



Fort Myers Beach Town Council

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

Minutes

Tuesday, February 18, 2025

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

Mr. Davis from Florida Power and Light (FPL) stated that permitting was complete and the underground boring was done for the side streets. Pole and light installation will start tomorrow. Estero Blvd. was 20% complete and foundations for the poles had started. Poles and lights will be installed on Estero starting March 3, 2025. The project was about 25% complete and was scheduled to finish by the end of October 2025. Mr. Davis will provide updates, which will be posted on the town's website. Compliance & Operations Director Frankie Kropacek described Century Link's conduit lines and indicated he would invite someone to update the town council. Town Manager Andy Hyatt noted that FDOT (Florida Department of Transportation) anticipated that all of Estero Blvd. would be completed by the summer.

Council Member King moved to approve the final agenda, seconded by Council Member Safford.
The motion carried unanimously.

V. PUBLIC COMMENT

Becky Knight, resident, described construction on her block and the setbacks on a parallelogram lot. Because of the setbacks, it was a public safety concern because the road was narrow.

Gary Knight, resident, stated that he contacted the town about the construction,

but nothing was done. He was unsure how the plans were passed because the drainage plan did not match the online permit plan. He described how Miramar was affected by the construction and there was nowhere to park. He noted that nothing added up and something was way off.

Director Kropacek stated that Building Official Joe Specht was inspecting the property and appropriate steps would be taken if needed. He will keep the Knights updated.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Vice Mayor Atterholt recognized Tunaskin for the beach cleanup on Sunday and the Community Foundation for their fashion show.

No items from other members.

VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

No items.

VIII. APPROVAL OF MINUTES

A. Town Council - February 3, 2025

Council Member King moved to approve the minutes, seconded by Council Member Safford.

The motion carried unanimously.

B. Management & Planning Session - February 6, 2025

Council Member King moved to approve the minutes, seconded by Council Member Safford.

The motion carried unanimously.

IX. CONSENT AGENDA

No items.

X. ITEMS REMOVED FROM CONSENT AGENDA

XI. PUBLIC HEARINGS

Town Attorney Stuparich explained the quasi-judicial procedures. Town Clerk Baker confirmed that all agenda items were properly advertised and noticed and she swore in those providing testimony.

A. Resolution 25-58; SEZ20240257, 2654 Estero Blvd

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/DENYING SPECIAL EXCEPTION SEZ20240257 TO ALLOW REPAIR OF POOL, POOL DECK, FENCES, GRILL AREA, FOOT-RINSE STATION, AND BEACH ACCESS STAIRS IN EC ZONING DISTRICT SEAWARD OF 1978 CCCL, FOR THE PROPERTY LOCATED AT 2654 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND 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 background materials.

Community Development Principal Planner Judith Frankel reviewed the background of the request as stated on the blue sheet. She noted that the plan was to replace items destroyed by Ian and the LPA (Local Planning Agency) recommended approval.

The applicant was available to answer questions. No public comment.

Principal Planner Frankel reviewed the staff report and noted that the staff recommended approval with conditions.

Council Member King moved to approve the resolution, seconded by Council Member Safford.

The motion carried unanimously by roll call vote.

Discussion was held regarding allowing the LPA to be the final approval for special exceptions that replace items lost in the hurricane (like for like), similar to the variance rule. Town Attorney Stuparich will draft language for discussion at an M&P session.

XII. ADMINISTRATIVE AGENDA

A. Resolution 25-59; TDC Beach and Shoreline Maintenance Grant

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER OR DESIGNEE TO APPLY FOR, EXECUTE UPON AWARD, AND ADMINISTER A GRANT FROM LEE COUNTY'S VISITOR AND CONVENTION BUREAU'S TOURIST DEVELOPMENT COUNCIL FOR BEACH AND SHORELINE FUNDING IN THE AMOUNT OF \$1,355,184; DETERMINE AND INCLUDE ADDITIONAL FUNDING REQUESTS FOR "LANDSCAPE" & "REPAIRS & MAINTENANCE – VEHICLES"; AUTHORIZING THE TOWN MANAGER OR DESIGNEE TO EXECUTE ALL RELATED AND NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Director Kropacek indicated this was a compilation of everything the town asked for. Community Services Director Jeff Hauge added that the TDC budget increased for cleaning up the beach and beach accesses this year. Mayor Allers asked Town Attorney Stuparich to draft language regarding Times Square as a beach access. He brought up fireworks launched from the pier and barge and asked the town manager and his staff if they would work with Sanibel to combine funding for the two so they could use the barge for both. Director Kropacek described some of the projects included in this year's request. Mayor Allers discussed adding ADA (Americans with Disabilities Act) compliance equipment. Director Kropacek stated that the wheelchairs lost in the hurricane were ordered and should arrive soon.

