



Fort Myers Beach Town Council

**Council Chambers
2525 Estero Blvd.
Fort Myers Beach, FL 33931**

Minutes

Tuesday, February 21, 2017

6:30 PM

FINAL

I. CALL TO ORDER

The meeting was called to order at 6:30 PM by Vice Mayor Rexann Hosafros

A. Roll Call

Members present: Vice Mayor Hosafros, Council Member Cereceda, Council Member Gore and Council Member Shamp.

Excused: Mayor Boback

II. INVOCATION

Town Clerk Mayher.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

MOTION: Council Member Cereceda moved to remove the Collins contract from the consent agenda for further discussion; second by Council Member Shamp.

VOTE: Motion approved; 4-0 with Mayor Boback excused.

V. PUBLIC COMMENT

•Eddie Foster, resident, thanked Council Member Gore for responding to her about handicapped parking and straws. She commented on plastic straws and implored Council to stand up and fight for wildlife.

•Doris Grant, resident, commented on people taking candidate signs.

•Steven Light, resident, did not think it was appropriate to create more laws banning tobacco use.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member Gore congratulated the beach soccer kids for winning and Mrs. Jennifer Martin for winning the Golden Coconut Award. She congratulated Sheena Brooks Stockton for being chosen to appear on The Voice this season starting February 27, 2017.

Vice Mayor Hosafros thanked Laurie Nienhaus, Council Member Gore and the Friends of the Mound House for putting on another successful production to raise funds for the Mound House.

VII. ADVISORY COMMITTEES ITEMS AND REPORTS

A. Marine Resources Task Force Water Quality Testing

Council Requested that MRTF research methodology and history of water quality testing taking place in the Fort Myers Beach area.

Bill Veach, Chair of the Marine Resources Task Force (MRTF), reviewed their water quality testing research. He noted that water was tested to protect the environment from the people and to protect people from the environment. He reported that there were several organizations already testing the water. He commented that it took two days for the test results to come back. Mr. Veach indicated that websites for beaches across the country posted generic warnings to inform people that the water may not be safe for people with certain conditions. They also used preemptive warnings based on conditions. MRTF recommended using generic and preemptive warnings on the beach. He reported that the links regarding water quality on the website were difficult to find and interpret. MRTF recommended that the Town create a dedicated page for the conditions of the beach, water quality and marketing.

MRTF recommended a budget to allow Environmental Technician Rae Blake to test after an event to determine whether bacterial counts were affected and to educate residents regarding the fertilizer ordinance. He reported that they gained an average of 20 inches of sand at Beach Access 22 due to the plantings. Details were contained in the packet of information.

Council Member Shamp congratulated MRTF for doing a great job. She noted that landscapers needed to be educated regarding the fertilizer ordinance. She agreed with potential testing and the website idea. She hoped that MRTF continued to plant.

Council Member Cereceda complimented Mr. Veach, Ms. Mapes and other members of MRTF for their hard work researching the topic. Vice Mayor Hosafros suggested that Mr. Veach submit his information about the beach plantings to the newspapers and she gave kudos to MRTF.

VIII. APPROVAL OF MINUTES

A. Town Council - Joint Session - Feb 1, 2017 9:00 AM

RESULT:	ACCEPTED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Joanne Shamp, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

B. Town Council - Work Session - Feb 6, 2017 9:00 AM

RESULT:	ACCEPTED [UNANIMOUS]
MOTON BY:	Anita Cereceda, Council Member
SECOND BY:	Joanne Shamp, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

C. Town Council - Regular Meeting - Feb 6, 2017 2:00 PM

Correction/Change:

Under C. VAR16-0012 - Council Member Gore spoke to Sue ~~Gotton~~ Katt.

Under Council Member Gore's Items - She will inform the MPO that her ~~opinion~~ did not reflect the majority of the Council vote was not voted on by Town Council.

RESULT:	ACCEPTED AS AMENDED [3 TO 1]
MOTION BY:	Joanne Shamp, Council Member
SECOND BY:	Tracey Gore, Council Member
AYES:	Rexann Hosafros, Tracey Gore, Joanne Shamp
NAYS:	Anita Cereceda
EXCUSED:	Dennis Boback

IX. CONSENT AGENDA

A. Collins Law Group Contract

Approve Collins Law Group Contract to provide legal services with respect to the Town's Petition objecting to the Department of Environmental Protection intent to permit a private boardwalk over the Little Estero Island Critical Wildlife Area.

