

**FORT MYERS BEACH
TOWN COUNCIL WORKSHOP ON PUBLIC SAFETY
FEBRUARY 12, 1998
NationsBank Building, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA**

I CALL TO ORDER

Mayor Anita T. Cereceda opened the meeting on Thursday, February 12, 1998 at 6:30 P.M. Present at the meeting were: Mayor Cereceda; Vice-Mayor Ted FitzSimons; Council Members Ray Murphy, Garr Reynolds, and John Mulholland; Town Manager Marsha Segal-George; Deputy Town Manager John Gucciardo; Assistant Town Manager Terry Dillon; and Town Attorney Richard Roosa.

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

Mayor Cereceda stated that the purpose of the meeting was to talk about things that concern our community. Donna Hansen is here to facilitate discussion. We are not talking about creating a police department or taking over the fire department

III PUBLIC COMMENTS

A CEIL SPUHLER

Ms. Spuhler thanked the town for tackling the problem of safety. Her concern is for the safety of swimmers. She often has to wave her arms to alert boaters to go 500' off shore. They don't seem to know that they must be on the other side of the buoy markers. It seems impossible to apprehend the offenders. She thinks we need to publish the heavy fines on boaters who are ticketed, so it will be well known that Fort Myers Beach is enforcing its boating laws. She also suggests having the buoys replaced with high markers. Since the sandbars are increasing, the swimmers are going farther out. We have been advertised as the world's safest beach. Perhaps we need a new slogan: SOS – save our swimmers.

B FRED DEVINS

Mr. Devins owns a security company and investigation business. He thinks we are moving in the right direction, and if we decide to add security to work alongside law enforcement, he would look forward to working with us. His company is made up of local residents, and they are trained by the state and have weekly training sessions.

IV DISCUSSION ON PUBLIC SAFETY

Mrs. Segal-George said this workshop was initiated by Councilman Murphy to identify some issues and complaints, and to see how we could address them. She said we are looking at the possibility of adding public safety as another element in our comprehensive plan. It is not required by the state of Florida, but she thought it might be a good addition, and would give a framework for gathering information to see what everyone's issues were.

Donna Hansen was introduced. Ms. Hansen, former police chief of Fort Myers, has been in law enforcement for almost 25 years, mostly in Miami. She has recently returned from peacekeeping in Bosnia. She said this workshop is a beginning to formulate our safety vision, and to identify concerns and potential solutions.

Ms. Hansen said that people are still arguing about whether community policing really works. She said it involves officers who are invested in the community and are involved. It is a problem solving partnership between police and community. Public safety is everyone's responsibility, and policing is only a part of it. She invited the council to help identify some areas of concern:

Vehicle Traffic: so many pedestrians crossing the street; so many crosswalks; congestion causing a problem for fire and rescue and frustration for drivers; widening of San Carlos causes problems getting on the island when two lanes merge into one; too many cars for this size island; speed at the south end (the road widens, there are no sidewalks and speed limit goes up, but the density in that area is higher); mopeds (lots of rentals, lots of kids on them, people who haven't ever been on one, people don't know if they should act like a car in a lane or a bicycle in the right of way); people using the middle lane as a speed passing lane (on Estero and San Carlos); delivery trucks, especially in Times Square.

Pedestrian Traffic: crosswalks (dangerous, cars do not know they must stop, cars pass cars who are stopped for pedestrians); jaywalking,

Loitering: not usually a problem except on weekends from the Lani Kai to the stoplight. The new, wider sidewalk has helped, and Times Square being closed to traffic has helped. There is more of a problem during local spring break, but the presence of deputies helps.

Signage: Signs and street numbers are not clear and make the visiting driver's job more difficult.

Parking: People ride around looking for parking; illegal parking; parking on public right of way on side roads across Estero if the accesses are full; some problem with parking in people's private driveways and yards

Towing: people do not understand that they can't park in a private lot even if it is empty or at night, but the new ordinance has helped.

Crime (general or adult): alcohol (the density of bars and restaurants serving alcohol is higher on Estero than anywhere else in the county); burglary (many times because of absentee owners), car theft; vehicle burglaries (mostly night time and early morning hours in condo parking lots); assaults; arson; mysterious deaths (probably due to the transient nature of the population); vagrants (often sleep in vacant buildings); family violence (probably the resident population not the tourists.) The hot criminal spots are particularly the core area and the grocery store area.

