Fort Myers Beach Town Council

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

Minutes **Monday, August 4, 2025** **9:00 AM**

ORDER OF BUSINESS

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

Not recorded.

V. PUBLIC COMMENT

Tom Brady, resident, discussed the town's response regarding the Seagate issue. He brought up the lack of a view corridor, the elevated pool deck that obstructed the view and the concept that one foot of view corridor equaled one foot in height.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member King thanked those who inquired about his hip surgery. He welcomed Finance Director Joe Onzick back.

Vice Mayor Atterholt welcomed Director Onzick back.

Council Member Woodson recognized the Mullet Madness event and welcomed Director Onzick back.

Council Member Safford welcomed Director Onzick back and thought the Fourth of July fireworks were great and the Beach Bar opening was fantastic. He thanked Seagate for the fireworks donation.

Mayor Allers welcomed Director Onzick back.

VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

No items.

VIII. APPROVAL OF MINUTES

A. Town Council - June 16, 2025

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

B. Joint Town Council Session with Local Planning Agency - June 26, 2025

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

C. Management and Planning Session - June 5, 2025

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

IX. CONSENT AGENDA

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

A. <u>Resolutions 25-222 through 25-226; Extension of Local Emergency - Hurricane Ian</u>

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 Safford.
The motion carried unanimously.

B. <u>Resolutions 25-227 through 25-231; Extension of Local Emergency - Tropical Storm Debby</u>

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY 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 Safford.
The motion carried unanimously.

C. <u>Resolutions 25-212 through 25-216; Extension of Local Emergency - Hurricane Helene</u>

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE) 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 Safford.
The motion carried unanimously.

D. Resolutions 25-217 through 25-221; Extension of Local Emergency - Hurricane Milton

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 MILTON, 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 Safford.
The motion carried unanimously.

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 noticed. She swore in those providing testimony.

A. Ordinance 25-14; CPD20250008, 7225, 7291 & 7295 Estero Blvd (Fish Tail Marina)

This quasi-judicial agenda item is a First Reading and Public Hearing on proposed Ordinance 25-14 (Fish Tale Marina). If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for September 11, 2025, at 9:00 AM or at another time identified by Town Council.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING AN AMENDMENT AND RESTATEMENT OF LEE COUNTY RESOLUTION Z-94-013 THAT REZONED PROPERTY TO COMMERCIAL PLANNED

DEVELOPMENT TO ALLOW FOR A REVISION TO THE MASTER CONCEPT PLAN AND ONE (1) ADDITIONAL DEVIATION FOR SETBACKS FOR THE REDEVELOPMENT OF A COMMERCIAL MARINA FOR PROPERTY LOCATED AT 7225, 7291 AND 7295 ESTERO BLVD, GENERALLY IDENTIFIED AS STRAP NUMBERS 03-47-24-W1-00011.0010, 03-47-24-W1-00011.0020 AND 03-47-24-W1-00011.003B IN FORT MYERS BEACH; RESTATING PREVIOUSLY APPROVED CONDITIONS AND DEVIATIONS; PROVIDING FOR OTHER 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 ordinance. Ex parte communications: Council Members Safford and Woodson are familiar with the property and Vice Mayor Atterholt visited the property and spoke to Sue in the office. No disclosures from Council Member King and Mayor Allers.

Brock Petrak from the Edgewater Group reviewed his qualifications as a civil engineer to be qualified as an expert.

Council Member King moved to accept Mr. Petrak as an expert, seconded by Council Member Woodson.

The motion carried unanimously by roll call vote.

The property owner confirmed receipt of the agenda and background materials.

Community Development Senior Planner Jason Smalley reviewed the background of the request as stated on the blue sheet. He noted that Phase Two was no longer relevant because the projects had already been completed.

Mr. Petrak described the slides in his presentation, which are included in the agenda packet. He noted that it was a commercial marina open to the public. He estimated that construction would start on the docks within three months of approval. The upland side would probably take a year and Pinchers was closer to eight or nine months.

No public comment.