Council Member Cereceda clarified that litigation regarded the dock in the critical wildlife area.

RESULT:	ADOPTED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Joanne Shamp, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

X. PUBLIC HEARINGS

A. Continued 1st Hearing - VAR16-0012 Duffey Balcony Variance

Deny the requested variances from LDC Sec. 34-638(d)(3) and Sec. 34-638(b) to allow a cantilevered second floor balcony to extend four feet into the rear and waterbody setbacks of the subject property.

John Turner, Town Attorney, stated the affidavit of publication was legally sufficient and will be included in the record along with the resolution regarding the hearing.

Vice Mayor Hosafros requested ex parte communication. Council Member Cereceda - spoke with Mr. and Mrs. Duffey, Jack and Barbra Carnoff, Kara Stewart, Mr. Glover, conversation with several LPA members and site visit; Council Member Shamp - site visit; Council Member Gore - email to the husband, on-site visit, conversation with Ms. Duffey, spoke with Bev Grady and Sue Katt; Vice Mayor Hosafros - site visit via kayak and received emails.

Town Attorney Turner swore in those providing testimony.

Matt Noble, Principle Planner, revealed that the letter of recommendation from the condominium association was received and included in the packet.

Beverly Grady with Roetzel & Andress representing the applicant, reviewed the expert testimony by Greg Stuart. She discussed the additional land beyond the lot, the five criteria were met, it was the minimum variance and it was unique and was supported by the neighborhood in writing. She submitted that the criteria for the variance was met that they provided substantial testimony. She respectfully requested their approval.

Public Comment:

- Linda Roller, President of the Flamingo Harbor Condominium Association, commented that the Board had a responsibility to thoroughly research the request and they felt confident that it did not impinge or affect neighbors in the community. She described the Duffeys as good neighbors who were respected and followed the rules. She asked that Council please consider approving their request.

- David Roller, resident, described the Duffey's house with the extension. He noted that it improved the area and did not impinge on anyone's view.

- George Clover, resident, remarked that it was a unique situation and they all try to follow the rules on Widgeon Terrace. They all supported the Duffeys and found no problem with the balcony on their property.

Public Comment Closed

Mr. Noble stated it was definitely a unique circumstance and many homes and some pools did not meet the street setback. Council Member Gore questioned whether he agreed with the staff report. Mr. Noble indicated that enough had come to light since the staff report was written and he was comfortable that Council could find that unique circumstances did exist and the variance could be approved with those findings.

Council Member Shamp questioned Mr. Noble on the common element. Mr. Noble replied that the establishment of the common element itself, which included the mangrove fringe, was meant to protect the back bay. Council Member Shamp felt that it was consistent with the Comprehensive Plan and it met Section 34-87 of the Land Development Code (LDC). She was comfortable approving it.

Council Member Gore felt it was furthering a non-conforming use. Council Member Cereceda remarked that it was a unique situation in unique location and had no impact on the neighbors. She supported the variance and she appreciated the testimony from Ms. Roller.

Vice Mayor Hosafros questioned the terms exceptional and extraordinary. She stated that the variance came before them because a mistake was made. Council Member Cereceda replied that the previous issue was not at task. A decision was to be made on the request, not what happened to cause the request. Vice Mayor Hosafros supported the request.

MOTION: Council Member Cereceda moved to approve the variance subject to the site plan as submitted, finding that there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question, or that the request is for a de

minimus variance under circumstances or conditions where rigid compliance is not essential; that the conditions justifying the variance are not the result of actions of the applicant taken; that the variance granted is the minimum variance that will relieve that applicant of an unreasonable burden; that the granting of the variance will not be injurious to the neighborhood; and that the conditions or circumstances on the specific piece of property for which the variance is sought are not of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question; second by Council Member Gore.

