FORT MYERS BEACH • ESTERO ISLAND

Fort Myers Beach Town Council

Town Hall
2731 Oak Street
Fort Myers Beach, FL 33931

Minutes **Monday, March 4, 2024** **9:00 AM**

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

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

II. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Vice Mayor Atterholt moved to approve the final agenda with items C. D. and G. pulled for discussion; seconded by Council Member King.
The motion carried unanimously.

V. PUBLIC COMMENT

Rebecca Link read a letter of support for John McLean to fill the position on the LPA (Local Planning Agency).
Christy Thorton proposed a business idea to provide golf carts for transportation, a water taxi from San Carlos Island to the beach and provide cars and e-bikes for rent. She submitted her information to the town manager.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member King thanked the staff for all their hard work getting the trailers onsite. He thanked everyone for their kind words and for taking care of him.
Vice Mayor Atterholt thanked those who were using the pedestrian overpass. Operations and Compliance Director Frankie Kropocek explained how the permitting situation had improved. Vice Mayor Atterholt thanked all those who helped turn the permitting situation around.
Council Member Woodson recognized the Gala at Lovers Key and thanked everyone for raising $290,000.00. She thanked everyone who attended the

concert to benefit the Woman's Club.
Council Member Safford recognized Council Member King for attending the meeting after his recent hip surgery. He thanked all the businesses for pulling together to hold the Shrimp Fest.
Mayor Allers thanked Lee County and the staff for working with the town to open Crescent Park. He thanked the staff for their work with the trailers and recognized Town Clerk Baker for moving 12 times since Ian while running a municipality.

A. Proclamation: Flood Awareness Week
Mayor Allers read the proclamation.

VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

A. Public Safety Committee (PSC) - Chair Dawn Thomas
Chair Thomas requested a joint meeting to discuss issues and provide direction with priorities. She described a couple of items they were working on. The Town Council suggested meeting on March 7, 2024, after the M&P session.

B. Local Planning Agency (LPA) - Chair Cereceda
Chair Cereceda stated that they had to start thinking about what temporary business permits were doing to the big picture of redevelopment in the town. She described the ordinance that allowed existing businesses to operate on their property until their building was completed. Another town ordinance prohibited mobile vendors from operating in the community temporarily or permanently. The LPA hoped that the town council would discuss an end-game. Mayor Allers suggested they needed to determine an end date. Chair Cereceda discussed how SB250 applied relative to land use and permits regarding commercial entities. Council Member Woodson added that the intent was to allow pre-existing businesses to operate temporarily while rebuilding. The LPA recommended encouraging businesses to rebuild their property, but mobile vendors were prohibited. Chair Cereceda suggested that they not let the big redevelopment picture be sidetracked by allowing more mobile businesses in the town that were not there before the hurricane. Council Member Woodson stated that new businesses were not prohibited, but new businesses had to be brick-and-mortar. Vice Mayor Atterholt indicated the current ordinance was inadequate, poorly drafted and needed to reflect legitimate concerns. He questioned what they could do legally.
Town Attorney Vose agreed the ordinance required work and will research amending it. Council Member Safford mentioned rezoning to allow new businesses to operate within a deadline. Chair Cereceda stated that the town must be clear regarding what would be permitted.
Discussion was held regarding what to allow on properties that were not going to rebuild or allow businesses to operate temporarily until they could obtain a lease or buy property.

C. <u>Local Planning Agency Appointment</u>

Appoint a member to the FY2023-2024 Local Planning Agency (LPA) to fill a vacancy on the board.

John McLean received four votes to fill the vacancy on the LPA.

D. <u>Advisory Boards</u>

Designation of a Council representative to the six Town advisory boards/committees.

AAC - Vice Mayor Atterholt
Audit - Council Member Safford
BORCAB - Council Member Woodson
CELCAB - Vice Mayor Atterholt
MERTF - Council Member King
PSC - Mayor Allers

E. <u>Outside Committees</u>

Designation of a Council representative and alternate to the seven outside committees on which Council members have previously served.

Coastal and Heartland National Estuary Partnership Policy Committee - Environmental Projects Manager Chadd Chustz.

Mayor Allers moved to keep Chadd Chustz as the designated representative on the committee; seconded by Council Member King.

The motion carried unanimously.

Coastal Advisory Committee - Chadd Chustz.

Mayor Allers moved to keep Chadd Chustz as the designated representative on the committee; seconded by Council Member King.

The motion carried unanimously.

Fort Myers Beach Elementary School Youth Council - Mayor Allers.

Horizon Council - Council Member Woodson.

