



# Fort Myers Beach Town Council

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

**Minutes**

**Monday, June 19, 2017**

**9:00 AM**

## **DRAFT**

### **I. CALL TO ORDER**

The meeting was called to order at 9:00 AM by Mayor Dennis Boback

#### **A. Roll Call**

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

### **II. INVOCATION**

Town Clerk Mayher.

### **III. PLEDGE OF ALLEGIANCE**

### **IV. APPROVAL OF FINAL AGENDA**

**MOTION:** Vice Mayor Gore moved to approve the final agenda; second by Council Member Cereceda.

**VOTE:** Motion approved; 5-0.

### **V. PUBLIC COMMENT**

•Mike Huffman clarified that Joe Orlandini was not his business partner. He discussed being denied driveway permits and requested consideration from the Council and Town on the matter.

•Jennifer Hecker, Executive Director for the Charlotte Harbor National Estuary Program, described the program and she invited Council to rejoin the policy committee with a nominal contribution of \$2,000-\$5,000.00. She requested the opportunity to make a presentation to Council in August, 2017.

•Barry Lawrence offered a source of entertainment for teenagers after dark and he provided a local transportation service on the Island.

## VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member Cereceda recognized and thanked Joe Orlandini, Matt Noble, Suzie Katt, Dan Hendrickson, Russ Carter and everyone else who worked so vigilantly to move the cottage. She thanked Mr. Huffman for allowing the Town to take the cottage.

Council Member Shamp thanked C.E.R.T. residents and she reminded people about the meeting at 3:00 p.m. at Town Hall regarding the emergency plan.

Vice Mayor Gore recognized Town staff for fixing the Town Hall and Bay Oaks signs; recognized the Beach Kids Foundation and the Beach Firefighters. She thanked the Gulf Shore Grill and The Cottage for raising \$4,781.00 towards the fireworks fund.

Council Member Butcher commented that dredging Big Carlos Pass was really needed.

## VII. ADVISORY COMMITTEES ITEMS AND REPORTS

Vice Mayor Gore attended the last Bay Oaks Recreational Campus Advisory Board (BORCAB) meeting to inform them that she would no longer be attending meetings as a Council liaison.

## VIII. APPROVAL OF MINUTES

### A. Town Council - Special Meeting - Jun 6, 2017 8:00 AM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Tracey Gore, Vice Mayor
<b>SECOND BY</b>	Anita Cereceda, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

### B. Town Council - Regular Meeting - Jun 6, 2017 9:00 AM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Tracey Gore, Vice Mayor
<b>SECOND BY</b>	Anita Cereceda, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

## IX. CONSENT AGENDA

### 1. Disposition of Surplus Property - June 2017

**A request to declare the items on the attached "Exhibit A" surplus and authorize staff to dispose of these items.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Joanne Shamp, Council Member
<b>SECOND BY</b>	Anita Cereceda, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

### 2. RFQ-17-15-PW; Geographical Information System Consulting and Support Services

**Approve the Town Manager's recommendation in response to RFQ-17-15-PW, Geographical Information System Consulting and Support**

**Services, and authorize the Town Manager to negotiate and execute an agreement with the recommended firm.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Joanne Shamp, Council Member
<b>SECOND BY</b>	Anita Cereceda, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

## X. PUBLIC HEARINGS

- A. 2nd Reading and Final Public Hearing: Ordinance 17-09 LDC Amendment 50% Floodplain Regs in Chapter 6

**2nd Reading of Ordinance 17-09 - 50% Floodplain Regulations in Chapter 34 in the Land Development Code, amendments to the existing Floodplain Regulations Sec 6-424, 6-494 and 6-526. AN ORDINANCE BY THE FORT MYERS BEACH TOWN COUNCIL AMENDING THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES TO AMEND FORT MYERS BEACH LAND DEVELOPMENT CODE CHAPTER 6; TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

Mayor Boback read the title of the Ordinance.

No public comment.

Council Member Shamp proposed adding language regarding existing lawful densities to prevent doubling and tripling density. She asked how Kara Stewart, Community Development Director, would address the issue.

