Fort Myers Beach Town Council

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

Minutes **Monday, September 25, 2023** **9:00 AM**

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

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

II. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Pull items D-M from the Consent Agenda for discussion. Move A under Town Attorney's Items after Proclamations. Move A from Public Hearings to the first item under the Administrative Agenda. Allow public comment on all items under the Administrative Agenda.

Council Member King moved to approve the amended agenda; second by Council Member Woodson.
Motion carried unanimously.

V. PUBLIC COMMENT

Rita Murray, resident, commented about a water taxi on her canal and did not believe the canals could handle the increased boat traffic. She noted that furniture was still under the water in the bay. She did not think her privacy and security should be compromised by commercial developers and she brought up the harm to wildlife and the environment.
Rose Larkin, resident, described all the wildlife in the canals and beach 37 years ago. She stated that the clarity of the water has diminished over the years. She noted that it was up to the Town Council to work towards a healthy environment.
Nadine DeGenova, resident, indicated she chose the island because of the tranquility

and wildlife. She did not support commercial water taxis and docks in the residential canals. She suggested that water taxis be located at marinas. She had 14 letters from neighbors who asked that the town keep nature and wildlife in mind. They did not support the dune walkover because more people would want one on their property.

Roxana Rascoe, resident, commented on water taxis in residential canals. She noted it was not a viable idea because the canals were narrow and manatees used them. She indicated that there was not one restaurant that was accessed via residential canals in the area. She compared the lack of wildlife in Malibu to Fort Myers Beach. She added that Malibu missed the opportunity to save its wildlife.

John McClain, resident, did not support commercial traffic on residential canals. He cannot turn his 30-foot boat around in his canal and described how he had to maneuver around. Besides the impact on wildlife and loss of privacy, he felt there was a safety issue with commercial traffic because there was not enough space in the canals.

Jim Dunlap, resident and representing several neighbors, commented that Ian did not take away the mangroves, but people did and now they have to live with the impact. They should be thinking about saving the culture and not tolerating development.

Cindy Johnson, resident, did not support commercial traffic in residential canals. She described interactions with the barge workers who were removing debris from the canals. She commented on the lack of privacy and constant interruptions.

She asked that they go to marinas and not the canals. She had positive comments regarding Utilities Manager Steve Matuska. She invited everyone to the Let's Go FMB meeting on Wednesday at 2:00 p.m.

Jason Howard, resident, described growing up on the island. He commented on the potential of Fort Myers Beach and opening a bicycle rental company.

Marty Bartow, resident, agreed that commercial traffic in residential canals was ridiculous. He suggested a tunnel and thinking outside the box.

VI. PRESENTATION

A. Honorable Matt Caldwell - Lee County Property Appraiser

Mr. Caldwell explained his role and noted his responsibility was to determine the value of all the real estate in Lee County for tax purposes. He commented that the property was valued based on the condition of the property on January 1. He stated that you can only be taxed on the improved portion of real estate if it could be used for the purpose for which it was designed, regardless of when a certificate of occupancy was issued.

Uninhabitable structures would not be taxed, but the land would be. Mr. Caldwell explained how condominiums were assessed and noted it was an expansion of the single-family calculation.

Mayor Allers thanked Mr. Caldwell for interacting with FEMA on behalf of the town.

Mr. Caldwell remarked that homeowners should communicate with his office to address the condition of their property, especially flood damage. He discussed additional relief from the legislation and the changes in the market regarding the valuation of property. He explained how vacant lots were appraised after they were sold. He added that property owners who were rebuilding had three years to maintain their homestead regardless of whether they could live on the property. He encouraged property owners to contact his office for guidance and made himself available to answer questions after his presentation.

B. Chief Meteorologist Matt Devitt, WINK News

Mr. Devitt thanked the Town Council for the opportunity to speak and commended the town for everything they had done. He stated that Hurricane Ian was number one in the history of Florida for storm surge and the deadliest and costliest. He confirmed that Ian was a category five off the coast with surges of 160. He explained how they determined it was a category five hurricane and described the eyewall replacement cycle on the morning of September 28. In his opinion, gusts on the beach reached 170, but categories were determined by sustained winds over a one-minute period.

