



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

MINUTES

MANAGEMENT & PLANNING WORK SESSION

Monday, August 15, 2011

I. CALL TO ORDER

Mayor Kiker called to order the August 15, 2011 Meeting of the Town Council at 9:00 a.m. Present along with Mayor Kiker: Vice Mayor Raymond, Council Members Kosinski, List and Mandel; Town Manager Stewart, and Town Clerk Mayher.

II. PLEDGE OF ALLEGIANCE

III. QUARTERLY REPORTS

A. Bay Oaks Recreational Campus

Deputy Public Works Director Scott Baker gave a presentation on the Public Works Operations Report for the second and third quarters of FY2011. Highlights included but were not limited to the increase in membership for Bay Oaks, youth programs, summer camp, athletic programs, and facility rentals.

Discussion ensued concerning the rental fee rates at the Mound House, Bay Oaks and other facilities; and Council requested a breakdown of program costs inclusive of personnel cost, electricity, and other related expenses.

Mr. Baker continued his presentation with information on marketing of the Bay Oaks campus, public works maintenance at the pool, donations, utilities maintenance, and memberships and membership rates.

Discussion was held regarding memberships and membership rates; the idea of automatic membership for property owners and Council requested by a 4-1 consensus to request staff to research the feasibility of this concept and inform Council of their findings. Council also requested the Town Manager to have staff investigate if there was a better method of issuing the permits to get back on the island which was

held annually in person by the residents, and to see if this could be done in conjunction with issuing automatic memberships.

Discussion was held concerning the marketing, resident use, senior programs, use by third-party program vendors, and operating expenses of Bay Oaks; and the Mayor considered a visioning workshop for Bay Oaks; and Council Member List discussed ways of outreaching to the Bay Oaks seniors to determine their programming preferences.

Discussion was held regarding the Library; and the Mayor noted when he and the Town Manager attempted to make contact with Library representatives it was made clear that no one person would speak to them, it would have to be done at a meeting with the entire Library Board.

Discussion continued concerning the programming at Bay Oaks when operated by the County versus the Town.

Town Manager reviewed the list of informational items the Council had requested during the Work Session thus far:

- Evaluate the concept of 'all taxpayers are all members' (issues include how to treat residents who are renters and not taxpayers/property owners)
- Analyze Island Pass Program
- Analyze implementation of treating all taxpayers as members in conjunction with the Island Pass Program with respect to issuing passes and membership at the annual event
- Marketing ideas/strategy for the pool (best kept secret)
- Work to formulate a specific Vision for Bay Oaks (BORCAP assignment)
- Coordinating with the Library regarding their facility and programs so they do not conflict with the Town's work

Mayor Kiker requested an update on the idea of a pavilion for Bay Oaks.

Town Manager Stewart explained how staff analyzed the site, that there were some initial concerns with the original location considered, and how staff was exploring further a better place within the Bay Oaks site.

Mayor Kiker requested staff include in their report on the pavilion any hurdles are (i.e. permitting) for the pavilion.

Discussion was held regarding the potential areas on the Bay Oaks site for a pavilion.

Mr. Baker continued the Public Works Operations Report discussing water leaks and the aging infrastructure (i.e. the one in front of the theater), sinkholes from the old storm system, flooding issues rectified, asbestos sampling, and chlorine levels in the water tank.

Discussion was held concerning the storm drains and the stormwater system.

Recess at 10:10 a.m. – Reconvened at 10:25 a.m.

B. Cultural Resources

Cultural Resources Director Schober presented information to Council on the facility operation from the second and third quarters of FY2011 for review which included a sample video. She reviewed her report memo dated August 6, 2011 which included information on programs, revenues, customer survey results, and work by CELCAB on fees which had been previously requested by Council. She discussed data on information by month for off-site and on-site visitation by the Mound House staff, and the positive economic impact of volunteerism. She addressed customer survey results versus staff expectations.

Town Manager Stewart discussed the customer survey format, how it would be incorporated into the other departments, how it would be utilized on-line and in conjunction with the visioning process.

Discussion was held regarding kayak tours at the Mound House site; which classes were suitable for which Town facility; the Mound House grants and kayak tours; off-site presentations, rates and discretionary fees; consideration to include a refundable damage fee in the rental rules; rental rates at Town facilities (i.e. Newton Park and the Mound House) and Council requested an analysis of the rental fee structure as it pertained to things such as amenities (i.e. kitchen) and the use according to size and space at each facility.

IV. LIEN REDUCTION PROCESS AND AMNESTY PROGRAM

Town Manager Stewart started the discussion on the Lien Reduction Process and Lien Amnesty Program and briefly reviewed alternatives from various communities for Council's consideration. He recommended a program that would establish as much as possible what the Council wanted to accomplish and that it should not be vague or open.

Discussion ensued regarding the agenda item's exhibits of code enforcement amnesty programs and lien reduction programs from other Florida communities; and Council indicated a preference for the exhibits from the City of Sanford.

Mayor Kiker suggested this issue be presented in a Consent Agenda format.

Town Manager Stewart mentioned that an applicant could appear before Council and request it to be withdrawn from the Consent Agenda. He pointed out that the Town was now having Code Enforcement hearings on a regular basis. He discussed and recommended to Council an amnesty program.

Discussion ensued concerning the process for code enforcement liens, an amnesty program option, and the lien reduction process.

Mayor Kiker expressed his desire to discuss his concerns regarding unattended properties that were not being maintained and the length of time it took to mow the site. He questioned who was responsible for

the sites along North Estero Boulevard and the beach access; and asked if the Town had notified the adjacent property owners that they were responsible. He discussed his concerns regarding the code enforcement process for obtaining compliance by property owners for overgrown grass.

Discussion was held regarding property ownership versus renters and the responsibility of each as it pertained to code enforcement compliance for private property and Town property (i.e. right-of-way); and the lien process.

Town Manager Stewart suggested gathering input from the Town Attorney's Office to include the restrictions in place and other avenues of approach when it comes to properties not in compliance with Town ordinances for overgrown grass and vegetation. He stated he would present Council's questions to the Town Attorneys and then present their findings to Council.

Mayor Kiker pointed out that he had a 5-year old copy of the LDC and he discussed his concerns regarding an updated version.

Town Clerk Mayher reported that years ago when the Town made the decision to codify all the ordinances, the Town Attorney and the Community Development Director decided not to include the land development codes. She stated that since the codification, the Town had adopted other ordinances that impact the land development code; and those updates were not made on the digital version of the land development codes. She explained how she was informed the paper books were up-to-date through 2009 and Community Development manually updated the books. Presently, the Town did not have an editable version because sections were written in different formats.

Town Manager Stewart recommended the best way to handle the matter was to have the land development codes codified through Municode as with the other ordinances.

Discussion continued regarding codification of the land development codes.

Discussion was held concerning term limits and referendums; and the selection of a Mayor by the constituency.

V. ADJOURNMENT

Meeting adjourned 11:35 AM

Adopted 9-26-11 With/Without changes. Motion by List/Manuel

Vote: 5-0


Michelle D. Mayher, Town Clerk

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