



Fort Myers Beach Town Council

Town Hall Council Chambers
6231 Estero Boulevard
Fort Myers Beach, FL 33931

Minutes

Monday, April 6, 2026

9:00 AM

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Members Present: Mayor Dan Allers, Vice Mayor Scott Safford, Council Members John King, Rebecca Link, and John McLean.

II. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Mayor Allers announced the following change: Under XIII. Administrative Agenda, the Castle Beach Condo Association item will be replaced with a special event permit item. Town Manager McKannay noted that this permit is in connection with the Glow by the Gulf event in mid-April.

Council Member King moved to approve the final agenda as amended, seconded by Council Member McLean.

The motion carried unanimously.

V. PUBLIC COMMENT

Chris Rydell King, Anchorage Advisory Committee Chair, announced that Cruiser Appreciation Day is this Sunday at Bayside Park. She thanked Council, town staff, Harbor Master Curtis Ludwig, PIO Abigail Eberhart, and the Anchorage Advisory Committee. She also recognized the following monetary sponsors: Florida Marine Contracting & Recovery, LLC, Fly Heli Tours, Sam Lurri, John and Kathy Nash, and Ed Schoonover. She then acknowledged the following participating organizations: Bay Oaks, the Coast Guard Auxiliary, Estero Island Garden Club, Fort Myers Beach Art Association, Fort Myers Beach Chamber of Commerce,

Fort Myers Beach Yacht Club, Friends of the Library, Friends of the Mound House, Keep Lee County Beautiful, Marine Environmental Resource Task Force, Native Plant Society, Pod Protectors, San Carlos Bay Sale and Power Squadron, Turtle Time, Inc., What's Up FMB, and the FMB Lions Club. She welcomed all to attend and meet new people and make connections.

Ed Corea expressed his wishes that there would be more progress for the development of Wyndham Gardens. He believes that the property would be a big benefit to the community. He would like Council to find a path, move forward, and pivot as needed.

Howie Hoffman of the Fort Myers Beach Softball League Triple Deuces thanked all for the wonderful season. He appreciated everyone's support.

VI. PRESENTATION

A. Lee County Property Appraiser - Honorable Matt Caldwell

Lee County Property Appraiser - Honorable Matt Caldwell

The Honorable Matt Caldwell, Lee County Property Appraiser, presented the outlook of the tax roll for 2026. He noted that the operative date is January 1st. Factors for valuation include ownership, as well as the use and character of the property. Honorable Caldwell stated that a draft would be published on June 1, 2026, with official numbers provided on July 1, 2026. Council will then use that data for its budget decisions and adopt a millage rate. The Lee County Property Appraiser's office would then prepare opinions, which would be included in the trim notice. Mr. Caldwell noted that the just value, or the market value, has shown a slight decrease. The taxable value, however, remains largely the same. He explained that the majority of properties are covered by the non-homestead 10% annual assessment cap and the Save Our Homes Homestead 3% assessment cap. While taxes may increase when there is a downward market trend, the taxable value will never exceed the just value. In cases where there is a significant decrease in the market, taxes may also decrease. Mr. Caldwell reported that a restoration constituted a majority of the total construction value of around 400 million dollars. New taxable construction represented a much smaller percentage. He pointed out that the town has a significant number of condominiums, a category which showed some of the largest downward trends in the market.

Council Member McLean asked to confirm the numbers for new reconstruction and restoration. Mr. Caldwell provided a legislative summary of the standard post-disaster statutory formula for tax relief. He stated that properties that were inhabitable as of January 1st would be removed from the tax roll, and, once they become habitable, will return as new construction with retained cap benefits, depending on statutory limits. He stated that around 66 million would truly add taxable value. Council Member McLean inquired if the homestead benefits would be ending next year. Mr. Caldwell responded that they were not and noted that he looks for good faith efforts in rebuilding and that it would come to an end this year. He reported that around 300 of 25,000 properties ultimately did not show sufficient evidence. Notice was sent out to these properties. He additionally noted that in most cases, the owners did not wish to rebuild and have moved.