Mr. Devitt stated that it was always possible to get hit again this year and he would be alert to what was happening in the Caribbean. He indicated he would do his best to give everyone as much of a heads-up as possible. He felt that people were complacent because the immediate area dodged a bullet with Irma. He knew the storm surge would be deadly and begged people to evacuate. He noted that WINK purchased a new office in Gateway since the previous building was damaged.

Mr. Devitt explained that he looked at the average of over 100 models when he made a forecast. He also brought up a messaging problem concerning the official cone. He felt they needed to look at the cone in its entirety, so he removed the center line. He reiterated that every hurricane was different and no one should be complacent. He stated that Hurricane Michael was the hypothetical worst-case scenario that meteorologists feared the most because it went from nothing to a category five in three days.

VII. PROCLAMATIONS

A. <u>Florida Climate Week - Aly DySard, VoLo Foundation</u>

This event seeks to unite industry leaders, front-line advocates, businesses, and individuals alike to address the urgency of the climate crisis and its impact on our state. Florida Climate Week will focus on solutions to reduce carbon emissions and create more resilient communities.

Mayor Allers read the proclamation and presented it to Aly DySard. She thanked the town for addressing climate change and its associated impacts.

VIII. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member King thanked the volunteers who painted the wavy wall in Times Square and Beach Talk Radio for coordinating the fundraising event. He thanked Tony Bone of Anthony Bone Painting for his hard work and expertise.

Vice Mayor Atterholt noted there was a remembrance ceremony on Thursday for the one-year anniversary of Ian. He indicated that the veteran's memorial at Bayside Park would be installed at a later date.

Council Member Woodson agreed with both comments and felt they needed to keep the focus on what happened last year and what the day means to everyone.

Council Member Veach stated that Idalia washed up a lot of debris and cautioned people to be careful. He noted that a Hawaiian tradition of a paddle out was scheduled for 6:00 p.m. and people would form a ring and have a memorial.

IX. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

LPA (Local Planning Agency) Chair Anita Cereceda requested a joint meeting with the Town Council on October 5, 2023. She suggested that both groups discuss changes to the Comprehensive Plan to make sure they were all on the same page. She recommended that they have the original Comp. Plan sections along with the consultant's sections. The future land use map will change and Chair Cereceda requested large maps to make it easier to identify streets and look at the island as a whole. Mayor Allers questioned allowing public comment during the meeting and Chair Cereceda agreed.

Council Member Veach suggested holding two meetings with a charrette in the afternoon for public comment.

Mayor Allers preferred to hear from the public before discussions. Chair Cereceda commented that it was critical to have a well-thought-out agenda. Vice Mayor Atterholt suggested that everyone read the Comp. Plan on the town's website.

He encouraged everyone to watch the last hour of the previous LPA meeting. Community Development Planner Sarah Propst stated that a charrette was inappropriate at this late stage, but a question-answer session made more sense. Council Member Woodson suggested having a public meeting before the joint meeting, but Planner Propst did not think there was enough time to plan it as Council Member Woodson envisioned. Planner Propst indicated that copying the maps and height and density use charts was doable before the meeting and they could open the doors early for the public. (Technical issues ensued with the recording.) Due to time constraints, the joint meeting will be held at the next LPA meeting on October 10, 2023, with details to follow.

MERTF (Marine & Environmental Resources Task Force) member Jennifer Rusk reviewed two motions passed unanimously at the last MERTF meeting. One motion regarded commercial uses in residential canals and the other concerned the possible demolition of the walkover if the applicant loses his appeal. She provided an update on the dates of future pop-up tent activities. She stated that a chapter of the Native Plant Society would donate native plants that would be distributed to residents at a pop-up.

X. APPROVAL OF MINUTES

A. Town Council - September 11, 2023

Council Member Veach moved to approve the minutes; second by Council Member King.
Motion carried unanimously.