The applicant agreed with the conditions of approval in the staff report.

Vice Mayor Atterholt moved to approve the ordinance for a second reading as soon as possible, seconded by Council Member Woodson.

The motion carried unanimously by roll call vote.

B. <u>Resolution 25-239; SEZ20250046, 6425 Estero Blvd (Former Beach Theater)</u>

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20250046 TO ALLOW 1) CONSUMPTION ON PREMISES (COP) OUTDOORS WITHIN 500 FEET OF DWELLING UNITS; 2) NEW OUTDOOR ENTERTAINMENT IN THE COMMERCIAL BOULEVARD (CB) ZONING DISTRICT; 3) NEW LIVE ENTERTAINMENT IN THE CB ZONING DISTRICT; AND 4) NEW OUTDOOR SEATING THAT IS OPEN AFTER SUNSET IN THE CB

ZONING DISTRICT, FOR THE PROPERTY LOCATED AT 6425 ESTERO BLVD. GENERALLY IDENTIFIED AS STRAP NUMBER 34-46-24-W4-00046.0000; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Ex parte communications: Council Member King received emails for and against, Vice Mayor Atterholt received emails and toured the property, Council Member Woodson met with the owner twice and received emails, Council Member Safford toured the property and received emails and Mayor Allers toured the property and received emails. Mayor Allers and Council Member Safford also received an email regarding noticing before the LPA (Local Planning Agency) meeting.

Town Attorney Stuparich clarified the rules surrounding noticing and stated there were no issues.

The property owner confirmed receipt of the agenda and background materials.

Community Development Planner Jason Utley reviewed the background of the request as stated on the blue sheet. He noted that staff recommended denial of the new outdoor entertainment due to noise concerns. The LPA voted to recommend approval with 16 conditions. Planner Utley highlighted the conditions.

Patrick Vanasse with the Neighborhood Company noted there were four components to the special exception request. The variances were combined in his presentation and would be addressed. His presentation is included in the agenda packet. Mr. Vanasse reviewed the changes and pointed out that a barrier was constructed to confine consumption on the premises and enhanced buffering around the property was added. A new brick wall would enclose the back of the building and walls were added to the sides. An integrated sound system would be used instead of a PA system to help lessen the impact of noise.

Mr. Vanasse stated the Dolphin Inn site would be used for additional parking for a total of 78 parking spaces. Parking at Golfview Manor and the new Town Hall could be options for the future if needed. Valet service will also be available. The dock will not be available to the public; however, they support a water taxi option. He reviewed the conditions and responded to questions.

Public comment:

Christine Madden, resident, said they moved to the neighborhood because it was low-density and family-friendly. She believed that the music and outdoor bar, among other items, would be injurious and detrimental to the neighborhood. She stated that the owners were aware of the lack of parking when they purchased the property, and therefore, the neighborhood should not have to bear the nuisance. She believed there was a viable option for the owner to operate restaurants without outdoor entertainment.

Jon Madden, resident, commented that the owners needed something special to make the business work for them, not the neighborhood. They requested half the required parking, which could result in traffic congestion on Estero and Egret. He questioned their long-term strategy, outdoor entertainment and an outdoor bar. He acknowledged that businesses had to

thrive, but did not think this project was a fit in the neighborhood.
Public comment closed.
Mr. Vanasse responded to questions regarding some conditions and offered changes.
Planner Utley proposed additional language for floodplain regulations. Albert Dambrose from the Neighborhood Company explained that the project received approval to dry flood-proof the ground floor, which will also help mitigate the noise. He did not object to Planner Utley's language. Steve Boge, co-owner, described his vision for the project and agreed to adjust the hours of operation for the downstairs restaurant. Changes to other conditions were discussed and agreed upon. Council Member Safford encouraged Mr. Boge to communicate with the neighbors and address their concerns. Mr. Boge agreed.
Town Attorney Stuparich recommended that the motion be subject to the approval of the variance.

