MINUTES

Monday, March 28, 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 Cereceda called to order the March 28, 2014 Work Session of the Town Council at 11:40 a.m. Present along with Mayor Cereceda were: Vice Mayor Andre, Council Members Hosafros, Mandel, and Stockton. Also Present: Interim Town Manager Stilwell, Town Attorney Rooney, Finance Director Wicks, Public Works Director Lewis, Parks & Recreation Norton, and Town Clerk Mayher.

II. PLEDGE OF ALLEGIANCE

III. GENERAL HOUSEKEEPING

Mayor Cereceda reviewed the spreadsheet she prepared for the meeting; noted there would be time for Public Comment; and explained the goal for today was to review the Agenda Management list in order to have a clear vision of what the Council wanted to focus on in their agendas.

Public Comment opened.

Doris Grant, resident, requested Council focus on the following: 1) the noise ordinance; 2) annexation of Mound Key; 3) all special permit requests; 4) airport noise; 5) Seafarer's property and Helmerich Plaza and the interested developers; 6) Transfer of Development Rights (TDR) and the issue regarding Chapel and Mango Streets, and if TDRs were allowed where would they go; 7) and thee too many issues floating in 'limbo'.

Garr Reynolds, resident, discussed his concerns regarding developers and Palermo Street; and residences on back streets to the bay that had structures with potential setback issues.

Public Comment closed.

Mayor Cereceda introduced Mr. Stewart, Building Official, from the Lee County Building Department.

Lee County Building Official Stewart noted by an interlocal agreement between the Town and the County that he served as the Building Official for the Town, as well as the County. He described how he and other County staff performed integrated services with the Town for building, plan review, and inspections; and reviewed the services completed by Town staff such as but not limited to land development code review and zoning.

Council Member Stockton stated she prepared a packet of information regarding her questions concerning 561 Palermo Street and other residences. She questioned how 561 Palermo Street was issued a Certificate of Occupancy (CO) after the prior Council had directed that elevated structures would not be allowed.

Building Official Stewart explained it was his understanding on the subject property that there had not been any direction given to the Building Department as it related to holding up any Certificates of Occupancy or Stop Work Orders.

Council Member Stockton questioned who should have notified the Building Department.

Building Official Stewart explained ways in which the Building Department or he could have been notified.

Town Attorney Rooney noted that the direction given by Council in February was with respect to the land development code.

Discussion ensued concerning notification procedures to the County's Building Department; and Town procedures for stopping work through the Town's Code Enforcement and Zoning staff.

A. Big Picture – On-Island/Off-Island Issues

Mayor Cereceda pointed out the next topic for discussion was the 'Big Picture' issues, how the Council would function, Council's level of expectation, and the public's level of expectation of Council and staff. She reviewed the function of the position of Mayor; how the Council interacted with staff; Council's responsibility to create policy; and the function of the position of Town Manager. She suggested that when Council had a conversation with a staff member that it could be the staff member's responsibility to inform the Town Manager at a staff meeting.

Discussion ensued concerning procedures for Council's interaction with staff; and a process for introduction of staff to the Council.

Mayor Cereceda recapped that Council would make sure any conversation that occurred with a staff member would filter back to the Town Manager.

Discussion was held concerning the Council Meeting Agenda Packets and how Council could obtain answers from staff regarding questions on agenda items.

Town Attorney Rooney reviewed contacting others by email and the importance of avoiding Sunshine Law violations.

Mayor Cereceda touched on 'On-Island/Off-Island Issues' with regard to Council liaisons to committees or organizations; how no one should act independently of the Council; and how Council should be kept informed of committee efforts. She suggested the Council have a Work Session with the Chair or designee from each of the Town committees.

Consensus approved the Mayor's suggestion for the Council to have a Work Session with the Chair or designee from each of the Town committees.

Discussion was held regarding 'breaks' during Council Meetings.

Goals for the Town Manager – no discussion held at this time.

1. Public Relations
2. Beach Vegetation Planting
3. Beach Nourishment
4. Short-Term Rentals
5. County and Estero Boulevard
6. Potable Water
7. Stormwater Financing & Implementation
8. Mound House
9. Develop CIP Plan
10. Seafarer's
11. Maintaining County Relations

IV. AGENDA MANAGEMENT REVIEW

Mayor Cereceda requested Town Clerk Mayher offer an explanation of the Agenda Management List.