Mayor Allers moved to approve Council Member Woodson to continue being the representative for the Horizon Council; seconded by Council Member Safford.

The motion carried unanimously.

The Metropolitan Planning Organization - Council Member King.

Mayor Allers moved to approve Council Member King as the representative for the MPO; seconded by Vice Mayor Atterholt.

The motion carried unanimously.

Southwest Florida Regional Planning Council - Community Development Planner Sarah Propst.

Mayor Allers moved to approve Planner Sarah Propst as a representative for the council; seconded by Council Member Woodson.

The motion carried unanimously.

South Florida Resiliency Coalition - Culture, Parks & Recreation Director Jeff Hauge.

Mayor Allers moved to approve Director Hauge as a representative for the coalition; seconded by Council Member Woodson.

The motion carried unanimously.

Tourist Development Council - Mayor Allers.

Vice Mayor Atterholt moved to approve Mayor Allers as a representative on the TDC; seconded by Council Member Woodson.
The motion carried unanimously.

VIII. APPROVAL OF MINUTES

A. Management & Planning Session - February 15, 2024

Council Member King moved to approve the minutes; seconded by Mayor Allers.
The motion carried unanimously.

B. Town Council Special Meeting - February 15, 2024

Amend IV. to read: She noted there was also pending ~~litigation~~ legislation in the Florida legislature concerning increasing the millage rate, requiring a vote of at least 2/3 of the membership.
Council Member King moved to approve the amended minutes; seconded by Mayor Allers.
The motion carried unanimously.

IX. CONSENT AGENDA

Council Member King moved to approve the consent agenda; seconded by Council Member Woodson.
The motion carried unanimously.

A. Resolutions 24-43 through 24-46; Extending State of Local 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.

Council Member King moved to approve the resolution; seconded by Council Member Woodson.
The motion carried unanimously.

B. Resolutions 24-47 through 24-50; Extending 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.

Council Member King moved to approve the resolution; seconded by Council Member Woodson.
The motion carried unanimously.

C. <u>Vetor Settlement Agreement</u>

Motion to approve a settlement agreement with Vetor Contracting Services LLC in the amount of $225,000 related to disputed billing and work performed following Hurricane Ian.

Mayor Allers read the motion and noted the discussion also addressed item D. Town Attorney Vose described the agreement and stated the town did owe money to Vetor Contracting Services LLC. Funds received from Mr. Persaud would cover the agreement costs. Town Attorney Vose explained why she would not use the same language as in the contract. Council Member Woodson suggested conducting a forensic audit. Director Kropocek stated that they were going through paperwork and would address issues as soon as they came up. Vice Mayor Atterholt questioned whether the current audit firm could handle a forensic audit. Director Onzick indicated that an outside entity should do it to avoid a conflict of interest. He added that he had not seen anything to cause him concern.

Council Member King moved to approve the settlement agreement; seconded by Mayor Allers.
The motion carried unanimously.

D. <u>Resolution 24-54; Vetor Budget Amendment</u>

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AUTHORIZING A BUDGET AMENDMENT IN THE AMOUNT OF $225,000 FOR PAYMENT OF A SETTLEMENT OF A BILLING DISPUTE UNDER THE PROMPT PAYMENT ACT FOR HURRICANE RELIEF WORK PERFORMED BY VETOR CONTRACTING SERVICES, LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution.
Council Member King moved to approve the resolution; seconded by Mayor Allers.
The motion carried unanimously.

E. <u>24-51, Authorizing $1,000,000 ARPA Funds to Match FDEP Grant For Bay Oaks Recreational Campus</u>

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AUTHORIZING THE USE OF $1,000,000 OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO MATCH A $1,000,000 GRANT FROM FDEP FOR THE BAY OAKS CAMPUS REDEVELOPMENT PROJECT, AND RELATED BUDGET ADJUSTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member King moved to approve the resolution; seconded by Council Member Woodson.
The motion carried unanimously.

F. Resolution 24-52; Town Hall Internet Ratification

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION BY THE TOWN MANAGER ON FEBRUARY 27, 2024, TO WAIVE THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND TO APPROVE A PURCHASE ORDER FROM SOFTRIM LLC FOR EQUIPMENT AND INSTALLATION OF INTERNET SERVICE FOR THE TOWN HALL MODULAR UNITS AT THE BAY OAKS RECREATION CAMPUS IN AN AMOUNT NOT TO EXCEED $36,036.66 AS AN EMERGENCY PURCHASE; AND PROVIDING AN EFFECTIVE DATE.

