



Fort Myers Beach Management & Planning Session

**Diamondhead
Beach Resort
2000 Estero Blvd.
Fort Myers Beach, FL 33931**

Minutes

Thursday, February 9, 2023

9:00 AM

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Members present: Mayor Allers, Vice Mayor Atterholt, Council Member King, Council Member Veatch and Council Member Woodson.

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. Discussion: Impact fees for Beach School re-build

John Koss, resident and member of the ad-hoc committee for the elementary school, did not support the use of portable classrooms for \$15-20 million and suggested they use the money to start building a new school behind the historical school building. He mentioned not being able to fit all the kids in the historical building while mitigating the damage and using the library's third floor for the overflow. Council Member Veatch noted that the school district determines the school enrollment. Mr. Koss commented that the goal was to reach an enrollment of 150 children in five years and he looked at a new school and building the enrollment as two separate issues. He questioned how they could increase enrollment without a school.

Mr. Koss commented that the kids had to wait an hour and 10 minutes for the bus to pick them up yesterday and waited over two hours in the afternoon. He stated that they needed a new school, or the reality would be busing kids in the future.

Council Member Woodson brought up advertising recruitment and acknowledged that it would be difficult without a brick-and-mortar school. Mr. Koss reiterated to the school board that they could not build enrollment without facilities. He noted a public meeting with the school board was scheduled on February 22, 2023, and he would provide details later.

Council Member King thanked Mr. Koss and stated that the Town Council supported the parents and the school.

Vice Mayor Atterholt described a recent meeting and indicated that a model was developed to reach 176 students in five years. Calculations showed that the average cost per student was \$9,600.00, which was less than half of what they were currently paying and put them in sync with schools in the area.

Based on recent conversations with the school board, he did not think a discussion regarding impact fees was necessary today.

Mayor Allers thought the issue was building a new school, using portable classrooms or a combination of both. He felt discussing the school's future was appropriate without drawing a hard line in the sand.

Vice Mayor Atterholt stated that the school district had the money from insurance and FEMA to rebuild the school.

Council Member Woodson questioned whether the town needed to pressure the school district for the funds. Mayor Allers suggested taking the money out of the discussion and focusing on how the town could increase enrollment in five years. Council Member Veach questioned what would happen if the school was built, but the town could not meet the enrollment goal. Mr. Koss replied that if the school board was willing to spend the money on portables, they could build some level of facility behind the historical building so the town would have something.

Council Member Veach suggested creating an interlocal agreement with the school board to work with them if the town did not reach the enrollment goal in five years. Mr. Koss noted that the school district control included giving the town a magnet school with school choice and providing the town with avenues to build enrollment. The district would not change the boundary lines to increase enrollment.

Council Member Woodson questioned whether the Sanibel school had room for the town's students. Mr. Koss did want to speak for Sanibel, but he thought that students who could not fit into the historical school might be able to attend Sanibel in the short term.

A consensus was reached to support an interlocal agreement of some kind. Town Attorney Herin, Jr. stated that Lee County adopted an ordinance to collect impact fees for schools in 2001.

Council Member Veach indicated the question was what the town could do to encourage the district to build a new school so the town could avoid absorbing the cost of the portables in three to five years.

B. Discussion: Side Street Ingress/Egress vs Estero Blvd.

Council Member Veach questioned whether the Council was interested in moving the egresses away from Estero Blvd. He added that parking would be affected in some locations, but traffic could be alleviated. Consensus was reached to direct staff to look into the topic.

C. Discussion: Density

Council Member Veach brought up creating a point system to allow more density. Mayor Allers suggested following the legislature because a current bill could preempt density ideas. Vice Mayor Atterholt noted that his conversations with developers included presenting ideas to mitigate traffic congestion in exchange for more density. Mayor Allers questioned whether the town wanted to encourage more vehicles and build a parking garage or to encourage people to shuttle into town. He urged developers to think outside the box concerning traffic. Council Member Veach brought up pedestrian overpasses for developments on both sides of Estero Blvd. Vice Mayor Atterholt suggested that guardrails be installed to channel people to the overpasses. Consensus was reached to direct staff to research a point system.

Mayor Allers moved to recess the meeting at 10:01 a.m. to open a special meeting; second by Council Member King.
Motion carried unanimously.

~Meeting reconvened at 10:35 a.m.~

D. Discussion: Fee Schedule

Council Member Woodson felt that the beach vendors and parasailing fees were a priority. She mentioned discussing fees for Bay Oaks, since there was no facility.