B. Town Council Budget Hearing - September 11, 2023

Council Member Veach moved to approve the minutes; second by Council Member King.
Motion carried unanimously.

XI. CONSENT AGENDA

Council Member Woodson moved to approve the remainder of the Consent Agenda; second by Council Member Veach.
Motion passed unanimously.

A. Resolutions 23-112, 23-113 and 23-114: Extending Local State of Emergency-Hurricane Ian

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING AND EXTENDING THE PROCLAMATION THAT A STATE OF LOCAL EMERGENCY EXISTS BECAUSE OF THE CATASTROPHIC IMPACTS CAUSED BY HURRICANE IAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution.
Council Member Woodson moved to approve the resolution; second by Council Member Veach.
Motion carried unanimously.

B. Resolutions 23-109, 23-110 & 23-111; Extending Declaration of State of Local Emergency-Hurricane Idalia

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO HURRICANE IDALIA; PROVIDING THE TOWN WITH POWERS, INCLUDING, BUT NOT LIMITED TO THOSE PURSUANT TO FLORIDA STATUTES, CHAPTER 252, AND TOWN CODE CHAPTER 2, ARTICLE VI; PROVIDING FOR PENALTIES FOR VIOLATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE AND A TERMINATION DATE

Mayor Allers read the title of the resolution.
Council Member Woodson moved to approve the resolution; second by Council Member Veach.
Motion carried unanimously.

C. Town Comprehensive Emergency Management Plan Official Adoption

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA ADOPTING THE UPDATED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution.

Council Member Woodson moved to approve the resolution; second by Council Member Veach.

Motion carried unanimously.

D. Resolution 23-120; Bayside Park Repairs

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION OF THE TOWN TAKEN REGARDING THE WAIVING OF THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVAL OF THE PROPOSALS RECEIVED FOR TURF, IRRIGATION, AND LANDSCAPE FOR BAYSIDE PARK IN THE AMOUNTS NOT TO EXCEED $92,050.00 AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager Hyatt reviewed the background of the issue as stated on the blue sheet.

Council Member King moved to approve the resolution; second by Council Member Veach.

Motion carried unanimously.

E. Resolution 23-119; Bay Oaks Electrical Work

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION OF THE TOWN TAKEN SEPTEMBER 7, 2023 REGARDING THE WAIVING OF THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVAL OF THE PROPOSALS RECEIVED FOR ELECTRIC WORK FOR BAY OAKS RECREATIONAL CAMPUS IN AN AMOUNT NOT TO EXCEED $177,000; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager Hyatt reviewed the background of the issue as stated on the blue sheet.

Council Member King moved to approve the resolution; second by Council Member Veach.

Motion carried unanimously.

F. Resolution 23-118; Estero Island Beach Truck Haul

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING AN AGREEMENTBETWEEN THE TOWN AND COASTAL ENGINEERING CONSULTANTS, INC. FOR FINAL DESIGN, BID PHASE SERVICES, CONSTRUCTION SERVICES AND STAKEHOLDER AND ADMINSTRATIVE SERVICES FOR THE ESTERO ISLAND BEACH TRUCK HAUL PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Environmental Project Manager Chadd Chustz reviewed the issue as stated on the blue sheet.

Council Member King moved to approve the resolution; second by Mayor Allers.
Motion carried unanimously.

G. Boxx Modular

Approve a four-year lease agreement with Boxx Modular, waive the Town's procurement policy, and authorize the Town Manager to execute the necessary documentation for the new, temporary Town Hall business complex to be located on the Bay Oaks Campus.

Operations and Compliance Director Frankie Kropacek reviewed the issue as stated on the blue sheet. He hoped to move into the new trailers by Halloween and they would be reimbursed by FEMA.
Council Member King moved to approve the agreement; second by Council Member Veach.
Motion carried unanimously.

H. Surplus Items

Declare listed items as surplus and authorize staff to dispose of these items utilizing a municipal government auction service.

