

**FORT MYERS BEACH
TOWN COUNCIL MEETING
APRIL 7, 1997**
Nations Bank, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA

I CALL TO ORDER

The meeting was opened on Monday, April 7, 1997, at 3:00 P.M. by Anita T. Cereceda, Mayor. Present at the meeting were: Anita T. Cereceda, Mayor and Council Member; Ted FitzSimons, Vice Mayor and Council Member; Council Members Rusty Isler, Ray Murphy, and Garr Reynolds; Marsha Segal-George, Town Manager; and Attorney Richard Roosa.

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

III INVOCATION

The Council was led in prayer by Pastor Bob Stuckey of First Baptist Church of Ft. Myers Beach.

IV PROCLAMATION ON BEACH ELEMENTARY RECYCLING TEAM

Mayor Cereceda read the proclamation commending the students from Beach Elementary on their recycling efforts. The four children gave a short program on their recycling team.

V PUBLIC COMMENT ON AGENDA ITEMS

A AL VAN HORN

Mr. Van Horn said that at the design workshop, it was the unanimous feeling in his small group that the Town must preserve all the green space they can and provide for recreation. The tennis courts are in constant use and he thinks they should be purchased by the Town so they don't get developed instead.

B BILL DIEHL

Mr. Diehl said they bought on the south end for the convenience of various things including the tennis facility. If they had to travel up to the public courts, of which there are only two, they would be adding to the traffic.

C KAYE DIEHL

Mrs. Diehl is an avid tennis player and has been playing there for years. Even foreign visitors use the facility so it is an asset to the tourist business.

D NICHOLAS GALANTE

Mr. Galante said that Bay Beach Tennis Club is one of the few recreational facilities available in the Town. He asked the Town not to let it go. A park could be put in also.

E ABE LINN

Mr. Linn has been playing tennis here for 16 years. All the other courts are hard painted courts. He would hate to see it lost to development.

F BILL BECK

Mr. Beck invested in the club about 17 years ago. He would like it to stay.

G HOMER ROYER

Mr. Royer has been coming here to play tennis for 15 years and would like the tennis courts to remain.

H TRUDY ROYER

Mrs. Royer asked the Town to save the tennis courts and not build more condos.

I NATALIE LAVIN

Mrs. Lavin has been here 19 years and tennis is a big part of their enjoying the beach. She thanked the Council for considering the proposal.

J MARVIN LAVIN

Mr. Lavin said he would hate to see the courts gone and he will cooperate in any way to help the Town acquire them.

K LOUIS KNIPP

Mr. Knipp said once you give up this facility, you will never get it back. He hopes the Council will look favorably on the proposal because the courts are much needed.

L DORIS STEVENS

Mrs. Stevens asked the Town to keep the courts. Her husband and his friends are much happier when they can play tennis.

M WILMA HOYER

Mrs. Hoyer would like the courts to stay for everyone to enjoy.

N ALBERT STEVENS

Mr. Stevens bought his house here so he could play tennis. There is a big tourist business at the facility too. He hopes the Town or the County can do something to preserve the courts.

O CLARENCE HIRSCH

Mr. Hirsch loves to play tennis and so many people come from all over the world and play tennis here. There is room for a public park too. The more green space the better.

P JACK MARKHAM

Mr. Markham said that there are only two public courts at Bay Oaks, you can hardly get a court, and these courts are easier on the legs. Bay Beach courts are not free and people expect to pay. They are not looking for something for nothing. The courts add a lot to the attractiveness of the island in real estate sales.

Q BILL BUDD

Mr. Budd has been a winter visitor for 15 years. The main reason is so he can play tennis at Bay Beach. He is in his 80's and the courts are easier on his joints.

R JAY BONITZ

Mr. Bonitz represents one of the towing companies that tows on FMB. They have received a lot of negative publicity. He wanted to state that all companies are not heartless. He provides a service for some of the businesses and helps them protect their parking so they can carry on their business. The majority of the cars he tows are not tourists, but are locals. They are not looking to scare tourists away and it is not a scam.