Ms. Stewart replied that without research, she could not answer the question.

Council Member Cereceda stated that if a majority of Council felt strongly about the issue, the conversation should be tabled and go back to the Local Planning Agency (LPA) to start the process over.

Council Member Shamp did not feel comfortable passing the amendment without addressing density issues.

Council Member Cereceda asked whether they could move forward with the amendment as written and add the proposed language at a later date. Ms. Stewart replied in the affirmative.

Council Member Shamp discussed her concerns regarding density issues. She had second thoughts regarding going to permit-to-permit and would consider transitioning to one year first.

Council Member Butcher clarified that Council Member Shamp was concerned regarding going from a single-family residence to a multiple-family residence.

Ms. Stewart stated that the density was reviewed as part of any application.

Council Member Shamp asked whether they could cross-reference the appropriate section. Ms. Stewart did not think it was necessary because the review took density into consideration. Council Member Shamp stated that people were renting two units where there used to be one. Ms. Stewart replied that they may not have a permit and it was a code enforcement issue. She did not think that adding words would change the actions of a person who would violate code.

Council Member Cereceda suggested setting up a work session with the Board of Realtors. She wanted to move it forward and wrangle the issues at a later day.

Vice Mayor Gore preferred going to one year rather than permit-to-permit. She suggested obtaining a Community Rating System Analysis to make sure their rate does not suffer with the change.

Council Member Butcher stated that they had been discussing the issue for a year and Ms. Stewart already addressed that the change would not impact the rating. Vice Mayor Gore commented that she wanted a professional firm to weigh in.

Council Member Cereceda stated that all the issues Vice Mayor Gore brought up had been discussed by competent staff members on multiple occasions, further stating that the amendment will not affect flood insurance rates. Ms. Stewart clarified the CRS rating and she explained the increment system. She reiterated that the Town would not lose their current rating by passing the amendment.

Mayor Boback asked what they could do to increase their rating. Ms. Stewart replied that the free board would be a good item to start with.

Town Manager Hernstadt suggested adding language to section four to prevent people from increasing their density, intensity or zoning category without the approval of the LPA and the Town Council.

Council Member Shamp agreed with Mr. Hernstadt's language, and preferred that the effective date be changed to January 1, 2018 to allow staff time to implement procedures. Ms. Stewart replied that they did not need additional time and the process was in place.

Town Attorney Turner reminded Council that it was a second reading and they had to determine whether the factual issue was material or substantial. If it was substantial, they had to start the process over from the beginning. Town Attorney Turner reviewed the proposed language from Town Manager Hernstadt and he verified that the change was not substantial.

**MOTION:** Council Member Shamp moved that Council approve ordinance 17-09 as presented with the addition of the sentence: however, density, intensity or zoning category shall not be increased without Town Council approval to section four - applicability; second by Council Member Cereceda.

**VOTE:** Motion approved by roll call vote; 4-1 with Vice Mayor Gore dissenting.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [4 TO 1]</b>
<b>MOTION BY:</b>	Joanne Shamp, Council Member
<b>SECOND BY</b>	Anita Cereceda, Council Member
<b>AYES:</b>	Anita Cereceda, Dennis Boback, Joanne Shamp, Bruce Butcher
<b>NAYS:</b>	Tracey Gore

B. 2nd and Final Public Hearing - Ordinance 17-10, As Built Surveys

**Ordinance 17-10, As-Built Surveys and Permitting Requirements for Single Family Administrative Codes an addition of Section 34-639 to Chapter 34 of the Land Development Code. AN ORDINANCE AMENDING CHAPTER 34, ARTICLE III, DIVISION 3, IN THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE, "EXPLANATION OF PROPERTY DEVELOPMENT REGULATIONS FOR ALL ZONING DISTRICTS;" ADDING SECTION 34-639, "PERMITTING SURVEY REQUIREMENTS;" BY PROVIDING REQUIREMENTS FOR A BOUNDARY SURVEY AT THE TIME OF BUILDING PERMIT APPLICATION AND AN AS-BUILT SURVEY PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Mayor Boback read the title of the Ordinance.

