MINUTES

Monday, March 18, 2014

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

I. CALL TO ORDER

Mayor Mandel called to order the March 18, 2014 Regular Meeting of the Town Council at 6:30 p.m. Present along with Mayor Mandel: Vice Mayor Kosinski and Council Members Andre, List, and Raymond. Also Present: Interim Town Manager Stilwell, Town Attorney Rooney, Finance Director Wicks, Public Works Director Lewis, Community Development Director Fluegel, Parks & Recreation Director Norton, and Town Clerk Mayher.

II. INVOCATION – Town Clerk Mayher

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Mayor Mandel requested to move Item X, Approval of Minutes, to after Resolution 14-09.

Consensus approved the Agenda as amended.

V. RESOLUTIONS

A. Resolution 14-09, Certification of Election Results

Town Clerk Mayher read the title of Resolution 14-09:
A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, CERTIFYING THE RESULTS OF THE TOWN ELECTION FOR SEATS THREE, FOUR, AND FIVE; DETERMINATION OF SEAT ASSIGNMENTS; DECLARATION; PROVIDING AN EFFECTIVE DATE.

MOTION: Council Member List moved to adopt Resolution 14-09, Certification of Election Results for the Town of Fort Myers Beach; second by Council Member Raymond.

VOTE: Motion approved; 5-0.

VI. APPROVAL OF MINUTES (Originally Agenda Item X)

A. February 18, 2014 Town Council Meeting
B. February 18, 2014 Work Session
C. February 18, 2014 Town Council Special Meeting

MOTION: Vice Mayor Kosinski moved to approve the minutes as presented; second by Council Member List.

VOTE: Motion approved; 5-0.

VII. INAUGURATION

A. Recognition of Out-Going Council Members

Mayor Mandel presented plaques recognizing outgoing Council Member List, Council Member Raymond, and Vice Mayor Kosinski.

B. Oath of Office In-Coming Council Members

Town Attorney Rooney, individually, swore in Council Members Cereceda, Hosafros, and Stockton.

B. Reorganization of Council

1. Selection of Mayor and Vice Mayor

Town Attorney Rooney, according to the provisions of the Town Charter pertaining to the annual reorganization of the Town Council and appointment of Mayor and Vice Mayor, opened the floor for nominations for Mayor.

Council Member Stockton nominated Council Member Cereceda for Mayor.

Council Member Andre nominated Mayor Mandel for Mayor.

Town Attorney Rooney asked if there were any other nominations; seeing none he closed the floor.

Council Member Andre noted some of the responsibilities of the position of Mayor; and hoped the person selected had time to travel to places such as but not limited to Washington DC, Tallahassee, and Orlando to work on behalf of the Town.

Town Attorney Rooney reviewed potential voting processes; and verbal vote was selected by the Council.

Town Attorney Rooney called for a voice vote on the approval of Council Member Cereceda as Mayor.

VOICE VOTE: Council Members Cereceda, Hosafros, and Stockton voted "aye"; approved 3-2.

Town Attorney Rooney opened the floor for nominations for Vice Mayor.

Mayor Cereceda nominated Council Member Andre for Vice Mayor.

Town Attorney Rooney asked if there were any other nominations; seeing none he closed the floor; and announced he would call the election of Vice Mayor an acclamation.

Mayor Cereceda expressed her desire for unity on the Council.

Recessed at 6:52 p.m. - Reconvened at 7:15 p.m.

VIII. PUBLIC COMMENT

Mayor Cereceda noted Public Comment was a time for the public to discuss Consent Agenda Items, if any, and issues not already on the agenda.

Public Comment opened.

John Heim, resident, congratulated the newly elected Council; thanked Council Member Mandel for his hard work on clean water issues; requested Mayor Cereceda to sign the Floridians for Clean Water Declaration; discussed the "River Kidz Program"; and noted an ecological summer camp program he was organizing.

Sam Lurie, resident, thanked the outgoing Council and congratulated the new Council. He discussed his concerns regarding pedestrian crossing signage matters as they pertained to Laguna Shores, Bay Beach, and areas north of the Catholic Church.

Council Member Hosafros requested Mr. Lurie submit to her a copy of the exact locations he was concerned about and she would forward the list to the Public Safety Committee.

Public Comment closed.

Mayor Cereceda announced a change in the Agenda to move up the discussion of Item E (Administrative Agenda).