Council Member Link asked how the office determines if someone has returned to their home. Mr. Caldwell noted factors like new permits, individuals claiming the property as a mailing address for licenses and voter registration, and observations from personal visits. He stated that, in the beginning, the standards were more broad. However, the office has become stricter as more time has elapsed since the hurricane. Council Member Link also inquired about cases where homeowners see reduction in building value and increases in land value. Mr. Caldwell responded that such adjustments were often the products of FEMA's fifty-percent restrictions and the scarcity of buying opportunities in ideal locations.

Vice Mayor Safford inquired about the outlook for 2027 and 2028. Honorable Caldwell emphasized the unpredictability of the market and identified persistent inflation as its single largest driver. He also mentioned events such as the COVID real estate boom and individuals returning following the storm. He likened the rate in the future to be similar to that of 2012-2014.

Council Member King extended his appreciation to the office for their work. He asked if all but the 300 properties were back or would be back by January. Mr. Caldwell answered that 300 properties did not show any efforts and that around 2,000 to 3,000 properties are looking to be done by this year. The council member then inquired about predictions on the governor's proposals for removing ad valorem and homestead credits. Mr. Caldwell stated that he was leaning towards the belief that no action would take place. He highlighted the complexity of the policy and provided that there is currently a lack of agreement. He announced that the Taxation and Budget Reform Commission will be seated on January 27. He believes that any ballot issues would most likely revolve around the homestead credit. He expressed his preference for changing the credit from a fixed number (\$50,000) to a percentage, which would be more equitable and would better adapt to inflation.

Mayor Allers noted that the numbers presented were encouraging. He stated that he is still hearing concerns from individuals about the different adjustment trends for land value and building value, especially when owners invest a significant amount of money to rebuild their homes. Mr. Caldwell highlighted the change in buyers. They are no longer looking for single-household properties. He provided that owners should not rely on property tax appraisals for whole-house projects. Instead, they should seek a private appraisal. Mayor Allers asked if those other valuations would then cause increases to the owner's property taxes. Mr. Caldwell stated that he does not use those reports. Town Manager McKannay thanked Mr. Caldwell.

VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Council Member McLean highlighted the successes of the various events last week. Council Member Link expressed her thanks to town staff, Town Manager McKannay, Mayor Allers, Abigail Eberhart, and Deputy Town Manager, Dr. Kohler, for the Open Town Hall. She believes there should be more of these events.

Vice Mayor Safford thanked the seasonal residents and community for the successful season.

Council Member King extended his congratulations to the Fire Department and Fire Station 31. He also expressed his thanks to town staff, the Mayor, and the Town Manager for their work on the Open Town Hall. Mayor Allers wished Tom Yozzo a happy retirement.

VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

A. Appointment of Members to the Local Planning Agency

Appointment of Members to the Local Planning Agency

Mayor Allers announced that there is one applicant for the one vacant position, Ed Schoonover.

Council Member McLean voted for Mr. Schoonover. Council Member Link voted for Mr. Schoonover. Vice Mayor Safford voted for Mr. Schoonover. Council Member King voted for Mr. Schoonover. Mayor Allers voted for Mr. Schoonover. All votes have been verified by all members of Council.

Council Member King moved to appoint Ed Schoonover to the Local Planning Agency, seconded by Vice Mayor Safford.

The motion carried unanimously.

Council Member King noted that Mr. Schoonover may need to resign due to his current involvement in three committees. Mayor Allers asked if the resignation needed to be done immediately. Town Attorney Stuparich commented that she will look into it and that a waiver may be possible.

IX. APPROVAL OF MINUTES

A. Town Council Meeting - March 2, 2026

Council Member McLean moved to approve the minutes as corrected, along with the Town Council minutes of March 16, 2026 (as corrected) and the Town Council Management & Planning Session minutes of March 5, 2026, seconded by Council Member King.

The motion carried unanimously.

B. Town Council Management & Planning Session — March 5, 2026

Council Member McLean moved to approve the minutes, along with the Town Council minutes of March 2, 2026, and of March 16, 2026 (as corrected), seconded by Council Member King.

The motion carried unanimously.

C. Town Council - March 16, 2026

Council Member McLean noted that one correction under "Proposed Ordinance: Smoking/Vaping": the last word in the last sentence of the second paragraph should be "latter" not "former."

Council Member McLean moved to approve the minutes as corrected, along with the Town Council minutes of March 2, 2026 and the Town Council Management & Planning Session minutes of March 5, 2026, seconded by Council Member King.