Town Manager Hyatt listed items that were damaged by Ian and would be sold.
Council Member King moved to approve the surplus items; second by Council Member Veach.
Motion carried unanimously.

I. Lobbyist Ronald L. Book, P.A. Contract Renewal

Authorize the Town Manager to renew and execute an agreement in the amount of $45,000 with the Town's State Lobbyist, Ronald L. Book, P.A.

Town Manager Hyatt stated the reasons for renewing the agreement.
Council Member King moved to approve authorization; second by Council Member Veach.
Motion carried unanimously.

J. RFQ-20-22-AD; Ongoing Professional Services Renewal #1 of 2

Authorize the Town Manager to execute renewal #1 of 2 to the firms contracted under RFQ-20-22-AD, Ongoing Misc. Professional Services.

Town Manager Hyatt noted that renewing this would help with a smoother transition.
Council Member King moved to approve the renewal; second by Council Member Veach.
Motion carried unanimously.

K. RFQ-20-22-AD; On-Going Professional Services

Approve two Supplemental Task Authorizations for FY24 exceeding $25,000 for Professional Services for Community Development in the areas of Planning/Zoning and Building Services, and authorize the Town Manager to execute the required documentation.

Town Manager Hyatt stated that approving this authorization would help with continuity moving forward.

Council Member King moved to approve the authorizations; second by Council Member Veach.
Motion carried unanimously.

L. 5-Year Flock Safety Agreement

Authorize the Town Manager to execute a 5-year agreement with Flock Safety to continue license plate reader services for the Town for an additional term with increased cost savings.

Public Works Director Jason Freeman reviewed the reason for the authorization as stated on the blue sheet.
Council Member King moved to approve the authorization; second by Council Member Veach.
Mayor Allers recounted a personal story regarding the cameras and police on the Sanibel causeway.
Motion carried unanimously.

M. Bay Oaks Recreation Center fitness equipment replacement.

Approve and allocate funds for the purchase and replacement of fitness equipment from Gym Source at the Bay Oaks Recreation Center, not to exceed $64,000

Culture, Parks & Recreation Director Jeff Hauge stated that the company provided the best quote.
Council Member King moved to approve the purchase; second by Council Member Veach.
Motion carried unanimously.

XII. PUBLIC HEARINGS

A. Provide input regarding open view and open space requirements

Provide input regarding Downtown Zoning District requirements

Planner Propst noted that staff needed to know what the Town Council wanted. She read the section of the code concerning lot frontage in the downtown district and open views of the Gulf of Mexico. She stated that this was an option, not a requirement. Council Member Woodson questioned whether it would be cleaner to change the code. Planner Propst indicated that there were only two places in the code that supported clear views of the water, although the Comp. Plan addressed it quite often. She questioned whether they intended to preserve open view corridors to the water. Vice Mayor Atterholt replied that the view corridors were worth preserving and he did not mind reviewing requests on a case-by-case basis. Mayor Allers was not comfortable changing the requirements and supported requests on a case-by-case basis.
Council Member King agreed with Mayor Allers because there were avenues to address it.
Council Member Veach questioned view corridors on certain properties on the Gulf versus properties on the bay side. Mayor Allers responded that the requirements only pertain to the downtown district. Consensus was reached not to change the code.

XIII. ADMINISTRATIVE AGENDA

A. Town Radios

Public Safety Motorola Radio Purchase

Director Freeman stated that they lost some of their radios during Ian and he reviewed the features of the two radios as stated on the blue sheet. Both models could be connected to the Lee County Public Safety Network.
Finance Director Joe Onzick indicated there were funds available for purchase. Mayor Allers favored the more expensive model. Director Freeman will obtain a quote for the N70 and bring it back for approval. No public comment.

Council Member Veach moved to table the discussion until they received the final purchase price; second by Council Member Woodson.
Motion carried unanimously.

