



**FORT MYERS BEACH
CHARTER REVIEW COMMISSION (CRC)
MINUTES**

Town Hall – Council Chambers
2523 Estero Boulevard
Fort Myers Beach, Florida 33931

Thursday, February 12, 2015

I. CALL TO ORDER

The meeting was called to order at 9:00 a.m. Chair Babcock. Members present: Tom Babcock, Miffie Greer, Dan Hughes, Jay Light, and Dan Parker.

Council Liaison: Rexann Hosafros

Staff: Michelle Mayher

Town Attorney: Derek Rooney

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF FINAL AGENDA

IV. PUBLIC COMMENT

V. APPROVAL OF MINUTES of January 22, 2015

MOTION: Ms. Greer moved to approve the minutes as amended; second by Mr. Parker.

Eliminate the following sentence in Section 13.01: ~~He stated that all clerical changes could appear on one amendment.~~

VOTE: Motion passed unanimously.

VI. UPDATE ON SPECIAL ELECTION OPTION FOR SECTION 11.03(b) - FINANCIAL PROCEDURES

Town Manager Stilwell did not feel a special election was imperative at the present time. Ms. Hosafros stated that Ms. Rischitelli indicated that she believed she found funding for Town Hall, so acceleration would not be necessary.

MOTION: Mr. Light moved that the idea of a special election was not necessary; second by Ms. Greer.

VOTE: Motion passed unanimously.

Mr. Hughes questioned whether language from Mr. Light's email should be added to the rationale portion of the worksheet under pros. Chair Babcock indicated that he did not want to tie the recommendation to any particular project. Mr. Light felt that the language helped sell it. Mr. Hughes noted that the worksheet was internal and not necessarily what would be presented to the public. Chair Babcock indicated that the first two sentences in Mr. Light's email were appropriate to add to the pro side of the rationale. Mr. Hughes stated that he would add it.

VII. CANVASSING BOARD - NEW CHARTER SECTION OR RESOLUTION

Town Attorney Rooney indicated that requirements for a canvassing board should be in the Charter. Chair Babcock offered to provide Charter statements on canvassing boards.

VIII. REVIEW SUBSTANTIVE CHANGES WORKSHEETS

A. Section 4.07(d) - Greer

Same as 2004 CRC ~~recommendation~~ referendum on excused absences.

MOTION: Mr. Light moved to approve the changes in the worksheet for Section 4.07(d); second by Mr. Parker.

VOTE: Motion passed unanimously.

B. Section 4.11 - Parker - moved to substantive change worksheet

MOTION: Mr. Parker moved to change the language to read: Special meetings may be held on the call of the mayor or the town manager with reasonable notice to each member and the public and delete the 4th and 5th sentences; second by Mr. Light.

VOTE: Motion passed unanimously.

C. Section 6.01 - Greer

MOTION: Ms. Greer moved to make the following change: The council shall appoint a town manager. ~~for an indefinite term and fix compensation~~; second by Mr. Hughes.

VOTE: Motion passed unanimously.

D. Section 6.02 - Parker

MOTION: Mr. Parker moved to change the first sentence to: The council may remove the town manager for any reason by ~~affirmative vote of the council~~ motion requiring three affirmative votes; second by Mr. Hughes.

VOTE: Motion passed unanimously.

E. Section 12.01 - Hughes

MOTION: Mr. Hughes moved to change at least 25% of the qualified electorate to at least 15% of the qualified electorate; second by Mr. Parker.

VOTE: Motion passed unanimously.

Discussion was held concerning excluding certain types of ordinances and 25% versus 15%.

- F. Section 13.03 - Hughes - previously voted to change**
- G. Article XV - Babcock - eliminate**
- H. Article XVI - Babcock - eliminate**
- I. Article XVII - Babcock - eliminate**

IX. REVIEW DRAFT CLERICAL CHANGE WORKSHEET

Town Attorney Rooney revealed that the pronoun "his" occurred in Section 4.08. Ms. Greer volunteered to change "his" to "his/her" and to fill out a worksheet.

MOTION: Mr. Hughes moved to approve Section 2.01 as per the worksheet; second by Mr. Light.

VOTE: Motion passed unanimously.

MOTION: Mr. Parker moved to strike the last sentence in Section 4.01(a); second by Ms. Greer.

VOTE: Motion passed unanimously.

MOTION: Mr. Parker moved to amend his motion to include deleting ~~for the initial election~~; second by Ms. Greer.

VOTE: Motion passed unanimously.

MOTION: Mr. Parker moved to delete the sentence: ~~Candidates shall not seek election to a specific seat on the council~~ in Section 4.01(b); second by Mr. Hughes.

VOTE: Motion passed unanimously.

MOTION: Mr. Light moved to strike: ~~shall temporarily relinquish his office as council member and; and strike vice mayor of the council~~ throughout Section 4.08; second by Mr. Parker.

VOTE: Motion passed unanimously.

Town Attorney Rooney stated he would reword Section 10.02(b) to match state law.

Discussion was held concerning combining all clerical changes into one referendum. Town Attorney Rooney suggested looking at all changes in context. Chair Babcock stated he would combine substantive and clerical changes on one worksheet.

Mr. Hughes recommended that Section 13.03 be moved from a clerical change to a substantive change. Mr. Hughes stated he would draft language.

MOTION: Mr. Hughes moved to eliminate this as a proposed clerical change and add to the proposed change already agreed to in Section 13.03 of deletion of language which is no longer relevant; second by Mr. Light.

VOTE: Motion passed unanimously.

X. MEMBER'S ITEMS

No member items.

XI. SET NEXT AGENDA DATE AND MEETING DATE - February 26, 2015 at 9:00 a.m.

Review all worksheets for final approval and provide prioritized substantive changes by February 19, 2015. Chair Babcock requested that members prioritize changes before the next meeting. Discussion was held concerning whether and how to prioritize and how to present to council. Ms. Hosafros felt that a workshop with council would be helpful. Chair Babcock stated he would add the topic to the agenda.

XII. ADJOURNMENT

MOTION: Mr. Light moved to adjourn; second by Mr. Hughes.

VOTE: Motion passed unanimously.

Meeting adjourned at 11:21 a.m.

Adopted 3/12/15 With/Without changes. Motion by Greer / Parker

Vote: 5-0

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