



Fort Myers Beach Town Council

Town Hall Council Chambers

2731 Oak Street

Fort Myers Beach, FL 33931

Minutes

Monday, December 1, 2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

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

II. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

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

The motion carried unanimously.

V. PUBLIC COMMENT

Barbara Puffer, resident, represented Estero Cove and the Black Party and they were 100% in support of the plans for the old Wyndham property. She noted that fuel tanks and cells were being used as a gas station at the south end of the property and the town council should be concerned.

Teri Caine, resident, hoped that a committee could be formed to review the comp plan yearly. She was concerned about the town's plant list and suggested it be revised. She noted that exotics were listed as acceptable.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member Link recognized the men and women of the US Coast Guard Auxiliary Flotilla 91 D7 on Fort Myers Beach, for their ongoing service. She thanked them for keeping their water and boaters safe. She noted they were looking for volunteers.

Vice Mayor Safford recognized the Chamber for the Sand Sculpting event and the private owners who donated parking for the nonprofits.

No items from other members.

VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS**A. Anchorage Advisory Committee (AAC)**

Chair Chris King noted that a copy of the Roles and Responsibilities document was included in the agenda packet. She indicated that the town attorney needed to review it next. Town Attorney Stuparich will meet with Chair King to discuss whether to draft an ordinance, a resolution, or create a policy manual. Chair King read their 2026 objectives, also included in the agenda packet. She suggested having a contest to name the new boat. She thanked Mari Torgerson for organizing a meeting with stakeholders to discuss potential solutions regarding speeding in the bay.

VIII. APPROVAL OF MINUTES**A. Town Council - November 17, 2025**

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

The motion carried unanimously.

IX. CONSENT AGENDA

Council Member King moved to approve the consent agenda, seconded by Vice Mayor Safford.

The motion carried unanimously.

A. Resolutions 25-337 through 25-341; Extension of Local Emergency - Tropical Storm Debby

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 Vice Mayor Safford.

The motion carried unanimously.

B. Resolutions 25-342 through 25-346; Extension of Local Emergency - Hurricane Helene

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 Vice Mayor Safford.

The motion carried unanimously.

- C. Resolutions 25-347 through 25-351; 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 Vice Mayor Safford.

The motion carried unanimously.

X. ITEMS REMOVED FROM CONSENT AGENDA**XI. PUBLIC HEARINGS**

- A. Ordinance 25-27; Certified Recovery Residences

This legislative agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-27

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA: 1) ESTABLISHING PROCEDURES FOR THE REVIEW AND APPROVAL OF APPLICATIONS FOR REASONABLE ACCOMMODATIONS NEEDED TO OPERATE CERTIFIED RECOVERY RESIDENCES FROM EXISTING LAND USE REGULATIONS IN NEW SECTION 34-204 IN DIVISION 4 "APPLICATIONS AND PROCEDURES" OF ARTICLE II "ZONING DISTRICTS STANDARDS AND NONCONFORMITIES" OF CHAPTER 34, AS MANDATED BY SECTION 397.487(15)(A), FLORIDA STATUTES; AND 2) AMENDING SECTION 34-232 "REQUIRED HEARINGS" OF DIVISION 5 "PUBLIC HEARINGS AND REVIEW" OF ARTICLE II "ZONING PROCEDURES" OF CHAPTER 34 "ZONING DISTRICTS, DESIGN STANDARDS AND NONCONFORMITIES" TO REQUIRE ONLY ONE PUBLIC HEARING BEFORE THE LOCAL PLANNING AGENCY ("LPA") FOR APPROVAL OF APPLICATIONS FOR REASONABLE ACCOMMODATIONS TO OPERATE A CERTIFIED RECOVERY RESIDENCE AS PROVIDED IN SECTION 34-204, IF THE DECISION BY ELIGIBLE MEMBERS OF THE LPA IS UNANIMOUS AND THE TOWN CLERK DOES NOT RECEIVE A REQUEST FOR AN ADDITIONAL PUBLIC HEARING BEFORE THE TOWN COUNCIL FROM ANYONE, INCLUDING TOWN STAFF, WITHIN 10 DAYS AFTER THE LPA DECISION; PROVIDING FOR CODIFICATION, SEVERABILITY,

SCRIVENER ERRORS, CONFLICTS OF LAW AND AN EFFECTIVE DATE.

Mayor Allers read the title of the ordinance. Town Attorney Stuparich reviewed the background of the request as stated on the blue sheet. No public comment.

