

FORT MYERS BEACH TOWN COUNCIL
Town Hall - Council Chambers
2523 Estero Boulevard
Fort Myers Beach, Florida
November 20, 2000

I. CALL TO ORDER

Council Members Present: Terry Cain, Daniel Hughes, Ray Murphy and Garr Reynolds. Anita Cereceda was not on the council. She resigned on November 14, 2000.

II. PLEDGE OF ALLEGIANCE

The pledge was recited.

III. INVOCATION by Tom Snap, St. Peter's Lutheran Church

Reverend Dodd opened the meeting with prayer.

IV. PUBLIC COMMENT ON AGENDA ITEMS

Added to the agenda was the matter of the New Year's Eve Party in Time Square. Gretchen Johnson, the chairman of the Town Birthday Party Committee, was requesting \$830.00. She also requested the usual time 12:00-3:00 p.m. in Times Square on December 31, 2000. She explained that there would be a short celebration with music, a few words from the dignitaries, gifts of cupcakes donated by the great bakers of the town, small promotional items and a young violinist from Canada.

The chairman was requesting the funds to pay the violinist, for the banner, cake rental, paper goods, guest book and promotional items.

Robert Keene of 274 Curlew Street commented about the council appointment. He was asking the council to appoint Mr. Thomas to the vacancy created by Anita Cereceda's resignation. He felt Thomas had made a credible showing in the recent election against a capable & respected incumbent. He stated that he would vote for Dan Hughes for Mayor.

Fred Giaconia also commented about the council vacancy. He felt Cereceda was more concerned about furthering her political future than the needs of the town. He wanted Thomas elected to town council.

Frank Juliano of 8402 Estero Boulevard supported Bill Thomas.

Joe Croker supported Howard Rynearson.

Helen Caldwell wanted to show support and appreciation for Anita Cereceda for her environmental concerns.

Lori Bagley wanted Anita Cereceda reinstated.

Jodi Hester requested Anita Cereceda for council.

Harold Douglas wanted the council to turn their attention away from Cereceda because she had held an office within a year and couldn't hold an office with compensation.

Al Van Horn supported Anita Cereceda.

Carrie Hill wanted Dan Hughes kept as Mayor and supported Cereceda.

Robin Curley of 180 Jefferson Street supported Dan Hughes as Mayor and supported Cereceda.

Jim Bagley wanted to show support for Dan Hughes as Mayor.

Nancy Mulholland was in favor of reappointment of Anita Cereceda. She also wanted to show support for Dan Hughes as Mayor.

Bill Van Duzer supports Anita Cereceda for council and Dan Hughes for Mayor.

Jane Plummer wanted Cereceda reassigned to the council.

Don Mussoko supported Bill Thomas.

Ted Reckwerdt of 30 Gulf Beach Drive is a 50-year resident of Fort Myers Beach and felt the best qualified is Anita Cereceda.

Fred Giaconia asked Attorney Roosa if the term had expired.

V. COUNCIL VACANCY

A. NOMINATIONS

R. Murphy nominated Howard Rynearson

T. Cain nominated Anita Cereceda

G. Reynolds nominated Bill Thomas

D. Hughes nominated Anita Cereceda

B. PRESENTATIONS BY NOMINEES

Rynearson stated that he is a 30 year resident of Fort Myers Beach. He coached Little League. He was involved with the youth and businesses. He had worked with people and the town. He walked and measured the roads to save \$70,000. He looked at drainage and he had worked with the council.

Cereceda said that the community knew her contributions. She had made difficult decisions and enemies. The Florida law is the only reason she resigned. She stated that no one deserves to hold public office. She described herself as honest, she loves this work and she will always serve Fort Myers Beach.

Thomas stated that the residents concerns are his. He wants Fort Myers Beach to remain a pleasant place to live and to maintain that quality of life. He also wants to see an American Flag flown outside of the council.

Bob Beasley was a nominee but withdrew his nomination due to recent business and recreational development. Hughes said that Beasley was to be commended on his interest in the community.

C. COUNCIL SELECTION

Reynolds stated 1400 people elected Thomas for council. He felt because of the resident's response he moved to motion that Bill Thomas fills the vacancy.

Murphy nominated Rynearson for council. He felt he's experienced and has no agenda. He supports and is concerned for the town.

Cain nominated Cereceda. She supported her because the people support her and because of her environmental stands.

Hughes nominated Cereceda because she was elected by the people for a 3-year term and resigned for technical reasons. She is familiar with the town's ongoing goals and objectives. She has been involved since incorporation. He described her as intelligent, fair minded, reasonable in her decision making process, thoroughly prepared at meetings and at discussing the agenda. He said that she is dedicated to follow and implement the comprehensive plan. He also called her innovative and visionary. He explained that she loves the town and that during the campaign that she never negatively affected the council.

Hughes also added that he doesn't know Thomas well and that Rynearson was supported for the LPA. The mayor appreciates the candidates putting their names forward.

Reynolds moved to appoint Rynearson. He believes he makes good decisions and would make a good representative for the community.

MOTION: Moved by Ray Murphy and seconded by Garr Reynolds to appoint Howard Rynearson to the vacant Council seat. Reynolds and Murphy were in favor. Cain and Hughes were opposed. Because of the 2 to 2 vote the motion failed.

MOTION: Moved by Dan Hughes and seconded by Terry Cain to have a ranking vote in attempt to break the deadlock. Opposed by Ray Murphy and Garr Reynolds. Because of the 2 to 2 vote the motion failed.

MOTION: Moved by Ray Murphy and seconded by Dan Hughes to reconsider. Approved unanimously.

Reynolds moved for Dick Roosa to count votes. Hughes didn't accept as an appropriate motion.

