

**FORT MYERS BEACH
TOWN COUNCIL MEETING
August 11, 1997
Nations Bank, Council Chambers
2523 Estero BOULEVARD
FORT MYERS BEACH, FLORIDA**

I CALL TO ORDER

Mayor Anita T. Cereceda opened the meeting on Monday, August 11, 1997, at 6:30 P.M.
Present at the meeting were: Mayor Cereceda; Council Members Rusty Isler, Ray Murphy, and Garr Reynolds; Town Manager Marsha Segal-George; Deputy Town Manager John Gucciardo; and Attorney Richard Roosa.
Excused from the meeting: Vice-Mayor Ted FitzSimons.

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

III INVOCATION

The Council was led in prayer by the Reverend Ralph Dirksen, Parish Associate, Chapel By the Sea Presbyterian Church.

IV PUBLIC COMMENT ON AGENDA ITEMS

A EDWINA FOSTER

Ms. Foster stated that she lives on Cottage Avenue. She said there does not seem to be enough Sheriff's presence. Her home has been broken into several times. Could we please get more visibility from the Sheriff?

B MARYLU CZULEWICZ

Ms. Czulewicz said her son's car was stolen while he was eating at Matanzas Inn. It was an hour after he reported the theft before the report was called in. While he was talking to the deputy, it came over the radio that his car was in a hit and run accident. She talked with Captain Erne and was told that they can't chase stolen cars. The car was eventually found on MLK and was so damaged that it had to be towed. Police protection is a concern on the island. She has a business on Mango and Estero that has been broken into four times. Each time it has taken a half-hour for deputies to get there. She was told the sheriff's department does not get enough money from the town. She has lived on the beach for 18 years, but if we can't have police protection, she will have to move.

C BOB GAYDOS

Mr. Gaydos said the Town Hall is always very clean except after council meetings when inconsiderate people leave drinks, cups, and handout papers. He thanked the staff for saving \$18,000 on budget preparation and gave them a bag of pretzels to replace the one they used during budget meetings. He stated that his concerns with the budget are an increase of 13% for administrative cost; \$37,000 budgeted for aid to private organizations, cultural events, and special events; and \$30,000 for the Mound house, which we don't even own yet. Regarding Bay Oaks, the town attorney advised not to take over anything we did not want. The county is asking us to pay \$152,000, but will we also get half the taxes and user fees? Next year we will have to pay \$300,000 or more, which is almost 1/3 of our ad valorem tax. Maybe instead we should create little satellite parks around town that would require no car and no trolley to get to.

D GENE FICHTER

Mr. Fichter lives on Palmetto Street. His street floods from Lazy Way to Dakota. Last month bulldozers took trees out of the ditch but now it is full of debris and only about 2" deep. The pipe that was installed is now above the ditch so it does not work. He has paid to have gravel brought in so he can receive mail. The road is mud and no one can sell houses because the road is so bad. Since the Town has funds for streets and sidewalks, he implored the Council to please pave Palmetto Street.

E JENNIFER KAESTNER

Ms. Kaestner spoke in favor of the proposed ordinance on body piercing. She does not want Fort Myers Beach to become a destination for 14-16 year olds to come here to get their body pierced. The decision should be within the family.

F CHARLES IVERY

Mr. Ivery stated that he owns Nemesis Exotic Body Piercing at the Lani Kai. For the last two years he has been conducting his own policing of minors in his shop. Children cannot enter his shop unless they have a parent present. He is all for an age limit that requires parental permission because it will be one more tool he can use to help keep children from being pierced. He will stand by any rules that the Town decides to set. He offered to give the Town any help regarding state legislation that he has researched.

V APPROVAL OF MINUTES FROM JULY 21, 1997

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

VI COUNCIL MEMBERS' ITEMS AND REPORTS

A RUSTY ISLER

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

B RAY MURPHY

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

C GARR REYNOLDS

Mr. Reynolds said he went to the Sanibel Congestion Pricing Committee meeting where they talked about transponders which will allow people to cross bridges without stopping. It will be used for convenience at this point, but later will be used to change pricing during congestion hours. Window stickers will be done away with.