S BRIAN AGID

Mr. Agid said their towing company tries to be as professional as possible, and they want to come to some kind of agreement with the Town.

T DARLENE SIMKINS

Ms. Simkins has a shop on Estero Boulevard and gives the customers an hour or more of free parking then she calls the tow company. There are plenty of warning signs and in addition they tell people verbally that they will be towed if they leave the shopping area. People still park there anyway.

U DEBBIE WILENSKI

Ms. Wilenski owns Caribbean Alley. For the amount of money she pays in rent, she figures she owns the parking lot. They are her spaces and she pays for them. It is the closest one to Times Square. People park in front of her store, look at her sign, and still walk away. She tells people not to park there and they still do. When the lot is full, and there is no one in her shop, she will call the towers. There are no kickbacks. It is her choice whether to tow or not, and no one else's.

V JENNIFER KAESTNER

Ms. Kaestner said she is worried about loitering and cruising on FMB. She is afraid that a towing ordinance is not what the Town should be doing because it is the business of the owners. She does not want to see the parking lots full of people who are walking around and loitering. If they allow free parking, they should be responsible for security and clean-up.

W ROD VAYO

Mr. Vayo was towed a few weeks ago. He and his wife went to dinner and came back to find out that their car was gone. It took them fourteen hours to get their car back. They charged more because it was there so long and they only took cash. He is not trying to force towing companies out of business nor to take rights away from the property owners. But the Town needs to keep them from taking advantage of people.

VI APPROVAL OF MINUTES FROM MARCH 17, 1997 AND MARCH 27, 1997

Motion: Mr. Murphy moved and Mr. Reynolds seconded that both minutes be approved as submitted. The motion passed unanimously.

VII PROCLAMATION ON NATIONAL VOLUNTEER WEEK

Mayor Cereceda read the proclamation expressing appreciation to volunteers who have donated their time to make the community and the nation a more productive place to live. In addition, she read a list of names of persons who have volunteered their services at Town Hall. Barb Coons, executive director of the Volunteer Center, received the proclamation and thanked the Town for participating in National Volunteer Week.

VIII PUBLIC HEARING ON PINK PORPOISE 96-12-018.03Z 01.01

Mr. Roosa reminded the council to disclose any ex parte communications. Mr. Chip Block from Lee County Zoning spoke about the rezoning process. The Pink Porpoise is on Estero Boulevard north of Times Square. Parcel A is on the gulf side has .65 acres, and Parcel B is across Estero and has .26 acres. The LPA recommended approval 9-0 with conditions. He showed a master concept plan. The applicant is proposing no use for Parcel B, but it could be a park, parking, or used by the Town. There would be no residential use. They propose a 24-unit hotel/motel plus a caretaker's apartment on Parcel A. There will be adequate parking. They are requesting four deviations: removal of a requirement for an 8' buffering fence and changing the vegetative buffer to 10.5'; change the size of individual units from a maximum of 550' to a maximum of 730' but keeping the average not to exceed 550'; eliminating the setback requirement that requires an additional .5' for every foot above 35' in height; and allowing the driveway access points as shown on the master plan. The property is Urban Community. Density/Intensity will not be expanded, but instead they are taking the use on two parcels and moving it to one parcel. Any use of Parcel B will have to come back to the Council for approval and the impacts of that use can be considered at that time. It is not intruding commercial use since it is already used that way. The LPA recommended that the building on Parcel B be torn down as soon as the occupational permit is achieved. Mr. Block swore that the foregoing testimony was the truth. Mr. Isler questioned why the two parcels are being considered together and that the density is being increased. He is concerned about the direction of the Town is going, and he does not think it is in the public benefit. Mr. FitzSimons expressed concern about whether putting more units in the V-Zone would impact the Town's participation in NFIP.