VOTE: Motion approved; 4-0 with Mayor Boback excused.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Tracey Gore, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

B. 2nd/ Final hearing: Ordinance 17-03, DCI16-0001 Mom's Restaurant

Second reading and public hearing, Ordinance 17-03, Rezoning 2450 Estero Blvd. AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A COMMERCIAL PLANNED DEVELOPMENT TO THE CURRENT ZONING MAP FOR A PROPERTY LOCATED AT 2450 ESTERO BOULEVARD FORT MYERS BEACH FROM COMMERCIAL BOULEVARD (CB) TO COMMERCIAL PLANNED DEVELOPMENT (CPD), CONTAINING 0.23 ACRES, MORE OR LESS; PETITION DCI16-00001; APPLICANT HEATHER REAGAN; PROVIDING FOR SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

Vice Mayor Hosafros read the title of the Ordinance. Town Attorney Turner stated the affidavit of publication was legally sufficient and will be included in the record along with the resolution in the Ordinance. He swore in those providing testimony.

Vice Mayor Hosafros requested ex parte communication. Council Member Cereceda - site visit, an email from an unnamed person from Fort Myers and she stated that Heather Reagan was a personal friend of hers; Council Member Shamp - site visit, talked to Heather Reagan, Mom's neighbor Mr. Tezak and an email from someone from Fort Myers; Council Member Gore - talked to Joanne Semmer, site visit, talked to Suzanne Katt, Heather Reagan, received information from Kara Stewart and an email from someone from Fort Myers; Vice Mayor Hosafros - site visit and email from someone from Fort Myers.

Mr. Noble reviewed the request and the history of the property. Staff reviewed the request and found that the variances were appropriate except for the landscaping deviation; however, the applicant agreed to plant additional trees.

Mr. Hendrickson from the LPA reported that they heard the rezoning request at the December 19, 2016 meeting. He indicated that their questions and concerns were addressed and they recommended that the zoning request be approved with deviations 1-6. Deviation 7 was being accommodated by the applicants.

Matt Uhle represented the applicant. He distributed an exhibit related to parking. Town Attorney Turner advised that the exhibit was not admissible but it was marked as a proffered exhibit and Mr. Uhle proceeded with testimony.

Mr. Uhle stated they had no issues with the staff report or LPA recommendations. He described the history of the property and why rezoning was being pursued. The rationale was set out in the staff report and he highlighted certain points. Concerning deviation 7, trees will be planted to comply with code. He asked for a deviation from the parking space requirement of 14 spaces to 5 spaces. He noted there were more spaces than the

5 referenced and there was less demand for the spaces. Mr. Uhle discussed non-conforming and conforming parking spaces on the property and he proposed that there were 10 parking spaces on the lot. He concluded that evidence showed that most people do not drive to the restaurant.

Heather Reagan, applicant, explained that most of her guests rode bicycles or walked to her restaurant. Property owner Tom Swanbeck stated the parking for the real estate office was not an issue. He intended to improve the parking lot after the Estero Blvd. construction was completed.

Council Member Gore clarified the restaurant was 1220 square feet. She stated traffic was chaos when she visited the site.

Public Comment

- Eddie Foster, resident, supported Mom's. She commented that it was a women's issue, an American issue, and a Fort Myers Beach issue. She stated Mom's was an asset to Fort Myers Beach. She addressed reasons why a particular person did not support the request.

- Skip McCloud has known Ms. Reagan for years and he described how he met her. He stated that she represented the spirit of a small beach community and one that should be supported and maintained.

- Marv Everly, seasonal resident, requested that they consider Ms. Reagan's petition for a change in zoning. He noted that Mom's was a unique experience and he visited often. He commented that they did not need another empty building on the Island and he complimented Mom's sticky buns.

- Carolyn Hart, resident, discussed her corporate finance experience and stated that Mom's had what investors looked for. She described the value of what one pays for something versus the intrinsic value of what it was. She discussed the importance of buying from a locally owned business.

- Laura Hostica, resident, mentioned that she and six others worked at Ms. Reagan's restaurant and five lived on the beach. She enjoyed working at Mom's and she did not have a problem getting in or out of the parking lot.

- Dave Bower, resident, loved the Island. He described the financial hardship to start a business and he described Mom as a hero. He commented that it had to stay because it was part of the culture. He commented on the downfall of family owned businesses in Delray Beach. He urged Council to figure out a way to keep it.