The motion carried unanimously.

X. CONSENT AGENDA

Council Member King moved to approve the consent agenda, seconded by Council Member Link.

The motion carried unanimously.

A. Resolutions 26-060 through 26-063; 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 Council Member Link.

The motion carried unanimously.

B. Resolutions 26-064 through 26-067; Extension of Local Emergency - Tropical Storm 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 Council Member Link.

The motion carried unanimously.

C. Resolutions 26-068 through 26-071; Extension of Local Emergency - Tropical Storm 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 Link.

The motion carried unanimously.

XI. ITEMS REMOVED FROM CONSENT AGENDA**XII. PUBLIC HEARINGS****A. Ordinance 26-07; Smoking and Vaping**

This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 26-07. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for May 4, 2026 at 9:00 AM or at another time identified by Town Council.

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING SECTION 18-30 OF THE CODE OF ORDINANCES OF THE TOWN OF FORT MYERS BEACH, FLORIDA TO PROHIBIT SMOKING AND VAPING IN THE TOWN'S PUBLIC PARKS, AND IN COUNTY PARKS AND BEACHES LOCATED IN THE TERRITORIAL BOUNDARIES OF THE TOWN; DEFINING THE TERMS "SMOKE" AND "VAPE;" EXCLUDING FROM REGULATION UNFILTERED CIGARS; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Allers read the title of the ordinance. Town Attorney Stuparich reiterated that the ordinance is currently on first reading and that there was a policy discussion at the last Management & Planning Session. She provided a summary of the legality of the ordinance. While the state government has generally preempted the regulation of smoking, there is carve-out language allowing local governments to regulate smoking and vaping in public parks or beaches within their jurisdictions. In the case of Fort Myers Beach, this would include Bowditch Point Park, Lynn Hall Memorial Park, and the Pier. She stated that the state has already defined smoking and vaping, with the former term expressly excluding unfiltered cigars. Deputy Town Manager, Traci Kohler said that she had received some questions about the proposed ordinance's effects on grant eligibility. While a smoking ordinance is rarely mandatory, it may serve as a tiebreaker, tipping the scales in the town's favor in grants related to environmental protections and beach cleaning initiatives. She noted that the ordinance can also be cited in grant narratives for the purposes of tourism, public health, visitor experience and sustainability.

Mayor Allers noted that there was a scrivener's error and that Crescent Beach Park was not included.

Council Member McLean asked whether the definition also covered non-tobacco products that are smoked. He provided herbal cigarettes as an example. Town Attorney Stuparich stated that she would look into the question.

Council Member Link emphasized that the filters are a problem for wildlife. She provided that she had a neighbor who would roll her own cigarettes because of her concerns for the environment. Town Attorney Stuparich asked if there is a request for a carve-out for unfiltered cigarettes (such as rolled cigarettes) and noted the potential difficulties in enforcement.

Vice Mayor Safford expressed his concerns about vaping, particularly about disposable vaping products.

Mayor Allers noted that he received a question on whether an individual smoking inside a car, located at a beach access, would violate the ordinance. Town Attorney Stuparich responded that there probably would not be enforcement in that case and also provided that exclusions can be placed in the ordinance for the specific areas. Mayor Allers stated that he did not want to amend any language at this time.

Public Comment:

Hunter Shamlian, owner of Paradise Vape and Smoke on Fort Myers Beach at Seagate Plaza, agreed that littering is the biggest issue on beaches. He noted that users have a greater tendency to hold onto battery products, which are expensive. He believed that such ordinances should take place at state parks, where people generally congregate with families. He, however, asserted that, on the open beach, individuals tend to use nicotine products when they drink and pointed out that these consumers bring revenue to local businesses. He expressed hope that strict enforcement would not create negative impacts on his business.