B. Approve the replacement of outdoor fitness equipment for a not to exceed amount of $140,000

Approve purchase of National Fitness Court Outdoor Equipment

Director Hauge explained that the pad was still there, but all the equipment was lost. A $40,000.00 grant was available for the purchase and the equipment was covered by $40,000.00 of insurance.
Public comment:
Marty Bartow, resident, commented on the outdoor exercise equipment and questioned why they wanted to put something on Estero Blvd.
Public comment closed.

Mayor Allers moved to approve the purchase; second by Council Member Woodson.
Motion carried 4-1, with Council Member Veach dissenting.

C. FY24 Fee Schedule and Budget

Provide Clarification of FY24 Tentative Fee Schedule and Budget Items, including: Special Magistrate Program; Short Term Rental Program; $1 Million FDOT Grant; Financial Impact of Replacing Contractors with Employees; Update on the Storm Water and Water Projects; Status of SRF Loans; and Explanation of Variance Fees.

Finance Director Onzick provided clarification with a PowerPoint presentation. Slides include FY23-24 Fee Schedule & Budget Clarifications and Clarification on Beach Access Wedding Fees. Special Event Coordinator Patty Prevost explained the process and preferred that the fee be $150.00 or $350.00 for continuity or go back to $50.00 and $150.00.
Discussion was held regarding rental fees versus special event fees and combinations of the two. Vice Mayor Atterholt suggested removing the word wedding from a special event. Coordinator Prevost agreed.

Director Hauge indicated that a new rental agreement would be created for the Mound House, which would include a permit. Director Onzick summarized that the words wedding and permit would be removed and the beach access rental fee would be $150.00 or $350.00, depending on the number of people. He continued with the Clarification of the Special Magistrate Fee of $250.00, Recommended Special Magistrate Fee Components, Current Cost of Bringing Code Enforcement Cases to the Special Magistrate Compared to Actual Fees Ordered/Collected, Allocation of Short Term Rental Fee Income to Workforce Housing after Covering Cost of Program, Short Term Rental Fee Allocation and Update on $1 Million FDOT Grant - Jason Freemen.

Director Freeman provided an update on the grant.

The following slide was the Budget Impact of Replacing Contractors with Employees, Clarification of Florida State Revolving Fund, Update on Storm Water and Water Projects - Steve Matuska. Utilities Manager Matuska provided an update on the loans and the stormwater project. He described an underground stormwater retention facility, swale reclamation and restoration and the $10 million grant that will be used for repairs and improvements to the stormwater system. He noted that new meter reading software was purchased to allow staff more time in the field.

Community Development Senior Planner Jason Smalley stated the base charge for a variance was $1,800.00 and $500.00 for each additional ask after the base charge. The variance process is intended to limit the number of asks. Mayor Allers questioned charging the same fee to replace a fence that existed before the hurricane as a one-foot variance for a $5 million house. He felt a different fee for the fence versus the house should exist.

Senior Planner Smalley responded that every variance was different, but he mentioned combining variances or a sliding scale for accessory structure variances. He described the staff time involved and noted the department was working with a small number of staff. Mayor Allers suggested that replacing a fence lost to Ian should be taken care of administratively instead of going through the variance process. Senior Planner Smalley agreed with streamlining the process. Town Attorney Vose will look at the code to see if it provides for fees or guidelines. Senior Planner Smalley will bring back ideas.

Public comment:

Tom Connors commented on the application, the system and the fee schedule. He could see a $500.00 fee for the fence but not $1,800.00. Public comment closed.

D. <u>Dune Walkover permit for 8150/8170 Estero</u>

Motion to approve issuance of permit for beach/dune walk-over at 8150/ 8170 Estero Boulevard pursuant to Special Exception previously approved by the Town Council (Resolution 23-22) and accept letter of indemnity and intent to hold harmless document supplied by applicants.

Or

Motion to disapprove issuance of permit for beach/dune walk-over at 8150/ 8170 Estero Boulevard pursuant to Special Exception previously approved by the Town Council (Resolution 23-22).

