



MINUTES

Tuesday, February 18, 2014

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

I. CALL TO ORDER

Mayor Mandel called to order the February 18, 2014 Work Session of the Town Council at 10:01 a.m. Present along with Mayor Mandel were: Vice Mayor Kosinski, Council Members Andre, List, and Raymond. Also Present: Interim Town Manager Stilwell, Finance Director Wicks, Public Works Director Lewis, Community Development Director Fluegel, Parks & Recreation Director Norton, and Town Clerk Mayher.

II. PLEDGE OF ALLEGIANCE

Mayor Mandel requested a change in the order of Agenda items since one of the presenters was delayed.

III. PARKS & RECREATION DEPARTMENTAL REPORT

Parks & Recreation Director Norton reported Bay Oaks had approximately 1,820 members; and reviewed the increased participation in the various classes and programs. He reported Parks & Recreation was continuing to advertise the "Every Resident a Member" program, and they would also seek sponsorship for fireworks through advertising.

Mayor Mandel asked if staff was making direct contact with potential sponsors for the fireworks.

Parks & Recreation Director Norton responded in the affirmative.

Council Member List noted the upcoming Little League opening and BORC Bash event on Saturday.

IV. POTABLE WATER METER LOCATIONS

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Public Works Director Lewis explained how there was a large number of existing water meters located outside the public right-of-way (i.e. 85% of the meters in the Basin Based Area were not located in the public right-of-way). She noted there was a road where the right-of-way was 18' and it would be unlikely that the meters could be located in the right-of-way. She reported staff was seeking direction as to the method the Town should use to handle the situation.

Council Member List questioned what would be the best location choice as it pertained to 'ease of maintenance'.

Public Works Director Lewis stated the most desirable location would be to place the meters in the right-of-way.

Town Attorney Miller explained how normally the property owner was responsible for the line from the meter to their house; and how when a public facility was in place for 20 years there was a prescriptive easement.

Discussion ensued regarding the water lines; easements; maintenance responsibility; relocation of meters; meter relocation costs; various locations of existing meters (i.e. approximately 20% closer to the house than the street); concerns regarding connections to 30-year old residential lines; the water rehabilitation project as a design-build project; and potential increased costs for the project due to the existing meters located outside the public right-of-way.

Brian Penner, Mitchell & Stark, noted his belief that from a maintenance standpoint it would be better for the meters to be located in the right-of-way.

Council Member Andre asked if there was an advantage to leaving the meters where they were currently located.

Brian Penner, Mitchell & Stark, responded in the affirmative; and noted his concern with moving the meters (i.e. liability issues, quality of the material going back to the house).

Council Member List questioned if moving the meters would impact the quality of the overall project.

Public Works Director Lewis explained if the meters remained in their existing location there would be larger on-going maintenance costs. She noted all the meters would be replaced with automatic-read meters.

Town Attorney Miller pointed out that there may be some houses that do not have a shut-off valve.

Discussion was held concerning replacement of meters, pipes to/from the meters, and pipes to/from the meter to the homes.

Public Works Director Lewis reported it was her view that it would be in the Town's best interest to locate the meters in the public right-of-way; however, it was not something that had to be done.

Discussion ensued regarding replacement of pipes, working on private property, and liability issues.

Interim Town Manager discussed his view of potential liability issues as it pertained to relocating meters.

Discussion was held concerning costs associated with relocation of meters; and leaving meters in their existing locations and public information for residents regarding the project.

Consensus agreed to leave meters in their existing location and to increase the public information campaign informing residents that they had an option to improve the piping between the meter and the house.

Mayor Mandel requested a copy of the letter sent to property owners regarding the project and the piping.

Council recognized Mr. Kakatsch in the audience.

John Kakatsch, resident, questioned if the Town was examining, as they were installing the pipes, the rights-of-way and taking out what might be harmful in the future (i.e. trees, or obstacles).

Council Member Andre noted he intended to bring up under Agenda Management the 'private use of the right-of-way' and 'use of the right-of-way policy'.

Recessed at 10:45 a.m. – Reconvened at 11:01 a.m.

V. PRESENTATION – STORMWATER MASTER PLAN CDM

Public Works Director Lewis explained that the update to the Stormwater Master Plan was completed and now ready for presentation to Council. She noted the Town had embarked on a project to determine the feasibility of developing a stormwater utility, and much of the information to be used would be found in the draft Stormwater Master Plan.

