had no problem with the Civic Association figures and passed over this item. On the 12 Days of Christmas, a stage can be obtained from Taylor Rental for $600.00 which would lower that cost figure somewhat. He proposed the Town pick up payment for the trolley, the cleanup and maintenance, and Porta-Potties. When he was at TDC they said they would open the bathrooms for any events and keep them open as long as needed, so Porta-Potties wouldn't be required, resulting in a savings on that item. So the 12 Days would receive from the Town $5,565.00 cash, and the Town would pay $1,250 for maintenance and $685 on the Trolley, totaling the $8,000.00 they are asking for. He pointed out that his proposal isn't changing the figures, just reworking the way payment is accomplished. With respect to New Year's Eve, the total cost of the whole event last year was $17, 219.45. The Town paid $12,000.00 and they paid $5,219.45. This year the request is for $33,400.00. Discussion followed to the effect that under New Year's Eve there are a total of six items for which $15,155.65 is being requested. Mr. Rynearson thinks $15,000.00 is too much. He proposes the following costs be taken out: The trolley at $1,200.00; Sheriff's Department at $1,800.00; Waste Management at $800.00; cleanup at $1,200.00 which the Town would pick up; and $660.00 for tables and chairs whereas they request $1,600.00; entertainment which is at $5,000.00 this year and he thinks it can be done at $3,000.00 same as last year; and staffing at $4,000.00 -- he has a big problem paying business to do an event that makes money -- food & beverage -- the restaurants and bars are open down there, he doesn't think it is necessary to put $3,000.00 into food & beverage. $18,060.00 is the total with all of this taken out, and the Town's half would be $9,030.00. By giving them a cash amount of $4,830.00 and paying the above items directly they would receive the amount they are asking for. He has no problem with retaining volleyball, but $3,700.00 is being requested and he doesn't think the Town should pay for the administrative promoter. There is $1,000.00 for security. With respect to the Art Festival, the organizing director at $2,500.00 could be eliminated. Porta-Potties wouldn't be needed, and the Town would pick up the security at $300.00 and also the $1,000.00 for electric because there are outlets on every pole which the street artists could plug into, and the Town would pay for that electricity. He has no problem with the $600.00 for the other arts event. He believes the 4th of July Fireworks should be capped at $10,000.00 and has mixed emotions on the $12,000.00 for WGCU-TV but would approve it. He agrees with the $10,000.00 for the Offshore Grand Prix.

It was pointed out by Mayor Hughes that these individual event figures are all estimates, and the intent at this evening's meeting is to establish a budget and not to examine in detail what is going to be spent on each individual item for each event.

Vice Mayor Terry Cain recalled that when different people were first asked to put on events in the Town of Fort Myers Beach, Council chose not to micro-manage, and while she appreciates all the work Councilman Rynearson has put into these figures, she cannot agree with his position. She feels strongly that community events need to be encouraged, and she doesn't think the Town or the Staff needs to manage all of these issues. Some of these are young events, and she sees that in the future there will be funding from a variety of sources so that there will not always be the dependence on Town funding. She does not want to see the Staff taking on an additional workload by paying the Sheriff and others directly. Mr. Rynearson stated that in going through receipts for these events from last year, he saw many cancelled Town checks made out to those agencies, so he believes Staff is already doing this. With respect to New Year's Eve, Mr. Rynearson said that the previous funding was $12,000.00 and this year they are asking $15,000.00 which is a 20 per cent increase.

Mayor Hughes stated that There is an inconsistency with the numbers. The memo from Finance Director Janeen Paulauskis says one thing and the matrix says another. Town Manager Segal-George said that maintenance always comes in higher than the estimates, for example.

Councilman Van Duzer also said that while he also appreciates Councilman Rynearson's efforts, he feels that the Town should appropriately determine a line item dollar amount per event and not micromanage what the individual agencies actually spend.

