MINUTES

Monday, May 7, 2012

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

I. CALL TO ORDER

Mayor Kiker called to order the May 7, 2012 Regular Meeting of the Town Council at 9:00 a.m. Present along with Mayor Kiker: Vice Mayor Raymond, Council Members Kosinski, List, and Mandel. Also Present: Town Manager Stewart, Town Attorney Miller, Public Works Director Lewis, Community Development Director Fluegel, and Town Clerk Mayher.

II. INVOCATION – Rev. Jeannie Davis

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Consensus approved the requested change to the Agenda.

V. PUBLIC COMMENT

Mayor Kiker noted Public Comment time was scheduled for discussion of items that were not on the agenda.

Public Comment opened.

Joanne Shamp noted that she was making her comments as a resident and not as a member of the LPA. She discussed her views of what transpired and comments that were made during the public hearing held on the COP at the April 2, 2012 Council Meeting. She reported she attempted to send her comments to the Council via email but encountered problems, so she decided to give her update today. She explained how she researched a 'precedent analysis on COP before the Town was incorporated to after' and 'resorts compared to businesses' and 'in the downtown zone compared to outside the downtown zone';

and presented her findings to the Council (i.e. a maximum intrusion depth of 25', a business control line in the downtown adjacent to the Coastal Construction Line). She submitted written copies of her comments and findings to the Town Clerk for the Council's review.

Public Comment closed.

Mayor Kiker reported he did receive Ms. Shamp's email.

VI. PROCLAMATION

A. May is Civility Month Proclamation

Town Clerk Mayor read the Proclamation by the Town Council of Fort Myers Beach naming the month of May as Civility Month.

Mayor Kiker presented the Proclamation to Town Attorney Miller who accepted it on behalf of the Florida Bar.

Town Attorney Miller reported that when new attorneys seek their license from the Florida Bar there was now language included for a pledge of civility when they are sworn in.

VII. IMAGE OF FORT MYERS BEACH

A. Update on Safety Task Force

Public Comment opened.

No speakers.

Public Comment closed.

Mayor Kiker noted the Safety Task Force was comprised of a group of volunteers (i.e. representatives from the LCSO, Lee County, Fire Department, and Fort Myers Beach businesses, citizens, and staff) and they were not assigned by Town Council. He reported when he attended the first meeting the Task Force discussed ideas and then broke into smaller groups to examine different issues (i.e. what other towns/cities were doing concerning safety issues, lighting situation regarding turtle time, etc.). He noted the many emails he received from residents regarding safety issues; he encouraged people to continue to submit ideas and comments; and that people use the email address www.ideas@FortMyersBeachFL.gov. He announced the second meeting for the Task Force was at noon tomorrow in Council Chambers. He believed that improvements would happen and the goal was to get much of the work done before next 'season'. He reported that Council was working on revisions to a Town ordinance for the creation of a 'Council-appointed" safety/traffic committee.

B. Update on COP Task Force

Public Comment opened.

Frank Schilling, questioned who appointed the COP Task Force, what were the objectives, and if the Town Manager could send him an email with a response to those questions. He discussed his opinion regarding having three business owners on the Task Force, and questioned if there was a conflict of interest for those members. He mentioned there was a decision made by the State in the past regarding conflict of interest and the composition of a committee. He suggested that the composition of the Task Force was disproportionate as it related to the number of residents versus the number of business owners. He commented positively on the information submitted by Ms. Shamp and how the information could be helpful to the Task Force.

Garr Reynolds, resident, discussed his opposition to the expansion of COP further onto the beach.

Public Comment closed.

Council Member Kosinski reported that the COP Task Force had met twice; once in Town Hall and once on-site at the beach in order to get a better understanding of the implication of expansion as the ordinance was currently written. He explained how his comments made during a news interview had been edited so his full statement was not reported correctly. He suggested the Task Force meet two more times. He questioned if his understanding of the Task Force's work was to analyze what would be the best way to implement and enforce COP, if it was approved.

Discussion ensued regarding the Council's understanding of the direction for the Task Force such as but not limited to policy, area measurement of business sites, and site visits to businesses at various locations on the Island to mark measurements.

Council Member Kosinski stated the Task Force would work to stake out areas to show measurements according to how the ordinance read currently and with the suggested changes. He reported the issue that continued to arise for the Task Force was a referendum.

Consensus was that the option of a referendum was not included in the Task Force work.

Council Member Kosinski asked if the Task Force should address enforcement and fees.

Discussion was held concerning Council's recollection of the direction for the Task Force; how the Task Force was to indicate area measurements at on-site locations; and that the Task Force was not to tackle the 'noise' issue since it was a separate matter.

Mayor Kiker addressed Mr. Schilling's comments regarding an alleged 'conflict of interest' concerning the composition of the Task Force and asked Town Attorney Miller for her comments.

Town Attorney Miller reported there was no conflict from a legal standpoint of the State law concerning '*conflicts of public officers and employees*', and explained the concept in State law.

Council Member List pointed out that similar to when the Town's ordinance concerning parasailing was addressed that the appropriate businesses were invited for input sessions that the same was done for COP.

Discussion continued regarding the composition of the COP Task Force and their direction; and how the Council was working in the best interest of the Town

Council Member List announced that on Wednesday the Beach Elementary School graduates would perform the tradition of placing their handprints and names in wet cement. She invited people to attend the event.

VIII. LOCAL ACHIEVEMENTS & RECOGNITIONS

Council Member List reported she participated in the International Prayer Service at the Methodist Church on Friday.

Council Member Mandel thanked all the contributors and volunteers who helped to make the Film Festival possible. He noted the event had both regional and national media coverage.

Mayor Kiker noted he attended this past weekend the Film Festival, Sand Bash, and the Taste of the Beach. He and the Town Attorney attended the prayer service at the Harborside Convention Center. He reported he represented the Town in Punta Gorda at an interview on the Christian Channel.

IX. ADVISORY COMMITTEES & REPORTS

Tom Merrill, member of the COP Task Force, asked why the members were advised of the Sunshine Law if they don't make recommendations.

Town Attorney Miller explained she had the understanding that the Task Force was making recommendations and that a true 'fact finding' committee does not have to comply with the Sunshine Law.

Mr. Merrill noted his opinion that this could have an impact of how the Council viewed the Task Force.

