FORT MYERS BEACH
TOWN COUNCIL WORKSHOP
JANUARY 21, 1999
NationsBank Building, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA

I CALL TO ORDER

Mayor Ray Murphy opened the meeting on Monday, January 21, 1999 at 6:30 P.M. Present at the meeting were: Mayor Murphy; Vice-Mayor John Mulholland; Council Members Anita Cereceda, and Daniel Hughes; Town Manager Marsha Segal-George; Deputy Town Manager John Gucciardo; and Town Attorney Richard Roosa. Excused from the meeting: Garr Reynolds

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

The members of the Public Safety Task Force introduced themselves and included Joe Brown, Bob Gaydos, Dan Haggerty, Flip Harby, Joe Croker, Dan Parker, Tim Linskey and Tom Myers.

III REVIEW OF HISTORY OF THE PSTF

Chairman Flip Harby reported that the Public Safety Task Force (PSTF) was formed to guide the Council on what needed to be done in public safety. One of the first things the committee looked at was trying to obtain a tool to have the public inform us as to what they think is important in life on Fort Myers Beach. The PSTF then created a survey which was handed out on Election Day. Many issues discussed in the survey were decided on and became a permanent part of the PSTF's agenda. They were concerned with lighting, the placement of crosswalks, identification signs for beach accesses, evaluating electric carts, and the implementation of an anti-loitering ordinance. There are still several items still under consideration. The PSTF has had input from citizens at almost every meeting. The participation from the Sheriff's department has been 110%. The requests from the citizens have been answered immediately. The Sheriff's department has held community policing schools that most of the PSTF members have attended. During the first quarter of 1999, they have planned on having neighborhood watch meetings which will be run by the sheriff's department. The survey reached goals that the task force members never imagined. It was not a short and simple survey. They have disseminated that survey. The survey has given the task force a plan. Mr. Harby thanked John Gucciardo for his hard work with the task force. He acknowledged that the traffic is the biggest problem that the task force is dealing with right now. Mr. Harby stated that each member of the PSTF had a part in the success of the survey. Ms. Cereceda asked if someone had presented the results to Mr. Linsky and Mr. Haggerty with the report, how would they feel that they had been rated. Mr. Linsky reported that he would be dumbfounded that such a large number of people had responded and are watching local government. He also would think that they are giving the task force raw data to do the work, but that they want to be involved. There are problems that the PSTF members never thought would be a problem. He believes that overall, citizens rate the local government favorably. Mr. Haggerty questioned the validity of the survey. There are 10,000 residents, but there are only approximately 4,000 registered voters. The amount of surveys returned is awesome. One of things they were looking for was consistency. The top five issues remained the same in every category and it lends a lot of validity to the survey. Using the survey on Election Day assures them that it is the residents and not the visitors or businesses responding. The survey also deals with current events, burglaries, loitering, drug deals, etc. Mr. Haggerty believes that it is an extremely valuable piece of work. Mr. Harby stated that Mr. Haggerty and Mr. Parker tabulated the surveys. Mr. Hagerty is also the author of the summary of the survey. Mr. Murphy stated that there was a quote in the paper that did not reflect his meaning. He had a 10,000 figure in mind and felt that there is another population out there and unfortunately they will never hear from them. Mr. Mulholland applauded the efforts of the committee.

IV DISCUSSION OF THE RESULTS OF THE PSTF SURVEY

Mr. Mulholland had questions on the marine activity results in the survey. He commented that the Marine Resources Task Force (MRTF) is working on most of the items of concern listed in the survey. He wondered how the MRTF and PSTF can work together to can accomplish these goals. Mr. Harby