- Ron Reagan, brother-in-law, supported Mom's restaurant and he was her cheerleader.

- Madison Tezak, resident, did not support Mom's and commented that it caused litter around her house.

- Sophia Lucas, resident, loved the character of Mom's and it was a nice community place. She lived on the road and she indicated that it was miserable to get in and out of any business due to construction. She was upset to see vacant store fronts.

- Leon Moyer felt that Mom's was disingenuous and they should have known how to process the paperwork since they owned a restaurant previously. He encouraged Council to maintain uniformity in administrating the codes and comprehensive plan.

- Les Miller, seasonal resident, stated that several of them went to Mom's for breakfast every day before going to the beach. He felt she needed to stay where she is.

- Dave Brickruff, seasonal resident, and his wife walked or rode their bikes to Mom's. He remarked that parking at Mom's was no different than other businesses during construction. He credited Fort Myers Beach for having so many local businesses to eat and shop. He compared Mom's to Cheers.

Public Comment Closed

Mr. Uhle noted that additional public testimony at the first hearing should be considered as part of the record with the variance request.

Council Member Cereceda questioned the percentage of how many customers arrived in vehicles. Ms. Reagan replied that more people drove cars earlier in the morning and as the day wore on, more people walked or rode bicycles. She estimated that the percentage was roughly 50/50.

Council Member Shamp asked Ms. Reagan whether she considered contacting the owner of the parking lot next door. Ms. Reagan replied that he let people park there for free and she would obtain written permission from him after he resolved his issues with the Town.

Vice Mayor Hosafros questioned whether the bike rack was installed. Ms. Reagan replied that she installed two.

Council Member Cereceda questioned why they needed deviation 7. Mr. Uhle withdrew deviation 7.

Council Member Gore questioned the difference between retail and food service. Mr. Noble thought it was because she wanted to retail some of her product at that location. She questioned whether changing the zoning would allow something bigger than a little Mom and Pop shop in the future. Mr. Noble replied that the space dedicated to the restaurant use was fixed through the approval of the 1220 square feet. She clarified that the application was for the restaurant only.

Vice Mayor Hosafros questioned whether they could condition that Ms. Reagan enter into an agreement to rent parking offsite during season. Mr. Noble responded that it could be done if a commercial lot was within 750 feet of the restaurant. He agreed that conditions could include adding five or six additional parking spaces during season.

Mr. Uhle proposed that deviation 5 was approved subject to condition 9. Condition 9 stated that the applicant must provide a joint parking agreement showing a legal entitlement to use a minimum of five parking spaces in a parking lot within 750 of the subject parcel annually during the period between January 1 and April 1.

Council Member Shamp questioned whether Ms. Reagan would agree to a condition of no Consumption on Premises (COP). She agreed.

Mr. Noble suggested that condition 9 specify that seven qualifying parking spaces have to be located onsite as well as one bike rack, which gave them eight spaces. Mr. Noble stated that the total number of required parking spaces was 14 for the CPD uses through onsite as well as offsite means. Council Member Gore requested that she change the 10 p.m. closing time to 4 p.m. and open at 7 a.m. Ms. Reagan agreed.

Council Member Shamp was comfortable with the zoning request and she referred to the LDC and comp plan to support her decision. She supported the request as conditioned.

Council Member Gore agreed.

Council Member Cereceda congratulated Council for finding a way to help a small business owner be successful.

MOTION: Council Member Shamp moved to approve the request to rezone the subject property to CPD subject to deviations and conditions set forth and specified as below. Deviation 5 as stated by Mr. Noble was the deviation from the requirement to provide a total of 14 parking spaces, 4 for the office and 10 for the restaurant per Section 34-2020(d) of the Fort Myers Beach Land Development Code through onsite parking, one bike rack and provided a joint agreement for shared parking between January 1 and April 1. Approved deviations 1-6 with deviation 5 being restated and deviation 7 withdrawn. Recommended conditions of approval were 1-6 as presented, 7 modified to read hours of operation for the operation were limited to 7 a.m.-4 p.m., 8 remains, 9 was now no COP will be sought or approved for the subject site; second by Council Member Cereceda.

VOTE: Motion approved; 4-0 with Mayor Boback excused.