Sally Kreuzcher, Director of Community Health and Benefit at Lee Health and chairperson of Tobacco Free Florida, provided that Tobacco Free Florida represents a coalition of local organizations with the purpose of advancing community health. She listed partners, including the School District of Lee County, the American Heart Association, Drug-Free Lee, the Youth Services Coalition, the Florida Department of Health, and the National Guard Counterdrug Program. She noted that some of the individuals from these organizations are present at the meeting. She expressed their position in support of the ordinance, which they believe serves to protect resident health and wellbeing while also preserving the beauty and charm of the community. Ms. Kreuzcher provided that tobacco is one of the leading preventable causes of disease and death. She referred to similar ordinances from the city of Sanibel, the city of Fort Myers, and the Lee County Board of County Commissioners, noting that there were few enforcement issues in those cases. She added that this ordinance will help create healthier environments, decrease litter, promote healthier lifestyle choices, motivate users to quit tobacco, and reduce secondhand smoke, which is especially dangerous to children, older adults, and individuals with chronic health conditions. While she did point to the potential benefit to the local tourism industry, she emphasized the importance of safeguarding public health.

Public comment closed.

Mayor Allers inquired if it would be possible to strengthen the language on littering of battery products. Town Attorney Stuparich responded that enforcement would be through immediate citation. Town Manager McKannay emphasized the prioritization of education. He noted that if individuals then willfully choose not to comply, then actions would be taken. All violations must be witnessed by and then acted upon by compliance officers.

Council Member Link agreed on the use of education and of a softer approach at the beginning of enforcement. She stated that she would like to see signs at or near beach locations. She also suggested the use of escalating penalties for repeat violations.

Council Member King moved to approve the ordinance for a second reading on May 4, 2026, seconded by Vice Mayor Safford.

The motion carried unanimously by roll call vote.

XIII. ADMINISTRATIVE AGENDA

- A. Resolution 26-073; Dune Management Plan Memorandum's of Agreement
A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA, DELEGATING AUTHORITY TO THE TOWN MANAGER TO EXECUTE MEMORANDUMS OF AGREEMENT BETWEEN THE TOWN AND BEACH FRONT PROPERTY OWNERS IN ACCORDANCE WITH THE TOWN OF FORT MYERS BEACH DUNE MANAGEMENT PLAN; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Chad Chustz, Environmental Projects Manager, reviewed the background of the request as stated on the blue sheet.

Mayor Allers asked if these Memorandums of Agreement would allow for flexibility while still following the town's Dune Management Plan. Mr. Chustz responded affirmatively and noted that these agreements would allow for variation from the schematics while still following the town's code on salt-tolerant vegetation for the coastal area.

Council Member King inquired if individuals signing up for easements were provided with this information. Mr. Chustz answered that they were and that this was outlined in the plan.

Council Member Link inquired if these agreements would be available for the public to view. Mr. Chustz believes the documents will be on public record.

Town Attorney Stuparich asked for the number of memorandums that currently exist. He responded that there is one at this time but gave an estimate of 24 to 48 future agreements. The Town Attorney expressed her concerns about recordkeeping, as these documents would not come forth to Council and thus would not be recorded within the minutes. Mr. Chustz noted that he was open to suggestions. Mayor Allers cautioned the use of posting under the term "permit." Town Attorney Stuparich identified recording as a costly but simple method and noted the importance of visibility during the due diligence search for property transfers. She, in response to Council Member's Link request for consistency, provided that a standard memorandum of understanding exists and recommended that any significant deviations be brought forward to the Council.

Council Member McLean sought confirmation that the memorandums would allow for options beyond the three choices of planting. Mr. Chustz responded affirmatively, citing examples and needs for town oversight in some of these options.

Mayor Allers asked Town Attorney Stuparich if it would be possible to add a memorandum tab that would be visible during a due diligence search. She responded that this would be a viable option.

Council Member Link inquired about the penalties for noncompliance. Mr. Chustz provided that there are various avenues, including treating the issue as a code violation. He also mentioned that there were methods under the Dune Management Plan.

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

The motion carried unanimously by roll call vote.

B. Resolution 26-072, L0195 FDEP Grant Approval for Downtown Stormwater Mitigation Phase I

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 FORT MYERS BEACH STORMWATER DOWNTOWN MITIGATION PHASE I PROJECT IN THE AMOUNT OF \$292,500.00; 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. Town Manager McKannay reviewed the background of the request as stated on the blue sheet.

Council Member King requested an overview of the matching and funds. Jeff Hauge, Community Services Director, provided that the projects submitted were in the downtown area and that this was a tiered system throughout the town. He noted that this location can flood heavily, which would impact how individuals can leave the island if there is an issue around Estero. He added that they are applying for stormwater funds and that this would be another pot of funding they would be able to use.