responded that the MRTF validated the survey more than any other group. He believes that the MRTF has already addressed the problematic categories quite well. Mr. Mulholland stated that the harbor action plan will help solve some of these problems and the MRTF members are working with San Carlos Island to make this successful. He would like to set up a dialogue to proceed. Mr. Harby stated that perhaps the MRTF members could take the survey and address the individual issues. He thinks the two committees should definitely work together because at every PSTF meeting a water issue comes up. Perhaps they can set up a liaison to come to the meetings. Mr. Hughes commended the task force on the job they had done and the results of the summary. He had a couple of reactions to the survey. He was surprised that 56% responding felt that the sheriffs department was less than adequate. It was of his opinion that it wasn't a question of confidence, but of sufficient personnel. The same problem occurred with marine water services. The poor and fairs on the surveys surpassed the good. He believes that it is something the town needs to work on. Mr. Haggerty stated that the 56% of the comments were mostly traffic related. Mr. Harby stated that they are working with the sheriff's department on getting additional personnel. Mr. Hughes commented that he was delighted that the survey included a quality of life issues section. He thought it was an outstanding study. Ms. Cereceda commented on the curfew decision and after reading the survey was able to draw the conclusion that people favored a curfew overall, but they also favored alternatives to the curfew issue. Mr. Harby stated that they have also sent out a hurricane evacuation letter to condo owners asking if they would be willing to have their condo used for emergency purposes and the task force was getting positive results from the condo owners. The safe houses question was not as successful as they hoped. Mr. Harby stated that the PSTF had discussed the curfew issue long before the survey. Many citizens are concerned with the issues of cost involved. Ms. Cereceda questioned what the task force thought about the curfew. Mr. Parker has gone out on patrol on the weekend and there wasn't much activity. There is a loitering ordinance which will be brought forth to the council. It is the consensus that if the leader is not obeying the law, they will be removed. Once they are gone, there will be compliance. When they did the patrol, everything was under control. The town has an attraction because it is a beach. Mr. Murphy questioned if they had a loitering ordinance would they need a curfew and the answer was no. Mr. Harby stated that right now the sheriff's office could not enforce loitering. Mr. Haggerty stated that when you have a curfew ordinance, a deputy would have to spend three hours babysitting. He suggests they look back in a year to evaluate if the loitering ordinance is passed. Mr. Hughes stated that it is easier to enforce a curfew ordinance. Mr. Mulholland stated that he understood the financial aspect of the curfew ordinance and tying up of a sheriff's deputy while they waited for the offender to be picked up. Sergeant Matt Powell stated that people feel Fort Myers Beach is a safe place. With a loitering ordinance in place, they will be able to remove the ringleader and everyone will follow. A sheriff's deputy can write a summons to appear on a misdemeanor, or the officer can take them downtown. Mr. Mulholland stated that he felt the loitering ordinance would give them the help they need. Mr. Murphy felt that the loitering ordinance was a helpful tool. Mr. Gucciardo stated that they looked at several versions of loitering ordinances and has decided to propose the Lee County version. The cruising ordinance is still under review and will be brought forward to the council in the future.

Mr. Murphy question the zero tolerance program mentioned on the survey. Mr. Harby stated that the idea is that if you do drugs on Fort Myers Beach, the town will prosecute you to the fullest degree. Sheriff McDougal's policy is that if you are caught with drugs, you go to jail. Mr. Hughes stated that State Statute must be followed and questioned what the function of the council would be. It is a philosophy of the beach answered Mr. Harby. The task force is stating that the town needs a zero tolerance philosophy. Mr. Hughes did not think that they could pass an ordinance that would go against state law and felt that perhaps a proclamation or declaration would be better. Mr. Gucciardo stated that there has not been a determination made yet to the council because the task force had not fully discussed this item. Mr. Roosa stated that one of the things the town could do is to develop a logo and campaign that would associate the Town with zero tolerance. If Fort Myers Beach could get a program started, it could discourage people from coming with drugs. Ms. Cereceda did not feel that that type of program would work. She stated that Fort Myers Beach is known for drugs because it is an island, with easy access on and off. She believes that zero tolerance is an excellent idea, but it is not enough and believes there are further things that the council can do. Ms. Cereceda doesn't believe a user-friendly program would work. Mr. Mulholland stated that he wasn't disagreeing, but he believes it is a first step and then the council could move forward. Mr. Gucciardo stated there may be a misconception on zero tolerance with the PSTF. The PSTF has not proposed anything, it is something that they may be talking about in the future. It was only one of the things that the survey

