MINUTES

FORT MYERS BEACH TOWN COUNCIL
TOWN HALL – COUNCIL CHAMBERS
2523 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931

WORKSESSION

February 7, 2011
2:00 P.M.

I. CALL TO ORDER

Mayor Kiker called the meeting to order at 2:05 p.m. Present with Mayor Kiker, Vice Mayor Raymond, Council members List, Mandel and Babcock along with Town Manager Stewart, Town Clerk Michelle Mayher and Contracts Manager Peter Boers.

II. PLEDGE OF ALLEGIANCE

All present participated in the Pledge of Allegiance.

III. RFP PROPOSALS: FORMAT AND SCHEDULE

Town Manager Stewart advised Council this was a reply to Council's request of the type of contracts and proposals that were issued by the town. Town Manager Stewart requested Council to provide their opinions on the length of time for a contract suggesting no longer than 3 to 5 years before the contract be reviewed not necessarily that it go out for bid once again.

Peter Boers, Contracts Manager for the town addressed Council indicating his duties were to not only assist the clerk but to monitor contracts and RFP's for solicitation. Peter stated that public purchasing was unique due to the restrictions as opposed to the private sector, requiring an even playing field.

Discussion ensued regarding setting up a system to alert staff that a contract was coming up for review possibly 3 months ahead of time or even 6 months if it were a more complex contract, allowing staff and Council time to review their options. The SAC, Selections Advisory Committee was then discussed

with Town Manager Stewart who responded that the SAC model was established by ordinance.

Councilmember Mandel asked Mr. Stewart if the continuing contracts provided on the distributed list was what he wanted Council to provide policy for, with Mr. Stewart stating they would like Council to provide a time frame for when they would like any contract to be reviewed before going out on the street again. Again Town Manager Stewart suggested no more than 3 to 5 years.

Councilmember Babcock questioned a termination clause. Town Manager Stewart stated that there was the need for some contracts to request a performance bond.

There was a consensus from Council to set 3 to 5 years for review of contracts.

IV. MANDATORY RECYLCING FOR BUSINESSES

Town Manager Stewart stated information was provided to Council of other municipalities, showing their practices, along with a listing of pros and cons provided by Community Development Director Walter Fluegel.

Public Works Director, Cathie Lewis joined the meeting. Ms. Lewis indicated there should be a representative from Veolia as well as the county coming to join to the meeting but was afraid they were stopped in traffic.

Council decided to move forward to the next topic to allow time for the noted representatives to arrive.

V. JOINT BOCC DEBRIEF

Town Manager Stewart indicated Council was provided with copies of the Lee County minutes of the joint meeting with the BOCC.

Councilmember List stated after reviewing the County's minutes that she did not remember advising that she had implemented an email suggestion box. Mayor Kiker indicated there was an email address called ideas@FMB.gov noting the minutes should be changed to reflect that.

Mayor Kiker then asked about Commissioner Judah's comment on vandalism at the Seafarer's site. Mr. Stewart did say he had been advised that there had been reports of A/C units being stolen, along with attempts at removing wiring and that the sheriff's office was working to keep the vagrants from camping out at the location.

Councilmember Mandel asked what the next step should be since there was not much of an indication after reading the minutes from the County what should happen next.

Town Manager Stewart noted as an example that pertaining to Estero Boulevard the county had agreed it was an appropriate time to work on a reassessment on the boulevard. Councilmember Mandel questioned the transition of properties. Mr. Stewart stated they agreed in principal to work on the item and would work together with the town in reviewing the possibility.

Vice Mayor Raymond voiced his frustration with the method the county was using in regards to the direct trolley lane to the beach. Mayor Kiker suggested to Mr. Stewart a letter to the county reiterating the town's requests associated with the trolley lane.

Councilmember Babcock suggested they reform a traffic committee that reports to the town or become a member of a traffic committee that already exists that would report to the town. Councilmember Babcock questioned the type of study done pertaining to the trolley only lane. Discussion again turned back to a traffic committee and whether the town should become a part of the chamber's committee or develop a new one, since there were issues specific to the island.