Town Attorney Miller further explained that it appeared Council's intention concerning the Task Force was a narrow focus for them to explore the options with respect to the extent COP allowed to protrude into the EC Zoning District; and if the members were staking out an area and then commenting on it, then the public would have the right to those discussions.

Mr. Merrill questioned the public's access to discussions on preference of area measurement and conflict of interest.

Town Attorney Miller pointed out that issues dealing with the Sunshine Law and conflict of interest issues were two totally separate laws.

Council Member Kosinski stated the Task Force would be making recommendations such as but not limited to setbacks.

Mr. Merrill reported that Ms. Shamp's handout was given to the Task Force and asked if the Task Force should be reviewing it.

Council Member Kosinski stated he gave copies of Ms. Shamp's handout to the Task Force.

Mayor Kiker explained Ms. Shamp's handout would be evaluated by the Council, and not the Task Force.

Tom Babcock, resident, stated he immediately resigned from the COP Task Force because what he heard today was not what he signed up for as it pertained to the Task Force. He explained it was his impression that the Task Force would have the opportunity to discuss the issues heard at the April 16th Council Meeting and not make recommendations. He noted it was his belief the Task Force would look at the issues and then list the pros and cons, and not just area measurements. He stated he believed first it should be decided if COP would expand at all; and that a referendum was critical. He discussed his experience last week when the Task Force did a site visit to the beach.

X. APPROVAL OF MINUTES

A. March 19, 2012 Town Council Meeting
B. March 19, 2012 Town Council Work Session
C. April 2, 2012 Town Council Meeting

MOTION: Motion by Council Member Kosinski to approve all the minutes as presented; second by Council Member List.

VOTE: Motion approved, 5-0.

XI. CONSENT AGENDA

A. Acceptance of Ranking and Authorization to Negotiate RFQ 12-01-PW, Water Utility Rate Study

Approval of the Selection Advisory Committee's recommendation in response to RFQ 12-01-PW, Water utility Rate Study of GAI Consultants, Inc. as the #1 ranked firm, and Raftelis Financial Consultants as the #2 ranked firm and authorize staff to enter into negotiations with the top ranked firm.

B. Authorization to Enter into Contract with Garden States Fireworks, Inc.

Request to authorize staff to enter into an agreement to purchase fireworks from Garden State Fireworks, Inc. of Millington, New Jersey for the 4th of July Fireworks Show; purchase price not to exceed $31,500.

MOTION: Motion by Council Member Kosinski to approve Consent Agenda Items #A and #B; second by Vice Mayor Raymond.

VOTE: Motion approved, 5-0.

XII. PUBLIC HEARING

A. Ordinance 12-02, Amendment to LDC, PAL, PWVL

Mayor Kiker opened the Public Hearing at 9:55 a.m.

Town Clerk Mayher read the title of the Ordinance:
AN ORDINANCE AMENDING CHAPTER 27, ARTICLE IV OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE, "ADDITIONAL RULES AND PROCEDURES APPLYING TO BOTH PERSONAL WATERCRAFT AND PARASAILING," AMENDING SECTION 27-52, "PWVL AND PAL LICENSES THAT ARE PERMITTED; AMENDING SECTION 27-55, "TRANSFERABILITY OF PWVL AND PAL LICENSES; GRANDFATER CLAUSE," TO CLARIFY THE CONDITIONS UNDER WHICH SUCH LICENSES MAY BE TRANSFERRED TO A DIFFERENT LOCATION; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

Town Manager Stewart noted Ordinance 12-02 was previously introduced and this was the final public hearing on the matter.

Town Attorney Miller explained that approximately a year and a half ago she presented the matter to Council due to an existing parasail business that was being forced to relocate because of the purchase of the Seafarer's by the County. She stated at that time it was discovered there were some ambiguities in the LDC concerning the number of licenses that could be outstanding. She added that Council had decided to allow all existing vendors to move their license from one property to another, as may be necessary to accommodate changes in property rental arrangements. She noted the ordinance cleared up any ambiguities or inconsistencies, and that there could be up to 10 personal watercraft vendors and 7 parasail vendors.

Mayor Kiker asked if there was a representative from the LPA that wanted to comment on the matter.

LPA representative – no comment.

Public Comment opened.

Sharon Faircloth, owner of Holiday Watercrafts of Fort Myers Beach, reported she represented herself, her husband, and other business partners. She expressed her opinion that the proposed ordinance was very confusing. She reviewed her concerns regarding Section 1 (cap on the number of licenses) and

explained why in the past it had been 6 licenses with one additional 'grandfathered'; the verbiage addressing 'transferability'; and also suggested that transferability should be for location and not a new owner.

Chris Weber, Mid-Island Watersports and Parasail, discussed the confusion, if adopted, regarding the number of personal watercraft vendor licenses and transferability concerning ownership and location.

Town Attorney Miller explained she understood the proposed ordinance was to legitimize the existing and not allow additional vendors; and how it sounded to her that now there were currently 11 PWVLs.

Discussion ensued regarding the number of past and current number of PWVLs and PALs.

Chris Weber explained his belief that there was incomplete information in order to adopt the proposed ordinance today.

Public Comment closed.

Vice Mayor Raymond questioned the number of vendor licenses and number of locations according to the proposed ordinance.

Town Manager Stewart explained the proposed ordinance would allow the business to have one location to operate the business, but they could pick-up a client at another location; however, the vendor could not do things such as conducting a transaction or have equipment at the other location.

Discussion was held concerning picking-up customers at other locations; one license per principal business establishment; and the current and correct number of PWVLs.

Council Member List asked if the proposed ordinance limited the business owner's ability to sell their business.

Town Attorney Miller responded in the affirmative, and explained how that matter could be addressed.

Council Member List expressed her concern with an ordinance that would preclude or hinder a person from selling their business.

Council Member Mandel asked if there were liability insurance requirements within the proposed ordinance.

Town Attorney Miller responded in the affirmative.

Mayor Kiker reviewed past events regarding businesses closing down (i.e. Days Inn) and how businesses had to move their location, the number of licenses, and picking up customers at locations other than the principal business. He questioned if the ordinance was ready for adoption and saw a need for business owners to comment further.