pointed out. Mr. Gucciardo stated he would like the council to direct the PSTF to coordinate some of the resources available, not only with the sheriffs department, but with code enforcement. Mr. Gucciardo stated that problem properties have been targeted. Mrs. Segal-George believes that code sweeps work well and the improvement of streets will help. She has asked the county for figures for a full-time code enforcement officer. She stated that the Town is having more and more responses on code complaints and it is a good vehicle for these kinds of complaints. She thinks that perhaps two code officers are necessary. In next year's budget, she is asking for two code enforcement officers and that will double the attention as to code enforcement. Mr. Mulholland stated that he would like Mrs. Segal-George to bring forward information on hiring two full-time code officers for the remainder of this year. Mrs. Segal-George stated that she would contact the county and proceed. Mr. Haggerty commented that we need to make a statement that the town is against drugs. One of the things that has developed with the survey is that some of the people have actually provided addresses of drug houses. They hope to bring community policing to these neighborhoods. Sargent Powell discussed Fairweather Street and stated that they had code enforcement on that street and that street now has one of the best neighborhood watch programs. The people living on that street are now taking pride in their street. Mr. Parker stated that communication is one of the best things. He recommends a special phone number with confidentially and perhaps a reward for people coming forward with information.

FUTURE DIRECTION:

Mr. Harby stated that the task force is going to go ahead and do in depth studies on the top items. He stated that traffic is one of the main issues and he is certain that there is no easy answer. The PSTF is hoping to have citizens come to town hall and fill out surveys to give council views on what their concerns are. He believes it will give additional input. The PSTF is hoping to get the media involved and believes it will give valid data. The PSTF goals will always to be aggressive in bringing forward to the council issues brought from their public input at their meetings. Mr. Murphy questioned what citizens main concerns were at the public input at the meetings. Mr. Harby stated that it is a hit or miss situation. The sheriff's department representative meets after the meeting with the citizen and they take it care of right away. Dr. Croker stated that the first issue the PSTF dealt with was the lighting at playworks and it has since been resolved. Mr. Harby stated that there has not been a public complaint or issue that hasn't been addressed or issued by the next meeting. Mr. Mulholland suggested that they look at the top fifteen requests and start working on them. Mr. Hughes stated that he had complaints of inadequate lighting on Estero, but found that it was not a big concern on the survey. Mr. Gaydos stated that streetlighting and crosswalks were addressed in the meetings. Mrs. Segal-George reminded the council that they would be reviewing the Estero Streetscaping request for qualifications at the next council meeting and they could work that problem into the proposal. Mr. Harby stated that Mr. Gucciardo had viewed different type of crosswalks and streetlighting and they would be addressing that at their next meeting. He felt that this may be an answer to satisfy the comments and they would then make recommendations to the county. Ms. Cereceda asked about perhaps the hotels becoming involved in distributing the surveys. Mr. Gucciardo stated that the issue had just been brought forward and the task force hadn't taken a position yet. He felt that there may not be much value in getting that target audience's opinion. Mr. Murphy stated that he didn't think hoteliers would be interested in passing out crime surveys in their lobbies. Ms. Cereceda questioned whether the PSTF thought that the council should support the Child Intervention Program. Mr. Harby stated that they have endorsed the program, but not have had any other input in this. Mr. Harby stated that the Child Intervention Program's program is similar to the safe house idea. Ms. Cereceda questioned the identification of beach accesses and wondered if it could be worked on with the Tourist Development Council. Mr. Gucciardo stated that ten accesses have been placed in the budget this year and the staff has asked to be updated on what will be happening. Mr. Gucciardo has seen that all access are now being numbered. Ms. Cereceda thought that the survey was fabulous and asked the PSTF members to give her advice on what specifically she could do. She would like ideas on what she can do and future direction. Mr. Harby felt that over 300 individuals wrote comments on their surveys and he asked the council members to read them to perceive how the citizens felt. Mr. Myers stated that he wasn't sure if that was why the PSTF was formed. He was uncertain if they should be identified as another arm of the sheriff's office. It was Mr. Myers opinion that they should not only focus on law enforcement. In regards to the drug problem, he believed that putting signs out isn't enough. He felt that drug paraphernalia selling is wrong. He also felt lighting never will be bright enough because of turtles and the coastal construction