E. Policy Discussion Regarding Permit Fees for Non-Profit Organizations
A request for Town Council to establish criteria for funding and/or permit fee waivers for non-profit organizations for waiver of permit fees for special event permit applications from non-profit organizations.

Interim Town Manager Stilwell requested discussion and direction from Council on the policy matter.

Council Member Mandel reviewed the past practice of Council to utilize certain criteria for special event funding requests from various non-profit organizations.

Public Comment opened.

Bud Nocera, Fort Myers Beach Chamber of Commerce, noted there were not-for-profit organizations that were not a 501(3)(c) organization. He reported the last major Chamber event cost the Town approximately $600-700; and explained the various costs involved with an event other than the Town's $40 permit fee. He stated the Chamber worked to conduct events during non-peak tourism times in order to help bring business to the beach. He suggested and encouraged the Town to become a partner with these events.

Bill Shenko, Jr., resident, suggested Council should consider waiving fees on a case-by-case basis.

Tracy Gore, resident, suggested Council should consider waiving fees on a case-by-case basis.

Public Comment closed.

Interim Town Manager Stilwell suggested Council consider discussing the matter further at a Work Session.

Discussion was held concerning placing the "Policy Discussion Regarding Permit Fees for Non-Profit Organizations" on Agenda Management.

Consensus of Council approved to place the discussion item on Agenda Management in order to schedule the topic for a Work Session.

IX. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member Mandel recognized the organizers of the St. Patrick's Day Parade and the Shrimp Festival Parade.

Vice Mayor Andre recognized the newly elected Council Members and the residents who turned out to vote in the recent election.

X. ADVISORY COMMITTEES ITEMS AND REPORTS

Sam Lurie, Anchorage Advisory Committee, reported this year's Cruiser Appreciation Day would be held on March 29th from noon to 3:00 p.m. at Matanzas on the Bay.

XI. ADMINISTRATIVE AGENDA

A. Amendment #3, Phase 1 Potable Water Replacement Agreement
A request for approval of Amendment No. 3 to the Design Build Agreement RFQ 13-02-PW, Design-Build Services for Phase 1 Water Distribution System Improvements between the Town and Mitchell & Stark Construction Company to establish the next Guaranteed Maximum Price in the amount of $2,558,388.85

Public Works Director Lewis reviewed the request and back-up material for approval of Amendment #3 for the Phase I Water Distribution System Improvements. She offered to review background information on the various components of the amendment to the GMP.

Council Member Hosafros questioned [Item #2] which services were originally contemplated to commence in Phase III that would not be performed in Phase I.

Public Works Director Lewis explained it would be the portion associated with Laguna Shores and Bay Beach Lane.

Discussion was held concerning the Guaranteed Maximum Price (GMP); components of the project and federal grant funding; construction activities; preliminary work for Laguna Shores and Bay Beach Lane; and the grant eligible dollars in Amendment #2.

Council Member Stockton asked if grants had been submitted for funds under the Restore Act.

Public Works Director Lewis responded in the negative.

Interim Town Manager Stilwell reviewed the funding sources for the subject project.

Public Comment opened.

No speakers.

Public Comment closed.

MOTION: Council Member Mandel moved to approve Amendment No. 3 to the Design Build Agreement RFQ 13-02-PW, Design-Build Services for Phase 1 Water Distribution System Improvements between the Town and Mitchell & Stark Construction Company to establish the next Guaranteed Maximum Price in the amount of $2,558,388.85 and authorize the Town Manager to execute the documents; second by Council Member Stockton.

Public Works Director Lewis announced there would be a public workshop for the remaining portion of the Basin Based Project on March 20, 2014. She noted the property owners in the subject area had already be notified. She added the next meeting would be with the Laguna Shores Homeowners Association on March 24, 2014.

Mayor Cereceda requested Town Clerk Mayher to insure the subject meetings were listed on the Town website.

VOTE: Motion approved; 5-0.

Vice Mayor Andre complimented Mitchell & Stark Construction and their work crews for an outstanding job thus far.

B. Special Event Permit Application – Nervous Nellie's Firehouse Smokeout
A request for approval of the 2nd annual Firehouse Flameout BBQ special event permit to be held on Saturday, April 12, 2014 at Nervous Nellie's and authorize open containers of alcohol at this event in the designated area of the Town Right-of-Way.

Public Comment opened.