Town Manager Stewart reported he shared the Mayor's concerns as described by Ms. Faircloth and Mr. Weber concerning transferability.

Town Attorney Miller suggested the ordinance be continued to a date certain then there would be no additional advertising requirement. She added that she did not feel there were substantive changes that would require the proposed ordinance to start the process over again.

MOTION: Motion by Council Member List to continue the public hearing on Ordinance 12-02, amending parasail and personal watercraft vendor regulations, to Monday, June 4, 2012 at 9:00 a.m.; second by Council Member Kosinski.

VOTE: Motion approved, 5-0.

Recess at 10:20 a.m. – Reconvened at 10:40 a.m.

B. Case #FMBDC12012-0001, Eagle Equity Capital CPD Amendment

Mayor Kiker opened the public hearing at 10:40 a.m.

Mayor Kiker asked if any Council Member had any ex-parte communication regarding this item. Mr. Mandel – stated he spoke with the person who operated the restaurant; Ms. List – none; Vice Mayor Raymond – none; Mr. Kosinski – stated he would abstain from voting on Case #FMBDC12012-0001, Eagle Equity Capital CPD Amendment and submitted Form 8B since he was the Engineer of Record and received financial compensation for the project; Mayor Kiker – stated he was at the establishment but had no conversation.

Mayor Kiker asked the Town Attorney Miller to swear in the witnesses; and Town Attorney Miller swore in the witnesses.

Ms. Crespo of Waldrop Engineering representing Eagle Equity Capital presented comments for FMBDCI2012-0001 on behalf of the applicant Eagle Equity Capital (CPD). She reviewed the applicant's request to expand the existing CPD, formerly known as Big John's Board Walk Eatery that had been approved in 2006 per Resolution 06-30 which allowed for required parking on-site for the existing restaurant uses, in addition to stormwater management, and landscape buffers. The amendment would add in an additional 4.43 acres which were currently zoned Commercial Boulevard and Residential Multi-Family. She explained the purpose of the CPD expansion was to allow for supportive parking for the restaurant uses, in addition to stormwater management, and landscape buffers. She used a PowerPoint presentation to review and describe the current and proposed boundaries of the subject property; existing zoning locations; site of the subject property, existing parking conditions; vacant land that was intended for inclusion of CPD amendment and surrounding properties; and the existing uses of the surrounding properties. She continued her presentation with an overview of the project's history and the proposed amendment which included but was not limited to zoning, land use, the previous CPD application in 2006 which had been denied largely due to the lack of on-site parking which resulted in the applicant's appeal to the denial using the Florida Land Use and Environmental Dispute Resolution Act and eventual approval with conditions; and the approved Master Concept Plan as of today. Ms.

Crespo summarized that the applicant obtained the property in 2011, acquired the three adjacent properties along Mango Street in 2010 as part of his Neptune Inn purchase, and that the applicant now wanted to address the past parking issues since he now owned the additional properties. She explained that within the proposed Master Concept Plan:

- The 4,000 square foot building was not proposed for expansion, and there were no additional structures to house restaurant uses
- The most significant change was the addition of a parking lot area which would remove the 'back-out' parking from Estero Boulevard and allow for ingress/egress on Mango Street
- Thirty-four (34) spaces were proposed
- Type D buffers along all adjacent rights-of-way along Estero Boulevard, Mango Street, and Fairweather Lane (5 feet in width)
- Type C buffers on the north abutting single-family residential uses
- On-site retention area was significantly increased over the proposed CPD
- A five foot wide sidewalk along the frontage
- Sidewalk entrance directly to the building
- Bicycle rack
- Relocation of the trolley stop to the Fairweather Lane/Estero Boulevard corner; she noted staff's concern on this proposal and that the applicant was amenable to making a change to the Master Concept Plan to keep the trolley stop at the existing location of Mango Street/Estero Boulevard

Ms. Crespo then highlighted the improvement to safety issues by eliminating the 'back-out' parking. She reviewed the Schedule of Uses requested in accordance with Resolution 06-30:

- The 4,000 square foot building was not proposed for expansion.
- There was a 1,000 square feet of outdoor seating area,
- The COP indoor and outdoor COP was limited to wine and beer only, in conjunction with a meal.

Ms. Crespo next reviewed the deviations and noted that many were required due to the existing building which was constructed prior to land development codes being in place:

- Deviation #1 – she noted the fence had already been installed by the applicant; and Type C buffering where the parking area abuts the single-family use along Mango Street the applicant proposed a buffer ranging from 14-17 feet with type C plantings; and the applicant was requesting to eliminate the wall due to maintenance issues and the fact that there was no buffer today, and what was proposed would significantly screen the residences from the proposed parking.
- Deviation #2 – applicant was seeking a 5 foot Type D buffer due to the infill nature of the site.
- Deviations #3, #4, & #5 – were previously approved by Resolution 06-30 and requested continuation of the deviations based upon the existing nature of the site.
- Deviation #6 – deviation from the requirement of LDC Section 34-995(a)(3), which prohibits a principal façade facing a primary street from having blank walls greater than 10 feet in length, to allow for one (1) section of the principal façade to be 16 feet in length.
- Deviation #7 – the existing building was located 48.5 feet from the intersection.
- Deviation #8 – applicant was seeking approval to allow a 15% reduction from the LDC requirement for a total of 34 spaces required.
- Deviation #9 – applicant requested crushed shell or a limerock surface instead of a paved surface which would be consistent with the character of the beach.

- Deviation #10 – applicant requested a 96 foot ± connection separation along Mango Street.
- Deviation #11 – applicant requested a 5 foot wide sidewalk instead of an 8 foot wide sidewalk along Estero Boulevard frontage which would be similar to the sidewalks constructed on adjacent properties. She noted that staff was amenable to the request based on the inconsistencies in the sidewalk width in that area of the Town and the provision of bicycle racks and a more pedestrian-oriented site.

