

**JOINT MEETING
FORT MYERS BEACH TOWN COUNCIL AND LOCAL PLANNING AGENCY
JANUARY 27, 1998**

NationsBank Building, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA

I CALL TO ORDER

Betty Simpson, co-chair of the Local Planning Agency, opened the meeting on Tuesday, January 27, 1998 at 6:30 P.M.

Present from the Town Council: Vice-Mayor Ted FitzSimons; Council Members Ray Murphy and John Mulholland. Excused from the meeting: Mayor Anita Cereceda and Councilman Garr Reynolds.

Present from the Local Planning Agency: Ms. Simpson, Linda Beasley, Bill Van Duzer, Ron Kidder, Lena Heyman, and Johanna Campbell. Excused from the meeting: Dan Hughes and Roxie Smith.

Also attending the meeting: Town Manager Marsha Segal-George; Deputy Town Manager John Gucciardo; and Town Attorney Richard Roosa.

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

III INVOCATION

Ms. Simpson led the Council and LPA in prayer.

IV PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment

V DISCUSSION OF HISTORIC PRESERVATION ELEMENT

Bill Spikowski noted that the LPA made many changes to this element at their meeting. In addition, he has done some further work on Policy 1-A and on the special building code for older buildings. He asked for particular response from the LPA on those two items.

Mr. Van Duzer said he was originally not in favor of the building code for older buildings, but after reading the information and comments by Bill Spikowski, he would be in favor of it. He feels it is a fair thing to be considered for adoption along with the Southern Standard Building Code for new construction. Mr. Spikowski said this would make it easier to fix up an existing building. Some things, such as stairs that are too steep, are too difficult to change under the existing rules. He said that the wording in Policy 2-F now reflects that position.

Ms. Heyman reported that she has talked with Barb Keene and that Ms. Smith has talked to the Historic Society, and the Historic Society is willing to work with Policy 1-A, which would update the inventory of historic homes. Blanche Santini-Lee was in the audience representing the Historic Society.

Mr. FitzSimons asked about Objective 4 (Historically Significant Housing), and expressed his fear that the wording could be interpreted as "not to exceed 90%." He said that we have already lost a substantial number of the original houses on the island. He suggested adding the words "at least 90%". Mr. Spikowski said that 90% is arbitrary and only a suggestion, but the DCA does insist on measurable objectives. Generally allowing older buildings to be used for commercial use is usually a great way of saving them.

Mr. Spikowski said that this element will allow the town to have control over historic preservation while still using the expertise of the county staff. The LPA would act as the historic preservation board.

VI HOUSING ELEMENT

The state will probably require that the town customize this plan, because the state did the study (upon which these numbers are based) before we were incorporated. We do have a stock of affordable housing on the island, mostly in the same area which is targeted for redevelopment. The county has an ambitious plan for getting federal and state funding for housing. If we work through the county we will not lose access to their help, while still retaining the right to go for state money on our own. To Objective 4 they will also add "at least 90%" as in the former element. Mr. FitzSimons asked what is the physical

maximum for our dwelling potential. Mr. Spikowski said we can expect about 15% more development with what is already permitted, mostly at Bay Beach. That is assuming that the other redevelopments on the island do not increase density. Sanibel has said that they are not interested in joint ventures with the town regarding housing, although they will help with some expertise. Mrs. Heyman asked about the Pink Porpoise homes, which were taken to Lee County for low income houses. She asked if there were some way that in the future cottages like that could be used for credit for the beach next time. Mr. Spikowski said that he doesn't think that credit is important, but he wanted to know if the town wanted to encourage it. Sometimes it takes so long to get approvals for house moving that it is not easy to do. He thought it would be good to add that as a policy under Objective 4. But people get nervous about seeing older homes being moved into their neighborhood, but most of the time when people take the trouble to move the house, they usually do a good job of fixing them up. Usually they are getting the house for next to nothing and they are planning on doing the fix ups as they get the money, so sometimes it takes a long time. Perhaps the policy should say that the renovations must be done in a timely manner. Mr. Van Duzer said he is concerned that the state is going to say that we must provide affordable housing. Are they going to accept this element when we don't have the ability to provide low-cost housing on the island? Mr. Spikowski said he can't guarantee they will accept it, but they won't come back and tell the Town that we must build "x" number of units. They may come back and say we are not doing enough and to fix it. Mr. Van Duzer asked if we can provide housing off of the island. Mr. Spikowski said that what has worked in other coastal communities is interlocal agreements for off-island housing. The county also has rental assistance programs which our residents can take advantage of just as they did before we were a town. He said there is nothing that says we have to provide affordable housing, but it says we have to provide for affordable housing, which hopefully will mean the private sector. They are not going to force the town to become a landlord. Mr. Kidder said he would rather see subsidized housing than what happens here, which is one person rents a house and then all their friends move in too. Mr. Spikowski said that the town can pass a minimum housing code for rental housing. Mr. Roosa asked if it would be helpful to do a study to see where employees are living now, and then take some action to encourage low income housing in those areas. It is better than encouraging people who can't afford to live on a barrier island to live in such a dangerous area. Mr. Kidder asked if we helped with transportation would that work as a substitute for the housing. Mr. Spikowski said he has never heard of it being done. Mrs. Segal-George said since we don't know what the DCA is going to do, rather than offering them so much now, she recommended that we wait to see what they are going to require of us. Mr. Van Duzer said he does not think it should say in Policy 1-A(vi) that the town will "assist service workers to find suitable housing on the island."