Motion: Mr. FitzSimons moved that this case be continued until FEMA ramifications could be investigated. Mr. Reynolds seconded the motion. **Discussion:** Since the Town is in review now, he would like to find out if we are clear of any jeopardy before approval. Mr. Gucciardo explained that the Town won't get final approval until 1998. They look at the community as a whole and the decision is based on cumulative scores. He finds it hard to believe that one particular project would make a difference. Rob Fowler, agent for the property owner, was sworn in. He has worked with FEMA for many years and stated that FEMA will step in at the time the building permit is applied for if there is a problem due to V Zone or height. At that time they must satisfy all regulations or they will not be issued a permit. It is not a zoning question. They will be taking buildings that do not comply with FEMA regulations and replacing them with a building that does conform. He offered for the Council to add a condition that it will not affect the Town's rating. Tim Pugh, engineer for the project, was sworn in. He said that parcel A is in both the A zone and the V zone. Currently two of the existing buildings are in the V zone, the rest are in A zone. He has been told that if any part of the building goes into the V zone it must all be built according to the V zone criteria. 11 of the 25 units would be in the V zone. **Action:** Mr. FitzSimons and Mr. Reynolds voted in favor of the motion. Mr. Murphy, Mr. Isler, and Mayor Cereceda voted against the motion. The motion failed.

Mr. FitzSimons questioned whether the Town should allow consumption on premises so that they could sell alcohol in mini-bars in the room. Mr. Reynolds questioned the buffering requirements. He also questioned Mr. Block about whether he would consider this a benefit to the community. He also questioned the traffic impact. Mr. Block said that the level of traffic would not change with this project because the total number of housing units stays the same. However if Parcel B were developed, it might make a change.

The council took a break at 5:10 PM and reconvened at 5:23 PM.

Mr. Roosa pointed out the differences between the LPA resolution and the draft of the resolution presented to the Council. One difference is that parcel B is not to be transferred to the Town and therefore the Town should not require the owner to demolish the building on private property. Since there is no use being approved for Parcel B, in order for them to use it, they would have to apply to be allowed to develop the land according to the uses set out. Parcel B will become CPD zoning.

Mr. Fowler said that he feels this project will be anchoring the overlay zone even though it is not in that zone. The owner originally asked him how much it would cost to refurbish the existing units up to 50% of their value, which is all that is allowed under FEMA. Instead they decided to try something that would improve the aesthetics of the area. He does not want to promote additional impact on the town and this plan is an effort not to increase density. They want to leave parcel B to the community, without telling the Town that it must be used as a parking lot. It could be town hall, administrative office, a park, etc. It could not be any kind of unit that people would live in because that would increase density. Although they are asking for a variance from the side setback, they will actually be decreasing the nonconformity of the side setbacks on the buildings that are already there. They did not want to build another box on pilings with parking underneath. They took their concepts out of the Times Square Overlay Plan which this Council adopted. He feels it would be a shining example of redevelopment. They would be pioneers and hopefully lead others to do so. The owners have lived here 15 years and their kids have gone to school here. They would live in the owner apartment on the top floor. Parking will be paver blocks like are in the overlay zone and they will use the same street lamps. They will have sidewalks to encourage walking. Mr. Reynolds expressed concern over the increase in density and intensity. Mr. Fowler said that it would not increase intensity or density if you make parcel B a park.

Mr. Larry Yax was sworn in. He stated that he and his wife want to live here and make this their retirement home and business. He said the building would not be economically feasible at 17 units and is probably not feasible at 25 units, but they are willing to put out some extra money because they are going to live there too. They have been in the hotel business for many years and they will run this motel correctly. It will be good for the whole beach. He would be willing to keep parcel B and put it in grass and promise never to ask for a use for it.

Mayor Cereceda opened the public hearing.

A DICK CHRISTLIEB

Mr. Christlieb is president of the time share property next door. He would be delighted to have them next door and it would upgrade the area and the whole island.

B BILL WHITAKER

Mr. Whitaker, owner of Dairy Queen, said that the Council and Town need to think positively. What will really be good for the Town? The property as it exists now is a blighted area and we have the opportunity to make it a first-class, well-run, beautiful project. In addition, we will have a piece of vacant land, some green space. This could jump-start the whole area. This is a positive step in the right direction. He reminded them that the LPA has nine members who also represent the whole island, and they voted unanimously to approve.