Ms. Crespo continued her presentation noting that staff and the LPA had recommended approval of all 11 deviations as proposed. As it pertained to infrastructure, she stated the applicant had received availability letters for potable water and sanitary sewer from the appropriate authorities. She addressed the Transportation/TIS waiver, and noted the applicant was not seeking additional intensity and they were not asking for any greater intensity than was approved in Resolution 06-30; and how the site was within close proximity to over 200 hotel rooms. She described the traffic mitigation proposal (i.e. sidewalks, changing ingress/egress, bicycle racks, etc.) and pointed out that the LPA recommended approval of the waiver. In order to mitigate any traffic concerns, she pointed out that the proposed improvements would make the site more pedestrian-friendly. Ms. Crespo briefly discussed elements of the Town's Comprehensive Plan (Policies – Boulevard Category, Mixed Residential Category, Commercial Intrusion, and Commercial Intensity) relating to compliance for the CPD amendment such as but not limited to the FAR (Floor Area Ratio), the mixed residential use category along Mango Street and buffering, parking, and the trolley stop. She addressed the application's compliance with the Land Development Code with respect to staff's concerns regarding 'errors and ambiguity', changed conditions, Comprehensive Plan consistency, impact of proposed changes on Chapter 34, locational standards, natural resource protection, compatibility and protection of health safety and welfare, and impact on public infrastructure. Ms. Crespo reported that the LPA unanimously recommended approval for all deviations and the overall approval, approval of condition #6a to reduce outdoor seating area in order to waive TIS requirement, additional bike rack capacity, and extended the hours of operation. She stated that approval would allow for significant improvement and upgrades to an antiquated property in a prime tourist location, allow for highest and best use of the property as intended by the 2006 CPD, and allow the property for its intended use to support tourists and residents within surrounding residences, hotels/motels, and condominiums. She requested Town Council's approval for the request as proposed.

Council Member Mandel questioned the original square footage request.

Ms. Crespo stated the original submittal in January it was for 1,000 square feet; however, she discussed a subsequent submittal for 1,859 square feet.

Zoning Coordinator Chapman presented comments for FMBDCI2012-0001, Eagle Equity Capital CPD, on behalf of the Town of Fort Myers Beach. She noted on the projected slide for the Master Concept Plan that it was slightly different from what the LPA considered at their hearing since this plan reflects the reduction of outdoor seating back down to the 1,000 square feet and it also reflected the moving of the trolley bench back to the original location. She pointed out the Proposed Landscape Plan which indicated the planting materials required as a minimum buffering requirement. She highlighted again the key features of the Master Concept Plan which staff felt were critical in reviewing the request:

- Elimination of the 'back-out' parking along the front
- Applicant's proposed on-site water management
- Improved residential screening and buffering
- Providing the 5' sidewalk along Estero Boulevard

- Crushed shell or pervious surface in the parking lot
- Landscaping materials
- Outdoor seating for two restaurants for the outdoor seating did include COP

Zoning Coordinator Chapman stated that staff reviewed case and recommended approval of the rezoning and the 11 deviations and 6 conditions. She reported the case came before the LPA on April 10, 2012 where they did vote unanimously for approval for the 11 deviations, recommendations of conditions 1-5 and added three more conditions. She noted the LPA had much discussion concerning Condition #6 which dealt with the Traffic Impact Statement and mitigation; and created their own Condition #6 which she displayed on the overhead projector as follows:

> *The LPA recommends that the Traffic Impact Study was not warranted and that the Town Council overrule the Director's decision to require such; and the applicant has provided mitigations for traffic impacts according to Page 7 of 16, by providing additional on-site parking for the tenants and customers, by providing landscape buffers, bike racks, extending the sidewalks along Estero Boulevard, by eliminating the back-out parking in front of the existing building, by reducing the outdoor dining, and by providing stormwater management; and mitigation was also provided by the fact that it was strongly a pedestrian and bicycle oriented destination additional and the traffic impact was less than would be expected by the Traffic Impact Study.*

She noted that since the LPA meeting, the applicant had made some revisions their Master Concept Plan which she had previously mentioned during her presentation. She mentioned that there was a renumbering of conditions since the applicant adhered to staff's recommendation regarding the trolley bench thereby making the number of conditions nine. She reviewed each of the recommended Conditions of Approval:

1. If the principal building on the subject property (2301 parcel) is removed or replaced for any reason, deviations 3, 4, 5, 6, and 7 will become null and void. Any new buildings replaced on the subject property must comply with required setbacks and any other regulations in effect at the time of permitting.
2. Any changes or fracturing of ownership of the four parcels within the subject property will require, at a minimum, an administrative amendment to the Master Concept Plan to reflect the change in ownership, which will include recorded unified control documentation.
3. The parking lot must be stabilized in accordance with the provisions in Section 34-2017(b)(1).
4. A local development order is required prior to any expansion of the existing restaurant or any use of the second restaurant bay in accordance with this planned development approval. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order, including payment of additional impact fees.
5. (*Previously Condition #6 at the LPA Meeting*) Should the Town Council determined that the Traffic Impact Waiver is not warranted and the application may place an undue burden on road facilities, based upon staff analysis, then Town Council should consider the following conditions to mitigate those impacts, including a Traffic Impact Statement:
    a. Require the applicant to amend the Master Concept Plan to reduce the outdoor dining square footage to 1,000 square feet, consistent with the prior approval in Resolution 06-30 and maintain Condition 4, as worded above(*this option was the applicant's preference and they had amended their Master Concept Plan accordingly*); and/or
    b. Require the applicant to provide a Traffic Impact Statement that demonstrates the proposed CPD amendment meets concurrency for review and approval by Town Council. In the event the Traffic Impact Statement demonstrates that the proposed CPD amendment does not meet concurrency standards, the applicant shall provide a Traffic Impact Mitigation Plan to assess mitigation strategies, including the feasibility of providing an

easement on the subject property for a future trolley stop and shelter, as a mitigation strategy. (Ms. Chapman discussed the potential Trolley Lane and potential opportunity for an easement.)

c. Require the applicant to provide an easement for a future trolley shelter for the triangular shaped area labeled on the Master Concept Plan as "Trolley Stop Bench or Concrete" as a means of mitigating the requested reduction deviation.

6. A minimum of bicycle racks shall be provided for 8 bicycles.
7. Hours of operation for businesses shall be from 6:00 a.m. to midnight; the hours of operation for indoor restaurant uses are from 7:00 a.m. to midnight; with outdoor seating limited from 7:00 a.m. to 10:00 p.m. for seven days a week.
8. No outdoor entertainment will be permitted.