He asked about sidewalks for the south end and was told that Commissioner Albion is trying to expedite the ISTEAM money.

He reported that FDOT and LDOT have decided that they will not add a turn lane at Pine Ridge.

D ANITA CERECEDA

Mayor Cereceda reported on the TDC meeting. She, Mrs. Segal-George and Gary Price made presentations on the issue of representation that was discussed at the joint meeting with Sanibel. The TDC offered a compromise, so their agenda will now allow more input from the cities, and they will consider allowing us to have more input if something affects our particular town. We were asking for a major change and they were leery, but they did allow a small step. 50% of tourist development dollars are collected from Sanibel and Fort Myers Beach, and when you add Captiva, it is about 65%. But most of make-up of the council is representing industry (retail, hotels, etc.)

She asked the Council if they would agree to have a workshop on streetscaping on Estero and the side streets. There was no opposition.

VII PRESENTATION BY LEE COUNTY SOIL AND WATER CONSERVATION DISTRICT

Mark Smith spoke about the mobile irrigation lab program. It is a free public service to educate homes and business on how to save water on irrigation. It has been a successful program and is booked for several months ahead. They had originally proposed asking the Town to contribute to an extension of the program. Currently they are not getting a good response from the other cities so they have decided not to pursue the extra funding this year. But he wanted to convince the Town of the value of the service and that it really prevents water waste. He would like the Council to consider including them in their budget plans for next year.

VIII DISCUSSION ON THE PROPOSED BUDGET

A DISCUSSION ON TRIM NOTICE OPTIONS

Mr. Isler wondered if explaining the change in the ad valorem tax was worth doing a mailing. Perhaps it is more important to explain the big items of the budget instead. Mr. Reynolds said he feels people are intelligent enough to read the bottom line and see that it is not an increase even though it is called that. Mr. Murphy said people are going to see the increase, and this is an effort to try to avoid the public outcry by informing people ahead of time. Mr. Gucciardo said we would need to mail about 10,000

pieces, and that the staff is considering a one-page folded and stamped sheet of paper. That way they can address more issues than just the ad valorem issue. Mrs. Segal-George said last year it went out as a tax increase and the town hall was inundated by phone calls and many people showed up at the hearings asking why their taxes were being increased even though they weren't. The Mayor said that a flyer could be a tremendous service. It could include an explanation of the ballot questions, could give tax information, and could possibly contain a short questionnaire for people to mail back. Many people up north feel that decisions are made while they are not here and this would be a courtesy to them. Mr. Isler said that Sanibel sends out a calendar with events, meetings, and budget. They bulk mail it to all addresses on the island (addressed only to "resident") and it is much cheaper. Mr. Gucciardo said that would not reach people who are out of town now and would not address the time crunch. Mr. Isler said he feels the cost of a mailing is only valid if we concentrate on the whole budget and not just the lighting district. In truth, we raised taxes because we did not lower the millage. Mr. Gucciardo said he envisions getting Larry Ihnen to help set up printing and formatting for between \$100 and \$200, which will save staff time. The entire mailing will cost about \$1000-\$1500 for everything. The Council asked the staff to try to get a mock-up by next Monday's meeting.

**IX FINAL PUBLIC HEARING ON AMENDMENT TO THE LAND DEVELOPMENT CODE
CHAPTER 34-2175 (BUILDING HEIGHTS)**

Mayor Cereceda read the titles and opened the public hearing.

A EDWINA FOSTER

Ms. Foster asked if this ordinance applied to commercial and residential building and was told that it does.