Mark Stonehouse, CDM, pointed out that the main portion of the Plan had not changed; additional information was included in the Executive Summary; and some of the cost numbers were updated based upon 2013 dollars. He utilized a PowerPoint presentation to offer a brief overview which included but not limited to:

- Project locations as indicated on a displayed map.
- Flooding Evaluations - photographs of flooding (i.e. Bay Road near Estero Boulevard, Andre Mar Drive and Estero Boulevard, Estero Boulevard and St. Peters Drive, and Estero Boulevard and Sterling Avenue).
- Establishment of levels of service that could be uniformly applied; Class A, Class B, Class C, and Class D; water retention options.
- Alternatives evaluated for three problem areas and level of service criteria.

- Rainfall events, level of service goals for 1-Year, 2-Year, 5-Year, 10-Year, 25-Year, and 100-Year Rain Events pertaining to houses/buildings, evacuation route(s), other roads, and critical elevation.
- Cost comparisons – analysis by alternative and problem area, breakdown of cost estimates (i.e. Areas 1, 2, and 3); Mayor Mandel requested a breakdown of the cost as it pertained to the portion of Estero Boulevard which was the County’s responsibility.

Mayor Mandel questioned if CDM was conducting the impervious study.

Mark Stonehouse, CDM, responded in the affirmative.

Vice Mayor Kosinski questioned if Estero Boulevard was being designed to address stormwater.

Public Works Lewis responded in the affirmative; and explained how the County intended to use some of the Town’s existing infrastructure.

Council recognized Mr. Bodenhafer in the audience.

Mr. Bodenhafer suggested having a breakdown of the annual operation and maintenance as it pertained to the County’s responsibility.

Discussion was held concerning the status of the Florida League of Cities and the bill regarding municipality infrastructure sales tax ability.

VI. COUNCIL MEMBERS ITEMS

Council Member Andre – reported that at a recent meeting of the Friends of Matanzas Pass it was suggested that a Public Works staff member obtain their herbicide license in order to remove ‘rosary pea’ on Town property.

Public Works Director Lewis stated there was a staff member with the appropriate license; and staff would follow-up on the removal of the plant.

Council Member Andre – noted his previous report on the little sinkhole in front of Nemo’s and suggested the subject area needed to be built up.

Public Works Director Lewis reported staff had just put in place an on-going services contract to address paver replacements.

Council Member Andre – questioned the status of the speed bump on Third Street.

Public Works Director Lewis reported the speed bump had been removed.

Council Member Raymond – no items.

Council Member List – reported there was broken glass on the sidewalk between the Pub and the Handy Mart. She noted the letter received from Mr. Tomeolo regarding the 2-day special event at Nervous Nellie’s and questioned if or how the event was permitted.

Public Works Director Lewis explained it was the standard notice that was mailed to neighboring residents with any event that had amplified music; and stated the recipients of the letters had 30 days to respond, and that the subject event had not yet been permitted. She added that the permit request would come before Council after the 30-day response time.

Vice Mayor Kosinski – reported he was contacted about survey stakes in the right-of-way in an area behind the little cottage located behind the Mermaid.

Public Works Director Lewis reported that was one of the areas CRAB had brought forward for locating a public restroom; and added it was one of the areas the Town intended to make improvements to the beach access. She noted that CRAB had their staff liaison send out notices to the area residents of the three locations contemplated for improvements.

Council Member Andre, Liaison to CRAB, reported he was going to meet with a resident when he received the mock-up of the comfort station.

Mayor Mandel – questioned if there was clean-up planned for the red algae on the beach (i.e. area with construction and new pilings).

Public Works Director Lewis reported in the negative; and added Public Works would investigate the area noted by Mayor Mandel.

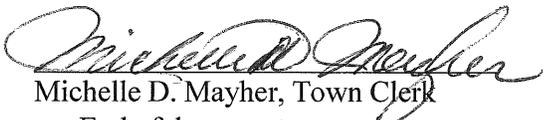
Mayor Mandel announced there would be a Closed Session at 2:00 p.m. and a Closed Session at 5:30 p.m. today.

VII. ADJOURNMENT

Meeting adjourned at approximately 11:45 a.m.

Adopted 3-18-14 With/Without changes. Motion by Kosinski/List

Vote: 5-0


Michelle D. Mayher, Town Clerk

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