

**FORT MYERS BEACH  
TOWN COUNCIL SPECIAL MEETING/WORKSHOP  
NOVEMBER 14, 1996  
Nations Bank, Council Chambers  
2523 Estero Boulevard  
FORT MYERS BEACH, FLORIDA**

**I CALL TO ORDER**

The meeting was opened on Thursday, November 14, 1996, at 6:36 P.M. by Ted FitzSimons, Vice-Mayor.

Present at the meeting were: Ted FitzSimons, Vice Mayor and Council Member; Council Members Rusty Isler, Ray Murphy, and Garr Reynolds; John Gucciardo, Assistant Town Manager; and Attorney Richard Roosa.

Excused from the meeting: Marsha Segal-George, Town Manager and Anita T. Cereceda, Mayor and Council Member.

**II TOUR OF THE FILES**

Vice-Mayor FitzSimons announced that there had been a request from the Council for a tour of the Town filing system. The Council moved to the back storeroom and the back office for an explanation of the files by Mr. Gucciardo and Peggy Salfen. The Council returned to their seats at 7:05 PM. Mr. Isler recommended that the Town purchase more filing cabinets to be placed in the back storeroom to accommodate overcrowding in the back office. Mr. Roosa recommended that a lock be put on the storeroom since that is where original minutes, agendas, Council packets, and tapes are kept.

**III PUBLIC COMMENTS AND INQUIRIES**

There were no public comments.

**IV POLICIES AND PROCEDURES**

Mr. Gucciardo explained that the staff had provided the Council members with an inventory of ongoing projects. He noted that unanticipated and unplanned items are not reflected even though they use a lot of time (phone calls, requests for information, etc.) He stated that the direction from Marsha Segal-George to the staff is that no matter what is on the "to do" list for that day, the first concern is to take care of the residents and their concerns. He asked the Council to look at the list of ongoing projects and give feedback to the staff regarding development of a manual of policies and procedures.

Vice-Mayor FitzSimons shared his experience from being in the Town Hall offices that one of the biggest challenges is instant prioritization, because of phone calls and people walking in. He also observed how much the Council impacts things that the staff is working on at the same time. It is staff's responsibility to keep records and they must be aware and knowledgeable of everything that is going on. He suggested that the Council think of themselves as extensions of the staff.

Mr. Roosa said that as Town Attorney, he is often working on the same issue as Marsha Segal-George. He uses voice mail as a communication link to coordinate efforts. He reminded them that once the Council meeting is adjourned, the Town Manager is the only one with authority. When they are sitting as a Council, Marsha Segal-George works for them. Once the council has disbanded and they are working as individuals, the center of authority shifts to the Town Manager. On a day to day basis, the Town Manager is in charge and must be kept informed. When the Council members are out doing something for the Town, they are extensions of her.

Mr. Gucciardo added that everyone should check their voice mail daily. By hitting the "2" button, you can send a reply immediately. You can also copy a message to someone else, adding your own message. Mr. Isler added that the voice mail system can be programmed to notify you by phone when you receive a voice mail message. Also the group voice mail boxes that are set up are good but he suggested creating another group box for staff only.

Mr. Roosa spoke about government-in-sunshine and cautioned the Council that they cannot have a conversation via voice mail. They cannot voice mail someone about city business and respond to it. He

himself hesitates to deal with the Council directly because he doesn't want to put them in the position of violating the sunshine law by polling the Council. Voice mail should be used for informational purposes only. There is no problem between staff and Council, though, or between staff and attorney.

John Gucciardo requested that if there is something that is going to be part of the Council member's items and agenda, he would like them to let staff know beforehand so they can be prepared for a response.

Mr. Isler mentioned that he feels it is imperative that the Town set down policies and procedures, at least the bare minimum that is needed to keep them out of jail. The two necessary areas are in purchasing procedures and payroll, even if we just document the procedures that are already in place. It is necessary to spell out who authorizes a purchase, when we received goods, and the payment of the goods. In addition, the Town has a contract with Marsha Segal-George that spells out the specifics of her employment, but the staff portion is not documented. She has tried to mirror her contract with the staff, but it is not documented. The policy does not need to be long or detailed, and may even say that a purchase order can be authorized by any member of staff, but at least it would be stated as policy. Mr. Roosa added that the Town Council is responsible for every penny that is spent, and that requires documentation. He feels that the auditors will spell out what is required. Mr. FitzSimons offered to work on these two policies.

Mr. Murphy suggested calling the League of Cities to see if they have a boilerplate policy manual that we could start with and modify to make it our own.

Mr. Gucciardo explained the relationship between the County and the Town. (For instance, if someone needs a permit or license, they still call the county who issues them in behalf of the Town, for code enforcement they can still call the County directly, animal control they still call the Humane Society, they can call the sheriff directly, etc.) Because the Town is new, people are unsure of what the Town can do for them, so they call here and the staff has to direct many calls.

Mr. Gucciardo explained about the volunteer skill pool that the town is working on.

Mr. Reynolds asked the Council's opinion on whether Council members have the right to say anything they want without being interrupted. Mr. FitzSimons stated that the Town basically follows Robert's Rules of Order. Mr. Roosa said that only one person can speak at a time and the only way to interrupt someone is through the chair, asking for a point of order. In addition, the majority has to rule, even though one member may feel very strongly about an issue. Mr. Reynolds asked that the Council be sensitive and respectful of each other.

Mr. Gucciardo requested that if there is anything on the list that the Council wants an update on, please contact the staff.

## **V PUBLIC COMMENT AND INQUIRY**

### **A ANDY PRIEM**

Mr. Priem spoke about the use of voice mail. When the agenda is ready, Peggy could notify the Council via voice mail that the agenda is ready. He suggested that those who are comfortable with voice mail should help those who aren't, to set up the telephone notification process.

He also spoke about the rules of order. If the chairperson is out of order, another member of the Council should step in with a reminder. The mayor is trying to be chair and also a member of the Council and sometimes that is a difficult job.

When the meeting is over, the individual members of the Council no longer wear the hat of Town Council. Afterwards, they have three hats, Council member, worker for the Town administrator, and citizen. The Council members must learn which hat is appropriate at which time.

Every time there is a new Council, you have to relearn. It is useful and helpful to write down procedures as you go along, so that the book does not have to be rewritten each year.

In respect to volunteers, if there are too many volunteers and they have to all be directed by staff, it is too burdensome. Perhaps the Town should publish a one or two page sheet that could be sent to every citizen which will tell them where to call for help with certain common situations. That would save a lot of staff and volunteer time from answering the same questions so often. A volunteer could write the brochure perhaps. He also thinks volunteers could help with a policy and procedure manual.

He agreed that the town needs good internal controls on their finances and they should be done right away.

## **VI ADJOURNMENT**

The meeting was adjourned at 9:00 PM.

Respectfully submitted,

Peggy Salfen  
Recording Secretary