RESULT:	ADOPTED AS CONDITIONED [UNANIMOUS]
MOTION BY:	Joanne Shamp, Council Member
SECOND BY:	Anita Cereceda, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

C. Ordinance 17-02 Amendment to Town Personnel Policy On Call

Second Reading of Ordinance 17-02 AN ORDINANCE AMENDING ORDINANCE 13-03, THE TOWN OF FORT MYERS BEACH PERSONNEL MANUAL WHICH INCLUDES PROVISIONS RELATING TO EMPLOYMENT POLICIES AND PROCEDURES; EMPLOYEE BENEFITS; AND EMPLOYEE CONDUCT AND RESPONSIBILITIES; ORDINANCE 17-02 PROVIDES FOR THE ALLOCATION AND PAYMENT OF ON CALL PAY, PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND AN EFFECTIVE DATE.

Vice Mayor Hosafros read the title of the Ordinance.

Town Attorney Turner stated the affidavit of publication was legally sufficient and will be included in the record.

Interim Town Manager Steele noted two employees in the Water Department were impacted by the change. He indicated that the effective date would be immediately. He suggested paying retroactively to October 1, 2016, which would cost the Town \$2,625.00. If it was changed to January 1, 2017 the Town would pay \$1,000.00 in retroactive pay.

Council Member Shamp clarified that one employee was on call per week unless there was an emergency. Interim Town Manager Steele concurred.

Council Member Gore supported the ordinance being effective immediately.

Council Member Cereceda supported Interim Town Manager Steele's recommendation.

Council Member Shamp agreed with it being effective immediately, but no retroactive pay.

Vice Mayor Hosafros agreed with Interim Town Manager Steele's recommendation. To avoid a deadlock, she suggested that everyone meet in the middle with retroactive pay starting on January 1, 2017. Council Members Cereceda and Shamp agreed. Council Member Gore did not.

MOTION: Council Member Cereceda moved to approve Ordinance 17-02 amending Ordinance 13-03 of the Town of Fort Myers Beach Personnel Manual and making it effective January 1, 2017; second by Council Member Shamp.

VOTE: Motion approved; 4-0 with Mayor Boback excused.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Joanne Shamp, Councilwoman
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

XI. ADMINISTRATIVE AGENDA

- A. RFQ-17-11-PW; On-Going Professional Services for Environmental Assessments and Marine Engineering

Approve the Town Manager's recommendations in response to RFQ-17-11-PW; On-Going Professional Services for Environmental Assessments and Marine Engineering and authorize the Town Manager to negotiate and execute an agreement with the recommended firm(s).

Interim Town Manager Steele reviewed and agreed with the ranking from the Selection Advisory Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Joanne Shamp, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

- B. Special Event Permit Application - FMB Shrimp Festival

Request approval for a special event permit application for the 59th Annual Lion's Club Shrimp Festival to be held March 11 & 12th, 2017, with a 5K race, parade and Arts and Crafts Expo, pending permit approvals from required agencies. Also requesting waiver of all fees for this event since the Lions Club is a non-profit and all proceeds go to supporting our community.

Kara Stewart, Community Development Director, indicated that they requested a fee waiver of \$1,487.46 and she noted that the State did sign off on the bridge closing.

RESULT:	ADOPTED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Joanne Shamp, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

- C. Special Event Permit Application - St. Patrick's Day Party Nervous Nellie's

A Request to approve a special event application for the St. Patrick's Day Event sponsored by Nervous Nellies March 17, 2017 from 1pm to 10 pm.

Ms. Stewart pointed out that they requested a waiver of the noise ordinance until 9:00 p.m. and they requested to serve alcohol from Nervous Nellie's on the extension of the COP and their fees totaled \$280.00 with no fee waiver.

RESULT:	ADOPTED [UNANIMOUS]
MOTION BY:	Anita Cereceda, Council Member
SECOND BY:	Tracey Gore, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

- D. Interlocal Billing Services Fee

Approve the SECOND ADDENDUM AGREEMENT FOR SALE AND PURCHASE OF POTABLE WATER BY AND BETWEEN LEE COUNTY, FLORIDA AND THE TOWN OF FORT MYERS BEACH.