C LARRY PIERCE

Mr. Pierce is a full-time resident and is the developer of the new Ostego Bay project. This Council has the opportunity to make a positive impact on the community by approving this project.

D A. J. HOLLMAN

Mr. Hollman owns a property on Lagoon Street. He is nervous what the vacant lot will become. He has a small gulf view now and would like not to lose it. He also questioned where it would end. It may not be bad for the island, but it is not what he moved here for.

E MRS. NICELY

Mrs. Nicely lives next door and has had to live with some terrible behavior there. She is very excited about the project. She would like to see the building torn down on parcel B and used for a park or tennis court.

The public hearing was closed.

Mr. Reynolds wanted to state that they should not be voting on how the building looks. They need to look at how the zoning will change the island. He does not think turning this down would be thinking negatively.

Mr. Isler said that he thought the Yaks could not buy parcel B and use the extra money to decrease the building to 17 units which would lower the number of floors. Mr. Yax said he had to buy both pieces as a package.

Mr. Murphy does not feel this would be an increase in density, and that the improvement in the area is sorely needed. He is impressed that the LPA all agreed to approve. He felt that this is what the Council had in mind when they passed the overlay ordinance.

Mr. FitzSimons asked Mr. Yax and Mr. Fowler if it was possible to build tennis courts on Parcel B and have them be operated by Mr. Yax. There is only room for one court and Mr. Yax said he couldn't commit to that without knowing the cost of the tax consequences or the liability consequences on private land. Mr. FitzSimons would like to see expanded conditions: building removed and use of Parcel B as a park only, zero impact to the Town from FEMA, no consumption on premises, and staff approval of final design. (It was clarified that they could not have a jet ski or other commercial use of the beach.)

Mayor Cereceda said that she agrees with Ted's additional conditions except she doesn't mind the mini-bars. Overall she thinks this would be a positive move for the Town.

Motion: Mayor Cereceda moved and Mr. Murphy seconded that the request be approved with the four additional conditions. **Discussion:** Mr. Roosa said they should not consider the transfer of property in the consideration of zoning because it would be contract zoning and would be void. However the property owner could at a later date deed the property to the Town. Mr. Murphy asked if they could have mini-bars but not allow COP as a use. Mr. Roosa said that they could state COP for mini-service bar in the room only, which would not include any kind of bar, cocktail lounge, or service at the pool, etc. **Amended motion:** Mayor Cereceda modified her motion to allow consumption on premises "in guest room only" and Mr. Murphy agreed to the modification. **Action:** Mr. Isler, no; Mr. FitzSimons, yes; Mr. Reynolds, no; Mr. Murphy, yes; Mayor Cereceda, yes. The motion carried.

IX PRESENTATION ON BAY BEACH TENNIS

Dieter Hoyer is concerned about the possible elimination of the Bay Beach Tennis facility by the developers. He presented a written proposal and passed out photographs to show how pretty the area is. It was built in 1976 and has always been open to the public for a fee. The surface of the court in environmentally friendly because rainwater drains through it. The land is now for sale and 48 condo units could be built on that property. He assumes the price would be \$960,000 based on \$20,000 per unit. The only other tennis courts are at Bay Oaks. In comparison, there are 24 courts on Sanibel. It is a wonderful piece of land worthy of saving for future generations. Picnic tables and boat slips could be added and it could become multi-purpose facility. The pro shop is currently run by the tennis pro, salaried by Bay Beach, who also gives lessons. The Town would get money from tennis and other concessions. There are no memberships, but you can buy a weekly or daily rate or monthly rate. The current rate is \$7 per person per hour. He reminded the Council that there is no public land left on the south end. Mr. Reynolds would rather have the Town Manager try to negotiate with Bay Beach to donate the facility to the Town. He said we don't have any money to buy a property like that.

Motion: Mr. Reynolds moved and Mayor Cereceda seconded that the Town Manager be directed to approach the appropriate parties about negotiating for the Town to receive the property. **Discussion:** Marsha Segal-George asked for clarification on whether the Council intends for the owners to transfer the 48 units to another portion of their development. It was decided that the ideal situation would be for them to donate the facility at no cost and to give up the development rights to the 48 units. She said that she has already had some discussions with the management and she does not believe it will be easily negotiated. **Action:** The motion passed unanimously.

