Fort Myers Beach Town Council

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

Minutes **Monday, October 19, 2020** **9:00 AM**

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Present: Mayor Murphy, Vice Mayor Hosafros, Council Member Allers, Council Member Atterholt and Council Member Veach.

II. INVOCATION

Deputy Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Vice Mayor Hosafros moved to remove D from the Consent Agenda and add it to the Administrative Agenda; second Council Member Veach
Motion carried unanimously.

V. PUBLIC COMMENT

- Mayor Murphy read an email from Tracy Brunner/Caper Beach Club into the record regarding a drainage issue on Seaview Street.

- Gail Mason discussed conversations regarding a location for the arches. She noted they did not need funding from any entity.

- Jason Ingream, owner of Mango Ritas, expressed concern regarding shade structures in the final Times Square design. He questioned who would be responsible for maintaining the structures. He questioned losing parking spaces. He suggested that businesses be involved in future discussions.

- John Lallo, owner of Pete's Time Out, stated that they were notified of the changes last Friday but never consulted. The main issues were solving infrastructure problems, the stage with a backdrop that would block the sunset view, the permitting process, building the square footage price in the lease increase, and the lack of a maintenance program.

- Thomas Haughten, owner of La Ola Surfside Restaurant, agreed with the others. He was concerned that they were not involved at this stage. He brought up the lack of parking with the design and his unwillingness to give up parking spots. He discussed water drainage issues in the easement. He suggested that businesses own and maintain the shade structures and the price be included in their lease and paid for over time.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member Atterholt recognized CVS Pharmacist Dr. Allie Kaplan for going out of her way for customers.

A. Employee Recognitions

Recognizing Town employees for their multiple years of dedicated service to the Town of Fort Myers Beach

Mayor Murphy distributed pins to employees and thanked them for their service.

VII. ADVISORY COMMITTEES ITEMS AND REPORTS

No items.

VIII. APPROVAL OF MINUTES

A. October 5, 2020 Regular Town Council

Vice Mayor Hosafros had an amendment to the October 5th minutes, page 4 - she disclosed a drive-by for Resolution 20-44.
Vice Mayor Hosafros moved to approve the amended minutes; second by Council Member Allers.
Motion carried unanimously.

IX. PRESENTATION

A. Lee County Update

An update of Lee County projects on Fort Myers Beach

Lee County Director of Transportation Randy Cerchie utilized PowerPoint for his presentation. Slides included: Agenda, Traffic Model 1, Traffic Model 2 and Traffic Model 3. He explained Model 3 and noted that one moved traffic the best. He continued with a description of FMB Intersection Improvements. Director Cerchie stated that the County would share the 60%

design plans with Town Council in late November 2020. He noted they would also have a public hearing in February or March of 2021. He thought construction would start in 2022.
Lee County Manager Roger Desjarlais recapped the Estero Blvd. road project, noting it should be complete in 2021. Mayor Murphy requested an update on the Big Carlos Pass Bridge from Director Cerchie. He reported that a public hearing was scheduled for January 28, 2021 at Bay Oaks and the fishing pier would be discussed. Deputy Lee County Manager Dave Harner noted Lee County parks are designed with a specific purpose and it is difficult to find a location to put the arches in the parks but he was willing to work with the Town and the Restore FMB Arches group. Manager Desjarlais added that if the arches were to be located on County property they would have to be scaled down. Lee County Commissioner Ray Sandelli stated that they would work with the Town to find a solution.

X. CONSENT AGENDA

A. <u>New Year's Eve Fireworks</u>

Authorize the Town Manager to execute the associated documents with the New Year's Eve 2020 Fireworks Show.

Town Manager Hernstadt reported that Bay Oaks was not a suitable location for the fireworks display and a barge would double the budget. The vendor stated that they would charge the Town about $4,000.00 to store the equipment for a later date. Council Member Aller was in favor of moving forward with the fireworks in 2020. Council Member Veach did not agree due to the spread of COVID-19. Council Member Atterholt supported moving forward in 2020. Vice Mayor Hosafros supported moving forward slowly and she noted that people were not wearing masks like they used to. She favored extending the fireworks to 2021. Mayor Murphy agreed. He stated that this was not the time to get lax because the pandemic was predicted to get worse. He was sorry to hear that people were not wearing masks and questioned whether they should investigate whether the ordinances were being followed. He stated that holding fireworks and cramming people in during the pandemic was not worth the risk. He noted that Miami Beach was exploding with the coronavirus because they opened everything up.