Mayor Hughes also expressed appreciation for Councilman Rynearson's efforts but said he had not anticipated that each individual line item would be inspected at this meeting. The intent was to finalize a budget. The Town has a $10,000.000.00 total budget, and these issues under discussion constitute $200,000.00 which is 2 percent. Further, a $2,000.00 item would only be 2 tenths of 1 per cent, and he doesn't believe that this is the function of this hearing.

MOTION: Motion was made by Councilman Van Duzer that the total funding for the five different items be budgeted at $15,000.00 for Community Service Events, $55,000.00 for Seasonal Events, $55,000.00 for Special Events, $104,000.00 for Cultural Events, and $20,000.00 for CRA Special Events, totaling $229,000.00 or the same total as last year. Seconded by Vice Mayor Terry Cain.

DISCUSSION: The Council agreed that they are not approving or disapproving individual expenditures but setting an overall parameter.

VOTE: Motion passed unanimously.

MOTION: Councilman Van Duzer made a motion that $4,000.00 be approved for the Chamber of Commerce for sand sculpting; $5,000.00 be approved to the Island Arts Foundation for the play at Bowditch; $3,000.00 be approved to the Island Arts Foundation for a concert; $1,500.00 be approved to the Fort Myers Beach Civic Association for the Town Birthday Party; $8,000.00 be approved for the Twelve Days of Christmas; $15,000.00 be approved for the New Year's Eve Event; $6,500.00 be approved for the volleyball tournament; $5,000.00 be approved for the Times Square Art Festival; $600.00 be approved for the member theme show for the Art Association; $12,500.00 be approved for the fireworks committee; $12,000.00 be approved for the WGCU-TV Public Broadcasting program; $10,000.00 be approved for the Offshore Grand Prix, totaling $83,000.00. Seconded by Vice Mayor Cain.

DISCUSSION: Councilman Rynearson felt that $15,000.00 is too much for New Year's Eve. He feels it should be lowered to $9,030.00. He has a problem with $33,400.00. It was pointed out that this is their total budget, and that they are only asking the Town for $15,000.00 and we allotted them $12,000.00 last year. He said he would accept rounding it off at $10,000.00 but he feels $15,000.00 is too much for that event.

VOTE: Motion passed 3-2.

B. Final Public Hearing: 2003/2004 Budget

At this point Mayor Hughes requested Deputy Manager Gucciardo to summarize the revisions in the budget that he has made as a result of the September 8, 2003 hearing and other adjustments that he has made since the last hearing, after which the meeting will be re-opened for Public Hearing.

Deputy Town Manager John Gucciardo said that everyone has been provided a packet with another version of a draft budget with the changes from the last time are highlighted in color. Red is a change from the first draft to this one, and the second set of drafts are in blue. Some of the changes are relatively minor and have to do with fine-tuning of some of the financials. He will point out the more significant ones. He called attention to the fact that the carryover figure that appears in the transportation CIP, the Capital Improvement Line Items for Transportation issues, has increased from the last version of the budget by $1 million. That doesn't mean that we found an extra $1 million. There is also a corresponding decrease in the carryover of the CIA budget. He had interpreted one of the line items as being a CRA when it is actually gas tax, which is a CIP item. The net dollars are the same, they just show up in different accounts. He reminded the Council, that the Town is limited as to how the gas tax dollars can be used. They can be used in

the CRA area, for example, so if we needed more money to go, for example, to an expansion of the old San Carlos project, this adjustment could be made.

Another change is in the Parks and Recreation area. There is a $62,000.00 line item set aside for old San Carlos maintenance which has been dropped in this version of the budget anticipating approval of the maintenance crew contract and hiring of the maintenance crew employees. This will now be done in house and will no longer be an expense needing to be contracted out.

