

**FORT MYERS BEACH
TOWN COUNCIL MEETING
March 7, 2005
Town Hall-Council Chambers
2523 Estero Blvd.
FORT MYERS BEACH, FLORIDA 33931**

- I. CALL TO ORDER:** The regular meeting of the Fort Myers Beach Town Council was called to order on Monday, March 7, 2005 at 6:30 p.m. by Mayor Bill Thomas.

Members present at the meeting: Mayor Bill Thomas, Vice Mayor Garr Reynolds, Councilman Don Massucco, Councilman Howard Rynearson, Councilman Bill Van Duzer.

Excused absence from the meeting: None

Staff present at the meeting: Town Manager Marsha Segal George, Town Manager John Gucciardo, Town Attorney Richard Roosa, Rachel Lambert, Administrative Services Director.

- I. PLEDGE OF ALLEGIANCE:** All those present assembled and recited the Pledge of Allegiance.
- II. INVOCATION-** Sheila Morales, Chapel by the Sea
- IV. REORGANIZATION OF MAYOR AND VICE MAYOR**
Motion made by Councilman Rynearson to keep Mayor Thomas in his position for another term seconded by Mayor Thomas.

Discussion: Vice Mayor Reynolds read a statement expressing his opinion that an election should have been held in March. However, he suggested that the Town Manager and Town Attorney used delaying tactics in setting an election date. The only reason that Ordinance 05-04 was passed was in order for the councilmen to extend their terms to legitimize the re-organization. He encouraged those watching to take a more active role in their government. He suggested that this misuse of power should be investigated. Vice Mayor expressed that he was proud to have served as Vice Mayor and suggested that Mayor Thomas should step down and permit him to serve as chairman of this Council which would allow the Council to appoint a new Vice Mayor.

Vote: Failed 3-2

Councilman Massucco nominated Bill Van Duzer for Mayor. Councilman Van Duzer moved to close the nomination. Vote to close the nominations: 3yes -2no

Vote on the nomination: Passed 3-2

Motion by Mayor Thomas to retain Garr Reynolds as Vice Mayor.

Motion failed 3-2

Councilman Van Duzer nominated Councilman Massucco as Vice Mayor.

Discussion: Councilman Reynolds expressed his disappointed at not being retained as Vice Mayor.

Mayor Thomas supported Councilman Reynolds since he has served two terms and thought he would bring a balance. He pointed out that Councilman Massucco has served less than a year and has been away for some time and is the least qualified to serve as Vice Mayor.

Councilman Van Duzer explained that though he has not always agreed with Mr. Massucco, he has been the least controversial and would also bring a balance to the community and to the Council.

Councilman Massucco explained that he has watched these meetings deteriorate and that there must be a complete change. He said that they could work together but there must be a complete change. That was the reason for his action tonight.

Mayor Thomas further expressed that this nomination was not representative of both sides and would not unite the Council.

Councilman Reynolds complimented the Mayor on his observation.

Vote to close the nominations: Passed 5-0

Vote on Councilman Massucco as Vice Mayor : 2 yes 3 no Motion failed

Councilman Van Duzer nominated Councilman Rynearson for Vice Mayor

Motion to close the nomination: Passed 5-0

Vote on Councilman Rynearson as Vice Mayor: 2 yes 3 no Motion failed

Councilman Massucco nominated Councilman Reynolds for Vice Mayor

Vote to close the nominations: Passed 5-0

Vote on Vice Mayor Reynolds for Vice Mayor: 2 yes 3 no Motion failed

Councilman Van Duzer nominated Mayor Thomas for Vice Mayor

Vote to close the nominations: 5-0

Vote on Mayor Thomas for Vice Mayor: 2 yes 3 no Motion failed

Councilman Van Duzer nominated Councilman Massucco for Vice Mayor

Vote to close the nominations: 5-0

Vote on Councilman Massucco as Vice Mayor: 2 yes 3 no Motion failed

Councilman Van Duzer nominated Councilman Rynearson for Vice Mayor

Comment was made by Councilman Van Duzer that he had nominated Councilman Massucco previously because he believed that it would represent both side of the table. He also made it clear that he had no previous conversation with Mr. Massucco regarding this nomination.

Comment was also made by Councilman Massucco that he had no previous conversation with Councilman Van Duzer, but that he thought Mr. Van Duzer would bring this council and town together.

Mayor Thomas also commented on the previous statements and asked the Council to chose on the basis of qualifications.

Vote on Councilman Rynearson as Vice Mayor: 2 yes 3 no Motion failed

Councilman Massucco nominated Vice Mayor Reynolds as Vice Mayor.

Vote to close the nominations: 5-0

Vote on Vice Mayor Reynolds as Vice Mayor: 2 yes 3 no Motion failed

Mayor Thomas nominated Councilman Rynearson as Vice Mayor

Vote to close the nominations: 5-0

Discussion: Councilman Reynolds thanked Councilman Massucco for nominating and that he was surprised that Mayor Thomas changed his vote. Mayor Thomas stated that he nominated Councilman Rynearson and that he would make an excellent vice mayor.