Council Member King moved to approve the resolution; seconded by Council Member Woodson.
The motion carried unanimously.

G. Resolution 24-55; Professional Services for Marina Booster Pump Station

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING A SUPPLEMENTAL TASK AUTHORIZATION TETRA TECH, INC. NOT TO EXCEED $68,830 FOR WATER UTILITIES FOR MARINA BOOSTER PUMP STATION REHABILITATION.

Mayor Allers read the title of the resolution. Council Member King requested an explanation for the public. Public Works and Utilities Director Mark Ashton explained that the pump had to be fixed due to damage by Ian.

Council Member King moved to approve the resolution; seconded by Vice Mayor Atterholt.
The motion carried unanimously.

X. PUBLIC HEARINGS

Town Attorney Vose explained the public hearing process. Town Clerk Baker confirmed that all agenda items were properly advertised. She swore in those providing testimony.

A. VAR20230162, 21391 Widgeon Terrace

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE VAR20230162, TWO VARIANCES FROM LDC TABLE 34-3 TO DECREASE REQUIRED SIDE YARD SETBACK BY 2.18 FEET FROM THE REQUIRED 10 FEET AND TO DECREASE REQUIRED WATERBODY SETBACK BY 14.39 FEET FROM THE REQUIRED 25 FEET, IN THE RC ZONING DISTRICT, FOR THE PROPERTY LOCATED AT 21391 WIDGEON TERRACE; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Allers read the title of the resolution. Ex parte communications:
Council Member King - received emails from the applicant and neighbor but did not take a tour; Vice Mayor Atterholt, Mayor Allers and Council Members Woodson and Safford - received emails from the applicant and the neighbor and toured the property. The property owner confirmed receipt of the agenda and backup materials.
Community Development Planner Sarah Propst reviewed the background of the request as stated on the blue sheet. She noted the LPA recommended approval by a 5-2 vote. She answered questions surrounding the staff report and the application. She indicated that the application was not incorrect, but some details were missing. Planner Propst reviewed de minimus components.
Attorney Robert Burandt represented the applicants and stated he prepared the application without including the elevated pool, but he assumed that town staff were aware they were requesting an elevated pool when they met to review site plans. He noted that water had intruded on the property twice since Ian and the applicants did not want to worry about an inground pool flooding. He described the pool design and the improved view from the neighbor's house with a landscape buffer.
Kelly Moore, applicant, apologized for taking up so much time with the issue. She utilized PowerPoint for her presentation. Slides included an aerial of the neighborhood, a timeline of activities since purchasing the property in 2021 and a Plaisted Pool Proposal. She addressed the two LPA votes against the recommendation and corrected misconceptions regarding their plans. She thanked the town council for visiting their home and hoped they would approve their request.
Vice Mayor Atterholt questioned whether the town council was allowed to consider what the neighbors might be able to see if they chose not to rent the home that abuts the property they are actually on. Town Attorney Vose replied that it was subjective to each person. Applicant Todd Plaisted explained why an inground pool would not work on their property. He stated there would not be a fire component in their design and they were flexible regarding the landscape buffer.
Public comment:
Attorney Sarah Spector from Roetzel & Andress represented the neighbor and distributed documents. She addressed what she described as deficiencies and inaccuracies in the application. She requested that they deny the request.
Steven Schawls, surveyor, distributed a site plan.
Council Member King moved to accept Mr. Shoals as an expert surveyor; seconded by Council Member Safford.
The motion carried unanimously.
Mr. Schawls stated the parcel was in a velocity zone 12 and explained why he was unsure that the survey was done properly. He questioned how they came up with the square footage of the parcel when it did not appear that a portion of the property was shown on the subdivision plat. Scott Simmons, appraiser, noted that the neighbor requested a value impact study to

document potential damages to his property due to the proposed construction. He did not have time to conduct a full survey but shared a preliminary analysis. He described some adverse value impacts due to altered view corridors, lack of privacy and property access.

Judy Haataja, TriPower Vacation Rentals, distributed a handout and stated the other elevated pool in the neighborhood was on the water side and not between the neighbors. She understood that the pool would be elevated 8.5 feet and a cage would go up to the top of the house. Other items in the pool area included a fountain, spa/hot tub and an outdoor kitchen. She indicated the pool was elevated because the applicants did not want to go downstairs to access the pool. She felt it was too invasive for the neighbor and there would be too much noise.

Stephen Himmelstein, the neighbor's son, was concerned about how the application would affect his family's property. He distributed a packet of information and discussed how the staff reports changed.