The public hearing was closed. Mr. Reynolds said he was afraid that having no limit on the roof could create attic apartments. Instead of specifying 25' to the top of the wall, he suggested that perhaps it should say 32' or 35' to the top of roof. Marsha Segal-George said the ordinance says "habitable" and if someone puts in a roof apartment they will be doing it illegally. This wording was to encourage pitched roofs rather than flat roofs. Mr. Isler said if people want to make an illegal apartment, they would have to go in after the inspection and rip out the insulation and ductwork and add air conditioning, which is not that easy. Mr. Roosa said that the ordinance is written for people who are applying for permits and doing things legally. You still cannot stop people from doing illegal things. It was clarified that people can still come to the Council and ask for a variance.

Motion: Mr. Isler moved and Mayor Cereceda seconded that the ordinance be adopted. The vote was as follows: Mr. Isler, aye; Mr. Murphy, aye; Mr. Reynolds, aye; Mayor Cereceda, aye. The motion passed unanimously.

**X PUBLIC HEARING ON ORDINANCE ESTABLISHING THE TOWN MARINE
RESOURCES TASK FORCE**

Mayor Cereceda read the titles and opened the public hearing.

A WAYNE TEZAK

Mr. Tezak asked why we don't ask the sheriff's department for enforcement instead. That would save money for the taxpayers.

The public hearing was closed. Mr. Isler said he thinks that enforcement is only one aspect, and that the task force will look at the overview of bay issues. Mr. Reynolds asked if section 4 should also say elected officials of the town, and he also wanted to add that they must reside in the community. In Section 13, it talks about employment of staff, and he asked Mrs. Segal-George if she anticipated needing additional staff. She answered "no." It was clarified that originally this committee was going to be a subcommittee of the LPA but now it will report directly to the council.

Motion: Mr. Murphy moved and Mr. Reynolds seconded that the ordinance be adopted. The vote was as follows: Mr. Isler, aye; Mr. Murphy, aye; Mr. Reynolds, aye; Mayor Cereceda, aye. The motion passed unanimously.

**XI FIRST PUBLIC HEARING ON REFERENDUM LANGUAGE FOR PROPOSED
CHARTER AMENDMENTS**

Mayor Cereceda opened the public hearing.

A EDWINNA FOSTER

Ms. Foster asked for an explanation of #5. Mayor Cereceda explained that currently if the Town wanted to issue revenue bonds, it would have to go to referendum. This amendment would make it possible after two public hearings. Mayor Cereceda clarified that these amendment questions did not come from the council, but from the charter review committee. Mrs. Segal-George explained the difference between revenue bonds and general obligation bonds. General obligation bonds, which pledge future taxes, will always have to go to a vote and this amendment won't change that. Revenue bonds pledge other revenue such as parking fees. Those could be pledged with two public hearings. It would never pledge property taxes without a vote.

B RAY MERTENS

Mr. Mertens asked what the boundaries would be if we go to single member districts. Mayor Cereceda said that now each member serves at-large, and they could all live on the same street. If we change to districts, they would have to live in certain areas. Mr. Roosa said the districts would be divided evenly by registered voters. Mr. Mertens said that would mean three members south of Century 21 and two for the whole rest of the island. Mr. Gucciardo clarified that the charter mandates that this question has to be addressed. Mr. Isler clarified that the Council is only deciding what will go on the ballot, not the final outcome. He thinks it would be terrible to go to districts, and we need to let the people know that this question is mandated, not recommended, and that it should be addressed in the mailout. Mr. Murphy said we need education in the newspapers and the mailouts.

C WAYNE TEZAK

Mr. Tezak asked if we allow revenue bonds, then the city defaulted, wouldn't the taxpayers be responsible anyway? Mr. Roosa said no. The lender has to take the risk.

The public hearing was closed. The second public hearing was set for August 18.