Vice Mayor Safford inquired if duck bills now exist for all outflows. Mr. Hauge responded that there were and that they discovered, later on, that private ones are present that will back up the system. They will continue to reach out to owners and investigate the matter. Vice Mayor Safford then asked if the town could require owners to put out duckbills or pay to have them placed.

Mr. Hague noted that the town can highly recommend them. Mayor Allers posed a question regarding easements. Mr. Hauge is unaware of any that exist but will follow up. Town Attorney Stuparich offered the use of licenses to allow for town equipment on private property. She stated that she will coordinate with staff.

Council Member McLean confirmed with Mr. Hauge that the item was previously budgeted.

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

The motion carried unanimously by roll call vote.

- C. Castle Beach Condo Association – AMENDED
Termination of Easement with Castle Beach Condo Assoc. and entering into Maintenance Agreement. (Documents to follow.)
Pulled from the Agenda.

WALK ON ITEM:

Special Event Permit: *Glow by the Gulf, a New Beachside Wellness Experience.*

Mayor Allers read the revised item into the record.

Town Manager McKannay explained that the Special Event Permit item did not meet the standard agenda deadline due to timing constraints; however, it had been reviewed and approved by staff, the Public Safety Committee, and other relevant parties.

Dawn Miller, representing the applicant, provided overview of the event.

Council Member McLean expressed support for the event and had no questions.

Council Member Link asked if there was any feedback from Santini Plaza and if there were any parking impacts. Dawn reported a positive response, as the event would draw additional traffic and potential revenue for the area and confirmed there are no anticipated parking concerns.

Vice Mayor Safford thanked Dawn for her efforts in coordinating events off-season.

Council Member King echoed his remarks and welcomed back Daniel Ren.

Mayor Allers also expressed his appreciation for the event and noted the potential use of a recurring Special Event Permit for future occurrences. Dawn confirmed the event will be held annually.

Council Member King moved to approve the Special Event Permit “Glow by the Gulf, A New Beachside Wellness Experience” seconded by Council Member Link.

The motion carried unanimously by roll call vote.

XIV. FINAL PUBLIC COMMENT

None

XV. TOWN MANAGER'S ITEMS

Town Manager McKannay extended his congratulations to Ed Schoonover on his appointment and noted that the staff looks forward to working with him.

He also provided an update on canal dredging. He noted that he reached out to the Jacksonville District Corps of Engineers. He has connected with their staff on the application process for congressionally approved projects. He emphasized the role of maintenance for funding eligibility. He noted that there are no guarantees but that there is progress. Staff will continue moving forward.

Regarding negotiations with the Fort Myers Beach School District, Town Manager McKannay reported that he and the superintendent agreed to pass along discussions with Council and the school board. He believes that there will be a school board workshop and school board in the near future. Additional details have not been released at this time.

XVI. TOWN ATTORNEY'S ITEMS

Town Attorney Stuparich thanked Council for their appointment of Ed Schoonover. She recognized Tom Yozzo for all of his work and contributions to the Code Enforcement Department.

XVII. COUNCILMEMBERS ITEMS AND REPORTS

Vice Mayor Safford announced that the Community Foundation is holding their Casino Night at Margaritaville on Saturday. He also reminded all that the Cruiser Appreciations Day is on Sunday. He hopes that both events will be well-attended. Lastly, he noted that the final Charter Review Commission will be held on April 7 and that the TDC meeting will be on Thursday.

Council Member McLean thanked Tom Yozzo and his support of the town. As part of the Anchorage Advisory Committee, he noted that Cruiser Appreciations Day would be well-attended and a great event overall. He also called attention to the open slot on the committee and requested an announcement for recruitment purposes. He has worked with Chair King on the committee handbook and will be providing it to staff before eventually coming before Council.

Mayor Allers wished the best for both events this week.

XVIII. ADJOURNMENT

Council Member King moved to adjourn. The meeting adjourned at 10:38 a.m.

Minutes adopted as amended, May 4, 2026. Motion by Council Member King and seconded by Council Member McLean.

Passed 5-0



Amy Baker, Town Clerk