Town Clerk Mayher described how the Agenda Management List had 'morphed' over the years; and the original intention of the List to track and move issues forward.

Vice Mayor Andre pointed out that in order for an item to be placed on Agenda Management it required a request from a Council Member and a second from another member.

Mayor Cereceda noted she prepared a modified version of the Agenda Management List and read the current list of items on the Agenda Management List:

- Economic Development
- Beach Management
    - Coastal Management Study

    - Accesses
    - North Estero Vegetation Plan to Whole Island
- Town Hall Lease
- Review of Noise Ordinance
- Use of Town Right-of-Way Policy
- Estero Boulevard
- Stormwater Projects – Master Plan
- Discussion Regarding Bridge Alternatives
- Private Use of the Right-of-Way
- Sign Ordinance (including developers)
- Post-Disaster Recovery Ordinance
- Gazebo Square
- QR Codes for Town Sites
- Derelict Properties
- Mooring Field Management, Revenues & Expenditures
- Public Information Officer
- Funding for Stormwater
- Discussion Regarding Short-Term Rental Ordinance
- Parking Alternatives
- Code Enforcement Discussion
- Taxi License and Taxi Transit Station
- Fort Myers Beach Film Commission
- Elevated Pools
- Water Utility Management In-House
- Increased Code Enforcement
- Flood Insurance
- Annexation
- TDC Funding Requests 2014
- Review of LDC Regarding View Corridor
- Outdoor Display
- Town Hall Front Window Coverings
- Limiting Administrative Variances
- Proposal for Legal Services
- Review of Agenda Management Items
- Charter Review Commission

She requested Council review the list and define the items.

Discussion ensued on each Agenda Management item:

1. Economic Development – Council Member Mandel explained the topic dealt with the Seafarer's property; there were discussions being held by other parties [potential developers] involved in the matter; and that nothing had yet come forward. Discussion was held to retitle the topic to Seafarer/Helmerich Properties as an 'on-island' issue. Council Member Mandel further explained the topic included drawing a circle around the Seafarer's property as it related to tax

increment financing and a community redevelopment agency. Town Attorney Rooney offered an update on the work and findings on the matter of a community redevelopment agency by Fowler White. Council Member Mandel reported there were two developers interested in the Seafarer/Helmerich property sites; and discussion ensued regarding the potential developers and subject properties. Consensus agreed the Seafarer property/TIF should be on the Council's list; the timeline was unknown; expected result would be a positive redevelopment for the Town and the property owner. Council Member Mandel pointed out the Council would be the Board for a tax increment district and was required to meet at least annually to update the plan. Consensus agreed the item remained on Agenda Management as a Council/staff/legal issue.

2. Beach Management
   a. Coastal Management Study – Vice Mayor Andre reviewed the work by Coast & Harbor; funding from TDC; discussion was held concerning aspects of beach nourishment as on-going (i.e. dredging of San Carlos Pass, etc.); consensus agreed to remove the item from the Agenda Management List and create a 'radar' list. Beach Management stayed as a 'radar' item and the Interim Town Manager was to follow-up with the County on the dredge permit and report back to Council.
   b. Accesses - Vice Mayor Andre reported CRAB was working on this matter and the item should remain on Agenda Management. CRAB presentation on the item was expected at the next Council Meeting.
   c. North Estero Vegetation Plan to Whole Island – Council Member Mandel noted a plan was in place for the north end of the Island which seemed to work well and that Council should consider the plan for the remainder of the Island. Vice Mayor Andre suggested removing the item from Agenda Management since MRTF was working on this matter with a test program and MRTF would eventually report back to Council with a recommendation – item removed from Agenda Management.
3. Town Hall Lease - Council Member Mandel offered an update on the Town Hall lease and the potential for a long-term lease for the entire building. Interim Town Manager tasked with investigating a long-term lease for the entire building and sale of the building to the Town. Discussion was held concerning other potential sites for a town hall and the use of eminent domain. Direction was to remove the item from Agenda Management List, place on Council's radar, and await an update as noted by Town Attorney Rooney on options for the subject Town Hall property.
4. Review of Noise Ordinance – Mayor Cereceda reported she had reached out to the Times Square business owners regarding the subject matter; and she requested Council approval that she would be permitted to meet with the Times Square business owners to arrive at a consensus regarding the noise ordinance. Town Attorney reported on his meeting with the County Attorney who was working on a noise ordinance for Lee County; noted his coordination efforts to redesign the Town's noise ordinance to match the County and Bonita Springs for a cross-jurisdiction ordinance; and the idea to have special event permits for noise issues (i.e. set decibel reading and set times, separate provisions and standards for special event permits, etc.). Discussion ensued regarding the creation of a level of expectations for people seeking permits; and standard conditions for permits. Mayor, Town Attorney, and Town staff would reach out to business owners and residents on the issue; and the noise ordinance topic would be placed on a Work Session. Council Member Hosafros requested Town Attorney Rooney include a mediation component and discussion ensued. Mayor Cereceda reported she would work to organize a