Mr. Reynolds said the way #1 is written, it would pass. We need to reword it to reflect more the possibility of staying at-large. Mayor Cereceda said they need to be careful not to word the question so as to sway the vote, no matter how strongly they feel personally. Mr. Isler said they do have input on whether the questions should appear at all. Question #1 is mandated and he feels that #5 (bonds) is very important because the Charter is very restrictive. This would loosen it some and make it more possible to have a park or sidewalks. He thinks those two should be on the ballot and the rest should go, because this is too many questions for a ballot that is already long. Mayor Cereceda said she hates #3 because it becomes "elect-a-slate." Mr. Reynolds said #3 would allow you to get a candidate elected with only a small percentage of the vote if you had a long slate. #4 is not necessary because the town manager already has a contract. He does not like #5 because he does not think we need to tie up financing. Only three votes of the council could obligate the whole town. He does not like #6 because he thinks there are several organizations in the town who could get 10% of the voters to sign a petition in just a couple of days. If it is important enough, they should have to get 25%. Mayor Cereceda said the council earlier had decided to wait until after the second public hearing to make a decision on what to include, and she suggested they stay with that plan.

XII DRAFT DISCUSSION OF NUISANCE ACCUMULATION ORDINANCE

Mrs. Segal-George said this mostly mirrors the county ordinance. One change is to address lots that have become a jungle. This will allow code enforcement to not only deal with trash, abandoned vehicles, furniture, etc., but also with big bushes, which is not covered in the lot mowing ordinance. Enforcement can be complaint-driven, or the code enforcement officer could cite when he sees a problem. The ordinance was set for first reading on August 18.

XIII DRAFT DISCUSSION OF ORDINANCE REGULATING BODY PIERCING

Mrs. Segal-George said that this ordinance is an attempt to address the concerns of some beach moms. Because we are a beach, we have some services offered that are not typical in a residential area. It is not an attempt to regulate the industry, but to deal with minors. It would require a parent to be with minors and to give written consent. The Florida age of minors is 18. The State regulation that was attached in the packet did not pass. Mr. Isler said it is interesting that piercing an ear is different from the rest of the body. If health is an issue, it should include ears too. A health risk is one thing, and therefore tattooing is regulated. But this practice is not life-threatening and does not cause permanent injury. There are other issues that can kill you and we are not addressing them. We have been calling our town "government lite." Even the state has not been successful in grappling with this issue, so why should our

small town. Is it the mission for the town to have bare bones government? It appears to him that we are drifting into a bigger concept, and he thinks the council needs to decide if that is right.

Mayor Cereceda asked Mr. Ivery if there are parts of body that will not heal without surgery. Mr. Ivory said not if they are pierced properly and are taken care of properly. He recently had a 17-year-old woman with a 20-year-old husband and a child. If the state law had passed, she could not have gotten pierced. He uses a waiver form, but some people lie, but he does his best. He thinks the average age of his customers is 25 to 30. He cannot be sure how other places police themselves, but he would rather lose \$52 for naval piercing and have a good relationship with the parent. Parents go through his shop with a fine tooth comb and ask lots of questions. Mr. Murphy asked how many piercers are on the beach and Mr. Ivery said there are three businesses, but he knows there are others who come in only during high season. His is the only shop that is exclusively for body piercing. Mr. Reynolds said children need parental guidance, and he thinks we should have this ordinance until the state comes through with one. Enforcement might be a problem, but at least this gives guidelines and puts the onus on the business owner to follow it. The ordinance was set for first reading on August 18.

The Council took a break at 8:30 PM and reconvened at 8:44 PM.