The Council took a break at 8:00 PM and reconvened at 8:10 PM.

X UPDATE ON THE LPA BY DAN HUGHES

Mr. Hughes said that on March 4 the LPA had a presentation by Walter Kulash on traffic calming, who suggested a number of things which will be considered in the comprehensive plan. For instance, traffic may be calmer if you narrow a street instead of widening it and put trees nearer the road instead of back in the right of way. Other possible solutions are to narrow the crosswalk areas, put shelters on sides of streets, add angle parking in retail areas, turn streets into one way streets on side streets, and add roundabouts as an alternative to traffic signals. He does not like the continuous left-hand turn lane. He recommends small parking lots in the retail areas instead of one large lot. On March 11 and 18 they had land use hearings for cases that have already been heard by the council. On March 25 they had a meeting with the San Carlos CRA. Of particular interest was the plan to put a dock at the end of Del Mar.

XI UPDATE ON THE CHARTER REVIEW COMMITTEE

The Charter Review committee has completed their job and will proof-read it tomorrow night. The plan is for the revisions to be given to the Council for comments and questions rather than having a workshop.

XII COUNCIL MEMBERS' ITEMS AND REPORTS

A RUSTY ISLER

Mr. Isler brought a letter from the principal at Beach Elementary and showed pictures regarding the basket ball goals behind the school. He suggested that the assistant town manager approach Bay Oaks to get a quote of commercial grade goals that the town can buy and perhaps have Parks and Rec install. Mr. FitzSimons wanted to make sure that the courts would be accessible to the public and not just used by the school.

B RAY MURPHY

Mr. Murphy had no items to bring before the Council.

C TED FITZSIMONS

Mr. FitzSimons mentioned that there are many citizens at the meeting who are concerned about the back bay and harborage. He felt that it was imperative that the Town come up with a management plan that will include the question of commercial dockage on the Estero Island side.

D GARR REYNOLDS

Mr. Reynolds would like to have the County approve the north end of Bowditch Point to allow people to walk their dogs. It is an area where you cannot get in the water anyway.

He thanked the residents for all their input on Bowditch and he encouraged them to keep up the pressure on the County until it is resolved.

Regarding traffic, he said that they are cruising again on Times Square which is causing traffic problems both going off and coming on the island. He also mentioned the problem of people taking the shortcuts around the traffic on San Carlos Boulevard.

He asked that the Town adopt a plant-a-tree program to beautify the island side streets. He would encourage groups to choose shade trees (from a list of xeriscaping varieties) and buy them through a co-op program. This would be at a minimal cost to the homeowner and no cost to the town.

Motion: Mr. Reynolds moved and Mr. Isler seconded that the Council adopt a "Tree Planting and Beautification Program" and to encourage all homeowners, businesses, land owners, condo owners and all organizations to participate in the planting of at least one tree from a suggested list approved by the State/County Agriculture Agency. **Discussion:** Mr. Isler recommended replanting the island in coconut palms as it used to be. His plan is to negotiate with a nursery on a price including planting. They would come out at once and plant them in the spot where the purchaser wants it. Mayor Cereceda recommended that the Council have a workshop on it or that a committee be organized to make a more formal plan. Mr. FitzSimons recommended concentrating on Estero Boulevard first. It was suggested that we ask Larry Ihnen to put an article in the paper asking for an organization to come forward and help. Mr. Reynolds volunteered to help with the organization. **Action:** Mr. Reynolds, Mr. Isler, and Mr. Murphy voted for the motion. Mr. FitzSimons and Mayor Cereceda were opposed. The motion passed.

E ANITA CERECEDA

Mayor Cereceda expressed concern that the meeting had already lasted over 6 hours. She said it was unfair to the citizens and to the Council. She suggested that perhaps the Council needs to rethink the agenda or add more meetings. Mr. Murphy said that the Council could move more quickly on many of the items. In particular, he said that since they have asked the LPA to hear the land use cases first, then it shouldn't take the Council that long to hear the cases again.