Vote on Councilman Rynearson as Vice Mayor: 3 yes 2 no Motion passed.

- V. **GUEST SPEAKER-** Rachel Lambert, Administrative Services Director, introduced Sheila Morales, Parish Nurse from Chapel by the Sea. Ms. Morales explained the many services provided to the homeless by Chapel by the Sea. She stressed the need of a homeless shelter in southern Fort Myers. Capt. Matt Powell from the Sheriff's department was also present and expressed some of the difficulties encountered with the homeless. It was agreed that Chapel by the Sea and the Sheriff's department will continue their positive working relationship and possibly increase the Sheriff's department role in monitoring those availing themselves of the services provided by the Chapel by the Sea.

VI. **PUBLIC COMMENT**

Jerry Sawyer of 111 Anchorage St. prefaced his comments by stating that his comments were based primarily on a professional basis. He offered his support to Vice Mayor Reynolds and offered his thanks for his efforts on the Council. He expressed his concern over the overtime and bonus awarded to the Town Manager. He implied that she was responsible for imposing tolls, causing the

illegal extension of terms, the continued opposition to elections, and now Bill VanDuzer sitting as Mayor and Howard Rynearson as Vice Mayor. He continued to call for her dismissal and attributed all of the above to her doing. He suggested that the Town should pay her severance.

Eddie Foster of 2440 Cottage expressed her concern of the presence of the homeless and pointed out how their presence has affected her personally.

VII. CONSENT AGENDA

A. Approval of Minutes of February 7, 2005

B. Appointment of Rachel Lambert to the Homeless Coalition

Motion to approve the consent agenda by Councilman Rynearson and seconded by Councilman Massucco.

Vote: Motion passed unanimously

VIII. ADMINISTRATIVE AGENDA

A. Introduction of Ordinance -05-06 –Authorized Bid Opening

Public Hearing is set for March 21, 2005 at 6:30 pm.

B. Express Lane on Matanzas Bridge

Town Manager Segal George informed the Council that the engineering costs and the obtaining the permits amounts to \$35,000. Lee County has agreed to assume half the cost.

Motion made by Councilman Rynearson for the Town to assume half the cost and it was seconded by Councilman Massucco.

DISCUSSION: Councilman Reynolds expressed concern of mounting costs of this project. He hopes to see results from this project. Town Manager assured him that he should see this lane within the next two weeks.

Vote: Motion passed unanimously.

C. Memo regarding a grant application

Deputy Manager John Gucciardo requested authorization to submit a grant for a Pre-Disaster Mitigation Program run by FEMA and the State. The Town through this program is trying to convince the funding source that connecting water lines to Bonita Springs waterlines can be helpful in disaster recovery.

Motion made by Councilman Rynearson to authorize John to sign the grant, seconded by Councilman Massucco.

DISCUSSION: Councilman Reynolds questioned as to why John had to sign it. John explained that the grant was an electronic version and that time was of the essence since he needed to respond the next day. Councilman Reynolds asked if he could have a copy and that the idea was a great idea.

Vote: Motion passed unanimously

IX. COUNCIL MEMBER ITEMS AND REPORTS

Councilman Thomas congratulated both the new mayor and vice mayor.

Councilman Reynolds suggested that a small contribution of maybe \$500 toward the purchase of the Babcock Ranch.

Councilman Massucco offered his congratulations to the mayor and vice mayor. He asked if anyone has been in contact with the Little Leaguer who was killed in the car accident. Deputy Manager Gucciardo said that the Town has been in contact with the family, but no details were available at this time.

Vice Mayor Rynearson offered his congratulations to the new mayor.

Mayor Van Duzer said that he had several things he would like to address. He pointed out that he has looked closely at our policy and procedures. He stressed that no personal attacks will be tolerated. After a proper motion it will be limited to agenda items, without criticism of other council members. He also mentioned that there will be a blood drive on Wednesday, March 9th at Bay Oaks. Relay for Life was a tremendous success. He further explained that for years he felt that the role of mayor should be rotated on an annual basis. He thanked everyone who supported him in electing him to this position.

X. TOWN MANAGER'S ITEMS

Deputy Manager reminded the Council of the St. Patrick's Day Parade. Councilman Reynolds asked how the Town was involved in sponsoring this Parade. John responded that it involves the insurance coverage only.

XI. TOWN ATTORNEY'S ITEMS (none)

XII. PUBLIC COMMENT

Brian Benton commented on the trolley lane. He said that he works with civil engineers and was surprised, at first, by the cost. However, after consideration he noted that it was not far off since it also includes permitting which is very expensive in Lee County. He expressed a concern about how well it will work.

He asked if it will cost the Town another \$70,000 to put it back to its original state after the experiment.

Motion to adjourn made by Councilman Massucco and seconded by Vice Mayor Rynearson.

Adjourned at 8:40 PM.

Respectfully submitted by

Rachel Lambert, Interim Transcriber