J.D. Bedell, resident, complimented Nervous Nellies as a "great" restaurant; however, he spoke in opposition to amplified music at the proposed subject event.

John Gerola, resident, spoke in opposition to loud amplified music at the special event.

Frank Tomeolo, resident, requested tighter restrictions on the proposed event times and use of amplified music at the proposed subject event.

Doris Grant, resident, suggested that if these types of event were to benefit the Town, then consider holding them at Times Square or Bay Oaks. She spoke in opposition to the subject event; and urged no open containers, no use of the public right-of-way; no amplified music; and to set a time on the event. She recounted what neighbors experienced after the recent St. Patrick's Day event.

Steve D'Angelis, Manager of Nervous Nellie's, told of his experience with noise levels from events at the subject restaurant and defended the special events. He described the benevolent work done by the Lee County Fire Marshall's Association (i.e. providing smoke detectors for families who could not afford them, etc.). He pointed out the benefits derived from Nervous Nellies special events to organizations such as but not limited to the American Cancer Society, Fort Myers Beach Art Association, Fort Myers Beach Little League, Bay Oaks Recreation Center, and more. He reported he did not anticipate the *Privateer Lynx* (tall ship) returning to Fort Myers Beach since their event was cancelled due the need to rearrange events as a result of the event restrictions placed by the Town. He noted that one of the bands he anticipated for the upcoming event was non-amplified and the amplified band would be on his property and comply with code.

Rob Degenero of Nervous Nellies told of his meeting approximately 4.5 years ago with the former Town Mayor and Manager concerning his intentions and what he envisioned for the business. He discussed how he brought in the tall ships (i.e. the *Nao Victoria, Privateer Lynx*); his prior business experience; and noted how Fort Myers Beach brought in more bed tax monies than Sanibel/Captiva for the first time. He explained how Nervous Nellies wanted to bring more culture to the Town. He noted that he had cancelled the St. Patrick's Day event due to Town restrictions placed on the event; and reported the *Privateer Lynx* would not be coming back. He requested the Town set rules that would remain the same and they would follow the rules.

Miffie Greer, resident, defended Nervous Nellies and spoke of the good they have done for CERT. She stated she did not want to see the special events discontinued or the *Privateer Lynx* not return to Nervous Nellies.

Paul Rosen, member of the Board of Directors for the Snug Harbor Condominium, suggested special event permits should be discussed at a Work Session. He spoke on the issue of noise from amplified music at special events and the need for a compromise for all.

Kelly Leary, resident, referenced an outdoor St. Patrick's Day event at the Yucatan with amplified music; and questioned why Nervous Nellies could not do the same.

Bob Layfield, resident, discussed his views on how the Town needed multiple attractions and things to draw visitors.

Tammy Stockton, resident, explained that she could hear music at her residence from Nervous Nellies and that last year there was "head-banging music" emanating from the business; however, it was not that way this year. She told of her experience walking on the beach recently and described signs she felt needed to be removed.

Jim Bedelle, resident, discussed his opposition to the proposed event in the fountain area.

Tom Babcock, resident, expressed his frustration that the Town still did not come to a resolution and have an enforceable noise ordinance. He requested an ordinance that was fair to the residents and the businesses.

John Heim, resident, spoke of how Nervous Nellies gave back to the community and put on great special events.

Tracey Gore, resident, explained that she did not live within the 500' area of businesses, yet noise was an issue at her residence. She noted that recent St. Patrick's Day event at Nervous Nellies had non-amplified music. She explained her belief that noise was the problem; and questioned the use of amplified music and the frequency of the events.

David Anderson, Chair-elect of the Chamber of Commerce, explained his belief that the Agenda discussion item had morphed into a number of items – noise and other public policies. He noted Nervous Nellies was an "anchor for the businesses on that end of San Carlos Boulevard"; and that the

applicant was requesting a special event permit. He recommended the Town have a definition of 'amplified music'. He reported CERT received less money this year from the recent special event than they did last year; and it appeared the *Privateer Lynx* would not be returning. He requested the Town work the matter through carefully.

Bill Shenko, Jr., resident, noted Nervous Nellies was seeking the permit because they wanted to have the event on Town-owned and private property [under the porch] on which they would have entertainment and alcohol. He added that the event held at the Yucatan was confined to the business's property.

Annie Babcock, resident, spoke on the need to have rules for events; and requested placing a discussion for the noise ordinance on an agenda immediately.