XIII PUBLIC HEARING OF PARKS AND RECREATION ORDINANCE

Mayor Cereceda read the titles and opened the public meeting.

A JACK BRIGHT

Mr. Bright said that it is important to have no dogs on the beach, and Bowditch is certainly not the place. But it is important that dog owners be given an alternative.

The public meeting was closed.

Mr. Roosa clarified that this is the same as the County ordinance. Mr. Isler said this would mean you couldn't have a dog anywhere except in your own yard. Since some of these provisions are a benefit to the Town, Mr. Gucciardo suggested passing the ordinance except deleting section 11 and directing the staff to look into specific laws governing leashes, cleaning up after your animal, etc. Some of these issues may be already covered under the animal control ordinance.

Motion: Mr. FitzSimons moved and Mr. Murphy seconded that the ordinance be adopted except for Section 11. **Action:** Mr. Murphy, yes; Mr. Reynolds, no; Mayor Cereceda, yes; Mr. FitzSimons, yes; Mr. Isler, yes. The motion passed.

XIV FIRST READING OF ORDINANCE AMENDING ORDINANCE 96-23 (BUDGET)

Mayor Cereceda read the titles. The ordinance was set for public hearing on April 21.

XV RESOLUTION SUPPORTING REAUTHORIZATION OF ISTE A

Motion: Mr. FitzSimons moved and Mr. Murphy seconded that the resolution be adopted.

Discussion: Mr. Reynolds said that the MPO did not universally agree that ISTE A should be continued because it has been an unfair program for many of the states including Florida. But some changes have been made to address that. **Action:** The motion passed unanimously.

XVI NEW BUSINESS

A SIDE STREET SPEED LIMITS

John Gucciardo said the street committee has passed on the information that there is some interest in changing the speed limit on some side streets. It may not be as simple as deciding what speed you want the street to be and posting a sign. There has to be a study. Since state law is that if speed is not posted, it is 30 mph, he feels that it is probably an enforcement issue, not a posting issue. At this point we have no enforcement. He asked for direction on whether the Council wished the staff to pursue this issue. Mr. Isler questioned how the speed limit got lowered on Estero because he did not believe there was a study done. He feels that having the speed limit so low that people get impatient and pass and run the danger of hitting pedestrians causes a more dangerous situation than having a reasonable limit. The Council decided not to pursue the issue further.

XVII OLD BUSINESS

A TOWING ORDINANCE

Mayor Cereceda reported that during the month of March there were 121 cars towed by Tropic Towing on FMB, 84 of which were from Helmerich Plaza. She sympathizes with the business people who have problems with people parking and leaving, but that means \$16,335 got towed off this island. In addition, there is the bad press, hardship, hassle, etc. Many businesses have come up with a warning system that tells people that the next time they will be towed. She has approached Mr. Helmerich several times and his only suggestion is that the Town build a parking garage. It has been suggested that the Town should issue permits for towing companies so the Town can revoke them when we get too many complaints. Another suggestion is that towing can only be called by the owner of the property, not the tenant, but that is against state statute. Mr. Isler said signs are misleading because they say \$80, but when

you get over there it costs \$120 or more to get your car back. The Council asked Mr. Roosa what the Town could require of the companies and if the Town can set its own fees so they are not prohibitive. Perhaps the Town should look into franchising or a rotation system. Mr. Isler suggested a bond in case someone is towed unfairly they could have a hearing. Now their only recourse is to take it to county court. Mayor Cereceda suggested putting together a group of business people to come together to see if they can resolve it together first. The Council agreed to try that option.

XVIII TOWN MANAGER'S ITEMS

Marsha Segal-George attended the Harbor Board meeting last week. They have agreed to make us the County's alternate on the board, but we can still attend all meetings.