meeting with stakeholders, Town Attorney, and staff to discuss the issue; the item should come off Agenda Management, and the issue was to be placed on the Council's radar.

5. Use of Town Right-of-Way Policy – discussion was held concerning the difference between – Use of Town Right-of-Way Policy (#5) and Private Use of the Right-of-Way (#9). Town Attorney Rooney noted the Private Use of the Right-of-Way was discussed at a prior Council Meeting and he reviewed different situations and circumstances regarding tree removal by the Town versus a private property owner. Public Works Director Lewis reviewed the current program in place for the private use of the Town's right-of-way via a lease agreement. Discussion was held concerning tickets issued to vehicles parking in the right-of-way. Town Attorney would work with staff and prepare a draft policy addressing standard occupation of right-of-way permit requirements; and work to have it ready for adoption in May. Item to remain on Agenda Management and consolidate the two topics (#5 and #9).

Recessed at 1:00 p.m. – Reconvened at 1:28 p.m.

Discussion continued regarding each Agenda Management item:

6. Estero Boulevard – Council Member Mandel offered an update on Estero Boulevard which included the discussion at a recent Council Meeting; and explained the project was basically approved by the Town and that the County and DOT were working on the project. Town Attorney Rooney reported the State and County were working on the project and it was moving forward. Public Works Director Lewis offered an update on the Estero Boulevard Improvement Project timeline with commencement anticipated for about this time next year; and she offered to provide Council with the information regarding the anticipated improvements to be installed on Estero Boulevard. Item to be removed from Agenda Management and placed on Council's radar.
7. Stormwater Projects – Master Plan – Council Member Mandel explained if the Council wanted to plan for stormwater management on the entire Island it still needed to be addressed; and how the previous Council directed an impervious study to be done for the entire Island that would come back with a basis for stormwater fees and to create a stormwater management utility. He noted when the study was completed the Council would receive a report which they would need to discuss. The Stormwater Projects/Master Plan was an on-island issue; planned to tentatively place it on a Work Session in May/June. Public Works Director Lewis noted land development code changes were anticipated as they related to the subject topic since the Master Plan had been adopted. Funding for Stormwater (#17) topic combined with Stormwater Projects/Master Plan topic. *Added dredging of canals – see Council Reports.
8. Discussion Regarding Bridge Alternatives – item to be removed from Agenda Management.
9. Private Use of the Right-of-Way – consolidate topic with Use of Town Right-of-Way Policy topic (#5).
10. Sign Ordinance (including developers) – Community Development Director Fluegel explained the existence of a draft 'glitch' ordinance that was proposed after the sign ordinance had been adopted. Town Attorney Rooney noted that the topic should go to the LPA for guidance. Community Development Director Fluegel expressed his belief that the topic needed more work at the staff level and then be given to the LPA for a workshop. Item to be removed from Agenda Management and placed on Council's radar.