Zoning Coordinator Chapman reported that as of May 4, 2012 in conversations with the property owner that staff believed it was the owner's intention to phase the improvements on the Master Concept Plan which would be a new request.

Ms. Crespo clarified that the property owner intended to construct as proposed on the Master Concept Plan (i.e. buffers, improved parking) and it was not intended to be phased.

Ms. Shamp, LPA Chair, reviewed the questions that the LPA asked of the applicant, and their subsequent discussions and reasoning why the LPA took certain action on the following:

- Many of the deviations were based upon the way the building was situated on the subject property which was constructed prior to incorporation of the Town.
- Acceptance by the adjacent property owners
- Distance on one parking exit to Mango Street and egress
- Width of the sidewalk
- Hours of operation and outdoor entertainment
- Crushed shell for the parking lot surface
- Traffic Impact Study
- Impact fees

Council Member List questioned the trolley bench.

LPA Chair Shamp explained why the LPA recommended the applicant keep the trolley bench in the existing location.

Mayor Kiker questioned the rear buffer.

LPA Chair Shamp explained that it appeared the neighbor did not mind the proposed buffer, and unfortunately there was not much that could be done due to the current building position.

Discussion was held regarding buffering.

Public Comment opened.

Garr Reynolds, resident, questioned the position of the subject building in relation to the line of the street.

Ms. Crespo responded that the western portion of the building that fronts along Fairweather Lane was setback 3.29 from the right-of-way.

Public Comment closed.

Town Manager Stewart explained how the trolley pull-off discussion came about as a result of the applicant's concern about impact fees, and noted that Lee County Transportation had not contemplated the site for a pull-off.

Community Development Director Fluegel reported that Council could select one of three options for Condition #5, a, b or c.

Council Member Mandel questioned if the location indicated might be a future trolley pull-off.

Town Manager Stewart explained the reason the matter of the trolley stop came up was because the applicant expressed some concerns about possible future impact fees, and Town staff developed that pull-off as an alternative.

Council Member Mandel questioned the rationale for using the location as a trolley pull-off.

Town Manager Stewart reported the County had not yet fully developed their layout for trolley stops; and that the subject location was not a location the County had previously considered.

Council Member Mandel questioned the estimated amount of the impact fees.

Community Development Director Fluegel stated the estimated impact fee would be $15,777.

Council Member Mandel questioned if there was a stop sign at the intersection of Mango Street and Estero Boulevard; and who controlled the sign.

Community Development Director Fluegel responded in the affirmative; and stated it was a Town stop sign.

Discussion ensued regarding the appearance and size of trolley pull-offs; the difference between trolley stops and pull-offs; consideration of a trolley pull-off at the subject site; and the potential for mitigation of impact fees.

Chuck Ryan, renter at the subject property, explained how he found out about impact fees at the LPA meeting and did not know about them prior to that meeting. He stated that the prior occupants of the property had a higher use than his business; and that he had not asked to mitigate impact fees because he did not know there were any impact fees.

Town Attorney Miller reviewed Section 2-3.06 of the Impact Fee Ordinance, "*when change of use, redevelopment or modification of an existing use requires the issuance of a building permit...impact fees shall be based upon the net increase in the impact fee for the new use as compared to the previous use";* and noted the impact fee schedule as it pertained to the prior use and new use of a restaurant.

Town Manager Stewart noted that Mr. Ryan was the tenant of the subject property; and the discussion of the mitigation was discussed with the property owner early in the application process.

Discussion continued regarding the trolley pull-off, trolley stop, and potential mitigation.

Vice Mayor Raymond discussed his views regarding the positive influence of trolley pull-offs versus trolley stops as it pertained to traffic and safety. He stated he would like to see future new construction include trolley pull-offs in order to get trolleys pulled off the street when they stop.

Ms. Shamp, LPA Chair, noted the LPA's decision regarding their recommended condition was due to information they received at their meeting(i.e. representatives from the LCSO, Lee County, Fire Department, and Fort Myers Beach businesses, citizens, and staff) which indicated the impact fee was approximately $73,000.

Community Development Director Fluegel explained the difference between using the County's and the Town's impact fee schedule, and how staff had used the higher County fee.

Mayor Kiker questioned pedestrian safety at the subject site as it pertained to ingress/egress and asked if the pedestrian traffic could be re-routed to the either end of the street instead of the middle of the street.

Discussion ensued regarding the entrance to the subject property on Fairweather Lane; the possibility of a crosswalk on Mango Street area; pedestrian safety; the Town's ability to use of the impact fees; and the indication of a potential easement area for a trolley pull-off on the Master Concept Plan.

MOTION: Motion by Council Member List to approve the Commercial Planned Development (CPD) Amendment to expand the existing CPD, formerly known as Big John's Board Walk Eatery, which was approved per Resolution 06-30, Resolution 12-07 Eagle Equity Capital CPD, and that the Town council approves the applicant's request for an amendment to the existing CPD with the Conditions of Approval #1 through #4 as written, Condition #5a to require the applicant to amend the Master Concept Plan to reduce the outdoor dining square footage to 1,000 square feet, consistent with the prior approval in Resolution 06-30 and maintain Condition #5 as worded above; and Conditions # 6 through #8 as written, and with Approved Deviations #1 through #11 with Approved Condition #8 changed to "a 15% reduction" for a total of 34 spaces; and the Findings and Conclusions as follows:
#1 An error or ambiguity does exist which must be corrected.
#2 Changed or changing conditions do exist which make approval of the request appropriate.
#3 There will not be an impact from the proposed change on the intent of Chapter 34.
#4 Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.
#5 Whether the requests meets or exceeds all performance and locational standards set forth for the proposed use.
#6 Whether urban services are, or will be, available and adequate to serve a proposed land use change.
#7 Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.
#8 Whether the request will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property.
#9 Whether the location of the request will not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development; second by Council Member Mandel.

Mayor Kiker asked if the motion removed the requirement to do a Traffic Impact Study.

Town Attorney Miller stated at this phase it did; however, there could still be a determination by staff.

Discussion was held regarding the Traffic Impact Study.

AMENDMENT: Motion maker amended the motion to include that the Traffic Impact Study be waived.

Town Attorney Miller asked if it was the Motion Maker's intention to include the Condition of Approval #5 as recommended by the LPA.