Crime (juvenile): probably more from our locals than visitors; vandalism and graffiti (core area mostly); shoplifting (not just juveniles)

Code enforcement: this is better now because we pay for a code enforcement officer. It is now only complaint driven, but maybe someday will be expanded to patrol also. There is a lot of illegal building on weekends.

Conduct on the beach: cleaning up after dogs; trash; drinking; bonfires; fireworks; loud music; intoxication

Disorder: loud music; barking dogs (not a major problem); landlord/renter disputes (a lot of managed property on the beach and absentee landlords); neighbor disputes (small lots make close neighbors, and mix of commercial and residence causes a problem); litter and trash (trash is put out after a weekend stay but not picked up off curb until Wednesday); dumping in back bay waters; motorcycle noise; airport noise

Alcohol: underage drinking (although we are getting good enforcement and cooperation); open container (not enforced but not sure it is a serious problem. It is hard for people to tell where it is OK to drink and where it is not since we have tiki bars and walk up bars and tables in Times Square); DUI

Drugs: big problem (delivery and pickup easy on an island); legal drug paraphernalia (attractive nuisance, but have had some success with approaching landlords)

The council took a break at 8:10 PM and reconvened at 8:27 PM.

Safety (juvenile): bicycles (more an adult visitor problem than a youth problem), rollerblades and skateboards (using the pier as a ramp in an area where there are lots of pedestrians, and using the wavy wall); mopeds

Recreation center: How can it be used to keep kids safe? Could we build a skateboard park? The rec center already does a tremendous service to many families.

School safety: DARE is in 5th grade, but we can also do bicycle safety, conflict resolution, classes on handling bullying, racial problems or stranger attacks; seatbelts; crosswalk awareness, etc.

Family safety: shelters; place for kids to call for help; Safe Place; etc. The Beach school is small and the parents seem to know one another and watch out for each other's kids; the PTA is very active.

Medical service: EMS on the Beach is second to none and is very well thought of in the community; good medical walk-in clinic; fire department is trying to get a grant for emergency phone boxes at the beach; response time is good but they have a problem with the traffic; fear of consolidation by the county

Fire: no problems - independent fire district

Water safety: we are now hiring off-duty deputies in boats but enforcement is still a problem; problem of swimmers and boats in the same area; liveaboards (some are really derelict boats and have no motor); our community has formed a Marine Resources Task Force, which is working on an education program; the town brought business people together to help write an ordinance on personal watercraft which has been successful; jet skis by private owners is the biggest problem (they can be launched

anywhere and mostly don't come from our island; the town manager is looking into temporarily licensing them so they will know the rules); alcohol and boats; ecology; commercial boats

Prosecution: we have no idea what is going on in this area. We do not get any fines returned to the town.

Court: We tried to get a traffic court on the island (still may be a long-range goal because it cuts down on traffic and the officers can get to the hearings here on the island), but the county judge is opposed.

Victim Assistance: We do not have a program in place, but since so many people don't have family down here, it would help people work through tragedy. It is for crime victims, domestic violence, hate crimes, etc. It focuses on the victim not the criminal, and is usually done through police departments. There are grants and federal money available. The churches are active in providing food, counseling, etc.

Weather and Hurricanes: The Town is working on an off-premise center with Sanibel. We are not part of Lee County All Hazards. Evacuation can be a problem for older people who don't get around and have no transportation. We are looking to the churches to help evacuate elderly. Property security becomes an issue when people evacuate.

Animal Control: Under contract with the Lee County Humane Society, but needs to be looked at.

Aircraft: We attract borderline flying machines that are void of regulation.

The Council noted again the problem of not knowing what level of coverage we are now receiving from the sheriff. Since it has never been quantified and we don't know what we have now, how do we know how much more we need? In addition the need fluctuates by season.

Ms. Hansen said that we know the issues we would like to solve, and the next question is "How do we get there?" We will need to take a hard look at the issues, and it will take a lot of planning and many meetings.

V PUBLIC COMMENT

A JACK HEYMAN

Mr. Heyman, chairman of the Fort Myers Beach Fire Department, clarified that you can get a permit for a cook fire on the beach from the Fire Department. He would like to see the town make lights on bicycles a requirement at night. He would like to see a fireworks ordinance that will eliminate explosive and propellant fireworks without a state license.