Again in the Transportation CIP area, he pointed out a change in the figure and also some language regarding the North Estero projects. North Estero Boulevard was originally designated as a paving project at a figure of $100,000.00. Based on conversations with Service Delivery Director Damon Grant, not only the scope but the purpose of that project has been expanded. This line item has been increased to $175,000.00, which is a preliminary estimate that now includes some drainage work and encompasses more than simply re-paving North Estero Boulevard. He is not sure how much of this project will be able to go forward this year because as previously agreed they are going to wait until the bulk of the Pink Shell work is done before going ahead with the project in that location.

Under Contract Services, two of the line items were increased. The amount set aside for legal fees was increased by $25,000.00. The line item for the NPDES, which is the pollution project thatCommunity Development Coordinator Dan Folke is working on with the County, has been increased by $15,000.00 because of the possibility of looking into a storm water utility at some time this year. The County is looking at the feasibility of putting together a storm water utility that will be a funding mechanism to pay for, among other projects, drainage. Since our gas tax dollars will dry up after our 5-year agreement with the County expires, it is expedient to look into other sources of funding for drainage projects. He is not sure how much this will cost the Town initially to work with the County's consultants, but money has been set aside for that purpose.

There are some minor typographical errors. On Page 25at the bottom of the first column the balance figure of $2,862,670.00 is actually $2,787,670.00. The next typo is on Page 37 – the non-transportation reserves in the CIP is not $40,912.00, it is actually $30,912.00. The last typo on Page 36 under the total budgeted expenses at the bottom of that column is $974,000.00 which should be the figure to the right instead, of $1,049,000.00.

Mr. Gucciardo also pointed out that in the narrative under the Land Acquisition portion, on Page 13, this is something the Council has indicated is to be prioritized. However, it is not always possible to predict when those transactions will close. In this last Fiscal Year we were hoping to close on two transactions, the Connecticut Street property and the Newton property. There is no carryover figure, so it is not possible to anticipate what expenditures might be made in the upcoming fiscal year. However, the option is there in the event the opportunity comes along to acquire land that is of interest. In that event, the money would be moved from Contingencies and Reserves. The Town was able to take advantage of that program twice in this Fiscal Year.

Mayor Hughes now reopened the Council meeting to Public Hearing and asked if anyone wished to address the Council on the adoption of the Town of Fort Myers Beach FY 2003/2004 Budget.

Dean Claussen with Offshore Grand Prix did not feel that Offshore is out of line asking for $20,000.00 when the New Year's Eve event is budgeted for $34,000.00 and the Town is giving $15,000.00. His budget is $148,000.00 and he is only going to get $10,000.00. He feels this is unfair. Mayor Hughes advised Mr. Claussen that his comments should have been made earlier when this line item was under discussion. He was under the impression that Public Hearing had been closed at that time.

MOTION: Councilman Van Duzer made the motion to adopt the ad valorem tax rate, keeping the rate at 1.04. Seconded by Councilman Rynearson.

DISCUSSION:

Mayor Hughes: As pointed out by John Gucciardo, Florida Statute requires that the Town Council has to accept the motion to adopt ad valorem taxes and then move to approve the