11. Post-Disaster Recovery Ordinance - Community Development Director Fluegel indicated this item had been on the LPA's radar list; and explained the item would contain the rules for post-disaster development (i.e. permitting processes, land development processes, etc.). Town Attorney Rooney noted the importance of the item based on his post-Hurricane Charley experience in Charlotte County. Mayor Cereceda requested staff provide Council with copies of the proposed ordinance that had gone before the LPA [referenced by Director Fluegel]. Item to remain on Agenda Management; designated as a staff, legal, and LPA item.
12. Gazebo Square – Public Works Director Lewis explained there had been a proposal by some of the merchants in Times Square and Council had investigated the idea of constructing a permanent gazebo-type structure in the Square. She added the hold-up on the item was a waterline replacement project and pavers which needed to be replaced. Council Member Mandel told of the idea for a portable stage and an event that was held to help raise funds for the portable stage. Discussion was held concerning funding of the gazebo; the original plans in the CRA for a gazebo-type structure; and the former Times Square Advisory Committee. Item to be removed from Agenda Management and placed on Council's radar list.
13. QR Codes for Town Sites - discussion ensued regarding the item which appeared to have been fulfilled; however, Vice Mayor Andre noted QR codes were installed at the Matanzas Pass Preserve and suggested placing the codes at the Mound House and the Newton property. Mayor Cereceda suggested placing the topic on Council's radar in order to follow it and to have QR codes become a standard item on Town sites. Item to be removed from Agenda Management and placed on Council's radar list.
14. Derelict Properties – discussion noted the item concerned prior properties that had been in the condemnation process; and currently the eviction of boat(s) from the mooring field which the Town Attorney was currently working on. Director Fluegel noted there was a derelict structure at 80 Avenue E that staff was working on through the enforcement process; and he described the background of the subject property. Item removed from Agenda Management; item was a complaint-driven staff item.
15. Mooring Field Management, Revenues & Expenditures – Vice Mayor Andre reviewed how the Town recently applied for TDC funding for the mooring field. Item removed from Agenda Management and placed on Council's radar.
16. Public Information Officer – Council Member Mandel explained the prior interest for funding a PR person; the funding was in the budget; no funds had been expended; and no person was hired. Discussion ensued regarding the type of work anticipated for the position; and Finance Director Wicks noted it was anticipated the funding would be for a service and not a position. Item remained on Agenda Management and designated for a Work Session in May. (Link Item #16 to Item #20).
17. Funding for Stormwater – topic combined with Stormwater Projects/Master Plan (#7).
18. Discussion Regarding Short-Term Rental Ordinance – Town Attorney Rooney explained under the current State law the Town may keep their current law but, if the Town amended the current ordinance, they would lose it. He noted Senate Bill 356 would change this; however, it had not been approved yet. Discussion ensued regarding short and long-term rental registry and code compliance inspections; enforcement issues; and loss of bed tax on short-term rentals. Town Attorney reviewed the effect of the proposed bill on the Town's current ordinance, if approved. Town Attorney stated he would request Attorney Arnold from his office contact the Council on the issue which he was working on in Tallahassee. Director Fluegel explained the Town's

current ordinance required registration for the weekly rentals that were 'grandfathered' in. Discussion ensued concerning enforcement issues and surveillance requirements for short-term rentals. Item removed from Agenda Management and moved to Council's radar.