Dave Ennis, resident, spoke on the issue of special event noise; and noted noise recently from amplified music coming from the Mermaid Club.

Public Comment closed.

Discussion ensued concerning the timestamp on the subject permit application; the incompleteness of the subject application (i.e. lack of notary and affidavit, etc.); and the permit application process and timeline.

Public Works Director Lewis reviewed Council's action a few years ago regarding the acceptance of special event permit applications and a sliding scale for fees as it related to the submission date of the application. She explained how the Town had and still did receive special event permits within 7-10 days prior to an event. She reviewed the special event permit process and required approvals from outside agencies (i.e. Fire, Sheriff, ABT, etc.).

Town Attorney Rooney explained there were no less than three separate ordinances that applied to a special event situation (i.e. occupation of the right-of-way, allowing alcohol consumption in the ROW, etc.). He noted the prior Council directed the matter to go to the LPA to create a flowchart or brochure. He added that the LPA would not be taking up too many matters due to absences during the summer; and suggested the Council may want to set the issue for a Work Session.

Discussion continued regarding the incompleteness of the subject application.

Town Attorney Rooney suggested the Town's part of the application (i.e. zoning, release of ROW, etc.) could be approved then before the permit was released approvals from the outside agencies could be submitted and then the permit released administratively.

Discussion continued regarding the special event permit application and application process; Town ordinance requirements for the special event permit application; and recurring special event permits.

Council Member Hosafros suggested using the conditions set forth in the last special event permit [St. Patrick's Day event] for the Firehouse Smokeout application.

Council Member Mandel noted past discussion on having staff attend an event(s) to develop a baseline regarding noise; and the strong commercial base in the town.

Recessed at 8:50 p.m. – Reconvened at 9:00 p.m.

Council Member Stockton requested better photographs in the agenda back-up in the future; and questioned the conditions discussed by the former Council two weeks prior for a St. Patrick's Day special event.

Town Attorney Rooney reviewed the five conditions: 1) a Code Enforcement Officer to perform ambient noise testing and be present and paid for by Applicant; 2) acoustic music only; 3) one-day event only, March 17th only; 4) set-up begins at noon, event from 1:00 p.m. to 6:00 p.m. only; and 5) standard lease rate for right-of-way use.

Discussion was held concerning enforceability of the Town's current noise ordinance; and enforceability by the Town versus the LCSO.

Town Attorney Rooney explained the Court invalidation and revalidation of provisions of the Town's current noise ordinance; ambiguity within the current code; enforceability by the Town of decibel levels and special restrictions. He noted the Town had created a baseline; the noise could be monitored by a Town Code Enforcement Officer; and the property owner could be cited.

Council Member Andre noted the Town's ordinance required decibel readings over ambient noise levels.

MOTION: Council Member Mandel to approve a request for approval of the 2nd Annual Firehouse Flameout BBQ special event permit to be held on Saturday, April 12, 2014 at Nervous Nellies and authorize open containers of alcohol at this event in the designated area of the Town right-of-way pursuant to Ordinance 99-15 with the conditions that the event was restricted to noon to 6:00 p.m. for amplification; the use of the right-of-way in accordance with fees listed on the Blue Sheet #2014-024; and with a Code Enforcement Officer be on hand and paid for by the applicant; second by Council Member Andre.

Discussion was held to clarify the conditions of the motion.

VOTE: Motion failed; Council Members Stockton and Hosafros and Mayor Cereceda dissenting.

Mayor Cereceda discussed potential conditions for the approval of the subject special event permit (i.e. fencing the event perimeter, areas for public consumption, etc.).

Council Member Stockton questioned if there was time to schedule a Work Session on the subject special event permit.

Town Attorney Rooney explained the timeline needed for public notice of a meeting.

Council Member Stockton proposed Council hold weekly workshops until "*things settled down*".

Vice Mayor Andre suggested the subject special event be a 'test' as it pertained to ambient noise levels.

Discussion ensued regarding the St. Patrick's Day event and the base level of ambient noise measurement; and amplified music on public property.