XIV DISCUSSION OF METHODOLOGY FOR PUTTING FPL UTILITY TAX DEDICATED TO LAND ACQUISITION TO A VOTE

Mayor Cereceda read a proposed ballot question. Mr. Reynolds said that whatever you call this, it is still a tax. He is for it, but only if the taxpayers get an opportunity to vote on it. Mr. Isler and Mr. Murphy agreed. Mayor Cereceda said she does not think it should be a referendum. Last year it seemed that the council would go for it until the public hearings and there was an outcry against it. Then the same people came to the Council all year long and asked them to buy property, particularly Diamondhead. According to the charter, there is no way to do it. We can't buy beaches, bay property, or parks. There is no pressing need for it, so she thinks the referendum would go down. But the community has already expressed an interest in it, and the council should find a way to enact it without going to referendum. They are elected to make the difficult, big-picture decisions. Mr. Isler said he thinks it has a good chance of passing because people will pay for something they can walk on. Mayor Cereceda agreed that the public should be asked if they want it, but she feels they have already asked the public and heard the answer. Mr. Murphy said it was expressed at the workshops, but he does not think the people at the workshops represent everyone on the beach. Mr. Roosa said this would have to be adopted by ordinance because it came from the Council rather than the charter commission. He was directed to prepare an ordinance. Mr. Roosa reminded the Council that if this goes to referendum and passes, then the money can be used for nothing else. Mr. Isler said this issue should be on the mailout to the public.

XV DRAFT DISCUSSION OF ORDINANCE REGULATING TOWING

Mr. Roosa said he was directed to draft a franchise, but there are problems with creating a franchise, so he created a licensing ordinance. He said if you grant franchises you are giving them property rights. He said there are no towing franchises in the state of Florida. He said this licensing ordinance needs some regulations to go along with it that the towing companies are expected to comply with, such as setting certain hours when they are available for people to pick up their cars, proximity to the town must be convenient, etc. Mr. Isler asked about towing charges, but Mr. Roosa said we cannot set the rates because they are set by the state. Mr. Isler said we are going after the towing companies, but not the people who are calling them. Is there no way to make the business people more responsible? Mr. Roosa said it is private property and they can use their property to their best interest. He thinks the real problem is that we don't have sufficient parking and the issue won't be solved until there are enough places for people to go. Mr. Isler said part of the problem is that it is lucrative and the rates are too high. Mayor Cereceda said as this ordinance is written, it does nothing other than charge the towers a licensing fee. Mr. Reynolds said if the state sets a maximum, can't we set a maximum within the town? Mr. Roosa said a municipality cannot do something if it is preempted by the state. Mrs. Segal-George said a franchise is the only way we could regulate rates, and she suggested treating them like taxis. Mr. Gucciardo said if we create franchises and bid them out, then the town could grant franchises to the people who charge the least. Mr. Reynolds questioned whether we could franchise away the property owner's right to call whomever they want, but Mrs. Segal-George said it works for taxi cabs. Even if you call a taxi, they can't come if they aren't franchised for that area. Mayor Cereceda said it is OK for the property owners to tow to free up the places,

but it is not OK to be punitive. To the business people who want their places freed up, it shouldn't matter to them who they call and how much they charge. Mrs. Segal-George said visitors look to the Town for help and all we can do is apologize. Almost all the complaints are at Helmerich Plaza after all the businesses are closed. They are upset because they can't get their car back because it is after hours. Mayor Cereceda said we could put signs up on the right of way saying the Town cannot protect them if they park in a private place. She has talked with TDC, she has talked with the business owners, and she has helped people pay to get their car back. She feels she has done everything she can, and now she thinks we need to hit the property owner by putting up a sign. That would be like telling people not to shop there. Mr. Murphy said we need to regulate the towing company's behavior. We should tell them they must accept credit cards, etc. Mayor Cereceda said a property owner told her they were towing after hours because cars were being vandalized and beer bottles were strewn about. But that is a security problem and should be addressed by increasing security, not by towing. Mr. Isler suggested that the Town give licenses and require them to report to the Town how many tows, who is calling in the tow, how much money was charged, etc. It wouldn't solve the problem but it would help us get a handle on it. Mr. Roosa suggested perhaps treating the parking spaces as attractive nuisances. If they aren't being used, they must be roped off or somehow kept from attracting people and then towing them. If they don't close their lot, they waive the right to have cars towed. Mr. Murphy said the property manager should be the only one who has the right to call the tow, not each renter. The Council expressed frustration that there must be a solution out there somewhere but we just haven't found it. Mr. Roosa said he would explore a little further into the state law, and Mr. Gucciardo said he would check with other beach cities at the Florida League of Cities convention later this month.