19. Parking Alternatives – Council Member Mandel explained how an idea was discussed to build above the parking lots on the back of Old San Carlos. Item removed from Agenda Management.
20. Code Enforcement Discussion - Council Member Mandel explained how the topic came about due to reactive code enforcement and how to make enforcement more proactive and educational. Director Fluegel reviewed how code enforcement had been working to become more proactive through the utilization of the IPMC. Item to remain on Agenda Management and to be linked to #16.
21. Taxi License and Taxi Transit Station – Council Member Hosafros told of her experience with taxi law in other jurisdictions; and recommended the Town not become involved in taxi law. Discussion ensued regarding the item; item removed from Agenda Management.
22. Fort Myers Beach Film Commission – Mayor Mandel reported there was a presentation made to Council on the matter which resulted in the Council referring the item to CRAB. Item removed from Agenda Management and placed on Council's radar.
23. Elevated Pools – Town Attorney Rooney recommended Council not discuss this item at the present time. Item was removed from Agenda Management.
24. Water Utility Management In-House – Council Member Mandel noted in the water utility budget there were certain contracted services (i.e. meter reading, billing collection, etc.) which amounted to an expenditure of $450,000 per year. He added his preliminary calculations seemed to reflect a savings of approximately $200,000 per year by bringing the services in-house. Finance Director Wicks reported staff was working on the information and noted it should be presented and discussed during upcoming budget discussions. Item remained on Agenda Management and placed on a late-May Work Session.
25. Increased Code Enforcement – noted to be part of Item #20, and to be discussed during budget. Item removed from Agenda Management.
26. Flood Insurance – Council Member Mandel offered an update on the matter of flood insurance and urged Council to continue work on flood insurance rates (i.e. deductibles, flood maps, and other things to do to bring down the risk, etc.). Discussion was held concerning the County's CRS rating; and the remaining flood insurance inequities and the work still needed to be done. Item removed from Agenda Management and placed on Council's radar; and to maintain the lobby efforts.
27. Annexation – Mayor Mandel reviewed annexation as it related to increasing the Town's open space; and offered background information on the proposed annexation of Mound Key. Discussion was held concerning the TDRs; appraisals of the subject property; presentation of an agreement to accept or reject the subject property owners' proposal; acquisition of the property as it would relate to a reduction in flood insurance rates; and potential maintenance costs for Mound Key. Town Attorney Rooney noted how the Town's current Comprehensive Plan and land development codes would not allow the 'deal' with respect to the transfer density; and cautioned any action including annexation which did not somehow deal with the density units. Item to remain on Agenda Management; to be placed on a Work Session with Attorney Arnold in attendance; and the date to be announced. Council Member Mandel told of his work in Tallahassee regarding revenue sharing concerns and the potential ability for municipalities to collect funds for infrastructure.

28. TDC Funding Requests 2014 – Council Member Mandel reported the request was submitted and it was for over $1,000,000. Item removed from Agenda Management.
29. Review of LDC Regarding View Corridor - Item removed from Agenda Management.
30. Outdoor Display – Vice Mayor Andre reported the matter should be coming to Council in May; Director Fluegel reported the LPA had continued the topic to their April meeting.
31. Town Hall Front Window Coverings - Vice Mayor Andre offered an update on the topic; Director Lewis reported she anticipated the coverings should be in place soon. Item removed from Agenda Management.
32. Limiting Administrative Variances – Vice Mayor Andre noted he had requested the item for Agenda Management and requested it remain. Town Attorney Rooney noted there were no height restrictions for accessory structures and there were a number of issues that needed to be addressed; and reported he was considering crafting a temporary/interim control ordinance. Discussion was held regarding administrative variances. Item remained on Agenda Management; placed 'limited administrative variances' on April 21st Council agenda under Administrative Agenda.
33. Proposal for Legal Services – Town Attorney Rooney noted the departure of Attorney Humphrey from Fowler White; requested direction on how Council would like him to interact with them; noted the general counsel contract and lobbying services contract with the firm; and requested direction regarding other attorneys in the firm (i.e. attorney areas of expertise and representation of the Town). Attorney Rooney noted the legal services budget would most likely be exceeded this fiscal year. Council Member Mandel recounted his experience with the Town's legal services and the change of Town Attorneys. Discussion ensued concerning how the Council may be informed further on the firm of Fowler White. Town Attorney Rooney stated he would issue an 'office schedule' and would arrange for meetings with some of the firm's attorneys with Council on a one-on-one basis. Item withdrawn from Agenda Management.
34. Review of Agenda Management Items - Item withdrawn from Agenda Management
35. Charter Review Commission – Town Clerk Mayher explained the Town was required to have a Charter Review Commission appointed in 2014 in order to begin their work; and she reviewed her discussion with the office of the Lee County Supervisor of Elections as it pertained to potential charter changes on referenda (Council to decide on referenda on a special election or wait until 2016 election). Consensus did not want to spend funds on a special election. Town Clerk Mayher noted the Commission was a 5-member commission. Town Attorney Rooney suggested Council may want to consider a workshop to determine guidelines, budget, and issues for the Charter Review Commission. Town Clerk Mayher noted in 2006 there was a draft resolution regarding the Charter Review Commission [members shall be residents, business owners, and/or property owners within the Town]; however, it had not been approved. Item remained on Agenda Management; placed on a Work Session as soon as possible; and Town Clerk to initiate a public announcement regarding the Commission.