MOTION: Mayor Cereceda to approve a request for approval of the 2nd Annual Firehouse Flameout BBQ special event permit to be held on Saturday, April 12, 2014 at Nervous Nellies and authorize open containers of alcohol at this event in the designated area of the Town right-of-way pursuant to Ordinance 99-15; with the conditions that a Code Enforcement Officer be on hand and paid for by the applicant; event restricted to noon to 6:00 p.m.; the use of the right-of-way in accordance with fees listed on the Blue Sheet #2014-024 and the table rental of $4.50 per square foot; and to restrict music to non-amplified music only for the public space; second by Council Member Hosafros.

Mayor Cereceda urged residents and business owners to take part in discussions regarding the noise ordinance when the item appeared on a future Work Session agenda.

VOTE: Motion approved 3-2; Council Members Andre and Mandel dissenting.

C. Selection of Council Representatives and Alternates to Outside Committees

Discussion ensued regarding the committees and their topics of concern; and the following Council Representatives and Alternates to outside committees were decided:

- Charlotte Harbor National Estuary Program – Council Member Andre/Alternate Mayor Cereceda
- Coastal Advisory Committee - Council Member Andre/Alternate Council Member Stockton
- Fort Myers Beach Elementary School Youth Council – Council Member Stockton
- Horizon Council –Council Member Mandel/Alternate Council Member Stockton
- Human Services Council – discussion was held; TBD
- Metropolitan Planning Organization – Council Member Mandel/Alternate Council Member Hosafros
- Southwest Florida Regional Planning Council – Mayor Cereceda/Alternate TBD
- Hispanic Chamber of Commerce – Mayor Cereceda

D. Selection of Council Liaison and Alternate to Town Advisory Committees & Boards

Discussion continued and the following Council Representatives and/or Alternates to outside committees were decided:

- Anchorage Advisory Committee – Council Member Andre, Liaison
- Audit Committee – Council Member Hosafros, Liaison
- Bay Oaks Recreational Campus Advisory Board – Council Member Stockton, Liaison

- Community Resource Advisory Board – Council Member Andre, Liaison
- Cultural and Environmental Learning Center Advisory Board – Mayor Cereceda
- Marine Resources Task Force – Council Member Andre, Liaison
- Public Safety Committee – Council Member Hosafros, Liaison

XII. PUBLIC COMMENT

Public Comment opened.

John Heim, resident, expressed his desire to be more involved in the community through service on some of the committees.

Council Member Hosafros noted there would be a vacancy on the Bay Oaks Recreational Camps Advisory Board since Council Member Stockton would be required to resign. She advised Mr. Heim to apply for a committee when there was a vacancy if he wished to serve on the committee or he could attend the meetings.

Bill Shenko, Jr., resident, stated he was a graduate of a decibel meter school and noted of his expertise in the field of ambient noise.

Town Attorney Rooney explained the prior ambient noise direction was given in anticipation of the event and he expected Code Enforcement would perform the same thing leading up to the next special event.

Paul Rosen, resident, spoke on the need for calibration of the noise meter equipment and training a person in noise/sound meter reading.

Tammy Stockton, resident, suggested the need for reviewing the code as it pertained to air conditioning unit noise and the setback requirements for air conditioners.

Council Member Stockton reported a permit was issued for the air condition unit at 461 Palermo Circle on the side setback.

Garr Reynolds, resident, offered congratulations to the new Council and commented regarding the recent voter turnout. He reminded the Council to call upon the residents.

Public Comment closed.

XIII. TOWN MANAGER'S ITEMS

A. Mound House Update

B. Action Item Recap

No discussion.

XIV. TOWN ATTORNEY'S ITEMS

Town Attorney Rooney – noted Council Member Andre had reported an illegal water taxi operating off the Town's docks. He explained that counties were in charge of licensing ferry operators and franchises; and Lee County did not have any licenses for the subject operation or for any other ferry in the county (i.e. Cabbage Key, etc.). He noted the matter may become a larger issue; that he checked on the issue with the Port Authority; and that he would bring the matter to the attention of the Board of County Commissioners (BOCC). He suggested the Town recommend to the BOCC that they address the subject and require licenses and minimum common carrier protection. He noted the prior Council had requested land use training for the LPA and that there would be a land use conference on May 16th; and he indicated the all-day training would also be open to the Council. He requested the Council give him direction on how they would prefer to be kept informed of legal issues (i.e. workshops, memos, etc.).

Mayor Cereceda requested the Town Attorney send her emails as soon as something arose; and Council Members Stockton and Hosafros concurred.