Town Attorney Vose reviewed the issue and indicated that the applicants agreed to a hold harmless document to acknowledge that the walkover might have to be removed if the applicants lose their case in court. If the walkover has to be demolished, the applicants would reimburse the town. She stated that it was highly unusual to grant permission to do something but not issue a permit.

Attorney Seth Bane represented the owners and requested that the permit be released. He noted that the building permit portal stated that the permit was ready to be issued and the applicants provided a letter of indemnification.

Applicant Eddie Rood described conversations with the FWC and concessions they made to the design of the walkover. He offered to close the walkover during the bird nesting season from April to August if nests were found within a 300-foot radius of the terminus of the walkover. He noted that the FWC supported his proposal and asked that the permit be released.

Public comment:

John Cameron, resident, commented that the Audubon Society was the enemy and should not be given special treatment.

Cindy Johnson, resident, described harming the natural resources around the walkover. She stated members of the Audubon Society had an equal stake in what went on in Florida. She noted that the Shoremapper map indicated that the end of the walkover landed on an area critical to the survival of the snowy plover. She felt the town should let the judicial process finish.

Larry Denherder, resident, supported the beach walkover and felt it kept people out of the critical area. He asked that the town issue the permit.

Dennis Prock, resident, reviewed the voting history of the LPA and Town Council regarding the walkover.

Mr. Drenth, resident, supported the walkover and asked that the permit be issued. He commented that the whole neighborhood supported it.

Tom Connors, resident, commented on walking his dogs and ownership of the property. He did not support the walkover at first but does now.

Public comment closed.

Council Member Veach noted nothing in the indemnification letter addressed restoring the area to its pre-construction condition if the walkover was removed. Town Attorney Vose did not think the town would be liable based on the language in the letter. Attorney Bane stated that the DEP permit required restoration, but he agreed to add a clause in the letter. Town Attorney Vose did not believe there was any reason not to issue the permit.

Council Member Woodson moved to approve the issuance of the permit; second by Council Member King.

Motion carried, 3-2 with Vice Mayor Atterholt and Council Member Veach dissenting.

XIV. FINAL PUBLIC COMMENT

No public comment.

XV. TOWN MANAGER'S ITEMS

Town Manager Hyatt stated there would be a power outage on the north end at 4:00 p.m. to inspect the grid.

XVI. TOWN ATTORNEY'S ITEMS

A. Proposed Jamieson Settlement Agreement

Attorney Hudson Gill represented the Town of Fort Myers Beach and presented a settlement agreement to the town for their consideration. He reviewed the property's history, litigation and exposure to the town. He stated that Mr. Jamieson signed the agreement and the town's attorneys recommended that the Town Council approve the document. He explained the benefits to the town if they signed the agreement. He added that "with prejudice" means Mr. Jamison cannot file suit again over the same allegations.
Vice Mayor Atterholt supported the settlement agreement.
No public comment.

Vice Mayor Atterholt moved approval of the settlement agreement; second by Council Member King.
Motion carried unanimously.

B. Development Agreements with Deviations

To be part of the joint meeting with the LPA.

XVII. COUNCILMEMBERS ITEMS AND REPORTS

Council Member Woodson stated they needed to move forward with community policing.
Vice Mayor Atterholt asked for an update on purchasing property. Town Manager Hyatt replied negatively.
Council Member King noted that the LeeTran would begin on November 16, 2023. He forwarded addresses to Century Link that had boxes on their property. Some residents asked why the town allowed fiber optics to be installed before removing boxes. Town Attorney Vose stated the town had no authority to prevent the work.
Mayor Allers stated a remembrance would be held from 9-10 a.m. at Bayside Park and the clock would be unveiled at Times Square. Music and food will be in Times Square to Bayside Park from 11:00 a.m.
No items from Council Member Veach.

XVIII. ADJOURNMENT

Council Member King moved to adjourn; second by Council Member Veach.
Motion carried unanimously.
The meeting was adjourned at 3:16 p.m.
Minutes adopted, October 16, 2023; Motion by Council Member King and seconded by Council Member Veach. Passed 5-0.

Amy Baker

Amy Baker, Town Clerk