Jeff Walker distributed handouts and discussed how the proposed pool would affect the traffic pattern and parking in the area.

Donna Pelligrini Alderman, resident, described her relationship with the Himmelstein's and noted they would be full-time residents soon. She felt the applicants' request was selfish and disrespectful of the neighbors and the town. She did not support making concessions for personal preferences.

Stephanie Himmelstein, neighbor, stated that the applicants did not work with them regarding the proposed pool. She noted the applicant did not entertain any compromise and would not answer their questions. She described amenities in the proposed project. She agreed that Ms. Moore mentioned two compromises regarding landscape and a cantilevered deck, but Mrs. Himmelstein did not ask for those compromises. She requested that the council deny their request.

Larry Himmelstein, Robert Himmelstein's father, did not support the applicant's request. He indicated that the applicants were unwilling to compromise and asked that the council deny the requests.

Dorothy Himmelstein, Robert Himmelstein's mother, reviewed how long they had been on the beach. She described her son's furniture business and was excited for her son to move to the town permanently.

Robert Himmelstein, neighbor, distributed pictures from an architect to show the proposed pool and addition. He asked that the application be denied and stated that the application required approval from the HOA (Homeowners Association). He described the contents of his handouts and conversations he had with several different people.

Steven Brockman, engineer, reviewed his experience.

Council Member Woodson moved to accept Mr. Brockman as an expert in his field; seconded by Council Member Stafford.

The motion carried unanimously.

Mr. Brockman questioned the elevation of the deck and stated that the height of the pool would not be at the elevation of the finished floor on the first level. He described construction requirements in a velocity zone 12.

Public comment closed.
Attorney Burandt noted that most comments were irrelevant to the variance requests. He repeated why an inground pool would not work on the property and disputed many comments and opinions. He indicated it was a de minimus request and that the HOA had approved the proposed pool. Attorney Burandt stated that he spoke to the neighbors for 30 minutes after the LPA meeting and their compromise was for the applicants to install an inground pool and nothing else.
Planner Propst stated that the applicants did not try to hide anything regarding their application. She described sections of code addressing an elevated pool and a non-seawall water body. She noted that the request was for an elevated pool and a screen enclosure without mentioning flood code requirements or the height of the structure. She indicated that an elevation condition was an option but did not know if it would be beneficial.
Council Member Safford was concerned about the VE zone portion but supported the setback request. He noted that Planner Propst addressed his other issues.
Planner Propst stated that the applicants would only have to come back before the council if they proposed a pool with different setbacks unless a height condition was added. Council Member Woodson noted they were not looking at flood plain issues and did not support adding a condition. She agreed that was the only place a pool could be located on the property.
Vice Mayor Atterholt thought the burden was on the applicant and the request was not hurricane-related. He did not believe it was a de minimus request and had difficulty supporting it.
Mayor Allers did not know how they could build a pool anywhere else on the property and trees could block the view from the neighbor. He agreed with the staff report.

Council Member Woodson moved to approve the variance requests with conditions; seconded by Council Member King.
Mayor Allers supported adding a condition on height and a condition to stage construction equipment offsite.
Planner Propst noted that they might want a condition to change the landscape plan to something that would be agreeable to the applicant and the neighbor.
Council Member Woodson amended her motion for approval to add conditions addressing the landscape plan, offsite staging, and if the pool was higher than proposed, they would have to come back before the council; seconded by Council Member King.
The motion carried 4-1 by roll call vote, with Vice Mayor Atterholt dissenting.

B. Resolution 24-53; VAR20230288, 8069 Estero Boulevard

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE VAR20230288, REQUESTING A VARIANCE FROM LDC 34-638(D)(1)G. WHICH REQUIRES NEW AT-

GRADE MECHANICAL EQUIPMENT TO NOT ENCROACH INTO A SIDE YARD SETBACK AND TO BE LOCATED ON THE SIDE OF THE PROPERTY WITH THE LARGER SETBACK, WHERE THERE ARE DIFFERING SIDE SETBACK WIDTHS, FOR THE PROPERTY LOCATED AT 8069 ESTERO BOULEVARD; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. No ex parte communications were disclosed. The property owner confirmed receipt of the agenda and backup materials.

Planner Propst reviewed the background of the request as stated on the blue sheet. She indicated the LPA recommended approval.

Valerie Harris, applicant, explained that they installed their pool right before Ian, but it was not inspected before the hurricane. After Ian, the pool, equipment, deck and pavers had to be redone. The inspector refused approval because he said the pool equipment was on the wrong side of the house. Ms. Harris stated her neighbor nearest to the equipment sent a letter in support of leaving it where it was.