XVI RESOLUTION AMENDING THE LEGAL DESCRIPTION OF TIMES SQUARE

Mr. Roosa said this is the third try to get the legal description correct. This time we had a surveyor do the proper legal description, so it should be correct.

Motion: Mr. Murphy moved and Mr. Isler seconded that the resolution be adopted. The motion passed unanimously.

XVII RESOLUTION DECLARING THE SHERIFF AS HAVING THE FULL POWER AND AUTHORITY OF A POLICE DEPARTMENT OF THE TOWN

It was clarified that the county commission has decided that the Town and the Sheriff can contract with each other without the signature of the commission.

Motion: Mr. Murphy moved and Mr. Reynolds seconded that the resolution be adopted. The motion passed unanimously.

XVIII RESOLUTION ON SUSTAINABLE COMMUNITIES GRANT

Mrs. Segal-George reported that Lynde Listowski has been working on this grant which will begin to look at the feasibility of a hidden bike and walking path. This grant would be for \$50,000 and would require a \$10,000 match. If the grant is awarded, it would come back to the Council to be accepted or rejected before the match was paid. The Chamber has issued a statement of support, and the Kiwanis Club has expressed a willingness to help and to contribute financially to the construction of the project. She said it would not apply to widening or expanding existing sidewalks because it is trying to look at alternatives and to get people off Estero. After the feasibility study is done, they can choose to do all or a portion of the project, which will be a long-term project. Mr. Reynolds expressed dismay that it was brought to other community groups before it was brought to the council. Mrs. Segal-George explained that this grant only came to the staff's attention recently, and the deadline for applying is this Friday.

Motion: Mr. Murphy moved and Mr. Isler seconded that the resolution be approved. The motion passed unanimously.

XIX TOWN MANAGER'S ITEMS AND REPORTS

Mr. Gucciardo talked about the requests for action. Normally a call comes to the staff, and volunteers go out to look at the situation and make a recommendation. But one case was out of the ordinary. The residents on Ohio Street signed a petition and are asking for a reduction of the speed limit on

their street from 30 to 25 mph. He introduced Terry Dillon, the new Assistant Town Manager, and said that when he and Mr. Dillon checked the situation, it appeared that a lot of the problem appeared to be that there is a moped rental shop on the corner. Ohio Street is where the renters go to test them out. He does not believe that reducing the speed limit is the solution, but more or better enforcement. But it is a serious concern and he recommended posting signs that there are children at play and also contacting the sheriff about enforcement.

XX TOWN ATTORNEY'S ITEMS

Mr. Roosa had no items to report to the Council.

XXI PUBLIC COMMENT

A BRIAN AGID

Mr. Agid stated that he does towing on the beach for Red's Express. He expressed concern that the body piercing man got to speak during the discussion, but he didn't, and he felt that he could have answered a lot of the Council's questions. There are basically two towers on the beach and he is one of them. He does the towing at the Beached Whale and there have been no problems. Helmerich is a problem, but he thinks Red's Express will be taking over the towing there soon. He accepts credit cards. In the past he has offered his help and asked the council to be part of the solution. He handles most of the towing here, so they need to discuss the situation with him. Regarding the release of vehicles, he has one hour to get to his lot and release the vehicle after being called. He has to have a sign up, it must be reflective, and it must give the car owner certain information. There has to be a sign at every entranceway to the property. If you choose to ignore that, you deserve to be towed. Mr. Isler asked if he thought \$130 was reasonable. He replied that he is required to be open from 8-6 Monday through Friday. He charges \$85 which is the amount set by Sheriff's Dept. for towers on sheriff's rotation. The other charges are for picking up a car after regular business hours.