B BILL PERRY

Mr. Perry said he thinks the town should ban fireworks on the beach altogether. Not only is it a hazard, but he has to clean up afterwards. It is like a combat zone and he feels he has to sit in his vehicle to feel safe. Sparklers and things made with wire become a safety hazard. They rust and turn into dangerous needles.

Regarding fire permits, he said that during Spring Break, they have to hire off-duty deputies who patrol the beach. Before they did it, his whole area of the beach turned into a beer party and bonfire area, especially on Little Estero Island. The fire permits are for cooking fires (2' x 2') but once people have the permit, the fire ends up being a bonfire that is 15' x 15' with hundreds of kids around it, and the kids are throwing cabanas in the fire. The open container law is good for dispersing crowds. He has asked the fire department not to issue any fire permits during spring break and during summer time because there is no one out there to enforce it. He asked the town to help get involved. They are having trouble getting a vehicle for the deputy to patrol the beach in. He has had to buy a ATV and then sell it at a loss after spring break. If the town would buy an ATV, they would be willing to rent from the town.

C DAN PARKER

Mr. Parker, formerly in law enforcement, thanked Ms. Hansen for her presentation. He said there is a difference between opinion and reality. Those in law enforcement see things differently. Is there a problem with juveniles? An officer was killed by a juvenile who was wakened on the beach. Is there a problem with alcohol? The last cop to be beat up on this island was by a drunk. Mr. Parker thinks we should question the deputies on the beach about what the unique problems are. Just knowing how many complaints there are doesn't tell you anything. There may be 100 complaints called in, but they may have all been about the same event. Also talk to attorneys to see what the big problems are. Ask the fire department. If a task force is formed, he is willing to help.

D LENA HEYMAN

Ms. Heyman said she is on the LPA and also several traffic committees. One of the problems with truck traffic is that sometimes they park in the middle of the road. We need a code where they can only deliver during certain times of the day. Regarding vagrants, she knows that there are some in Playworks Park. One of the scariest things is that rollerbladers go down the middle of Estero Blvd.

She is also on the Domestic Violence Council, and when she called the sheriff's department, she couldn't get a breakdown of incidents within our town. At last month's meeting, they asked all the cities with police departments to cooperate with the schools. When there is a domestic violence incident and there are children in the home, they should send a report to the school. The sheriff is not willing to do it.

E ANDY PRIEM

Mr. Priem said a growing problem on the south end is that large boat docks are being put in at Bay Beach and Waterside, and there are a lot of cigarette boats with no muffler. Some of those boats are going 40-50 mph in the back bay. It is a noise and safety problem.

Regarding crosswalks, given the distance between crosswalks, you will not find people walking out of their way to use a crosswalk. They want to cross near their condominium. Putting in sidewalks will help because they may be more willing to walk to a crosswalk. Also the lighting at night makes it difficult to see the crosswalks and if someone is standing there waiting to cross. We may need to put more direct light on the crosswalks. Also in season when traffic is at a snail's pace, it is easy to let people cross the road and let cars from side streets in. But when you get to where the congestion lets up, there are no breaks in the traffic and it is very difficult to cross the road and for cars to enter the stream of traffic. There are no signal lights to break the traffic and allow people to enter the flow.

F STEVE MARKUS

Mr. Markus, chief of the fire district, said the main problem with trucks parking in middle lane is in emergencies. He also said the problem with a fireworks ordinance is enforcement. The same with the open container law. He would like to work on getting some lifeguards on the beach on ATVs – they could handle sting rays, EMS, lifesaving, etc. without sending a truck each time up to Times Square where most of the calls are.

They have an ambulance billing service, and if the town would like to give them some information regarding crosswalks or any other issue, they would be glad to put it in their ambulance billing envelopes.

Mrs. Segal-George would like to bring a proposal to the council at their next meeting to hire Ms. Hansen to do the draft element on public safety.

Ms. Hansen said the best enforcement is to get citizen compliance. Tax dollars need to be managed effectively. We should be looking for alternatives to our public safety issues. Education is important.

VI ADJOURNMENT

The meeting was adjourned at 9:35 PM.

Respectfully submitted,

Peggy Salfen
Recording Secretary