Motion Maker responded in the affirmative.

AMENDMENT: Motion maker clarified that the amendment was to include the LPA Recommended Condition of Approval #5 instead of #5a; second agreed.

VOTE: Motion approved, 4-0; Council Member Kosinski abstained.

Public Hearing closed at 12:15 p.m.

Recessed at12:15 p.m. – Reconvened at 12:25 p.m.

XIII. ADMINISTRATIVE AGENDA

A. Release of Lien, 4 Glenview Manor Drive

Vice Mayor Raymond and Mayor Kiker both stated they would be abstaining and filed Form 8B.

Town Attorney Miller reported the Code Enforcement lien pertained to code violations that began in 2008 for the subject property on Glenview Manor Drive. She noted the Code Enforcement Order provided that the Respondent was to pay the fine of $2,500 by 4:00 p.m. on January 4, 2009, or the entire lien of $2,500 plus $50 per day beginning on September 18, 2008 and all administrative costs would be required for satisfaction. She pointed out that the fine had not been paid and it totaled as of today $68,900; and that there was a prior mortgage on the property.

Clay Cason, Registered Agent, reported in early 2008 there were tenants who overlapped the 30-day rental requirement. During that time a Code Enforcement sweep had been conducted in the area and Mr. Cason received a notice from Code Enforcement. He reviewed the unfortunate events and circumstances that occurred regarding the subject property and other property he owned. He stated he did not have sufficient funds to pay the $68,900 fine, but could manage to pay the original $2,500 fine after the closing.

Council Member Kosinski asked if after the first violation if Mr. Cason had received subsequent violation notices.

Mr. Cason responded in the negative; and noted he had ceased and desisted.

Council Member Kosinski asked if $2,500 would cover all the costs incurred by the Town.

Town Manager Stewart responded in the affirmative.

Discussion was held concerning the $50 per day fine; the foreclosure of Mr. Cason's personal property; the composition of owners in the Glenview #4 LLC; the history of the lien; the request for a reduction in the lien; and the property owners' violation of the Short Term Rental Ordinance in 2008.

Town Attorney Miller explained that Vice Mayor Raymond and Mayor Kiker were abstaining because there were principals in the Glenview #4 LLC that had a pending contract on another piece of property where Lahaina Real Estate had the listing.

Public Comment opened.

Maria Humphrey, resident on Glenview Manor Drive, explained she was also representing two other residents who were unable to attend. She stated a communication in both hard copy and electronic format were sent to the Council which outlined her and the other residents' concerns regarding the proposed lien reduction. She questioned the representation capacity of Mr. Cason. She reviewed the key points in the group's communications that listed the harm they encountered due to the subject property; potential precedent that could be set by Council concerning a lien reduction; and the need for public policy that would regulate and make transparent the Council's process for dealing with lien reductions. She questioned if the other members of the LLC had the financial capacity to have previously satisfied the lien. She asked that the Council table this matter until a more transparent process was in place.

Katie Oppenheimer, Pavese Law, explained that the adjoining property owners were harmed due to the actions of the owners of 4 Glenview Manor Drive to date. She requested the fines be imposed and be collected in minimizing the further likelihood of violations by this LLC or others. She noted the fine could have been mitigated if the LLC had paid the fine by January 14, 2009. She requested the Council not remove or reduce the lien at this time and keep it in force until the time the Council can enact a formal, consistent, and transparent process for handling lien reduction requests. She questioned obtaining financial statements from the other members of the LLC, and exact costs for the Town's expenses related to the case.

Tom Babcock, resident, noted that Mr. Cason appeared tonight as an agent and that he did not believe his personal financial issues were pertinent. He questioned why an investment partnership would put $200,000 down on a house, sign a rental agreement to protect the lender, and then not pay a code fine of only $2,500; and why would an LLC be able to collect $5,000 a month not be able to pay a $2,500 fine. He noted all financial obligations on the subject property, including up-to-date tax records, have been met; and there was no known foreclosure action. He discussed the background of the case findings, the Special Magistrate's decisions, and his concerns regarding the Respondent's lien reduction request; and questioned whether the $2,500 would cover the Town's expenses regarding the administrative costs. He noted the Code Enforcement lien had existed for four years and stated that $60,000 should be the only

amount considered for the lien reduction. He discussed his belief that this case would set a precedent in the absence of a formal lien reduction policy. He asked Council to delay this action until there was a lien policy in place that was fair and reasonable; however, he suggested if Council did take action today that they should start at least at $8,500 and work upwards.

Annie Babcock, resident, reviewed comments made at a prior Release of Lien request as it pertained to the need for a lien reduction policy. She stated she believed there needed to be a policy. She noted how there was a finding by the Special Magistrate for a fine, and described the administrative expenses associated with the code enforcement process; and her views on the pending sale. She discussed how she felt the subject code violation was irreparable.

Public Comment closed.

Council Member List addressed Public Comment remarks concerning a lien reduction policy and a prior lien reduction action by Council which she believed to be a different situation than the case presently before the Council. She questioned the vagueness of the property ownership and why the fine was not paid in a timely fashion.

Council Member Mandel addressed Public Comment remarks concerning whether or not there was funds coming into the LLC during the past four years through rent payments, and the lack of documentation. He noted there was now new staff that was not here when the Code Enforcement Case began in 2008; and asked staff to research the Code Enforcement records to determine if there were other cases of a similar nature in existence. He pointed out that there was little information concerning the financial elements of what has been happening (i.e. rent payments, LLC, etc.).

Mayor Kiker recognized Mr. Cason.

Mr. Cason reviewed the purchase price of the subject property and the proposed sale price and indicated there was no profit.

Council Member Mandel asked if from the time the property was issued the fine in 2008 was it rented.

Mr. Cason reported there was "*rental on the property*", but "*it didn't make enough money to maintain the property*".

Discussion was held regarding the profit and loss of the subject rental property since 2008.

Town Attorney Miller reported that she found on the Secretary of State website the report for the LLC which showed the Registered Agent was Mr. Cason, and the Managing Member was Mr. Peter Tepler who was from Darien, Illinois. She stated she also found on the LLC statute that governs limited liability companies that stated "*the members, managers, and managing members of the limited liability company are not liable solely by reason of being a member or serving as a manager or managing member under a judgment decree order court or any other manner for a debt obligation or other liability under the limited liability company*".