budget. However, the amount of the budget determines the amount of the ad valorem taxes. This is $2,000,000.00 of the total budget. We have a budget of $10,500,000.00 and of that, only $2,242,882.00 is reflected in ad valorem taxes. This proposed budget will give us an income balance of $1 million in addition to contingencies and reserves of $2,891,000.00, so there is really close to $4 million in this budget that we're not really appropriating for specific purposes. We are just building up a reserve. He feels that our contingency and reserves that has been built up by frugality in government and the efforts of the Town Council since incorporation are adequate, and he feels that with a property tax increase of close to 23 per cent Island-wide, if the same millage rate is adopted, the Town will get 23 percent more in taxes than we got last year. Two years ago there was a partial rollback which reduced the millage rage from 1.09 to 1.04. Fort Myers Beach was the only governmental entity in the County that rolled back their taxes, and it had no adverse effect on the Town's capabilities to produce the services that the public requires. The public is constantly requiring more services; therefore, Mayor Hughes is not requesting a total rollback, but rather a rollback to 1.00 which produces $1,000.00 on every $100,000.00 in taxes. Mayor Hughes pointed out that the School Board had a partial rollback. For the first time ever, the Fire Protection District rolled back their tax, and they get 15 per cent of the tax bill, whereas the Town only gets 5 per cent. The County did not roll back, citing that the excess should be held in reserve because they don't know the cost of some of the unfunded mandates coming from the State. Mayor Hughes was of the opinion that the Town should not collect money before it has to. Bonita Springs and Marco Island rolled back their taxes, he observed. The rollback would only be an $86,000.00 reduction ad valorem tax revenue in the budget; therefore, in view of the total number of properties on the Island, any decision made by the Council will have a negligible effect on each individual property owner. Mayor Hughes feels that because extensive increases in property values, have resulted in higher taxes to the property owners, it would be symbolic gesture of good will by the Town of Fort Myers Beach to decrease the millage rate. He said the Council has the opportunity to show that they are trying to hold the line and not take advantage of the tremendous increased in assessed valuation as the result of increased market value on the Island. He opposes the motion as presented for these reasons.

Councilman Rynearson pointed out that the Town of Fort Myers Beach is the only municipality he knows of that pays for its residents' drainage. He said that the residents are given pretty much what they ask for. There will be costs for future projects, and money needs to be set aside so the residents' needs and requests can be taken care of. Discussion centered around whether property value increases constitute a tax increase if the millage rate is not increased. Councilman Rynearson stated that in a conversation with Lee County Commissioner John Albion last week he was told that thir head CPA said that reserves for the County should be between 35 and 45 per cent of the total budget. The tax assessments have gone up 23%. We only get 5% of this, but it still constitutes a tax increase.

Councilman Thomas supports a decrease to 1.00.

Vice Mayor Cain supports the millage rate at 1.00 and cannot support the motion.

Councilman Van Duzer: The Town has a $10.5 million budget. $3.5 million is reserves that have been built up and is part of that $10.5 million. Another almost $1.5 million is grants that will be received because Town government has been conservative and has tried to do a good job looking out for the money from the constituents. When the Town was incorporated there was not a penny added to anyone's tax bill. The money from ad valorem taxes, $2,242,000.00 would have gone to the County and as a matter of fact, if Fort Myers Beach were to un-incorporate today, tomorrow everybody's tax bill on Fort Myers Beach would increase. The tax rate that has been maintained since becaming a town has given us a lower tax then those off the Island. The amount being proposed to roll back is a small amount. He suggests taking that money and putting it into a separate fund to use for the purchase of properties that became available, which he thinks is a wise move. He also thinks we should be cautious in what we do. If a rollback meant an appreciable reduction to each property owner, he would consider it worthwhile. But with such a small amount of benefit per property, he opposes a rollback.

Mayor Hughes said that the question was whether or not there were adequate reserves, and he believes there are, and this small amount in question is of greater psychological and symbolic benefit to the Town than the possible negative aspect of a small reduction.

VOTE: Motion failed by a vote of 2-3. Councilman Rynearson and Councilman Van Duzer in favor; and the balance of the Council, Vice Mayor Cain, Mayor Hughes, and Councilman Thomas opposed.

MOTION: Motion was made by Councilman Thomas and seconded by Vice Mayor Cain to adopt the earlier motion as stated with the exception of changing the millage rate from 1.04 to 1.00.

DISCUSSION: Discussion again centered around the fact that the decrease in ad valorem revenue and the concomitant benefit to each individual property owner is only a small amount.

VOTE: Motion passed 4-1 with Councilman Howard Rynearson dissenting.

It was decided not to read the resolution on the budget prior to vote.