Town Clerk Mayher requested direction concerning the updated Agenda Management List and 'radar' list; and she noted there was no Work Session scheduled for April 7th.

Mayor Cereceda indicated the Town Clerk should prepare two lists – Agenda Management and Council's 'radar' list.

Recessed at 3:06 p.m. – Reconvened at 3:15 p.m.

Consensus was to discuss Agenda Item V and then return to a discussion of Item IV.

V. DISCUSSION REGARDING WAIVER OF SPECIAL EVENT PERMIT FEES

Council Member Mandel clarified his comments at a prior Council Meeting concerning the guidelines for funding requests.

Council Member Stockton explained her research of six other municipalities (Sanibel, Punta Gorda, Marco Island, Venice, Bonita Springs, and Long Boat Key) pertaining to waiver of event permit fees and funding requests.

Council Member Hosafros pointed out there were two different topics – special event permit fee waivers and funding requests.

Discussion ensued regarding the difference between special event permit fee waivers and funding requests; criteria utilized for consideration of funding requests; the research of other municipalities pertaining to waiver of event permit fees and funding requests; annual amount of special event permit fee waivers; continuation of Council Member Stockton's research of other municipalities and their policies; different fee amounts depending on whether an on-island or off-island organization; and how budgeted funds by the Town were utilized for promotion and publication of the Beach.

Town Clerk Mayher read a portion of an ordinance pertaining to requests for fee waivers.

Public Comment opened.

Bud Nocera, Fort Myers Beach Chamber of Commerce, suggested Council look at the 'cost and the process'. He noted how the Chamber worked to bring business to the Town during off-season times through events. He reviewed the other costs (i.e. lost revenue for parking meters, etc.) associated with a special event which included the Town's $40 permit fee. He discussed his opinion that when an event was being held for the good of the community that he would like to see the Town became more of a partner in the event.

Al Durrett, resident, discussed the promotions held at Santini Plaza that helped the tenants, visitors, and the community. He noted he had two employees who handled permitting; and suggested the paperwork should be streamlined and indicated he had ideas for changes to make the process easier. He expressed his belief that the Town needed to promote itself to the State of Florida, other states, and places to cause people to come to the Beach.

Public Comment closed.

Mayor Cereceda suggested the matter be looked at comprehensively; discussed further at a workshop; and she offered to meet with stakeholders on the issue.

Discussion was held concerning forming a committee to come up with a plan versus a committee to decide each permit.

Town Attorney Rooney pointed out there were presently three ordinances with sections that dealt with special event permits. He added there were prior discussions for the LPA to craft a brochure to help people navigate the permit process. He suggested the Council may want to consider a policy that did not require a committee; and the Council should set a budget for the matter.

Council Member Mandel noted the Town did not have their own police department.

Mayor Cereceda pointed out this topic would coincide with the noise issue. She offered to make a report on her progress with the stakeholders at the April 7th Council Meeting.

VI. COUNCIL MEMBERS ITEMS

Council Member Hosafros – questioned why the matter of aviation noise was not on the Agenda Management List.

Council Member Mandel offered background information and an update on the aviation noise issue and Plan 150. He added that the FAA had until April 19, 2014 to issue their findings regarding Plan 150; and that the tower at the airport was independent of the Port Authority. He mentioned one of the goals was to get the aircraft flying over the Beach to be at 3,000 feet or more. He explained that after April 19th there would be a period of implementation concerning the findings. He discussed the utilization of an 'ILS' approach at the airport.

Discussion ensued concerning the aviation noise issue and the Town's relationship with the Port Authority.

Consensus agreed to place the discussion of aviation noise and the findings by the FAA on Agenda Management and to schedule the item for a Work Session date that was closest to the release of the FAA findings.

Council Member Stockton – requested Ray Judah make a presentation on Lake Okeechobee water releases to the Council.

Item was placed on Agenda Management; and Interim Town Manager Stilwell would arrange for the presentation.

Council Member Stockton – stated she was concerned about the BOCC redirecting funds from Conservation 2020 to balance their budget.

Discussion was held concerning how the Council dealt with issues that directly impacted the Town.

Town Attorney Rooney explained how revenue was earmarked for Conservation 2020 by the County; however, they money was actually general fund revenue.