Town Manager Stewart asked if later he could address a comment made during Public Comment.

Council Member Kosinski expressed his opinion that a solution or compromise needed to be made concerning the code case. He noted how the subject property could become a defunct house if a foreclosure occurred, or the problem could continue to exist.

Discussion was held concerning the Respondent's request for a lien reduction; and the options Council could consider which would be a $2,500 payment, do nothing and let the property go into foreclosure, do nothing and the problem remains, or decide on a different amount for a fine.

Town Manager Stewart discussed the suggestion to determine a different amount for the fine other than $2,500.

MOTION: Council Member Kosinski moved to approve the Release of Lien relating to the Code Enforcement Case No. 2008-005f for property located at 4 Glenview Manor Drive, Fort Myers Beach, Florida for the outstanding amount of $2,500, plus an additional $6,000 for incidental expenses the Town and the community had to pay for a total of $8,500; second by Council Member Mandel.

Council Member List asked if the Motion Maker would consider changing the amount to $10,000.

Motion Maker responded in the affirmative.

AMENDMENT: Motion Maker amended the motion to a total payment of $10,000; second agreed.

Council Member List commented that in this particular case, based upon what the Council was presented, she was amenable to a compromise because she did not want to see the fine not paid due to the scenarios mentioned such as but not limited to a foreclosure. She suggested adding a time limit for payment of the fine.

AMENDMENT: Motion Maker amended the motion to include that the fine of $10,000 must be paid in full within 30 days of today's date; second agreed.

Council Member Mandel pointed out the importance for staff to research records to determine outstanding liens.

VOTE: Motion approved 3-0; Mayor Kiker and Vice Mayor Raymond abstained.

Discussion ensued regarding Code Enforcement liens, and the need to determine how many liens existed.

Town Attorney Miller reported that approximately 6-8 months ago the former Code Enforcement Officer had amassed what he found in the records for code enforcement liens which he believed to be outstanding. She added that she gave the information to a paralegal who found that a majority of the liens had been satisfied; however she would forward that information to Council.

Recess at 1:45 p.m. – Reconvened at 2:30 p.m.

B. Introduction of Ordinance 12-04, Amendment Special Events Ordinance

Mayor Kiker noted he was not supportive of the proposed ordinance.

Discussed ensued regarding elements of the proposed ordinance which Mayor Kiker noted his concerns regarding Section 22-2 which he felt had no Council intervention; Section 22-7b for reoccurring events; Section 22-11a regarding the appeal process to Town Council; the special event permit process pertaining to County events; and obtaining public input pertaining to certain special events.

Town Manager Stewart explained the noted concerns would require longer than two weeks in order to revise the proposed ordinance.

Town Attorney Miller suggested placing the item on another Work Session Agenda.

Council Member List discussed her support of the proposed ordinance.

Town Manager Stewart reviewed the purpose of creating a special events ordinance.

Discussion ensued regarding reoccurring special events (i.e. Shrimp Festival, New Year's Eve, etc.), streamlining the special event permit process, the correlation between special events ordinance and a noise ordinance that deals with loud noise and disorderly conduct, and the ability to revoke a special event permit.

Town Attorney Miller reported the proposed ordinance stated that there would not be permitted special events in single-family zoned residential neighborhoods and asked if Council wanted that to remain in the ordinance.

Discussion was held concerning the inability to hold special events in single-family zoned residential neighborhoods.

Town Manager Stewart pointed out that the participants who pulled the weekly permits for Times Square events were close to exhausting the number of permits each participant could pull.

Town Attorney Miller noted that the proposed ordinance would cover the application process and help to bring the other two special event ordinances into one comprehensive ordinance.

Discussion ensued regarding permits for the weekly 'sunset' celebrations in Times Square; possible revisions to the proposed ordinance; and possibly scheduling the proposed ordinance for the first meeting in June.

Town Attorney Miller suggested she would forward the proposed ordinance with the changes according to concerns discussed today, and then Council could contact her with questions or comments prior to the Council Meeting.

Town Manager Stewart asked if Town Council wanted him to approve the reoccurring special event permits for the 'sunset' celebration events held weekly in Times Square.

Town Clerk Mayher read the title of Ordinance 12-04:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, REPEALING ORDINANCES 98-1 AND 0016, WHICH ARE CODIFIED IN CHAPTER 22 OF THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES AND ADOPTING NEW REGULATIONS IN SAID CHAPTER RELATING TO SPECIAL EVENTS; ADOPTING DEFINITIONS; PERMIT REQUIREMENTS; PROVISIONS RELATING TO FEE WAIVERS AND BUDGET ALLOCATIONS; APPLICATION REQUIREMENTS; PROCEDURE FOR REVIEW, APPROVAL AND APPEAL OF DENIAL OF PERMITS; ADOPTING REGULATIONS APPLICABLE TO PERMITS FOR POLITICAL DEMONSTRATIONS; SECURITY FOR UPAID EXPENSES; INDEMNIFICATION AND LIABILITY INSURANCE; SIGNAGE; NOISE; AND REVOCATION OF PERMITS; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Public Comment opened.

No speakers.

Public Comment closed.

MOTION: Council Member List moved to approve the Introduction of Ordinance 12-04, Repealing Special Events Ordinances 98-1 and 00-16 and establishing new regulations for Special Events and setting the first and final hearing date for June 4, 2012; second by Council Member Kosinski.

VOTE: Motion approved, 4-0; Mayor Kiker dissenting.

MOTION: Council Member Kosinski moved to authorize the Town Manager to extend the repetitive permits through this process until the ordinance is adopted; second by Council Member List.

VOTE: Motion approved, 5-0.

C. Discussion of Seafarer's Site

Town Manager Stewart explained that the information contained in the agenda packet was information that had occurred in the past on this topic.

Town Attorney Humphrey discussed the importance of the Seafarer's site, the interlocal agreement for Estero Boulevard to the Town, and the Town obtaining a transportation planner/engineer to coordinate work with the County as it pertained to items such as but not limited to stormwater issues and Seafarer's

Plaza. He distributed copies of aerial views of the Seafarer's Plaza and adjacent properties, and Lee County Property Appraiser information; and reviewed ownership details of certain properties indicated on the aerial view maps. He suggested the first steps in the process should be appraising the parcels. He reported the County's design firm had not started their design yet.