Council Member Woodson moved to approve the resolution, subject to the approval of the variance and to amend item number 3 to include that the hours of outside amplified music will be limited to 11:00 a.m. to 9:00 p.m., as well as all the other conditions that have been discussed, seconded by Mayor Allers.
The motion carried unanimously by roll call vote.

C. <u>Resolution 25-240; VAR20250047, 6425 Estero Blvd (Former Beach Theater)</u>

A RESOLUTION OF THE FORT MYERS BEACH TOWN COUNCIL APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE APPLICATION VAR20250047 FOR THE PROPERTY AT 6425 ESTERO BLVD, GENERALLY IDENTIFIED AS STRAP NUMBER 34-46-24-W4-00046.0000 IN FORT MYERS BEACH FOR A VARIANCE TO DECREASE THE NUMBER OF REQUIRED PARKING SPACES FROM 115 TO 33 PARKING SPACES AND A BICYCLE RACK FOR A RESTAURANT, COCKTAIL BAR AND ENTERTAINMENT AREA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Ex parte communications: Council Member King received emails for and against, Vice Mayor Atterholt received emails and toured the property, Council Member Woodson met with the owner twice and received emails, Council Member Safford toured the property and received emails and Mayor Allers toured the property and received emails.
The property owner confirmed receipt of the agenda and background materials.
Vice Mayor Atterholt moved to incorporate the record from the prior hearing into this variance hearing, seconded by Council Member King.
The motion carried unanimously by roll call vote.
Planner Utley reviewed the background of the request as stated on the blue

sheet. Staff recommended denial based on the parking requirements. He noted that the LPA recommended approval of the variance. Council Member Safford asked if his opinion would change on the parking requirements if only the restaurants were included rather than the entire structure. Planner Utley replied that he thought there were ongoing discussions regarding parking requirements.

Mr. Vanasse reviewed the parking slide in the presentation. He indicated that they did not calculate parking based on the entire square footage. Bike and golf cart spaces were provided, along with valet parking and there were extra spaces available at the Dolphin Inn. Council Member Safford asked whether a couple of parking spaces would be available for delivery services. Mr. Vanasse replied affirmatively. Mayor Allers would like the valet service to be available when the establishment is open. Mr. Vanasse replied that the valet would probably be available every day, but requested flexibility for off season. Mayor Allers responded that he wanted it available year-round. Council members felt that valet parking should operate in season. Planner Vanasse suggested valet service would be provided at a minimum from November to the end of April, Thursday to Sunday, from 5:00 p.m. to close. He reiterated that they were only asking for a 32% reduction in parking and they had another lot available.

Public comment:

John Madden, resident, was not confident that they would deliver on anything they said because he did not trust them after they removed the mangroves.

Christine Madden, resident, commented on traffic backing up and obstructing sight lines on Curlew. She was concerned that the Dolphin Inn and Gulfview Manor were for sale.

Public comment closed.

Mr. Vanasse explained that the owners had a DEP (Department of Environmental Protection) permit to remove the mangroves, but not a local permit. He addressed the parking concerns and felt that they had it covered. Mr. Vanasse stated that they would pay any outstanding fees.

Vice Mayor Atterholt moved to approve the resolution, seconded by Council Member Woodson.

The motion carried 4-1 by roll call vote, with Mayor Allers dissenting.

D. Ordinance 25-08; Noticing

This legislative agenda item is a SECOND Reading and Public Hearing on proposed Ordinance 25-08.

ORDINANCE TITLE:

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 34-236, NOTICES FOR REZONINGS, DEVELOPMENT AGREEMENTS, DEVELOPMENTS OF REGIONAL IMPACT, SPECIAL EXCEPTIONS, ADMINISTRATIVE APPEALS, AND VARIANCES, INCLUSIVE OF VARIANCES OF SINGLE-FAMILY OR TWO FAMILY HOME VARIANCES TO REQUIRE THE

APPLICANT TO PROVIDE PROOF OF MAILED AND POSTED PUBLIC NOTICING PRIOR TO LOCAL PLANNING AGENCY AND TOWN COUNCIL HEARINGS; AMENDING THE MANNER OF OBTAINING INFORMATION BY CONTACTING TOWN STAFF AND THE USE OF LAYMAN'S LANGUAGE IN REQUIRED NOTICES; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the ordinance. Town Attorney Stuparich reviewed the background of the request and the changes made.
No public comment.