No public comment.

Council Member Shamp asked whether they was a process in place to automatically trigger a square footage update when people added square feet and whether that linked to an update for the RSU calculation for stormwater billing. Ms. Stewart replied that there was no connection between the two. Council Member Shamp asked whether they could create a connection. Town Manager Hernstadt suggested that it was up to the applicant to report additional square footage, but they would look at the possibility of creating a link.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Tracey Gore, Vice Mayor
<b>SECOND BY</b>	Bruce Butcher, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

C. 1st Reading and Public Hearing: Ordinance 17-12; Noise Ordinance - Amendment

**Motion to approve and move Ordinance 17-12 Noise Ordinance - Amendment to a second reading on August 21, 2017 AN ORDINANCE AMENDING CHAPTER 14, ARTICLE II, IN THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES, "NOISE CONTROL," AMENDING SECTION 14-22, "EXCEPTIONS," SUBSECTION (4), TO LIMIT THE EXCEPTION FOR ORDINARY NOISE CREATED BY THE OPERATION OF REFUSE AND RECYCLABLES COLLECTION FROM NON-RESIDENTIAL LOCATIONS SO THAT SUCH COLLECTION MAY ONLY OCCUR BETWEEN THE HOURS OF 6:30 A.M. AND 6:30 P.M.; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.**

Mayor Boback read the title of the Ordinance.

Larry Weinberg, Advanced Disposal, stated that they were not using the exception for the early starts on residential streets during off season. He requested that Council allow them the exception for the upcoming season between December and April due to construction on Estero Blvd. He noted that they had to get to the residential streets before construction equipment blocked their way, adding that they had not received a lot of complaints when they started early and they had a good working relationship with staff.

Council Member Cereceda thanked Mr. Weinberg and his staff for working so closely with the Town.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Joanne Shamp, Council Member
<b>SECOND BY</b>	Tracey Gore, Vice Mayor
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

**XI. ADMINISTRATIVE AGENDA**

A. FY 17-18 Budget Calendar

**Approve FY 17-18 Budget Calendar and Establish Budget Hearing Dates**

Council Member Cereceda asked whether they could move everything to the week of August 21, 2107. Town Manager Hernstadt noted there was a conflict on August 17, 2017.

August 14 & 21, 2017 were Council meetings and August 24, 2017 will be the Management & Planning session.

Council Member Shamp requested an excused absence for September 7, 2017.

Maureen Rischitelli, Administrative Services Director, indicated that one option was to

hold the first public hearing on Labor Day after 5:00 p.m. with a second public hearing on September 18, 2017. Mayor Boback did not support meeting on Labor Day.

The first budget hearing will be September 7, 2017 at 6:30 p.m. and the second hearing on September 21, 2017 at 6:30 p.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Joanne Shamp, Council Member
<b>SECOND BY</b>	Tracey Gore, Vice Mayor
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

B. Level of Service Review BASE, Beach Water and Community Development

**Council discussion and to provide direction to staff pertaining to analysis provided on Beach and Street Compliance, Beach Water Utility and Community Development services.**

Town Manager Hernstadt provided a cost comparison between outsourcing versus in house for Beach and Street Compliance (BASE), Beach Water Utility and Community Development services.

Council Member Butcher noted the comparison illustrated that it was economically feasible to keep BASE in house and he listed the benefits; Council Member Cereceda agreed.

Town Manager Hernstadt indicated that there was a \$20,000.00 swing. Discussion was held regarding Tourist Development Council (TDC) funds.

Vice Mayor Gore asked about apparent increase in revenue from parking tickets. Public Works Director Baker replied that the increase is a result of enforcing the tickets. Ms. Rischitelli noted that they were utilizing available tools to collect fines.

Mayor Boback asked why they did not research vendors other than Central Parking Systems. Town Manager Hernstadt replied that they could look at other vendors before the first budget hearing. Mayor Boback wanted to look at current numbers.

Mayor Boback commented that this review had nothing to do with the employees, it was a financial decision.