MOTION: Vice Mayor Cain made the motion to adopt the resolution of the Town of Fort Myers Beach Operating Budget for the Fiscal Year 2003/2004 with modification to Exhibit A Budget Summary to reduce the total ad valorem tax receipts in accordance with the 1.00 millage rate, and a corresponding reduction on the expenditure side in the Contingency and Reserve Account. Motion seconded by the Chair.

VOTE: Motion passed unanimously.

C. Public Hearing – FPL Request for Easement at the Mound House

Mayor Hughes reported that this was in front of the Council at the last meeting, but the resolution was not in proper form and there were some errors in the easement, which Mayor Hughes felt could be dealt with later. The easement is for electrical upgrade at the Mound House, and Counsel has drafted a non-exclusive perpetual easement which is limited to underground service with no overhead cables or wires. Meeting was opened for Public Hearing. There was no public comment.

MOTION: Motion was made by Councilman Rynearson and seconded by Vice Mayor Cain to accept the resolution for the FPL Easement at the Mound House.

VOTE: Motion passed by unanimous vote.

D. Public Hearing – Ordinance 03-10 Amending Elections

Mayor Hughes read Ordinance 03-10 for the Public Hearing. An ordinance had previously been adopted, at the request of the Lee County Supervisor of Elections, to hold Town Elections on the second Tuesday in April. We now find that the General Election is going to be in March, and there was a Town provision for a primary. Counsel pointed out during earlier discussions on this subject what we really are having is a regular election in March and if necessary in the event of multiple candidates, a runoff election in April. 501 and 507 provide for this.

There is another amendment that Town Attorney Richard Roosa was asked to explain regarding the Initiative Referendum section. Mr. Roosa stated that the amendment of Section 12.01, Initiative Referendum, has to do with those circumstances when the citizens petition the Town Council either to adopt an ordinance or to change an ordinance, and if the Council does not adopt or change the ordinance, they have the right to set that down for referendum. According to the charter as it exists at present, that referendum would be held at the next General Election. The Supervisor of Elections has informed the Town that she will not put that on the ballot. So if we don't amend that provision of the Charter, there would be no relief for those who petition the Council and no avenue to get it onto the ballot. Therefore, the purpose of this amendment is to take it off the next General Election, striking out the word "General" and adding "in which there shall be an election of members of the Council." The reason for this is to avoid a special cost for

the referendum. The Charter established November elections and referendums, and the Supervisor of Elections, because there is no statutory requirement for her to perform municipal elections, has decided that she will not perform them in November, but only during the March primary elections. It was asked if it could not be in any election, not just one where Council members are being elected. This is possible, but this is not optional on the part of the Town Council. It is mandatory that it be placed for referendum on the next election of whatever type of that is chosen. The term "Municipal Election" could be used instead of "…members of the Council." This was agreed. Ms. Segal-George pointed out that Elections Supervisor Philinda Young will not be running for re-election next year, and since this is her personal policy, this could possibly change. This section deals only with referenda initiated by petition of the electorate. It doesn't preclude the Town Council from having either an advisory or mandatory referendum at their option, and it can be called at either a special election or any other election pending at that time. The toll issue was cited as an example. The Interlocal Agreement that was adopted in April 2002 for the conduct of local elections says that a referendum must be submitted to the Supervisor within 24 hours after the close of the qualifying period for the candidates. Under this Ordinance if adopted, that is just 46 to 50 days prior to the election, which is Statutory. Julia Campbell had been misinformed, as she was told it was necessary to go back 4 months or so, and that's not what this Interlocal provides. So the conception that we had to wrap up our decision on the traffic mitigation study in October to get it on the November ballot was erroneous, whereas we actually had until mid-January. Mayor Hughes opened the Public Hearing for comments from the public. There being none, Public Hearing was closed and a motion was called for. This will be a roll call vote.

MOTION: Councilman Van Duzer moved to adopt Ordinance 03-10 as amended. Seconded by Councilman Thomas.