Mayor Allers moved to approve the resolution, seconded by Council Member King.

The motion carried unanimously by roll call vote.

B. Special Event: Fort Myers Beach Shrimp Festival 2025

Fort Myers Beach Lions Club is requesting approval for a special event for the 2025 Festival 5K run and parade, contingent on approval of FDOT, Fort Myers Beach Fire District and Lee County Sheriff's Office in regard to the event and road closure from 9am–12pm on Saturday, March 8, 2025. The parade will start at 10am once the 5K run is complete. The Lions club is also requesting to waive the noise ordinance.

Mayor Allers read the request. Diane Clifton from the Fort Myers Beach Lions Club reviewed the event's history and noted that this was the 67th year. The shrimp boil was back and would be held in John Richard's parking lot.

She described the donations from all over the country after Ian. There were 28 parade entries so far and anyone can enter by completing an online application.

Mayor Allers moved to approve the special event, seconded by Council Member Woodson.

The motion carried unanimously by roll call vote.

C. Special Event: Southside Art & Craft Show

Blue Ribbon Events is requesting Southside Art & Craft Show at Santini Plaza recurring special event on March 28 - 30, 2025 8am - 6pm & April 25 - 27, 2025 8am - 5pm.

Mayor Allers read the request.

Council Member King moved to approve the special event, seconded by Council Member Woodson.

The motion carried unanimously by roll call vote.

XIII. FINAL PUBLIC COMMENT

Cliff Gallagher, resident, stated his visit to the tax assessor's office regarding his tax increase was a waste of time. However, he was contacted by an investigator who offered to reduce it significantly because they did not want to go before the assessment board. He described town employees trespassing on his property and asked that they stop.

XIV. TOWN MANAGER'S ITEMS

Town Manager Hyatt stated they contracted with a company to help control traffic and they would start today at the corner of Fifth and Crescent and Old San Carlos. Applications for town manager have been received and the target was to interview people the week of March 17 or 24. He requested that the M&P be rescheduled to March 13, 2025, since he and the mayor would be in Washington, D.C., on March 6. He described the work in the town hall and the parking lot.

Director Hauge described the restroom progress in Newton Park and indicated they should be on the property in a week or two. The parking lot will also be finished soon and he hopes to add a trailer to store the wheelchairs.

Operations & Compliance Manager Thomas Yozzo provided details regarding the security firm hired to manage traffic. He will meet with them today at 2:00 for training. He urged pedestrians to cross at the crosswalks and encouraged drivers to be patient, pay attention and refrain from yelling at traffic control people. He indicated that Margaritaville would add signage to the walkover to direct people to cross there. Council Member Safford asked whether they could create a zone for Uber or DoorDash to pick up food. Manager Yozzo explained that someone would have to monitor the spot full-time. Council Member Safford questioned whether they could close Crescent at certain times towards the beach and make it one lane for the valet at Margaritaville. Manager Yozzo replied that it would have to be monitored and mentioned potential liability issues. He described how the FDOT responded positively to several requests.

Town Manager Hyatt noted that the current town hall trailers should be evacuated in March and removal depended on the vendor's timeline.

Director Kropacek thanked the Beach Bar staff and Manager Yozzo's staff for cleaning up the pile of trash left on the beach by a group of people.

XV. TOWN ATTORNEY'S ITEMS

Town Attorney Stuparich explained why the council and LPA members could not comment on upcoming Public Hearings outside quasi-judicial meetings.

XVI. COUNCILMEMBERS ITEMS AND REPORTS

Council Member Woodson heard concerns regarding the September 2025 deadline for RVs and suggested they add it to the next M&P for discussion. She received support. Town Manager Hyatt will send a second request to FEMA for clarification. She indicated that discussions on the timeframe to rebuild the pier were ongoing. Vice Mayor Atterholt gave an update regarding the beach school and noted the goal was to open in the fall.

Council Member Safford indicated he would have to attend the next town council meeting remotely.
No items from other members.

XVII. ADJOURNMENT

Council Member King moved to adjourn, seconded by Mayor Allers. The motion carried unanimously.

Minutes adopted as presented, March 3, 2025. Motion by Council Member King and seconded by Council Member Woodson. Passed 5-0.



Amy Baker, Town Clerk