Council Member Stockton – requested the Council work to clear up all of their construction issues and to have a permanent Town Manager.

Town Attorney Rooney explained how constituents had reached out to Council Member Stockton regarding a number of properties that may have 'issues'.

Council Member Stockton – explained the subject properties did not have certificates of occupancy yet.

Mayor Cereceda pointed out the potential 'issues' would be a Code Enforcement matter.

Town Attorney Rooney reported Council Member Stockton had already spoken to the Interim Town Manager and himself about the matter; and if issues were found when the investigation was completed then there might be other code revisions or staff/policy issues to address.

Council Member Stockton – questioned 561 Palermo Street.

Interim Town Manager Stilwell reported the subject property was completed, sold, and new owners were living in the residence.

Town Attorney Rooney recommended the subject property should not be discussed at this time.

Discussion ensued concerning the inability to discuss certain properties in an open-session meeting.

Council Member Stockton – requested discussion on a permanent Town Manager and the Mound House. She added a long-term goal should be dredging the canals.

Mayor Cereceda discussed her agreement that the Town should have a permanent Town Manager.

Council Member Mandel explained the Council could consider beginning a search for a permanent Town Manager or consider making the Interim Town Manager permanent.

Discussion ensued regarding making the period for the Interim Town Manager longer than every 30 days; and consideration to make the Interim Town Manager permanent.

Town Attorney Rooney recounted his experience related to a town/city manager contracts and noted the statutory cap on severance packages. He mentioned there could be a timeline in which no compensation package would be included if termination was exercised.

Consensus agreed for the Town Attorney to prepare a draft employment agreement as he described.

Council Member Stockton – noted her concerns regarding the Mound House and parking for the site.

Mayor Cereceda told of what happened at yesterday's CELCAB meeting regarding their concern for Mound House parking. She questioned the status of 216 Connecticut Street.

Council Member Mandel reviewed how Council did not take action on 216 Connecticut Street because of the rezoning necessary; and it appeared the parking at the church seemed adequate for now and to wait and see what the parking needs would become when the Mound House opened.

Community Development Director Fluegel recounted the background information on the matter of 216 Connecticut Street (i.e. rezoning).

Council Member Stockton – reported the need for a curator at the Mound House.

Mayor Cereceda noted she would make a report on the CELCAB Meeting at the April 7th Council Meeting; and that she would speak to staff about the parking issue.

Council Member Stockton – mentioned her concern for dredging the canals as a long-term goal.

Council Member Mandel suggested the County may want to consider the purchase of a dredge.

Public Works Director Lewis explained with the adoption of the Stormwater Master Plan the canals become an integral part of the Town's stormwater infrastructure.

Mayor Cereceda pointed out that the dredging of the canals should become part of Agenda Management Item #7.

Council Member Mandel – requested the operational and marketing plan for opening the Mound House to be added to the list. He told of his work in Washington DC as it related to obtaining approval for C43 and C44 [huge storage tanks]; and stated the Town needed to continue pursuing funding for them. He reported he had a meeting tentatively set for early April with the Southwest Florida Water Management District to deal with the Lake Okeechobee water releases; that the Florida League of Cities had taken on water quality issues this year; and that he had been placed on the National League of Cities Steering Committee for environmental issues. He noted work to change the Army Corps guidelines for water releases; and that the FDOT would be looking at the Town from the base of the bridge to Crescent Street and from the bridge and to San Carlos.

Mayor Cereceda supported the continuation of the relationships Council Member Mandel had established.

Vice Mayor Andre – discussed his concerns regarding the information on HB703 received from the Interim Town Manager. He noted his recent experience driving down Estero Boulevard with respect to the width of the lanes as it related to a bicycle lane.

Mayor Cereceda – expressed her view on the new "dynamic" Council.

Town Clerk Mayher questioned if the Council would discuss the Joint Meeting with the Chairs of the various advisory committees.

Discussion was held concerning a date/time for the Joint Meeting; and it was decided to have the meeting on May 1, 2014 at 4:00 p.m.

VII. ADJOURNMENT

Meeting adjourned at 4:36 p.m.

Adopted 4-21-14 With/Without changes. Motion by Hansen/Stockton

Vote: 5-0

Michelle D. Mayher, Town Clerk

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