Mayor Allers proposed a fee of \$425.00 for parasailing and jet ski permits with an annual increase of 3% and a beach vendor fee of \$119.00 with an annual increase of 3%.

Council Member Veach noted that there was a lot of enforcement concerning beach vendors, which was an additional expense. Council Member Woodson suggested increasing the fees for violations rather than punishing everyone. Mayor Allers agreed to discuss violation fees. Council Member King felt they should discuss prorating fees due to Ian. Council Member Woodson agreed. Interim Town Manager Wilkins will direct staff to research the implications of all fees discussed.

Mayor Allers suggested a discussion surrounding a lower parking rate with a higher violation fee. Town Attorney Herin, Jr. described the fees involved with the Special Magistrate's process, which depended on whether the violator paid the fine or appealed the citation. Mayor Allers proposed returning parking fees to \$3.00 an hour. Vice Mayor Atterholt suggested creating a five to ten-minute warning before the meter ran out of time. Mayor Allers stated that the system did warn people concerning the time. Town Attorney Herin, Jr. explained that the system provided a 30-minute warning with an opportunity to add time via the app.

Vice Mayor Atterholt questioned whether the town's system could charge \$3.00 for residents and \$5.00 for non-residents. Interim Town Manager Wilkins responded that he would check the system. He also suggested

setting up a grace period of five to ten minutes before issuing a citation. Council Member King suggested scheduling a presentation of how the app worked at an M&P. He agreed with lowering the parking fees and increasing the violation fee and brought up establishing a flat rate for beach parking.

Council Member Veach commented that there was a resident pass with limited parking locations. He added that lowering the parking rate to \$3.00 significantly impacted revenues.

Mayor Allers suggested opening the two-hour minimum parking. Council Member Veach noted that the minimum was meant for businesses to keep traffic moving. Mayor Allers suggested that staff bring back numbers regarding fee changes discussed, including researching other municipalities. Council Member Veach wondered about discussing a consumer pricing index for all fees. Council Member Woodson suggested holding off on discussing an increase in fees until the beach was back in business.

Council Member Veach brought up an amnesty period for people working without a permit. Town Attorney Herin, Jr. responded that the Florida Building Code set the fee and that he would verify. Vice Mayor Atterholt noted that the website included items that did and did not require a permit. He questioned whether they could give consideration to people who self-reported that they did work without a permit. Town Attorney Herin, Jr. added that the Florida Building Code stated what required a permit and what was exempt according to state law. It would depend on the Special Magistrate to determine whether self-reporting deserved consideration. He noted that the town provided several opportunities, which usually spanned months, to allow people to come into compliance before the issue came before the Special Magistrate.

Council Member Woodson suggested setting a prorated fee for short-term rentals and did not support an extra \$100.00 charge for additional bedrooms. Council Member Veach provided an analysis regarding what similar municipalities charged and added that short-term rentals affected the housing shortage. He commented that they needed a balance to remain a community. He noted the fee was proportional to the income of renting a larger unit. Council Member King agreed to address the fee. He questioned whether Margaritaville and upcoming developments would impact short-term rentals. Council Member Woodson wondered about limiting the number of rental units individuals could have. Council Member Veach did not support changing the short-term rental ordinance and mentioned fees were to apply to workforce housing. He indicated that short-term rentals doubled over the past four years and the town lost resident population. Vice Mayor Atterholt noted that some businesses were discussing building workforce housing on their properties.

Mayor Allers reiterated that the legislature was addressing workforce housing in their current session, which might affect the future of discussions.

Council Member Woodson brought up special event fees and wondered if their fees aligned with other municipalities. Vice Mayor Atterholt described the town partnering with entities for events. Council Member Veach questioned whether Council Member Woodson felt that \$100.00 was too

high. Council Member Woodson did not but noted that other fees and components were involved. Council Member Veatch was not sure now was the time to encourage more people on the beach due to safety issues. Mayor Allers did not think \$100.00 was too high, but he agreed that the town might be able to streamline the process.

IV. AGENDA MANAGEMENT

- A. February Agenda Management
Add canal cleanup and dredging.
Add budget discussion.

V. ADJOURNMENT

Council Member King moved to adjourn; second by Mayor Allers.
Motion carried unanimously.

The meeting was adjourned at 12:03 p.m.

Minutes adopted, February 21, 2023; Motion by Mayor Allers and seconded by Council Member King. Passed 5-0.



Amy Baker, Town Clerk