Council Member King moved to approve the ordinance, seconded by Council Member Safford.
The motion carried unanimously by roll call vote.

XII. ADMINISTRATIVE AGENDA

A. Resolution 25-210, FY2026 Tentative Millage Rate

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING THE TENTATIVE OPERATING AD VALOREM MILLAGE RATE OF 1.25500 MILLS FOR FISCAL YEAR 2026 OF THE TOWN OF FORT MYERS BEACH; ESTABLISHING THE DATE, TIME AND PLACE FOR HEARINGS TO ADOPT THE FINAL OPERATING AD VALOREM MILLAGE RATE AND BUDGET FOR THE FISCAL YEAR 2026; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager Will McKannay clarified that they were establishing a tentative not-to-exceed millage rate. A location for the September budget hearings will be confirmed before the vote. Finance Director Joe Onzick reviewed the PowerPoint presentation, which is included in the agenda packet. He explained that even though the ad valorem and non-ad valorem revenues were increasing, they were still operating at a deficit. They were allowed to use less of the bridge loan as the revenues increased.
Vice Mayor Atterholt discussed his personal property tax bill, noting that a 26% increase would apply to 6% of his current property tax bill. A 26% increase would not be applied to the total property tax. Mayor Allers added that the town was doing more with less and the increase was not to grow the government; it was to continue to provide the same service. Town Manager McKannay stated that an increase was to cover the budget shortfall. He indicated that they could look at proposing rollbacks in the future.
Director Onzick clarified that the terms of the bridge fund stated they could only use it to make up the difference between their budgeted revenues compared to what they were before Ian. He listed some of the non-ad valorem items that made up $1.4 million of lost revenue. He explained how they were able to get through the past years without a millage rate increase.
Council Member King was concerned about increasing property taxes and

suggested looking at different revenue streams to help property owners. Council Member Woodson noted that revenues from future projects were unknown, but they knew that they would miss in 2026 if they did not raise the millage rate. She felt they should look at fees, but Director Onzick commented that any increases would have to be applied to the bridge loan and would not reduce the deficit. Council Member Safford was surprised that they did not increase the rate over the last three years. He felt they needed to take a hard look at individual silos to save money and assess long-term reserves and necessary projects. Mayor Allers agreed with Council Member Safford.

The budget hearings will take place at Town Hall, 6231 Estero Blvd., on September 11, 2025, and September 24, 2025, at 5:01 p.m.

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

The motion carried 4-1 by roll call vote, with Council Member King dissenting.

B. Res. 25-234; Approval of amendment to Goldman Wolfe, LLC Financial Consulting Service Contract

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE EXISTING AGREEMENT BETWEEN THE TOWN AND GOLDMAN WOLFE, LLC FOR FINANCIAL CONSULTING SERVICES: 1) TO INCREASE THE NOT TO EXCEED AMOUNT FROM $50,000 TO THE BUDGETED AMOUNT OF $197,600; AND 2) TO ADD A $5,000 STATUTORY CONTRACTUAL PENALTY IN THE EVENT OF BREACH OF THE AGREEMENT DURING AN EMERGENCY RECOVERY PERIOD TO THE TERMS OF SERVICE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager McKannay reviewed the background of the request as stated on the blue sheet. Human Resources Director Talissa Oliveira noted that they were originally down three employees, but now Goldman Wolfe was filling two positions.

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

The motion carried unanimously by roll call vote.