line. He believes that community policing is a good thing for the community. Mr. Myers believes that the PSTF should work together as a community, not just as a law enforcement arm. Mr. Murphy agreed and stated that they were appointed to advise the council on issues. Ms. Cereceda stated that she wanted to clarify that she doesn't believe that PSTF should be an arm of the law, she wants them to tell her what she doesn't know about public safety issues. She would like bona fide business advice on what the council can do. Mr. Gaydos stated that the need for crosswalks on Albatross. Mr. Gaydos worked with the county and a crosswalk was placed there. Mr. Murphy stated that there are a lot of issues that deal with Estero Boulevard and it is a goal of his to gain control of Estero Boulevard. He believes that Lee County doesn't understand the problems of the street better than the Fort Myers Beach Town Council. If the town owns the road, the town council can take care of the problems right away. Mr. Murphy stated that with the PSTF working on the top 15 items and keeping the council informed sounded good to him. Mr. Myers stated that they were working on all of the aspects of the survey and the task force needs to keep up with the times and be willing to change. Mr. Murphy thanked the task force and the sheriff's department for their hard work. Sargent Powell thanked the task force for their hard work and believes they have a good balance in the committee.

V PUBLIC COMMENTS

Jennifer Kaestner

Mrs. Kaestner spoke of a potential safety problem heading the councils way. The Lee County School board is about to cut courtesy busses. They are talking of eliminating busses within two miles of walking distance to school. Mrs. Kaestner stated that residents can not sit and wait for this to happen. One of the questions that Mrs. Kaestner asked the school board was what the difference of cost is to keep the busses. Mrs. Kaestner stated that it may have to be that the town council has to pay for the extra stops, but we must protect the children. The parents will be in traffic to pick up the children and whatever the council can do to eliminate traffic can help. Mrs. Kaestner also supported the loitering ordinance. Mrs. Kaestner stated that she and Carolyn Van Duzer attended the community policing seminar. One of the items discussed was that protection can be divided into civil issues and law enforcement. At the seminar, a suggestion came that there is a possibility of mid-level enforcement. She felt that local law enforcement to deal with civil issues might be less expensive than using the sheriffs department.

Captain Erne

Captain Erne questioned the traffic congestion results on the survey. He wondered why traffic congestion was listed under law enforcement. Mr. Harby stated that the headings on the survey were furnished by the Sheriff's Office. Captain Earn stated that with the 56% of citizens that were unhappy with the enforcement, he wondered if that was because of traffic. Mr. Murphy stated that people felt that if traffic wasn't moving, it was a sheriff's office problem. Mr. Harby stated that he felt that the sheriff's department took a hit on enforcement and it was his opinion that it was mainly because of traffic and frustration. Captain Earn stated that traffic being listed under law enforcement bothered him, because his main priorities include burglaries, not traffic.

Kathleen Fisher

Ms. Fisher stated that she lives on Miramar Street and believes something the loitering ordinance should be passed. She also stated that she believes there should be more enforcement on the beach, because when they leave the places they are loitering at, they will head to the beach.

VI ADJOURNMENT

The meeting adjourned at 8:16PM.

Respectfully submitted,

Janeen Paulauskis
Recording Secretary