



Fort Myers Beach Town Council

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

Agenda

Tuesday, February 21, 2017

6:30 PM

ORDER OF BUSINESS

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

V. PUBLIC COMMENT

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

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.

VIII. APPROVAL OF MINUTES

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

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

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

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.

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.

- 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.

- 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.

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).

- 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.

- 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.

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.

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.

F. Times Square Stage

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

XII. PUBLIC COMMENT

XIII. ADGENDA MANAGEMENT

Adgenda Management

XIV. TOWN MANAGER'S ITEMS

XV. TOWN ATTORNEY'S ITEMS

XVI. COUNCILMEMBERS ITEMS AND REPORTS

XVII. ADJOURNMENT

Next Regular Town Council Meeting: Monday, March 6, 2017 at 2:00 p.m.

Next Town Council Work Session: Monday, March 20, 2017 at 9:00 a.m.

NOTE: THIS MEETING IS TELEVISED LIVE ON COMCAST CHANNEL 98.

IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE COUNCIL IN ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.



For special accommodations, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the Town Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Board's proceedings should contact the Town Clerk's Office not later than three days prior to the proceedings.