She also spoke about the San Carlos CRA's plan to build a mooring facility in our territorial waters and a plan to extend dockage on Del Mar. She has talked with DEP and the County and many others. Regarding the dock at Del Mar, in order to extend it, it would have to go through a permitting process and would have to receive a submerged land lease from the state, and the Town would have to be the approving body. She thinks it is clear that the Town will have a say on any dock extension at Del Mar. She has told the County that she does not want any permits taken care of administratively. Regarding the mooring facility to dock 24 shrimp boats, it seems clear that it would be within our territorial waters and the Town would have to sign off on the state land lease. Since the plan is to spend CRA dollars on the mooring facility, she has raised the question of whether that money can be spent outside their territory. The Town had put in a grant for joint planning on Matanzas Harbor but it was turned down. The Town still needs to dialog with San Carlos and try to look at some way to harbormaster the area. If we don't find some way to jointly plan for the future, we will constantly be in a battle with San Carlos.

XIX TOWN ATTORNEY'S ITEMS

Mr. Roosa said he has received a response from the Sheriff's department saying that they want a contract in order to enforce our ordinances.

Regarding a DRA to collect revenue, now that we are a charter county, only the county can create DRA's. We will have to get their permission to do it. But when they became a charter county, the CRA for Estero Island was still in existence, therefore the tax money collected still should be there.

XX PUBLIC COMMENT

A LORETTA PORTER

Ms. Porter owns property at Pearl Street next to Del Mar. They used to swim in the back bay, but can no longer because of the pollution. The proposed dockage of shrimp boats will only add more pollution particularly oil. The other problem is drugs. Where shrimp boats are, there are drugs. If shrimp boats come back, so will the drugs including all the unsafe things that have to do with drugs.

B MIKE SOOKLARIS

Mr. Sooklaris lives on Del Mar and recently heard about the dock purchase by Trico Shrimp. It would be crazy to allow more shrimp boats in the back bay. Pollution is incredible, and drugs too. We must stand up and try to put a stop to it or it will put an end to this as a family island.

C JOE WHITE

Mr. White lives on Peal Street and operates the Island Bay Marina. He has 22 boat slips and it is a residential marina. The property is close to the proposed dock. The diesels put out a lot of pollution and it is not compatible to have shrimp boats on this side of the island. Shrimping is an industry, unlike pleasure boats.

D JACK BRIGHT

Mr. Bright lives on Del Mar. He is concerned, and there are 51 other people here tonight who are very concerned also, about the problem with Trico putting shrimp boats at the end of Del Mar. They say there will be no off-loading and no packing, but what about the future? Having commercial docks on the island will also add traffic to Estero and reduce our quality of life. Tourism is our industry. He also objects to an 800' mooring for 24 boats in the bay. We need to regulate boats moored in the bay because they do not use the pumping facilities on shore. He has also heard there are container ships using the bay. We must put a proactive plan in place and get control now.

E STAN JOHNSON

Mr. Johnson asked the Town to please not allow the back bay to become an industrial park. The Del Mar street dock has been a recreational marina for many years. He lives two houses away and does not need the diesel fumes and particulate matter, which is carcinogenic. Do not allow industrial intrusion in their neighborhood.

F EMMA KOLPECK

Mrs. Kolpeck lives on Mango and one of the nice things is their nice, small beach on the bay. It will be unusable as a beach if shrimp boats are docked there.

G JOHN GEROLA

Mr. Gerola owns a parking lot. He wanted to ask the Council to consider two proposals. First that temporary seasonal parking lots be allowed to operate year round, and second, that they be allowed to use other vacant commercial areas to help take the pressure off of the parking problem. The reason there are problems in Helmerich this year are because Times Square is overwhelmed this year. People are backed up over the bridge. There is no parking available and they see Helmerich first and they are desperate.

H RAY MERTENS

Mr. Mertens lives on the back bay near Del Mar. The language he hears already from the shrimp boats is atrocious and he doesn't need another 24 boats polluting the air and water. He wants to see Ted FitzSimons run again. He proposed selecting a towing company, pay them \$30,000 per year plus \$75 for each car towed (paid by the towed person.) There would be no bonuses.

XXI ADJOURNMENT

Motion: Mr. FitzSimons moved adjournment. The meeting was adjourned at 10:30 PM.

Respectfully submitted,

Peggy Salfen