No public comment.

Vice Mayor Atterholt moved to approve the resolution; seconded by Council Member King.

The motion carried unanimously by roll call vote.

C. Resolution 24-20; VAR20230284, 65 Flamingo Street

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE VAR20230284, REQUESTING A VARIANCE FROM TABLE 34-3 PRINCIPAL STRUCTURE SETBACKS, TO DECREASE THE FRONT STREET SETBACK BY 10 FEET AND DECREASE THE REAR SETBACK BY 15 FEET AND DECREASE THE REAR STREET SETBACK BY 15 FEET, TO ALLOW A NEW SINGLE FAMILY HOME FOR THE PROPERTY AT 65 FLAMINGO STREET; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. No ex parte communications were disclosed except for Vice Mayor Atterholt, who indicated he received a phone call a few weeks ago from a neighbor who expressed concerns about the request. He noted the conversation had no bearing on his vote.

James Ink, engineer, reviewed his background and experience.

Vice Mayor Atterholt moved to accept Mr. Ink as an expert in his field; seconded by Council Member Woodson.

The motion carried unanimously.

Albert Dambrose, architect, reviewed his background and experience.

Vice Mayor Atterholt moved to accept Mr. Dambrose as an expert in his field;

seconded by Council Member Woodson.
The motion carried unanimously.
Planner Propst reviewed the background of the request as stated on the blue sheet. She noted the town received two letters from neighbors opposing the project. She indicated the LPA voted to approve the request.
Mr. Ink, applicant, stated they wanted to rebuild the house with a similar footprint.
No public comment.

Council Member Safford moved to approve the resolution; seconded by Council Member Woodson.
The motion carried unanimously by roll call vote.

XI. ADMINISTRATIVE AGENDA

A. Resolution 24-09; Extra-Duty Marine Patrols

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, TO RATIFY AND APPROVE A CONTRACT AGREEMENT WITH LEE COUNTY SHERIFF'S OFFICE FOR EXTRA-DUTY WATERWAY DETAIL SERVICES AT THE RATES SPECIFIED IN EXHIBIT A TO THE AGREEMENT AND ADDENDUM; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager Hyatt stated a grant helped pay for the officers.

Mayor Allers moved to approve the resolution; seconded by Council Member King.
The motion carried unanimously.

XII. FINAL PUBLIC COMMENT

No public comment.

XIII. TOWN MANAGER'S ITEMS

Town Manager Hyatt described the work it took to obtain and set up the trailers. He noted an open house was scheduled for March 28, 2024. He commented that the trailers were a precinct for the elections this year. He thanked the staff for their hard work and indicated that the old trailers would be removed in about two weeks.

XIV. TOWN ATTORNEY'S ITEMS

Town Attorney Vose reported that the owner of Key Estero was going to pay the amount owed, but she heard he did not. An amended pleading was filed and went back to the Special Magistrate. She stated that they were in foreclosure proceedings.

A. TDC Times Square Funding

Town Attorney Vose reported that Town Attorney Stuparich was working with the county attorney's office regarding the issue.

XV. COUNCILMEMBERS ITEMS AND REPORTS

Vice Mayor Atterholt noted that the owner of Santini Plaza applied for a food truck permit a few months ago and has since been approached by a food truck vendor. He stated the owner was looking for direction from the council. Director Kropocek reported that the staff had no reason to deny the temporary use permit, so it was issued. Community Development Senior Planner Jason Smalley described the permit process and what had to be done when the business name on the permit differed from the name of the food truck vendor.

Council Member Woodson noted that LPA Chair Cereceda requested that the council address food trucks. The topic was added to an M&P session.

Mayor Allers reported that Lee County was looking at temporary lighting from the base of the bridge to the Lani Kai. He noted they were looking for a new location for LeeTran trolleys. He asked whether the council supported offering the town hall property and they agreed.

Director Kropocek revealed that the building supervisor tagged derelict buildings and an RFP (Request for Proposals) will go out for a company to demolish the unsafe structures sometime in April.

No items from other members.

A. Resilient Lee Update

Council Member Woodson described the meeting last week and indicated that the town submitted an amended plan and it was approved.

XVI. ADJOURNMENT

Council Member King moved to adjourn the meeting; seconded by Mayor Allers. The motion carried unanimously.

The meeting was adjourned at 1:53 p.m.

Minutes adopted as presented, March 18, 2024. Motion by Council Member King and seconded by Council Member Allers. Passed 5-0.

Amy Baker

Amy Baker, Town Clerk