Interim Town Manager Steele noted that there were two typos in the document. He explained why the formula changed to include three billings and the allocation was based on the dollar amount of the billing. Salaries were included and the allocation was based

on the actual amount of time spent on the services. Exhibit C1 broke out fees among three utilities based on a 12 month allocation. He stated that the County would pay them \$105,000.00 for 2016.

Vice Mayor Hosafros appreciated Interim Town Manager Steele's work.

Council Member Shamp questioned whether they could recover fees retroactively. Interim Town Manager Steele stated that the Town billed them incorrectly and Lee County paid what they were told.

RESULT:	ADOPTED [UNANIMOUS]
MOTION BY:	Joanne Shamp, Council Member
SECOND BY:	Anita Cereceda, Council Member
AYES:	Anita Cereceda, Rexann Hosafros, Tracey Gore, Joanne Shamp
EXCUSED:	Dennis Boback

E. Resolution 17-03, Smoking Policy

A request to adopt 17-03, a resolution establishing a tobacco use policy applicable to Town owned or operated public facilities and properties.

Sean DePalma, Parks & Recreation Director, indicated the policy would cover eight Town-owned properties, five of which were recreation designated facilities.

Council Member Cereceda questioned the wording of the policy. She supported a Smoke Free Policy rather than Tobacco Free Policy.

Council Member Shamp agreed and noted there were other changes to be made. Mr. DePalma replied that he would make changes and bring it back.

F. Times Square Stage

Discuss Proposal by Times Square Merchant's Association to Accept Donation of Outdoor Stage and Direct the Town Manager.

Interim Town Manager Steele stated that the stage stored at Times Square needed to be replaced at a cost of approximately \$7,000.00. John Lallo from Pete's Time Out suggested that the Merchant's Association donate \$2,000.00 to the Town to purchase a new stage in addition to the \$5,000.00 already raised. The Merchant's Association would not be charged rent but they would continue to pay \$150.00 per weekend for assembly and tear down.

Council Member Cereceda felt it was a win-win situation and she would like to see it move forward.

Council Member Shamp clarified storing the stage. She mentioned that Mr. Lallo did not want to store it at Times Square. Interim Town Manager Steele indicated that details would have to be worked out.

Consensus was reached to direct staff to draft a resolution.

XII. PUBLIC COMMENT

No public comment.

XIII. ADGENDA MANAGEMENT

Agenda Management

Add discussion of MRTF recommendations to the work session on March 6, 2017.

Add create a policy regarding vehicles on the beach to a work session.

Add strategic planning session to plan goals after the election.

Add AIR discussion to a work session.

Add discussion regarding construction and downtown zoning to a work session.

Add stormwater to March 6 work session.

Add MPO presentation.

XIV. TOWN MANAGER'S ITEMS

Interim Town Manager Steele noted that 77 applications for Town Manager were located in the lobby, a summary was online and he described the accompanying paperwork located in Council's books.

He relayed suggestions to change the Fourth of July parade route to end up at Bay Oaks. Mr. DePalma noted that it was not feasible to end at Bay Oaks during construction.

Mr. DePalma discussed geocaching and he recommended drafting a policy.

XV. TOWN ATTORNEY'S ITEMS

Town Attorney Turner requested direction to defend the Town in a lawsuit filed by Persaud Properties involving a construction project. Consensus was reached for the Attorney to proceed.

XVI. COUNCILMEMBERS ITEMS AND REPORTS

Council Member Gore raised the question of moving handicapped parking spaces closer to the entrance of Town Hall. Interim Town Manager stated that they would look at reconfiguring it. She indicated that the MPO approved asking for federal funds to repair or replace the Big Carlos Pass bridge as it was, the country project was years off and taking public input on the project and the traffic study would be reevaluated in March.

Council Member Shamp questioned whether the public was informed regarding Referendum #1. She questioned adopting a resolution request from Sanibel. She questioned whether they had a AED located in the building and whether staff was trained in its use. Council Member Shamp questioned speed limits in canals. Interim Town Manager will research the issue.

XVII. ADJOURNMENT

The meeting was closed at 10:20 PM

Minutes adopted as amended March 6, 2017; Motion by Council Member Cereceda, second by Vice Mayor Hosafros; Passed 5-0.



Michelle D. Mayher CMC
Town Clerk