Council Member Butcher asked whether an outside parking vendor would enforce the beach and asked whether the TDC grant money had been deducted from the top line. Mr. Baker replied that they could probably find a company that would do the beach patrol, and that Mr. Steele told him that the TDC grant figure had been deducted.

Council Member Cereceda stated that it affected their employees and it was more than just about parking. She did not support outsourcing.

Vice Mayor Gore supported outsourcing BASE if it resulted in better financial and performance standards.

Town Manager Hernstadt noted the increase in the Beach Water was more substantial. He explained that it would cost more than \$200,000.00 to outsource it.

Council Member Shamp supported keeping it in house, and Council Member Cereceda spoke regarding the quality of service the Town staff provides.

Town Manager Hernstadt discussed the analysis of Community Development and he stated it would be significantly more expensive to do it through the private sector. Ms. Rischitelli explained the net difference in various categories.

Mayor Boback requested an analysis for each department. Town Manager Hernstadt requested a priority list for the remaining departments.

C. Resolution 17 - 18, Setting Tentative Millage Rate for FY 17-18

**Approve Resolution 17-18 setting the tentative operating ad valorem rate for tax year 2017/2018 and set the first public hearing to consider the final millage rate of \_\_\_\_\_ mills and adopt the budget Fiscal Year 2017-2018 for \_\_\_\_\_, September \_\_\_\_\_ 2017 at \_\_\_\_\_ PM.**

Town Manager Hernstadt stated that he was not prepared to provide a final number due to his short tenure with the Town; however, he hoped they would consider a preliminary millage of no less than 0.9.

Council Member Shamp agreed with 0.9. She indicated that the Town had maintenance issues, no reserves and financial issues that needed to be attended to. She did not want to tie Town Manager Hernstadt's hands.

**MOTION:** Council Member Shamp moved to approve a preliminary millage of no less than 0.9; second by Council Member Cereceda.

**VOTE:** Motion approved; 4-1 with Mayor Boback dissenting.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOTION BY:</b>	Joanne Shamp, Council Member
<b>SECOND BY</b>	Anita Cereceda, Council Member
<b>AYES:</b>	Anita Cereceda, Tracey Gore, Joanne Shamp, Bruce Butcher
<b>NAYS:</b>	Dennis Boback

D. 17-19 Resolution to transfer funds from FMIVT to Comply with Investment Policy

**Approve Resolution 17-19 Authorizing transfer of \$600,000 from Florida Municipal Investment Trust - Beach Operating Fund**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Anita Cereceda, Council Member
<b>SECOND BY</b>	Joanne Shamp, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

E. 17-20 Resolution to transfer funds from Suntrust to Bank United to comply with Investment Policy

**Approve Resolution 17-20 Authorizing transfer of \$600,000 from Suntrust Operating Account to Bank United Certificates of Deposit and/or Money Market Accounts**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Anita Cereceda, Council Member
<b>SECOND BY</b>	Joanne Shamp, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

F. ITB-17-24-PW; Water & Stormwater Improvements

**Motion to approve the Town Manager's recommendations in response to ITB-17-24-PW; Water & Stormwater Improvements and since work may be issued on several streets to one or more contractors, Council can authorize the Town Manager to negotiate and execute an agreement with the recommended firm(s); authorize the firm(s) to move forward with construction of the 4 joint outfalls along Segment II of Estero Boulevard as soon as the Army Corp of Engineer permit(s) are issued.**

Mr. Baker noted that the first four outfalls would be on Eucalyptus, Jefferson, Hercules and Bayview.

Mayor Boback asked why they had to go down Donora Street since it did not flood. Council Member Cereceda noted that it wasn't about individual streets, it was part of the whole system. Brett Messner from Tetra Tech confirmed Council Member Cereceda's statement. He noted they were submitting a draft memorandum regarding the next step.

Council Member Shamp asked who projected the costs. She discussed an increase of 216% for the outfalls, noting the Town was paying \$10.1 million, not \$4.1 million and the County share was 3.9%, not 20%.