COMMENT: Councilman Rynearson suggested that it be the next Municipal Election rather than limiting it to our Municipal Election, which would provide more flexibility. Either one is legally proper. This is in the last line of Section 12-01. This change to the motion was approved by Councilman Van Duzer and Councilman Thomas.

VOTE:	**Councilman Van Duzer**:	Aye
	Councilman Thomas:	Aye
	Councilman Rynearson:	Aye
	Mayor Hughes	Aye
	Vice Mayor Cain	Aye

The ordinance is unanimously approved.

E. Interpretation of Land Development Code: Chapter 34, Division 38-A. Tattoo Studios and Body Piercing Salons.

Mayor Hughes accepted this agenda item out of order because there were members of the public waiting for it to be addressed. There had been a memo on the subject to the effect that someone had requested a permit for permanent makeup, and under the Town's new Land Use ordinance, permanent makeup is included as a tattoo studio. This was a request for permanent makeup within a beauty salon, and research shows that there are some hair and/or nail salons on the Island already performing permanent makeup, which the Town would not have considered a tattoo studio under the previous ordinance. Therefore, basically what is being requested is an interpretation from the Town Council, which is allowable under the Code, where there may be a question as to legislative intent of what was adopted on March 3, 2003. Staff is asking that if it were not the Council's intent to restrict locations for permanent makeup in the same way as stand-alone tattoo parlors, then for now the rule would be so enforced and the Code amended at a later date to reflect this intent. It was pointed out that legislative intent applies only when a statute or ordinance is vague or ambiguous, whereas this ordinance is neither in that it clearly states that permanent makeup or tattooing are covered. There were other items in the Code that were handled this way. Ms. Segal-George pointed out that permanent makeup is not actually

permanent in the way tattooing is and there is no requirement for a physician to be on call. Councilman Van Duzer was able to attest to this with respect to his wife's experience, and said it was not his intent to include this process in the new Land Use Code. He feels that the Council should adopt the easiest course of action to allow this semi-permanent makeup procedure to be done. It was agreed that the distance separation provisions of the ordinance were originally intended to limit the proliferation of tattoo parlors. There had been no discussion on limiting procedures within hair salons or nail salons.

MOTION: Mayor Hughes made a motion to approve the action of the Staff in giving temporary relief under this ordinance and to refer the matter to the LPA for possible revision of the definition of tattooing. Seconded by Councilman Van Duzer.

VOTE: Motion passed by unanimous vote.

F. Newton Beach Park Acquisition: Interlocal Agreement with Lee County & Closing Information

Community Development Coordinator Dan Folke summarized that there is one final bit of action required prior to being able to close on this land acquisition. Lee County, which is a major partner in the funding of the acquisition of this project, has asked that the Town enter into an Interlocal Agreement with them before they disburse the funds. Mr. Folke had met with John Yarborough, Lee County Director of Parks and Recreation, who essentially said there were two items to be covered: (1) That the property will always remain a public park, and (2) that it will be available to everyone on an equal basis with respect to proposed fees, even though at this point there are none. The Interlocal Agreement being presented tonight asks for commitments on management and maintenance of the property. It also contains two exhibits: The Management Plan, which is the basis for most of our commitments to Florida Communities Trust, who is the other major funding partner in the project; and the Grant Award Contract, which is our other agreement with Florida Communities Trust and which has eighteen specific commitments that are also in the Management Plan. If approved tonight, it will not go to Lee County until September 30, 2003, which means the closing will be pushed back to October 7, 2003 instead of on September 30, 2003 as originally planned. Also included is the most current information on the funding breakdown. There is the reconciliation statement from Florida Communities Trust and an updated funding summary. The project cost remains at a little over $2.5 million and the Town's share will be a little less than $420,000.00.

