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

MINUTES

WORK SESSION

Monday, December 5, 2011

I. CALL TO ORDER

Mayor Kiker called to order the December 5, 2011 Meeting of the Town Council at 2:02 p.m. Present along with Mayor Kiker: Vice Mayor Raymond, Council Members Kosinski, List, and Mandel; Also Present: Town Manager Stewart, Town Attorney Miller, Community Development Director Fluegel, and Town Clerk Mayher

II. PLEDGE OF ALLEGIANCE

III. 11-09, ORDINANCE AMENDING LDC - SIGNS

Town Manager Stewart noted the significance of the sign ordinance and briefly described staff's intention for the proposed amendments.

Community Development Director Fluegel reviewed how staff began to work on the implementation of the new sign code after it was adopted on April 18, 2011. He reported that during the course of working with the business owners and sign contractors staff noted that there were things that were carried over from the prior code version into the new one; and he described how staff attempted to address these situations (i.e. monument signs). He reviewed the identified discrepancies in the code prior to the April 18, 2011 ordinance that was not addressed in the "Constitutional Revisions" of the April 18, 2011 Sign Ordinance as follows:

1. The sign code historically, did not limit the number of monument signs allowed per property or frontage,
2. The definition for roof signs needed to be clarified,
3. The requirement for sign copy changes was vague,
4. The definition for sign height needed to be clarified,
5. The requirement for sign permit decals had never been historically enforced and needed to be eliminated,

6. The method of calculating sign area for wall signs needed to be revised back to the prior method,
7. Provisions for off-site directional signage for churches and like uses, needed to be clarified,
8. The definition for "multiple-occupancy" needed to be restored to the prior version and clarified, and
9. The definition of monument sign needed to be clarified to more accurately reflect historic implementation for the sign ordinance.

He reported that the Local Planning Agency (LPA) at their November meeting approved the ordinance with the following conditions and commented on each:

1. Change the right-of-way setback changed to zero foot for monument signs. He noted a problem may occur when there was a sidewalk immediately adjacent to the right-of-way line.
2. Leave in the monument definition of wider than it is high. He noted concerns discussed at the LPA meeting the sign dimension and multiple occupancy monument signs; and he stated that the monument signage would be 32 square feet per property, per right-of-way frontage.
3. Include an "administrative variance process" discretion up to 10% with findings of hardship to meet code. He stated staff agreed with this recommendation; and discussed the LPA's recommendation to include a variance request for parking into the "administrative variance process" as it related to signage.
4. Directional sign limitation of four square feet; and he stated staff agreed.
5. Review the number of public signs in the right-of-way to determine need and/or conflict. He explained there were some public signs (i.e. County, Town) that could create a conflict and staff could look into this matter on an on-going basis.

Town Attorney Miller noted that in the last ordinance it stated only a "sign contractor" could obtain a permit, so it was replaced with "general contractor".

Discussion ensued regarding monument signage, wall signs, projecting signs, window signs.

Mayor Kiker asked if all the recommendations by the LPA at their November meeting were incorporated into the proposed ordinance.

Town Attorney Miller stated not yet.

Community Development Director Fluegel explained they had wanted to bring these items before Council today during the Work Session so they might get their input on the LPA recommendations.

Discussion ensued regarding Council reviewing the LPA recommendations prior to the Work Session.

Mayor Kiker asked if the Council had enough information now; they would ask the Community Development Director to compile and give copies of the LPA recommendations to the Council; and then discuss it later in the meeting.

Consensus was to set this topic aside and then move forward with the next two agenda items.

IV. DISCUSSION REGARDING NAMING OSC BAYFRONT PARK

Town Manager Stewart noted that OSC stood for "Old San Carlos"; and explained they were referring to the gazebo/fountain area at the end of San Carlos next to the bay. He explained this had become an issue partly because of needing a location name when requesting funding from the TDC instead of referring to the "fountain", and also because there were many events held at the site staff believed it needed a name. He asked Council to consider a name; he noted they did not have to name it today; and asked Council to consider a methodology on naming the site (i.e. a community contest).

Consensus was to forward the naming question to CRAB for discussion and feedback.

V. DISCUSSION REGARDING PETITIONING THE USPS FOR ZIP CODE CHANGE

Town Manager Stewart reported there has been some confusion with people as it pertained to jurisdiction and Town responsibilities since Fort Myers Beach and San Carlos Island since shared the same zip code. He explained he was bringing the topic before Council to find out if they wanted staff to address the matter and invest time in it.

Discussion ensued regarding examples of how people get confused as to Fort Myers Beach boundaries (i.e. construction of the large building on the other side of the bridge); requesting the properties on the other side of the bridge to change their name from Fort Myers Beach to Fort Myers; and the potential cost to residents and businesses to change their zip code (i.e. preprinted stationery items).

Consensus was not to pursue the petitioning the United States Postal Service for a zip code change.

VI. MOUND HOUSE PARKING

Town Manager Stewart reported that earlier this morning Council had received a communication from CELCAB stating parking was the next most important issue from their perspective. He added that CELCAB had requested Council move ahead with the 216 Connecticut Street. He requested Council discuss CELCAB's recommendation and other possible alternatives. He remarked that at this morning's meeting it was noted there was another opportunity with the property abutting the Mound House site. He acknowledged the work CELCAB had done and asked Council whether they wanted to discuss that before they move onto discussion of an alternative site.

Council Member Liaison Mandel noted that this morning CELCAB expressed their interest in parking at the Mound House. He remarked from his business experience it was best to have parking as close to the "front door as possible"; and considering the idea from the City Manager earlier this morning, it would put the parking adjacent to the property. He questioned how much parking was needed and how many people were showing up at the Mound House.

Town Manager Stewart reported he had some preliminary conversations with the owners of the property; and based upon those discussions, the owners did have the property on the market with a sign on the site for several months. He noted the owners took down the sign and did not re-list the property; however, they indicated to him they were still interested in selling. He added the owners expressed no objection to working with the Town if the purchase could be accomplished; the owners had no objection to working

with an appraiser and staff identified an appraiser; however, before moving forward with the appraiser the Town Manager asked if the Council was interested in this matter.

Discussion was held concerning whether or not to move forward with the appraiser; and potential problems for the neighbors if 216 Connecticut Street was utilized as a parking lot and advantages of using the property adjacent to the Mound House site for parking.

Consensus was to direct the Town Manager to move forward with the appraisal of the subject property as outlined by the Town Manager.

VII. DISCUSSION ON COUNCIL PRIORITIES

Preliminary discussion focused on past priorities' lists and the various projects and subjects. Mayor Kiker suggested a change for Council consideration: Develop and support a positive image for the Town. Focus on public relations and a proactive promotion; develop a 'Victory List'; within the next 60 days, have an implementable program. Consensus was to proceed with this suggestion.

VIII. ADJOURNMENT

Meeting adjourned at 5:00 p.m.

Adopted 1-3-12 With/Without changes. Motion by Leet/Kosinski

Vote: 5-0

Michelle D. Mayher, Town Clerk

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