Mr. Messner noted the contract was for stormwater and water.

Town Manager Hernstadt will meet with the County to discuss costs.

Council Member Butcher asked the total cost for the stormwater project, and asked the cost of materials. Mr. Baker noted that they expected to have a project figure in August, and Mr. Messner replied that the costs were slightly higher, but within an acceptable range. He noted that the shorter outfalls would average out costs.

**MOTION:** Council Member Cereceda moved to approve the recommendation in response to ITB-17-24-PW to move forward with construction of the 4 joint outfalls along Segment II on Eucalyptus, Jefferson, Hercules and Bayview; second by Vice Mayor Gore.

**VOTE:** Motion approved; 5-0.

*(Clerk's Note: This motion and vote adopted resolution 17-21, providing for the temporary award of a contract to Mitchell & Stark Construction Co. for the construction of the water and stormwater systems improvement project, and this motion includes the named streets as part of the bid documents.)*

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOTION BY:</b>	Anita Cereceda, Council Member
<b>SECOND BY</b>	Bruce Butcher, Council Member
<b>AYES:</b>	Cereceda, Gore, Boback, Shamp, Butcher

G. Fee Waiver for Parking Space for Curiosities Rock Shop

**Curiosities Rock Shop Administrative Code Application and Fee Waiver Request**

Public Works Director Baker recommended that they waive 'no parking from 4-6:00 a.m.' for one space under Matanzas Pass Bridge. Council Members Cereceda and Shamp agreed. Mayor Boback asked whether more people would be coming forward with waiver requests.

Mr. Baker provided three options: waive \$498.56 (remainder of fiscal year); waive an amount in excess of \$498.56 or waive the 4:00am-6:00am parking restriction beneath the Matanzas Pass bridge.

Council Member Shamp asked how many other individuals had passes similar to the property owners. Mr. Baker replied there were approximately 50. Council Member Cereceda thought the number was closer to 20.

Vice Mayor Gore felt the difference was that she lived there and she was able to have a parking spot but now she did not have anywhere to park.

Council Member Cereceda discussed business owners on Old San Carlos wanting to lease their adjacent parking, which would eliminate public parking. She could support waiving the balance for the year to allow the property owners an opportunity to find an alternative location for their vehicle.

Mayor Boback stated that if they allowed it for one, they would have to allow it for



everyone and he did not want to open a can of worms. Council Member Cereceda suggested waiving it for a shorter period of time so the property owner could find an alternative location. Council Member Butcher agreed with Council Member Cereceda.

Debra Dramis, property owner, stated that she was only asking to park for those two hours. She explained her situation and how it caused her a hardship.

Mayor Boback noted that there were plenty of parking lots in the area.

Council Member Cereceda stated that there was not one private parking lot in that area that would negotiate year-round parking with her when she was looking for parking options. She noted that she thought Ms. Dramis was in a unique situation.

Ms. Dramis stated that she purchases parking permits every year.

**MOTION:** Council Member Cereceda moved to waive the 4:00-6:00 am no parking requirement fee for Ms. Dramis through September 30, 2017; second by Council Member Butcher.

**VOTE:** Motion approved; 3-2 with Mayor Boback and Vice Mayor Gore dissenting.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [3 TO 2]</b>
<b>MOTION BY:</b>	Anita Cereceda, Council Member
<b>SECOND BY</b>	Bruce Butcher, Council Member
<b>AYES:</b>	Anita Cereceda, Joanne Shamp, Bruce Butcher
<b>NAYS:</b>	Tracey Gore, Dennis Boback

## XII. PUBLIC COMMENT

No public comment.

## XIII. TOWN MANAGER'S ITEMS

Town Manager Hernstadt asked whether Council preferred a blue or green screen on the Seafarer's property. The consensus was green.

He indicated that they were researching whether pulling out of the Regional Planning Council would relieve them of paying \$1,880.00 for dues.

### Departmental Reports

#### A. Administrative Services

Ms. Rischitelli recommended not applying for a marketing TDC grant in FY 17-18 due to the change in criteria. She suggested pursuing it in FY 18-19. The Friends of the Mound House and the Friends of Bay Oaks may be pursuing the grant.