John Albion, Fort Myers Beach Chamber joined the meeting.

Mayor Kiker advised Mr. Albion of the Council's conversation regarding the direct trolley lane and the fact that the town was not invited to the latest meeting regarding same. Mr. Albion reviewed his knowledge of the subject and how quickly the issue had been addressed and the time lines to make the trial run happen, indicating it had been done on the fly.

Due to the frustration level of the Vice Mayor, Mayor Kiker suggested a freeze in any meetings regarding the direct trolley lane topic until information could be gathered to know what exactly was happening. Mayor Kiker asked for Town Manager Stewart to visit the county to find out what was happening regarding the issue, so the town could stop responding to fractional information.

Mr. Albion indicated that his traffic committee would not have moved forward with any meeting unless the other municipalities were present.

Recess: 3:15 PM Reconvene: at 3:25 PM

Councilmember Mandel wanted to state on the record that there had been a rumor at his condo that since all recycling materials went into a single container that they were no longer actually being recycled. Councilmember Mandel wanted to make a public statement that recycling was indeed occurring.

Meeting returned to the topic of mandatory recycling.

Larry Winberg, Veolia Environmental Services joined the meeting and

provided Council a review of his company's background. Ron Clayton also from Veolia Environmental Services addressed Council providing background of his expertise.

Mr. Winberg provided information to Council regarding the present contract and adjoining municipalities' decisions on mandatory recycling. Issues on container placement in the Times Square area and beach front businesses were noted, along with the fact that either a 96 gallon tote or front end loader containers were supplied; pricing was more economical as it was a $1.50 per cubic yard for recyclables and 3 to 4 times that for garbage, for multi-family it was already a part of their bill as it was for single family units.

The issue of mandatory recycling for the Times Square area was then discussed as trash for those businesses was picked up by town maintenance and hauled to Oak Street where Veolia picked it up. Councilmember List questioned the cost to the town for those services and the additional cost if recycling was required. Town Manager Stewart indicated that staff was already looking into the fees placed on the Times Square businesses and whether the fee of service to ratio was in line and what changes might be coming before Council for consideration.

In answer to a question from Councilmember Mandel regarding the number of bars and or restaurants that were not recycling, Mr. Weinberg replied that other than Times Square he did not know of any other bar or restaurant that was not recycling.

Councilmember Mandel addressed the legalities of contracting with a single service as well as the noise issues from early morning pickups.

There was a consensus to place the item of commercial mandatory recycling on the next agenda.

Mayor Kiker asked Ms. Lewis about mandatory recycling at the beach accesses. Ms. Lewis stated there was a pilot program at 3 beach accesses happening at present.

Agenda Management was discussed.

Councilmember Mandel brought up the previous issue from the town attorney to disband the water utility. Town Manager Stewart indicated the matter dealt with two separate things; (1) did the town want to consider doing away with the Public Works Services separate corporation and have it operate as a part of the town as an Enterprise Fund which Mr. Stewart highly recommended, and (2) how to handle storm water.

Mr. Stewart stated that once the town was through the bond validation staff and the town attorney could move forward to disband the Public Works Services Corporation.

Mr. Stewart addressed storm water, and stated an enterprise fund based upon assessment would be appropriate, and asked when Council wanted to start working on it. It was decided that Mr. Stewart would bring the matter up to the town attorney to make some initial decisions bringing it back to Council at a later date.

Councilmember Mandel asked to either move or cancel the July 5th meeting. It was decided to cancel the July 5th meeting.

Council then began categorizing items on agenda management.

There was a consensus to cancel the meetings before the election March 8th.

VI. ADJOURNMENT

Meeting Adjourned at 4:35 p.m.

Adopted 3/21/11 With/Without changes. Motion by List / Mandel

Vote: 5-0

Michelle D. Mayher, Town Clerk

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