C. Resolution 25-232; Administrative Authority - SB 784

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, DESIGNATING AN ADMINISTRATIVE AUTHORITY TO RECEIVE, REVIEW, AND PROCESS PLAT AND REPLAT SUBMITTALS AND AN ADMINISTRATIVE OFFICIAL RESPONSIBLE FOR APPROVING, APPROVING WITH CONDITIONS, OR DENYING PROPOSED PLATS AND REPLATS, AS SPECIFIED IN SECTION 177.071, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Allers read the title of the resolution. Community Development

Director Frankie Kropacek reviewed the background of the request as stated on the blue sheet. The town manager will be appointed to the position.

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

D. Resolution 25-519, Acceptance of Drainage Easement Agreement for Lot 15, Block D, Island Shores, Unit No. 4 (Lee County PB 9, PG 37)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ACCEPTING AN EASEMENT RELATED TO THE PROVISION OF PUBLIC STORM DRAINAGE PIPES AND APPURTENANT DRAINAGE FACILITIES IN, OVER, UNDER, THROUGH, UPON, AND ACROSS A PORTION OF REAL PROPERTY LOCATED IN THE TOWN OF FORT MYERS BEACH, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Community Services Director Jeff Hauge stated this was for the easement to install an outfall on Carlos Circle.

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

E. Resolution 25-236; Fire Hydrant Replacement

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION OF THE TOWN TAKEN ON APRIL 22, 2025 AND APPROVING A CONTRACT WITH ANDREW SITEWORK FOR THE EMERGENCY PURCHASE AND REPLACEMENT OF 36 NON-OPERABLE FIRE HYDRANTS LOCATED THROUGHOUT THE TOWN IN THE AMOUNT OF NOT-TO-EXCEED $290,512; APPROVING AN ADDENDUM TO THE RATIFIED CONTRACT TO INCLUDE ADDITIONAL TERMS AND CONDITIONS REQUIRED BY FLORIDA LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Director Hauge stated that 36 fire hydrants had to be replaced and the water fund balance would be used to pay for them.

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

F. Resolution 25-238; BCI Controls

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE PURCHASE OF EQUIPMENT AND PROGRAMMING SERVICES FROM BCI TECHNOLOGIES AS A SOLE SOURCE PROVIDER IN ACCORDANCE WITH SECTION 2-480(C) OF THE TOWN'S CODE OF ORDINANCES IN

THE AMOUNT OF $63,502.37 TO ALLOW MONITORING OF THE WATER PRESSURE IN THE TOWN'S UTILITY SYSTEM AT THE SOUTH BOOSTER STATION; AUTHORIZING THE TOWN MANAGER TO SIGN THE PURCHASE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Director Hauge reviewed the background of the request as stated on the blue sheet.

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

G. Resolution 25-237; RFP-22-25-AD STA #9, Tetra Tech GIS

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING SUPPLEMENTAL TASK AUTHORIZATION (STA) #9 WITH TETRA TECH, INC. IN AN AMOUNT NOT TO EXCEED $74,500 FOR A CUMULATIVE TOTAL OF PAYMENT FOR SERVICES UNDER RFQ 22-25-AD IN THE AMOUNT OF $727,348, FOR THE CONTINUATION OF MAPPING SERVICES IN THE TOWN'S GEOGRAPHIC INFORMATION SYSTEM (GIS) TO COMPLY WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RULES REQUIRING A LOCAL GOVERNMENT TO KEEP MAPPING OF ITS UTILITY DISTIRBUTION SYSTEM UPDATED; AUTHORIZING THE TOWN MANAGER TO SIGN STA #9 AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Director Hauge reviewed the background of the request as stated on the blue sheet.

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

H. Resolution 25-235; ITB-25-05-PW, Water Meter Replacement

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER TO AWARD THE WATER METER REPLACEMENT PROJECT BID TO THE NATIONAL METERING SERVICE FOR A PRICE OF $1,619,790. THIS ACTION ALLOWS FOR THE REPLACEMENT OF ALL 5/8- AND 1-INCH METERS IN THE TOWNS WATER DISTRIBUTION SYSTEM, WITH AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Director Hauge reviewed the background of the request as stated on the blue sheet.