She revealed that a link on the website connected to information put out by Town Hall called the Top Ten.

Council Member Butcher asked where the public works activity on the Estero Blvd. showed up in the budget. Ms. Rischitelli replied that it was in the water utility. He asked external costs, contract costs and Town efforts. Town Manager Hernstadt explained that some work was done by existing staff, but they worked it into their daily schedule.

Ms. Rischitelli clarified that [staff Finance accountant] Lisa was allocated for 50% on Town work and 50% on water.

**B. Parks & Recreation**

Sean DePalma, Parks and Recreation Director, stated that Miffie Greer would be the Grand Marshal for the Fourth of July parade, and that cars will be reserved for Council Members and asked that they contact him regarding their participation.

He developed a first draft of the budget and a long-range Capital Improvement Plan (CIP) plan.

Council Member Butcher clarified that Club Rec was the name of the after-school program. Mr. DePalma noted that they had three core youth programs and fees were associated with each program. He discussed meetings with the Lee County School Board regarding the Interlocal Agreement.

The A/C project was slated to begin in two weeks and the geothermal heaters should be finished by mid-week or Friday of next week.

**C. Community Development**

Ms. Stewart summarized her report and she noted they were taking a look at the code concerning different modes of transportation. Staff is having conversations with property owners at Helmerich Plaza and Santini Plaza regarding the points of distributions (PODS) for the emergency operations plan. They were looking at Bay Oaks as well.

Council Member Cereceda brought up Mr. Huffman's denied permit request concerning the horseshoe-shaped driveways. Town Manager Hernstadt replied that staff was following code and anyone could ask for a waiver. Ms. Stewart explained the situation in Mr. Huffman's case.

Vice Mayor Gore offered to forward information to Town Manager Hernstadt regarding Pedi-cabs. Council Member Shamp asked whether they should also look into driverless vehicles. Town Manager Hernstadt replied that they were proceeding slowly and carefully.

Vice Mayor Gore asked about removing For Sale signs after a property had been sold. Ms. Stewart replied that they were looking at reeducating realtors regarding signage.

Discussion was held concerning Mr. Walton's parking lot.

Vice Mayor Gore questioned Old Seaport. Ms. Stewart replied that it would be a public hearing.

**Environmental**

Council Member Shamp asked whether the process for raking was complaint driven or pro-active. Rae Burns, Environmental & Stormwater Technician, explained why it was a mix of both. Council Member Shamp asked whether the list of raking regulations were for permitted rakers or just for the Town. Mrs. Burns replied that the list was for the Town. Town Manager Hernstadt noted that private rakers had a direct relationship with the State. Council Member Shamp expressed concern about the wording regarding the dock on Carolina.

**XIV. TOWN ATTORNEY'S ITEMS**

Town Attorney Peterson noted he would bring an Ordinance to them regarding a moratorium concerning small cell towers and low power cellular radio access nodes. He described the devices.

He stated there was a draft of changes to the stormwater Ordinance and he will get back to Council in August or September.

He noted that Mr. Tezak had not been in contact with him regarding the lapse in the agreement.

## **XV. COUNCILMEMBERS ITEMS AND REPORTS**

Council Member Cereceda felt the beeper signaling the end of the three-minute timer was rude when allowed to continue during commentary. She received comments about certain customer services; comments included focusing on creating an environment where people were not worried about asking for permits or variances.

Council Member Shamp brought up the possibility of widening Connecticut St. instead of installing sidewalks. She encouraged the owner of the relocated cottage to apply for a historic designation.

Vice Mayor Gore emailed information to Town Manager Hernstadt regarding Connecticut Street. She would like to hear a presentation from Jennifer Hecker (CHNEP); Council Member Shamp supported the request. Denise Monahan requested a letter of support from Council to the TDC concerning the grant opportunity for the Friends of Bay Oaks; Council Member Shamp supported the request.

## **XVI. ADJOURNMENT**

The meeting was closed at 1:31 PM