VII CAPITAL IMPROVEMENTS

Mr. Spikowski said that the major changes to this element regard impact fees. Mrs. Segal-George added that an interlocal agreement regarding impact fees is going to the Town Council on February 2. Mr. Spikowski said that the most important part of the element, Table 7, which lists what we intend to build in the next five years, is not done yet. (The reason it is not finished is because the transportation element, which is not complete yet, will probably require a lot of money for roads and sidewalks. It will be complete before it is transported to DCA.) The table is based on the assumption that we are getting road impact fees and regional park fees. The State requires that this element be updated every year as part of the budget process. We will have to file an amendment to the plan. The five-year schedule must be balanced with realistic revenue projections. Mr. Murphy said there are two notable projects which didn't make it to the list: a parking garage and a pedestrian overpass. Mr. Spikowski said both of those will be addressed in the transportation element, although the parking garage will probably be private sector. Only the projects that will be public sector will end up in Table 7. Other things are encouraged and expedited, but not put in the plan. Table 3 is not prioritized at all, but Table 7 is only the projects that the town really expects to do. Table 3 is mainly a list of wishes from the workshops and there are far more things on there than can ever be done. Mrs. Segal-George said that she would like to drop the beachfront boardwalk and construction of a town hall from Table 3 altogether. Mr. Spikowski said that Table 7 will always be a 5-year plan. As one year is dropped, a new year is added. The dollar amounts can change, but the list of projects should not change that much. The state won't care what we spend money on, but only that it is balanced. He noted that they kept the utility tax in Table 3 so that people could see what types of projects could be accomplished if they had that revenue source, but it is just a potential revenue source. Ms. Campbell asked about the resort tax on page 6. Mr. Spikowski said this would have to be approved by the legislature before it could be enacted. She asked whether the bay accesses (10) already belong to the town. Mrs. Segal-

George said that the county is now maintaining them with TDC dollars. She said she thinks the Town owns both the bay and beach accesses, but the issue has never been pushed. Mr. Kidder asked if we could negotiate for cable and garbage hauling or if we must stay with the present companies. Mrs. Segal-George said she thinks cable has a potential for greater revenue, but that will probably mean it would be passed on eventually to the customers. We are tied in for four more years on our garbage hauler.

VII INTERGOVERNMENTAL COORDINATION

Mr. Spikowski said that this provides a picture of all the other entities that the town works with. The policies are not surprising or controversial. Mr. Murphy noted that there are only two sentences that mention children and families. Mr. Spikowski said that can be expanded, but the reason it was so small is that the Town's role is smaller than in other areas. Ms. Campbell said that she thinks that the council should form a committee to talk with the other entities that are in the town like the Mosquito Control District, Library, Fire District, etc. She also asked how we can get representation on the sewer district since they impact us. Mr. Spikowski said that because it is a county agency we have no voice other than our political voice. He said that Florida Cities Water has agreed to look into a water tie-in from Bonita Utilities. This would help the town in case of emergencies. Mr. Roosa asked if we should look into franchising the sewer service in the future. There is no economic advantage because if we impose a franchise fee, it would be passed on to the customers, but it would give us some regulatory power. Mr. Spikowski said he will draft something for the utility element. Mr. Kidder asked about the library and fire district, whose boundaries are both larger than the town, if the element should say how they should be split up. Mr. Spikowski said it only mentions that the boundaries may have to be changed if the town should take over the fire district. He said he would expand something about the boundaries and the equipment of the fire department. Ms. Campbell asked about Policy 1-C. Mr. Spikowski said that this is required and that most of the policies are boilerplate, but he will change the wording to "consider" instead of "pursue". Ms. Campbell said she would like to see Policy 2-D changed to 1998. Mr. Van Duzer said he would like to find another word to use beside "consolidation" because it sounds like it is forcing. Mr. Roosa suggested just using the word "cooperation." Mr. Spikowski said we could drop the word "consolidation" out of Policy 2-D, and still keep it in the narrative, and the text can be clarified regarding the fire control district.

March 19 has been set tentatively as the next joint meeting to discuss the transportation and land use elements.

Mr. FitzSimons asked about pre-releasing some of the elements to Tallahassee. Mr. Spikowski said that the first three have been sent to Tallahassee for suggestions and he will send the next three soon.

VIII PUBLIC COMMENT

There was no public comment.

IX ADJOURNMENT

The meeting adjourned at 8:24 PM.

Respectfully submitted,

Peggy Salfen
Recording Secretary