Vice Mayor Hosafros moved to pay the additional costs necessary to extend the contract under the terms indicated by Town Manager Hernstadt for just over $4,000.00 and to give Town Manager Hernstadt the authority to try to negotiate the price of the barge to $15,000.00; otherwise, extend the contract; second by Mayor Murphy.
Discussion was held regarding what other municipalities were doing. Council Member Atterholt suggested holding fireworks on an off-weekend if it was safe for people to gather. He noted it would provide an economic stimulus.

Council Member Veach agreed that people would be on the beach for July 4th anyway and moving fireworks to a slower time of year would benefit businesses.
Motion carried unanimously.

B. Newton Beach Cottage Restoration Repairs

Authorize acceptance of the proposal from International Fine Art Conservation Studios Inc. for restoration repairs for Newton Beach Cottage, estimated at $56,800.

Vice Mayor Hosafros moved to approve; second by Council Member Veach.
Motion carried unanimously.

C. IT Technical Support Services with Valeo Networks

Approve an agreement with Valeo Networks in the amount of $77,520 for Technical Support Services for the Town and authorize the Town Manager to execute the required documentation.

Vice Mayor Hosafros moved to approve; second by Council Member Veach.
Motion carried unanimously.

D. Community Development Professional Services

Approve three Supplemental Task Authorizations for FY21 exceeding $25,000 for Professional Services for Community Development in the areas of Environmental Services, Planning/Zoning, and Building Services, and authorize the Town Manager to execute the required documentation.

Moved to the Administrative Agenda.
Vice Mayor Hosafros questioned the difference in rates between planners. Town Manager Hernstadt explained the difference in requirements and experience.
Vice Mayor Hosafros moved to approve the three supplemental task authorizations contained in section D; second by Mayor Murphy.
Motion passed unanimously.

XI. ADMINISTRATIVE AGENDA

A. Times Square, Bay Oaks and Bayside Park update

Presentation by DRMP Inc. of the design status for Times Square, Bay Oaks and Bayside Park.

DRMP Project Manager Paul Benvie utilized PowerPoint for his presentation of Times Square. Slides included: Aerial View of Times Square; Original Concept; Graphic and Computer Renderings. Manager Benvie described where parking was located. Town Manager Hernstadt discussed the timeline of the project and maintaining business continuity. Mayor Murphy commented that it was the second major project in Times Square and it would be fantastic. Vice Mayor Hosafros urged businesses to talk amongst themselves and come to Council with suggestions.

Manager Benvie continued with plans for Bay Oaks. Slides included: Original Concept; Second Concept; 30% Submittal and Computer Renderings. Manager Benvie displayed three versions of the façade for the main building and asked Council for a consensus on which version they liked best. He reported that BORCAB (Bay Oaks Recreational Campus Advisory Board) had not seen the new renderings.

Town Manager Hernstadt described how the building would function. Discussion was held regarding the ball fields, lighting, walking trail, national fitness court and potential convention space.

Consensus was reached to move forward with the asymmetrical façade design (third rendering).

Manager Benvie presented Bayside Park plans. Slides included: How we Arrived Here; Things We've Heard; Original Design and Rendering of a Pedestrian Park with Stage. The veteran's tribute was discussed.

B. STA #7: Times Square Final Design

To allocate and appropriate funds and approve the Supplemental Task Authorization #7, in the not to exceed amount of $179,550 for Times Square 100% design which includes design, permitting and bidding assistance and authorize the Town Manager to execute the Supplemental Task Authorization with DRMP Inc.

Vice Mayor Hosafros moved to allocate and appropriate funds and approve the Supplemental Task Authorization #7, in the not to exceed amount of $179,550 for Times Square 100% design which includes design, permitting and bidding assistance and authorize the Town Manager to execute the Supplemental Task Authorization with DRMP Inc.; second by Mayor Murphy. Motion carried unanimously.