Council Member Atterholt moved to approve the ordinance, seconded by Vice Mayor Safford.

The motion carried unanimously by roll call vote.

B. Ordinance 24-10: Comprehensive Plan

This legislative agenda item is a Second Reading and Public Hearing on proposed Ordinance 24-10 (Continued from November 17, 2025)

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING THE TOWN OF FORT MYERS BEACH COMPREHENSIVE PLAN IN ITS ENTIRETY, PURSUANT TO 163.3184 (3), FLORIDA STATUTES; PROVIDING FOR ADOPTION OF THE TOWN OF FORT MYERS BEACH COMPREHENSIVE PLAN 2045, INCLUDING AMENDMENTS TO THE FUTURE LAND USE ELEMENT AND THE FUTURE LAND USE MAP, THE COMMUNITY DESIGN ELEMENT, THE TRANSPORTATION ELEMENT, THE HOUSING ELEMENT, THE HISTORIC PRESERVATION ELEMENT, THE UTILITIES ELEMENT, THE CONSERVATION ELEMENT, THE COASTAL MANAGEMENT ELEMENT, THE RECREATION, & OPEN SPACE ELEMENT, THE INTERGOVERNMENTAL COORDINATION ELEMENT, THE CAPITAL IMPROVEMENTS ELEMENT, AND THE PROPERTY RIGHTS ELEMENT; INCLUSIVE OF ALL ASSOCIATED TABLES, EXHIBITS AND MAPS; AUTHORIZING FINDINGS AND ADMINISTRATIVE ACTIONS; PROVIDING FOR TRANSMITTAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR EFFECTIVE DATE.

Mayor Allers read the title of the Ordinance. Mr. Eddie Ng confirmed that the Town Council received a 38-page document with the changes. Town Attorney Stuparich noted that an ordinance with changes was provided and asked that the town council consider voting on the amendments and a second vote on the amended ordinance.

Mayor Allers read three changes to the ordinance that the public did not see. Mr. Ng reviewed the highlighted changes and indicated that all numbering issues would be corrected; Town was a proper noun; grammatical items would be corrected; and should would be replaced with shall where appropriate. Substantive changes were reviewed and amended as needed. Mr. Ng described the next steps. No public comment.

Mayor Allers moved to approve the amendments discussed on Tuesday and today, seconded by Council Member Link.

The motion carried unanimously by roll call vote.

Mayor Allers moved to approve the ordinance and correct the date from November 17, 2025, to December 1, 2025.

The motion carried unanimously by roll call vote.

C. Resolution 25-352; Live Local Act Property Tax Exemption

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA, PURSUANT TO SECTION 196.1978(3)(o), FLA. STAT., ELECTING TO NOT EXEMPT PROPERTY FROM AD VALOREM PROPERTY TAX UNDER SECTION 196.1978(3)(d)1.a., FLA. STAT., COMMONLY KNOWN AS THE “LIVE LOCAL ACT PROPERTY TAX EXEMPTION”; PROVIDING FOR INCORPORATION OF RECITALS, REQUIRED FINDINGS, DIRECTION TO THE MAYOR, DIRECTION TO THE TOWN MANAGER, APPLICABILITY, SEVERABILITY, AND A CONDITIONAL EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Attorney Stuparich reviewed the background of the request as stated on the blue sheet. No public comment.

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

The motion carried unanimously by roll call vote.

XII. ADMINISTRATIVE AGENDA

A. Resolution 25-332, Updated Banking Signatory Authorities

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA UPDATING AND AUTHORIZING TOWN OFFICIALS’ ACCESS AND AUTHORITY ON CERTAIN TOWN BANK ACCOUNTS WITH FIRST FOUNDATION BANK AND INVESTMENTS WITH THE FLORIDA MUNICIPAL INVESTMENT TRUST; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

The motion carried unanimously by roll call vote.

B. Resolution 25-330; South Water Tower Appropriation Grant

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER TO EXECUTE AND ADMINISTER A GRANT FROM THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION THROUGH THE FY25-26 STATE APPROPRIATIONS FOR THE SOUTH WATER TOWER RENOVATIONS AND MITIGATION; AUTHORIZING THE TOWN MANAGER TO EXECUTE RELATED DOCUMENTS NEEDED TO IMPLEMENT AND ADMINISTER THE GRANT AND PROGRAMS;

PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Community Services Director Jeff Hauge reviewed the background of the request as stated on the blue sheet. He estimated the project could be completed by June or July of next year.