Mayor Hughes had a question on Page 4, Paragraph 8, Parking Fee Program. Mr. Folke replied that there can be a parking fee program, but it must apply equally to both Town residents and non-residents alike. It was asked whether this were something carried over from the grant documents. Mr. Folke said that it is a County requirement which he has discussed with Mr. Yarborough specifically. It doesn't prohibit sale of annual passes by the Town, but specifies that the meters need to be the same for both residents and non-residents. There are not as yet any plans for meters. Ms. Segal-George pointed out that they do the same thing on Sanibel, and that Sanibel still has the ability to sell their own parking passes for their residents.

Mayor Hughes called for a motion to approve the Interlocal Agreement for County grant funding of the Newton Beach property, and to authorize execution and delivery of that document in the form submitted, and also a motion to authorize and approve the execution and delivery of the grant award contract between the Florida Communities Trust and the Town of Fort Myers Beach. It was discussed that the latter has already been approved by separate action, but that it is still appropriate for it to be included in the motion.

MOTION: Motion was made by Councilman Rynearson and seconded by Vice Mayor Cain as stated above.

VOTE: Motion was unanimously approved.

VII. COUNCIL MEMBER ITEMS AND REPORTS

Councilman Bill Van Duzer: He had previously sent a memo regarding the parking pass and the parking fines and also had a discussion with Town Manager Segal-George, and he understands that this will be back on the agenda in October. Mayor Hughes had requested it be the last meeting in October versus the first meeting in October because Times Square did not have a quorum last time. He would rather have the thoughts of the whole Times Square advisory group that just a few. This item will be on the October 20, 2003 agenda.

Councilman Van Duzer noted that Judge Nelson had recently passed away. Mr. Van Duzer knew him personally and attended the services today. There must have been in excess of 2,000 people there. Mr. Van Duzer was one of the first people Judge Nelson met when he came to town. They were good friends, and Mr. Van Duzer held the Judge in high regard as did many others, and he will miss him.

Vice Mayor Terry Cain: Ms. Cain said she would like to thank everyone who was at the Red White and Blue Concert.

She was with a group that went to breakfast with Congressman Porter Goss last week.

She went to the Horizon Luncheon in place of Mayor Hughes. She didn't have to read the resolution, but she did hand it out.

She attended an excellent meeting at the Florida League of Cities this week; there was great dialogue with the other cities that were there.

She attended a great event at Junkanoo's for the beach school and the PTO, it was their opening fund raiser.

Coastal Cleanup was last Saturday and after attending for over 11 years this was the largest group of participants she has ever seen. The Pilot Club and Keep Lee County Beautiful did a great job and are to be applauded.

This Saturday, September 27, 2003 is National Estuaries Day at the Mound House between 10:00 A.M. and 2:00 P.M. The Florida Native Plant Society, Florida Yards and Neighborhoods, some Lee County Parks and Rec people will show you how to kayak, there will be Mound House tours, she invited everyone to bring a lunch and sit under the trees and enjoy the breeze.

Councilman Bill Thomas: He was at the VFW ceremony on September 11, 2003 and the same evening attended the Times Square ceremony.

On September 18, 2003 in the morning he attended the Southwest Regional Council Meeting where one of the items discussed by three professors was red tide. All council members have been copied with a list of what this group is doing, including studying effects of red tide on human health, use of satellites and other ways to help forecast red tide, and problems with red tide elsewhere, such as in New England, where there is a different type that has caused illness. In the afternoon he attended the League of Cities Meeting.

On September 19, 2003 he was at the Horizon Council meeting. Saturday he was at the Coastal Cleanup with the Pilot Club and hopes he was able to resolve one problem: They had failed to get permits to park vehicles on the Beach accesses. Since no-one was at their office, he left a message with the parking people to excuse any citations issued Saturday morning from 9:00 A.M. to noon. If any citations come in he thinks they should be taken care of by the Town for these volunteers.