The vote resulted in Cereceda receiving 7, Rynearson receiving 7 and Thomas 10. Murphy motioned to put on the agenda for the next meeting. Reynolds seconded this motion. It was passed 4 - 0.

VI. COUNCIL REORGANIZATION

MOTION: Moved by Terry Cain and seconded by Garr Reynolds for Dan Hughes to retain seat as mayor. Motion passed 4 - 0.

MOTION: Moved by Terry Cain and seconded by Dan Hughes for Ray Murphy to retain seat as Vice Mayor. Passed unanimously 4 - 0.

VII. CONSENT AGENDA

A. REVIEW OF FINANCIAL REPORTS - October 2000

Murphy motioned to approve consented agenda. This motion was seconded by Cain and the motion was unanimously approved 4 - 0.

VIII. ADMINISTRATIVE AGENDA

A. 5TH ANNUAL TOWN BIRTHDAY PARTY.

The funds are not to exceed \$830.00. Murphy motioned to approve. Reynolds accepted the motion and moved to amend the amount not to exceed \$900.00. The motion was unanimously approved.

B. SMART GROWTH TASK FORCE MEMBERSHIP REQUEST

The task force had asked for a representative to be appointed by the council to attend the meetings. The next meeting would be November 30, 2000. Hughes moved to name Murphy as the representative for the town of Fort Myers Beach Smart Growth Task Force. Cain seconded the motion. It was unanimously approved.

C. APPOINTMENT TO TIMES SQUARE ADVISORY COMMITTEE

Requested by Martin S. York. There is a 5-member board with 1 vacancy. The members are John Rushard, Doug Spearinsmith, Debbie Lollo and Bill Whitacre. York submitted his name. He is the general manager of Beach Pier Side Grill. Murphy motioned to move York to fill the vacancy of the Time Square Advisory Committee. Cain seconded the motion.

Reynolds was concerned about the interest with Bill Whitacre and York because Whitacre owns the building that the Beach Pier Side Grill is located in.

It was unanimously agreed on. Martin S. York had been appointed to the Times Square Advisory Committee.

D. REQUESTED APPOINTMENTS TO COMMUNITY ADVISORY BOARD

The following people requested appointments to C.R.A.B.

1. Brian Peterson
2. Charlie Whitehead
3. Hattie Fern Bergeler
4. Karen Swanbeck
5. Don Moringiello
6. John Sowash

7. Ann Alsup

MOTION: Moved by Ray Murphy and seconded by Garr Reynolds. Murphy thanked the people who took on the responsibility. No one opposed. All of the above named to C.R.A.B.

The following people requested reappointment.

1. Ellie Sullivan
2. Bill Thompson
3. Joanna Hogan
4. Brian Peterson

Murphy motioned to approve. Reynolds seconded the motion. Murphy thanked the people and recognized their work. No one opposed so all were reappointed to the Bay Oaks Advisory Board.

IX. COUNCIL MEMBER ITEMS AND REPORTS

Charlotte Harbor National Estuary Program citizens advisory committee was requesting a seat for Bay Management. The council will advertise for these positions.

SCRUB was recommended by Terri Cain and Ray Murphy for everyone to go there. They commended Heather Stafford.

Ray reported on the Do the Right Thing. It took place on Friday the 17th at the Horizon Council.

Hughes enjoyed SCRUB also. He thanked the people who spoke.

Reynolds received a letter from a lady about dog wastes on the beach. The leash law and patrolling were discussed. The need for a patrol at sunrise and sunset on an ATV educating people about the leash law and removing wastes was made known and told would be taken care of in December.

The mayor wanted to know how the renourishment and easement were coming on beachfront properties. He said that he had gotten positive feedback from residents. Some residents stated that they received letters but not an easement yet.

Reynolds asked if there were any updates on the opening of Publix. There were no updates.

X. TOWN MANAGER'S ITEMS

A. UPDATE ON DEPUTIES FOR TRAFFIC CONTROL

The council was brought up to date on deputies for traffic control. The VOICE volunteers would not be available for a while. Off duty deputies would be patrolling from 4:00 - 8:00 p.m. Friday, Saturday and Sunday. The cost is \$18.00 per hour until January 1. As of January 1 the cost will be \$22.25 per hour.

There was a unanimous consensus to defer the Inauguration Ceremony that was to be held on December 4th.

XI. TOWN ATTORNEY'S ITEMS

The attorney did not have anything for the council.

XII. APPROVAL FOR MINUTES: September 25, 2000

Motioned by Murphy and seconded by Cain. There was not any discussion. The minutes were unanimously approved.

XIII. PUBLIC COMMENT

Harold Douglas of 6672 Estero Boulevard thanked the council for clarifying the pet issue. He also wanted the council to ask the deputy to patrol by the First Baptist Church because of speeding in the center lane.

Joanna Campbell wanted the council to please look in to the 3,000 feet rule for commercial crafts to maintain while flying over.

Don Maringello of 512 Randy Lane stated that FAA has the rules for private planes over populated areas. He said if you could read the numbers on the tail they are too close.

Harold Douglas had witnessed, during the last week, the seaplane flying 10' to 15' above the beach not more than 20' off the beach. He understood that the man builds them and is showing off his wares. He was concerned with them interfering with the parasailing.

Anita Cereceda stated that at the last council workshop that she had suggested the town council needed to adopt a written statement for appointments and nominations. The written statement needed to include how the election will occur, how the nominations will be made and how the vote will be taken. She explained that she would not be present at the next meeting but that she still is interested in fulfilling the term.

Bill Thomas thanked Garr Reynolds. He stated that he was still interested in the seat on the council.

XIV. ADJOURNMENT

Motion to adjourn the meeting by Reynolds and seconded by Murphy. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Billi Shelton
Transcriber