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

The motion carried unanimously by roll call vote.

- C. Resolution 25-329, Tyler Technologies First Amendment to Implement Tyler Munis

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING THREE-YEAR CONTRACT WITH TYLER TECHNOLOGIES, AS AMENDED BY ADDENDUM ON DECEMBER 23, 2024, TO PROVIDE SOFTWARE AS A SERVICE (SAAS) AND ANNUAL SUPPORT AND IMPLEMENTATION SERVICES TO REPLACE THE TOWN'S FINANCIAL AND ACCOUNTING SOFTWARE WITH TYLER MUNIS INSTEAD OF TYLER ERP PRO, REPRESENTING AN INITIAL STARTUP FEE INCREASE OF \$17,100 AND ANNUAL RECURRING FEE INCREASE OF \$1,613; AUTHORIZING THE NEEDED BUDGET AMENDMENT TO REFLECT THIS CHANGE; INCLUDING ADDITIONAL CONTRACT LANGUAGE REQUIRED BY FLORIDA STATUTES CONCERNING BREACH OF CONTRACT DURING A STATE OF EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Director Onzick reviewed the background of the request as stated on the blue sheet. He explained that the new module was more robust, would improve the process workflow and had additional capabilities. He noted they had over \$35,000.00 unspent from last year and would help fund the additional implementation costs. He expected to go live in the fall of 2026.

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

The motion carried unanimously by roll call vote.

- D. Resolution 25-331, RFP-26-01-PW; Fort Myers Beach Landscaping and Irrigation

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, AWARDING RFP-26-01-PW TO TIDEWATER LANDSCAPE, AS THE MOST RESPONSIVE AND RESPONSIBLE BIDDER TO COMPLETE LANDSCAPING AND IRRIGATION REPAIRS TO RESIDENTIAL AND/OR COMMUNITY YARDS DAMAGED BY UTILITY WORK AS RECOMMENDED BY THE SELECTION ADVISORY COMMITTEE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND PREPARE AN AGREEMENT FOR THE RECOMMENDED SERVICES

SUBJECT TO LEGAL REVIEW; AUTHORIZING THE TOWN MANAGER TO SIGN THE AGREEMENT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE

Mayor Allers read the title of the resolution. Director Hauge noted the contract allowed additional work, including all landscaping. The company had to consult with the town regarding native plants and invasive plants would not be used. He added that the town consulted with the Garden Club and others for best practices. Landscaping on Estero Blvd. cannot begin until Lee County completes its project.

A discrepancy in the total scores was discovered.

Mayor Allers moved to table the resolution for December 15, 2025, seconded by Vice Mayor Safford.

The motion carried unanimously by roll call vote.

XIII. FINAL PUBLIC COMMENT

Teri Caine, resident, suggested a book about plants. She asked that the RFP be reviewed and suggested that plants and mulch be added. She noted that different types of plants grow better in different zones.

XIV. TOWN MANAGER'S ITEMS

Town Manager Will McKannay noted another round of staff discussions regarding the school would be held to see if they could make progress. Deputy Town Manager Traci Kohler indicated she would have a vital meeting with Paula to review the Community Rating System (CRS) documentation. She listed some documents to be reviewed for a rating assignment. The Strategic Planning update will be a separate meeting. Demolition of the old town hall piles should start next week and will transition into a parking lot.

XV. TOWN ATTORNEY'S ITEMS

No items.

XVI. COUNCILMEMBERS ITEMS AND REPORTS

Council Member King clarified that the fuel tanks on the Wyndham property will be addressed. He noted that he may have to leave the M&P early for a meeting in Orlando.

Senior Planner Jason Smalley described the proposed plans for the Wyndham property.

Vice Mayor Safford noted that the annual boat parade in the back bay was on Saturday.

Mayor Allers received consensus to add the old town hall property to a future M&P.

No items from other members.

XVII. ADJOURNMENT

Council Member King moved to adjourn. The meeting was adjourned at 11:15 a.m.

Minutes adopted as presented, December 15, 2025. Motion by Council Member King and seconded by Vice Mayor Safford. Passed 4-0.



Amy Baker (Feb 27, 2026 11:10:48 EST)
Amy Baker, Town Clerk

TC December 1, 2025

Final Audit Report

2026-02-27

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