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

I. Six-month review of SEZ20230126

A six-month review of approved Resolution 23-87 for Special Exception SEZ20230126 that allows for temporary outdoor consumption on premises with retail use at 163 Old San Carlos Boulevard.

Mayor Allers read the title of the item. Director Kropacek stated that the owner chose not to renew the special exception. He noted that the property had to be restored to its original state. The structure next door will be demolished.

Council Member Woodson moved to approve the do-not-renew, seconded by Council Member King.
The motion carried unanimously by roll call vote.

J. Edward Byrne JAG Grant

Support the distribution plan for the $167,473 Edward Byrne Memorial Justice Assistance Grant Program Funds (JAG).

Mayor Allers read the title of the item. Town Manager McKannay noted it was a request from the Lee County Sheriff's Office.

Mayor Allers moved to support the plan, seconded by Vice Mayor Atterholt.
The motion carried unanimously by roll call vote.

XIII. FINAL PUBLIC COMMENT

No public comment.

XIV. TOWN MANAGER'S ITEMS

Town Manager McKannay stated that the mural in the town hall would be started in the next couple of days. Communications Director Nicole Berzin indicated the mural would be behind the chambers and the same as the one in the old town hall. They were waiting for a part for the elevator, but it would not prevent them from opening. She noted they were discussing a grand opening.

Town Manager McKannay indicated that 252 properties were identified and being reviewed. The August 8, 2025, deadline would be met. Deputy Town Manager Traci Kohler noted that batches of information were sent to FEMA (Federal Emergency Management Agency), but they had technical difficulties and were not able to access photo links. She anticipated feedback from them today or tomorrow regarding the first batch of information. Property owners will be notified once FEMA provides input.

Town Manager McKannay stated that there was no new information regarding the ILA (Interlocal Agreement) with the school district, but they were committed to maintaining the school on the island. He noticed ongoing work at the school, but he had not received an update on the plans. The Church of the Ascension revealed plans to rebuild and they will provide an opportunity for residents to attend a public session.

XV. TOWN ATTORNEY'S ITEMS

Town Attorney Stuparich stated that 80 Avenue E was still being litigated and a mediation meeting was scheduled, but there was no proposed settlement to share yet. She anticipated appearing before the Special Magistrate in September and probably would refile litigation on two of the three liens. She noted that the case was complex with a lot of documentation from the past. Mayor Allers indicated that if the Special Magistrate rules in favor of the town for the third lien, the town would proceed.

XVI. COUNCILMEMBERS ITEMS AND REPORTS

Council Member Safford noted he may need an excused absence for the M&P meeting on Thursday. He received numerous tax calls regarding the new water software system. He asked that someone provide an update on the system.
Director Hauge will meet with finance to figure out what was going on. Instructions about the new software were provided earlier. Customers should sign up for auto-pay again and billing will go out this week. Water will not be shut off.
Council Member Woodson asked for an update on Seagrape or Key Estero. Town Attorney Stuparich replied that they were waiting for the court to take action on Key Estero and she would research Seagrape.
Council Member King stated that he and the town manager requested a meeting with FDOT (Florida Department of Transportation) to discuss having two lanes exiting the island in the afternoon and two entering the island in the morning. He is now the Vice President of the SWFL League of Cities and will attend the convention in Orlando from the 14th to the 16th. He will also be appointed to the Board of Directors.
Mayor Allers recognized Holly Smith from Sanibel, who will be the President of the League of Cities. He mentioned full inboxes and residents not being called back. Town Manager McKannay was aware of the problem. Mayor Allers met with all but one of the school board members regarding keeping the school on the island and felt they were committed and moving in the right direction. They were meeting tomorrow and he would try to attend. He thanked the board members for meeting with him.

XVII. ADJOURNMENT

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

The meeting was adjourned at 2:57 p.m.

Minutes adopted as presented, September 11, 2025. Motion by Council Member King and seconded by Council Member Woodson.
Passed 5-0.

Amy Baker
Amy Baker (Sep 17, 2025 15:23:02 EDT)
Amy Baker, Town Clerk