C. STA #8 - Bay Oaks Recreational Campus Final Design

To allocate and appropriate funds and approve the Supplemental Task Authorization #8, in the not to exceed amount of $479,960 for Bay Oak's 100% design which includes campus design, permitting and bidding assistance to 100% and authorize the Town Manager to execute the Supplemental Task Authorization with DRMP Inc.

Council Member Veach moved to allocate and appropriate funds and approve the Supplemental Task Authorization #8, in the not to exceed amount of $479,960 for Bay Oak's 100% design which includes campus design, permitting and bidding assistance to 100% and authorize the Town Manager to execute the Supplemental Task Authorization with DRMP Inc.; second by Vice Mayor Hosafros.

Motion carried unanimously.

D. Mooring Field Upland Services Renewal

Authorize the Town Manager to exercise the final one year option and execute the Professional Services Agreement Renewal for Upland Services for the Town's Mooring Field with Estero Bay Hotel Company dba Matanzas Inn.

Town Manager Hernstadt reviewed the issue.
Vice Mayor Hosafros moved to authorize the Town Manager to exercise the final one year option and execute the Professional Services Agreement Renewal for Upland Services for the Town's Mooring Field with Estero Bay Hotel Company dba Matanzas Inn; second by Council Member Allers.
Motion carried unanimously.

E. FY2019-2020 Re-Appropriation

Approve Re-Appropriation FY2019-2020

Town Manager Hernstadt discussed the re-appropriation.
Council Member Allers moved to approve the re-appropriation FY2019- 2020; second by Vice Mayor Hosafros.
Motion carried unanimously.

XII. FINAL PUBLIC COMMENT

Jason Ingream stated that the first meeting businesses had with Town Council was just a brain-storming session and no decisions were made. He requested that their input be considered.
John Lallo agreed with Jason and stated they were all on the same page. He questioned the lack of color and individuality in the Times Square design.
Lee Melsek, BORCAB Member, stated that they worked on the Bay Oaks plan for three years. He reported that BORCAB unanimously voted to recommend tearing down the gym and building a new one due to maintenance costs. He noted they also recommended a welcome center building, which was taken out.

XIII. TOWN MANAGER'S ITEMS

Town Manager Hernstadt explained that BORCAB submitted great ideas, but they could not afford the plan, so they combined buildings and scaled down the design. He indicated they were trying to accommodate places for future amenities, but they recognized budget constraints. He noted that he was available to speak with the merchants regarding concerns with the Times Square design.

XIV. TOWN ATTORNEY'S ITEMS

Town Attorney Herin stated that he would distribute bullet points regarding misstatements by Mr. Rood and Mr. Kroemer concerning the dune walkover. If approved, the bullet points would be posted on the Town's website. Vice Mayor Hosafros noted that Mr. Rood and Mr. Kroemer did not tell the truth two weeks ago and they should have been corrected a day or two after they released their statements. Town Attorney Herin read the bullet points. The bullet points were approved.

Town Attorney Herin stated that he would contact the Manager of Miami Beach regarding imposing fines for not wearing masks.

XV. COUNCILMEMBERS ITEMS AND REPORTS

Council Member Allers noted that the Fort Myers Beach Art Association was open and encouraged people to visit.

Council Member Atterholt brought up beach erosion south of the Wyndham.
Council Member Veach noted that the Times Square renovation would be painful but worth it in the end. He brought up a referendum for a multi-million Bay Oaks complex.

Mayor Murphy stated that they were grateful for all the work BORCAB put into the Bay Oaks redevelopment. He noted they should be proud, and they were thankful. He congratulated employees who were recognized and he thanked Town Manager Hernstadt.

No items from Vice Mayor Hosafros.

XVI. ADJOURNMENT

Vice Mayor Hosafros moved to adjourn; second by Mayor Murphy.
Motion carried unanimously.
The meeting was adjourned at 12:22 PM.

Minutes adopted, November 2, 2020; Motion by Vice Mayor Hosafros and seconded by Council Member Allers. Passed 5-0.

Amy Baker

Amy Baker, Deputy Town Clerk