B RICK HIDER

Mr. Heider stated that he is a homeowner on Palmetto Street. It is unpaved and has become more and more of a problem since he bought the house. He assumes it is a county road because it has a blue sign. A couple of years ago a contractor moved some cottages onto the road and messed up the drainage. Someone came out and put in a storm drain but it doesn't take any water off and it doesn't do any good. Also a sanitary drain was put in and it sits about 13" higher than the grade of the road, which is a walking and driving hazard. In addition, vegetation has closed in on the side off the road so it is practically a one-way street now. As a taxpayer, he would like to find out what he can do to solve the drainage problem and what can be done to get the road paved.

C BOB GAYDOS

Mr. Gaydos read a poem suggesting a citizen volunteer group to help people deal with Lee County, and also that the Council members take turns writing a weekly column in the newspaper. Mr. Gaydos then continued his earlier concerns about the budget, including proposed expenditures for the Mound House, land acquisition, the LPA, contract secretarial services, committees, and the Mainstreet program.

D EDWINNA FOSTER

Ms. Foster stated she has been coming to the beach for 30 years, and finally bought a house here ten years ago. She is disappointed in the proposed 3% utility tax. She said there should be no more tax, no matter what you do with it. Her taxes have gone from \$2500 to \$5000, which will be about \$500 a month when she retires. In East Hampton where she lives the rest of the year, they have bought up land which removes them from the tax rolls and it ends up costing the taxpayers. We have lost sight of what we wanted to do when we started the town. We wanted less government. She suggested that the Town buy a lot north of Pirate Pete's, turn it into a parking lot and make money off of it, but don't buy land just to preserve it.

E TIM LINSKEY

Mr. Linskey lives on Palmetto Street and just moved here permanently. It is a mess and something needs to be done. No other street on the island is in the shape of Palmetto Street. Once the road is fixed, some beautiful homes could be built there which would put money on the tax rolls.

F SUSAN HIDER

Ms. Hider lives on Palmetto Street. She gave the Council pictures for the record. She said the street is getting worse every year. Fort Myers Beach is an attractive community and environment,

but not their street. You need a dune buggy to go down the street. Several things could be done and she wanted their guidance. She said they may need to bring the streets into the Town jurisdiction. There are blue street signs and the street is on the plats, but even the county can't tell them what needs to be done. Mr. Reynolds' letter said the Town could buy the right of way, deed the right of way, or do nothing. She hopes they do not decide to do nothing.

G CEEL SPUHLER

Ms. Spuhler lives on Estero Boulevard. At the July 21 meeting there was a discussion to protect swimmers from the access of personal watercraft across the beach. At the south end the watercraft are going through the tidal pools at high speed, and she is sure they are not 500 feet from the shore. She suggested that we have signs posted saying launching is prohibited at beach accesses except at designated areas. She suggested increased money for enforcement. She said perhaps we could hire private security patrolmen who would answer directly to the town, and that we provide a phone number where residents can call to report violations. She understands that vehicles are available from the boat vendors. She asked the Council to add money to the budget for these items.

H SHERRIE RADIN

Ms. Radin said that she owns Sea-Land Towing, which Brain Agid runs for her. Her business tries to be accommodating and provide people rides to the tow lot when needed.

I RAY MERTENS

Mr. Mertens said we must be the least educated country in the world. His signs and every one else's signs are clear. Foreigners should follow the rules just like he does when he is in their country. The Town should stop allowing businesses to open up until we have the parking problem under control. We keep letting them open up dollar businesses on dime properties. The idea of having centralized parking and selling slots is fine, but we are doing it backwards. The Oyster Bar just opened with zero parking spots. The new place by the Lani Kai has 12 spaces for 200 seats. It will stop the towing issue if we concentrate on getting the parking done. The Town could have bought La Playa a year ago for cheap, but not now. If a business closes at night and the owner doesn't want people parking there, it is his right. Otherwise, allow him to rent out his lot.

XXII ADJOURNMENT

The meeting was adjourned at 10:20P.M.

Respectfully submitted,

Peggy Salfen
Recording Secretary