Mayor Hughes observed that the Red Tide people were at TDC a few months ago, and TDC has voted to fund them for research in an unspecified amount. Vice Mayor Cain said she believes they will be here on November 18, 2003. Mayor Hughes thinks this is a joint event with the Chamber. Damon Grant replied that the Chamber, the Town and TDC will have a joint presentation featuring a speaker from Mote Marine. This will be the same speaker who was here previously and the event will be in Council Chambers at 5:30 P.M.

Councilman Howard Rynearson: Said everything he was involved in had been covered previously.

Mayor Dan Hughes: Mayor Hughes complimented Vice Mayor Cain on the Red White and Blue event.

Besides the Porter Goss meeting mentioned earlier, he and the new staff member (not named) went to a Porter Goss Delegation Meeting at Harborside which was attended by State representatives from the Southwest part of the state, and most of the Mayors and Commissioners

from Lee and Collier Counties. They discussed environment, manatees, red tide, beach renourishment funding, and it was noted that there is Federal funding for red tide. Porter Goss represents us well on these local issues. Congressman Goss pointed out that it's difficult to explain issues to Congressmen from other parts of the country who aren't familiar with our unique environment. There was also a luncheon at Harborside afterwards where he got acquainted with some of the other elected officials.

The Southwest Florida League was a good meeting that Vice Mayor Cain and Councilman Thomas attended as well. This was the annual meeting at which it was summarized what each of the communities has done, and there was some very interesting information exchanged. This was an excellent meeting and he is trying to work out some conflicts with the Chamber. He had been Treasurer of this group and has now been elected Vice President.

A letter had been received from County Commissioner Ray Judah which Mayor Hughes sent to Town Manager Segal-Georg,e but he doesn't think it has been reviewed yet by Counsel. The Board of County Commissioners has established a Human Services Council and they want an appointee from the Town of Fort Myers Beach. Mayor Hughes was specifically invited, but he is declining to participate and is seeking other individuals to come forth and volunteer for this group. Its purpose is to develop a strategic plan for community human service needs. It is scheduled to meet on October 22, 2003 and will meet thereafter on the fourth Wednesday of each month beginning at 5:30 P.M. and ending at 7:30 P.M. The commitment per month is approximately five hours. There will be 29 members representing businesses, cities, the school district, public safety, judicial system, and philanthropic organizations. This letter will be copied to all Council members, and if no volunteer comes forth, at the next meeting suggestions will be received on an appointee to this Council.

VIII. TOWN MANAGER'S ITEMS

Town Manager Segal-George has no items to report.

IX. TOWN ATTORNEY'S ITEMS

Town Attorney Richard Roosa said that his item has previously been covered.

X. PUBLIC COMMENT

Former Mayor Ray Murphy came forward to publicly congratulate the Council for what was done this evening in reducing the millage rate. He said that while some people may not believe this is significant, he thinks it is very significant if not in dollars, then in the philosophy of reducing taxes. In what has been possibly the greatest increase in valuation ever in Fort Myers Beach, he feels the Town was right to reduce the millage rate. He particularly congratulated Mayor Hughes for his leadership on this matter. It was the right thing to do a few years ago, and it was the right thing to do this evening. He agrees with Councilman Van Duzer as far as the statement that we are paying less than we would if we were still part of the County, but he was of the opinion that that is now outdated. The people on the Beach don't want to know if they are paying less than prior to incorporation, they want to know what is being done to reduce their taxes in view of the increases in assessed valuation. He cited a political cartoon from Doug McGregor that was on everyone's seats and described how the Town of Fort Myers Beach has met the demands of its citizens from the outset. He commended Council for its good work.

Vice Mayor Cain also wanted to thank the Staff for their work on the budget, which is easy to read with good graphics and pie charts. She called it a great document and thanked everyone.

XI. ADJOURN

Meeting was adjourned by Mayor Hughes at 9:23 P.M.

Respectfully submitted,

Patricia L. Middlekauff
Transcribing Secretary