Council Member Mandel recounted his contact with property owners with certain properties adjacent to the Seafarer's Plaza.

Town Attorney Humphrey suggested discussing the topic at a Work Session.

Council Member Mandel reviewed the highlights of his conversations with the owners of the Huntingberg Property which included things such as the property could be for sale, the owners were working on information about what the price would be, and that there were multiple owners and family members and estate issues were involved.

Town Attorney Humphrey explained the need for appraisals and the limitations as a governmental entity pertaining to the appraised value, and the need to include an appraisal when submitting a contract to the seller. He discussed purchasing in lieu of condemnation.

Town Manager Stewart reviewed chronological events regarding the Town and County's interactions concerning Seafarer's.

Mayor Kiker questioned if there was funding through grants or other sources that the Town could use to purchase the properties.

Town Attorney Humphrey reported he had not thoroughly examined that issue, and noted the low interest rates available to governmental entities.

Mayor Kiker recounted how the Town had believed the Seafarer's property would be an opportunity to fix a traffic problem when they originally approached the County about the site. He added that at that time the Town was unaware that the County had purchased the property with TDC funds.

Town Attorney Humphrey clarified that the Council should favorably consider appraising the Seafarer's property and then to have the Town's Transportation Consultant together with Town staff to present proposed alignments and recommendations to the Council and to keep an open mind as it related to the other three parcels.

Discussion was held regarding the building on the corner.

Council Member Mandel stated he received a phone call from John Richard the owner of the subject building on the corner who informed the Council Member of his interest to know what was happening with the area around his building. He asked if the Council was being asked to consider doing appraisals on the three Huntingberg properties, the Seafarer's property, and Richard's property.

Town Attorney Humphrey reported that it was his understanding that the County was willing to sell the Seafarer's property for what they put into it, and he noted between governmental entities an appraisal was not required.

Council Member Mandel reported that at the Town's Joint Meeting with the BOCC there were three County Commissioners who agreed with looking at all the properties at that site for the highest and best use. He added it was not the Commissioner who was advocating surface parking at Seafarer's.

Town Manager Stewart discussed his concerns regarding the monetary implications of purchasing the Seafarer's property and other surround properties, and questioned funding sources for what seemed to be at least $6,000,000.

Discussion ensued regarding the availability of grants or other funding sources that could potentially be used to purchase the subject properties.

Vice Mayor Raymond explained that based upon his many years of real estate experience that the subject properties would come in at about $6-6.5 million dollars. He suggested the Town invite all the stakeholders and some developers to a meeting so the Town could convey what they wanted to accomplish with the subject properties.

Council Member Mandel noted the importance of drawing the circle around the subject area in order to capture the TIF.

Discussion was held concerning the "circle around the subject area" and developing a community redevelopment area.

Consensus was to address assigning a date for the Seafarer's item during Agenda Management.

XIV. PUBLIC COMMENT

Public Comment opened.

No speakers.

Public Comment closed.

XV. TOWN MANAGER'S ITEMS

Town Manager Stewart – no items to report.

XVI. TOWN ATTORNEY'S ITEMS

Town Attorney – no items to report.

XVII. COUNCILMEMBER ITEMS AND REPORTS

Council Member Mandel – no items to report.

Council Member List – stated she would be late arriving at the Council Meeting on May 21st since it was the same night as the graduation ceremony at the Beach Elementary School where her granddaughter shall graduate from school.

Council Member Mandel – reported he had received communications from an attorney who wanted to meet with the Council about the Mound House.

Town Attorney Humphrey explained that he or Attorney Miller was prepared to be present at a meeting with the attorney who was representing an adjoining property owner to the Mound House.

Mayor Kiker asked the Town Attorney to determine the reason for the requested meeting from the other attorney.

Town Manager Stewart reported he met with the attorney and learned the attorney represented the Abrahams who live across from the Mound House; and that he wanted to express to the Town concerns regarding procedural matters on how the Town was moving forward with the Mound House.

Vice Mayor Raymond – no items to report.

Council Member Kosinski – no items to report.

Town Manager Stewart requested clarification if the Council wanted staff to obtain an appraisal on the Richard property as well.

Discussion ensued and consensus was in the affirmative.

Mayor Kiker – no items to report.

XVIII. AGENDA MANGEMENT

Discussion was held concern the assignment of a Work Session date for Seafarer's, and consensus was to wait to assign a date until after the appraisals were completed.

Town Manager Stewart called attention to the Work Session Items that were currently assigned a date of May 21, 2012 – review of the noise ordinance, COP, and sign ordinance.

Discussion was held concerning estimated dates for the Work Session Items noted by the Town Manager.

Council Member Kosinski requested the COP be moved to June 4, 2012.

Discussion was held concerning estimated dates for the Work Session Items – noise ordinance, sign ordinance, and budget.

Mayor Kiker suggested that once Council Member Kosinski has more information regarding COP after the next Task Force Meeting, then on Monday the Mayor and the Town Manager would meet to work out a schedule for the various topics which the Town Manager would forward to the Council.

Town Clerk Mayher asked if the Town Council was amenable to a Budget Work Session on Tuesday, May 15th.

Mayor Kiker explained that would be scheduled when he met with the Town Manager.

XIX. RECAP OF ACTION ITEMS

Town Manager Stewart recapped the Action Items added during the meeting:

- Staff would appropriately file the approved minutes
- Staff would process approved Consent Agenda Items
- Staff would work with members of the community to get additional information for Council pertaining to Ordinance 12-02 and the item was moved to the June 4, 2012 Agenda
- Council approved the CPD Amendment with conditions and deviations as noted in the motion
- Release of Lien for Case NO 2008-0005f was approved for $10,000 and must be paid within 30 days
- Staff would prepare information for Council regarding active code enforcement liens
- Staff would move forward with the appraisals requested
- Town Manager would report back to Council regarding the Work Session schedule

Motion by Council Member List, seconded Council Member Mandel to adjourn. Meeting adjourned at 4:00 p.m.

Adopted 6-4-12 With/Without changes. Motion by List / Kosinski

Vote: 5-0

Michelle D. Mayher, Town Clerk

- End of document.