XV. COUNCILMEMBER ITEMS AND REPORTS

Council Member Mandel – offered an update on the flood insurance rate issue.

Vice Mayor Andre – no items or reports.

Mayor Cereceda – no items or reports.

Council Member Stockton – noted her preference for the 'cart of goodies' to be at every Council meeting if the other members agreed. She discussed the E-Trackit System as it worked in the past and questioned the current modified version.

Town Attorney Rooney explained that a response he received from staff had to do with when contractors requested inspections and put in comments such as "*the keys are under the mat*"; and also as contractors started seeing the comments they would begin to send in amendments before the entire process had been reviewed. He suggested Council may want a detailed discussion on the matter.

Council Member Stockton – requested a discussion concerning weekly workshops; and to have a meeting with a 'white board' to discuss the Council's primary goals and outside goals.

Discussion was held regarding scheduling a workshop.

Council Member Stockton – noted her surprise upon learning the Town had not applied for funding through the Restore Act (BP oil spill money); and suggested the Town submit a grant application, if it was not too late. She questioned how 561 Palermo Circle (elevated structure) was wrongly issued a CO and a CC.

Town Attorney Rooney stated he was unaware of that information and that a law firm was retained to handle the lawsuit.

Council Member Stockton noted the law firm was not representing the Town against 561 Palermo Circle.

Council Member Stockton - stated she was prepared to offer a motion to request Knott & Ebelini expand the review for 561 Palermo Circle and other sites such as 270 Palermo Circle, 414 Palermo Circle, 425 Palermo Circle, and 61 Alva Drive. She encouraged Council to look at a residence behind Hooters that was up to the beach access and questioned if it complied with Town code.

Mayor Cereceda explained that direction to staff would be appropriate instead of a motion.

Town Attorney Rooney recommended facts surrounding the scenario should be done in-house first to avoid elevated legal costs. He explained staff could determine information such as when the structures were permitted and under which code.

Council Member Stockton – explained it was not just an elevated structure issue and that she was concerned about matters such as but not limited to swales not being installed, density, and encroachment of side setbacks.

Town Attorney Rooney indicated staff would investigate 561 Palermo Circle first and report back to Council; and then further investigate the other properties and report back to Council.

Council Member Stockton – informed the Interim Town Manager that staff was to contact her today and had not, regarding 3-4' of illegal fill placed on the lots at 221 and 215 Palermo Circle. She reported the 15 days were up last Wednesday and they have now applied for a permit. She requested proof the permit was applied for and that they were being penalized for asking for forgiveness rather than for permission.

Council Member Hosafros – commended Council Member Andre on his work with the outdoor display group and suggested the Council do more of that type of work.

Mayor Cereceda recommended a workshop as soon as possible; and noted her expectations regarding agendas and agenda items. She explained how she would like to see the Council "*weed through*" the current Agenda Management list; and recommended their first workshop tackle general housekeeping items.

Discussion was held to determine a date/time for a workshop and agenda items.

Consensus approved to schedule a Work Session for Friday, March 28, 2014 for general housekeeping items, Agenda Management, and to look at their goals and objectives (on-island and off-island issues).

XVI. AGENDA MANGEMENT

Discussion was held concerning Agenda Management Item #34; and it was decided to leave #34 on the list pending the outcome of the March 28th Work Session.

XVII. RECAP OF ACTION ITEMS

Interim Town Manager Stilwell reported the Action Items he noted were waiving of fees and the noise ordinance.

Mayor Cereceda asked if there was another Executive Session planned to bring the new Council up-to-date on the Palermo litigation.

Interim Town Manager Stilwell stated another Executive Session was not planned; however, he suggested Council should request such a meeting.

Town Attorney Rooney stated he would contact the other attorneys involved with the litigation to request a meeting. He asked if Council wanted him to be present at the Executive Session when it was scheduled.

Discussion was held concerning whether or not the Town Attorney should attend the Executive Session.

Consensus approved the Town Attorney attend the Executive Session.

Discussion was held regarding scheduling photographs of the new Council.

Town Clerk Mayher requested Mayor Cereceda forward her the contact information for her photographer; and she would schedule the photo session.

XVIII. ADJOURNMENT

Mayor Cereceda adjourned the meeting at 10:02 p.m.

Adopted 4-21-14 With/(Without) changes. Motion by Houghton / Stockton

Vote: 5-0

Michelle D. Mayher, Town Clerk

- End of document.