Fort Myers Beach Management & Planning Session

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Minutes **Wednesday, December 11, 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. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. R2P2 Final Report Presentation

Presentation of the Coastal Florida Recovery and Resiliency Partnership Project (R2P2) Report

Ellie Baker introduced Drew Parker, who was calling from North Carolina. Ms. Baker introduced her colleagues, Jon Ford and Margaret Flippen. Slides in the presentation included the R2P2 Planning Process, Community Goals, Community Engagement and Online Survey. Mr. Ford continued with Island-Wide Connectivity, Connectivity Goals, Previous Plans & Current Efforts, Connectivity Plan, Island-Wide Mobility and Connections, Times Square to Red Coconut, Newton Beach Park and Alternative Layouts. Ms. Flippen continued with Old San Carlos Boulevard/Times Square, Old San Carlos Boulevard Development Parameters, Existing Conditions, Streetlights, Permitted, Palm Trees, Festive Street Murals, Times Square (Then), Times Square Challenges, Recovery and Resilience Options, Development Parameters, Range of Options and Comparing Options. Ms. Baker concluded the Implementation Framework and noted that the report was available on the website.

Bill Spikowski partnered with the R2P2 group and felt that the smaller businesses were the lifeblood of Times Square and set it apart from other communities. He noted there were things the town could do to bring businesses back and indicated that Option 1 was a possible plan, but code

changes would have to be made and FEMA (Federal Emergency Management Agency) rules had to be followed. He added that property owners would have to agree to sell.
Council Member Safford stated that he did not think option 1 would work because tourists were not interested in eating at food trucks daily. He asked Mr. Spikowski what they could tackle the easiest and fastest. Mr. Spikowski replied that Newton Beach Park was the first. He commented that food truck parks were an attraction because they offered music, shade and table service. Council Member Woodson added that food trucks on wheels could not serve alcohol and asked how to change the state liquor laws. Mr. Spikowski noted the state does not change the laws often, but he would not assume that it was impossible since it was an economic development issue.
Council Member Safford feared the pier would be built but nothing else.
Mayor Allers stated that they tried to get the Times Square owners together, but it was not going to happen. He stated they had to try to entice the owners to work together or sell to someone who would partner with the community. He shared Council Member Safford's fears. Council Member Woodson noted that some owners were moving ahead in their own direction. She supported the idea of the town finding a way to support the owners monetarily.
Mayor Allers asked Mr. Spikowski what he would do. Mr. Spikowski replied that changing the LDC (Land Development Code) to allow mobile vendors would be easy. He noted that allowing two stories over flood helped, but the cost to build was still a problem for small owners. He felt that acquiring land with outside funding was worth exploring. Mayor Allers suggested visiting Backyard Social in Fort Myers. He indicated the shipping containers were elevated with covered patios, a stage and alcohol.
Vice Mayor Atterholt noted that the report focused on reenergizing Old San Carlos. He asked Mr. Spikowski what he thought the impact would be with a more modest Arches proposal at Moss Marine. Mr. Spikowski responded that it would either help or draw energy away.

B. <u>Leasing Town ROW for Private Property use</u>

Leasing of Town right-of-way for private use

Community Development Principal Planner Judith Frankel stated that Jim Ink represented the owners of 1901 Estero and was prepared to speak if the council desired. Mayor Allers asked why she was bringing up the issue.
Principal Planner Frankel indicated that Resolution 18-20 carried forward what had been established before the town was incorporated. Lee County had right-of-way lease agreements with private property owners and the town agreed to continue the agreements. She noted there were about six properties involved and they were being redeveloped. She asked whether they wanted to continue that with a new resolution or revisit it. She described 1901 Estero as the old Hoosiers restaurant and indicated the property owner would like to continue leasing nine parking spots on Ohio. Mayor Allers did not have an issue with it if the fire department approved it.

Council Member Woodson stated the charge was $100.00 per space for the year. Council Member Safford noted there was a receipt for $424.00. Principal Planner Frankel explained the pricing and indicated they would have to change the fee schedule. Operations & Compliance Director Frankie Kropacek added that the potential for those spots was $60.00 per spot per day. Principal Planner Frankel stated that the owners were trying to maintain the existing portion of the building and add to it.

Principal Planner Frankel will bring back the resolution with a suggested fee. Jim Ink described what the owners planned to do with the old Hoosiers property and passed around a building rendering.

C. Code of Ethics

A review of the Town Code of Ethics policy

Town Manager Hyatt noted he was attempting to streamline and incorporate items into the policy. He will meet individually with council members. Council Member Woodson felt that they needed to update social media policy. Vice Mayor Atterholt asked that the gift rule policy be clarified. Town Attorney Stuparich will check whether advisory committees are bound by the ethics policy.

D. Advisory Committee Appointments

Discussion of a draft resolution: A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING SECTION 5 OF THE TOWN COUNCIL'S POLICIES AND PROCEDURES MANUAL AS RECENTLY AMENDED BY RESOLUTION 24-246 TO CLARIFY THE SELECTION PROCESS IN THE EVENT OF A TIE VOTE FOR APPOINTMENT OF A QUALIFIED INDIVIDUAL AND TO ESTABLISH A LIMIT ON THE NUMBER OF WAIVERS AN APPOINTED INDIVIDUAL MAY REQUEST; AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion was held on the language. Town Attorney Stuparich indicated she would work on the wording and bring it back at a future meeting.

E. Advisory Committees

DISCUSSION: Qualifications for Appointment to Advisory Committees, Boards and Agencies

Town Attorney Stuparich reviewed the qualifications. She asked how many committees an individual could serve on at one time. Council members felt that two committees were the limit. Council Member King felt that people should be allowed to serve on committees despite their knowledge or experience. Council Member Woodson asked whether people who lived on the island should be given preference. Council members agreed. Preference will be given to residents or property owners in zip code 33931. Town Attorney Stuparich will modify the language and bring it back.

IV. AGENDA MANAGEMENT

A. December 2024

Add a discussion regarding Ordinance 17-15.

Council Member Woodson inquired about the second opinion on the water project. Director Kropacek stated that the five companies refused to go on record regarding another company, but he was still working on it.

Invite Mike Poff to an M&P or regular meeting for an update on the beach renourishment.

Add a discussion regarding the pier and pilings on the south end. Add an R2P2 discussion.

Add a discussion regarding public/private partnerships.

V. ADJOURNMENT

Council Member King moved to adjourn at 11:04 a.m., seconded by Mayor Allers. The motion carried unanimously.

Minutes adopted as presented, January 8, 2025. Motion by Council Member King and seconded by Council Member Safford. Passed 5-0.

Amy Baker
Amy Baker, Town Clerk