



Fort Myers Beach Town Council

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

Minutes

Monday, May 18, 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 Amy Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Mayor Allers provided some updates: 1) Anchorage Advisory Committee Chair Chris Riedel King will provide a committee report; 2) Beth Cahill will present a check on behalf of What's Up FMB; and 3) The representatives from the Florida Department of Transportation (FDOT) are running late and will provide a presentation later in the meeting.

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

The motion carried unanimously.

V. PUBLIC COMMENT

None

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

A. Proclamation - Safe Boating Week

Mayor Allers read the proclamation designating May 16-22, 2026, as the Town of Fort Myers Beach Safe Boating Week. Harbormaster Curtis Ludwig, on behalf of the U.S. Coast Guard Auxiliary, accepted the proclamation. John McGarry, of the U.S. Coast Guard Auxiliary Flotilla 91, later thanked the town for making boat safety a priority. He noted the unit's interest in preventing tragedies. Mayor Allers expressed his thanks for their work on keeping the community safe.

VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

Anchorage Advisory Committee Chair, Chris Riedel King, provided a report on behalf of AAC and MERTF. The two Town Council Advisory Committees held a joint session on May 13, 2026. The Town Manager had requested that the groups consider recommendations for guidelines that the Town should explore to govern operations of potential water taxi and/or water ferry service on the island. She emphasized that their remit was not on whether this should be allowed, but on considering regulations to govern these operations. The committees also discussed whether the town's current policies around algae cleanup were sufficient or needed modifications, which was the second item on the agenda. While she will not be providing recommendations in the report for this meeting, she will be presenting a brief overview to provide the body with a general understanding of the discussions from that joint session. The formal proposals will come before Council in June or August. The number one concern for water taxi and water ferry services is enforcement of existing speed zones in the bay. The committees have acknowledged that the definitions around different zones. The speed limits were challenging, and their application varies by size and shape. AAC Chair King noted that this was not a new concern, as she had previously brought this to Council's attention last fall. She had reported that Mari Torgerson had convened with various parties, including the town and marine operations, as well as stakeholders from Pod Protectors, the FMB Chamber, LCSO, FWCLE, USCGA (U.S. Coast Guard Auxiliary). There were many positive outcomes from this meeting, including the creation of a speed zone map that is posted on the Chamber's website and distributed at Cruisers Appreciation Day. She requested that the map also be uploaded to the town's website. It is her understanding that Mari Torgerson is also creating a mobile application that will allow voters to see where the speed zones are. She emphasized the importance of increased and coordinated enforcement. Speed kills manatees, destroys seagrass, and damages shorelines, seawalls, and boats at marinas and in the mooring field. AAC and MERTF both urge Council to get involved in creating a more robust, consistent, coordinated effort around speed enforcement in the bay. She identified the following potential future recommendations: 1) to create a permitting process, in alignment with existing permitting processes, for other similar water-based operations; 2) to maintain compliance with all existing federal, state, county, and local laws, regulations, ordinances, and licensing requirements; 3) to establish a maximum number of licenses, permits, operators allowed for each type of enterprise as well as the maximum vessel size allowable; 4) to impose a fee for the right to operate and/or use any town facilities with special consideration around parking at docking facilities; and 5) to set minimum levels of insurance and liability coverage required, limitations on hours, days, months, of operation, and requirements for compliance with existing noise and loud music restrictions. She noted again that these were not formal recommendations, which will be presented in the future. The committees agreed that the existing algal accumulation policy is adequate. There were discussions on equal application for both the south and north ends of the island. The groups also believed that the policy should allow staff to use their best judgment under any special circumstances and based on available resources.

Staff should be given the opportunity to make common sense decisions, particularly when concerns about safety, health, or negative island perceptions might come into play. AAC Chair King listed a few notes from MERTF and AAC members: 1) there was support for AAC Member Lurie's request to consider alternatives to fireworks in the future, given health and safety concerns; and 2) there was agreement on MERTF Member Rusk's item of increasing enforcement of regulations on property maintenance. She expressed her appreciation for the joint session and asked the Council for their continued support. She noted that the committees would like to hold at least one joint meeting per year to discuss overlapping items.

Council Member Link asked if the next meeting would be a joint session. AAC Chair King responded that she is currently drafting a list of recommendations, which will be considered by each committee during the month of June. AAC and MERTF will be meeting separately. Council Member Link requested additional input from the committees on fireworks and their environmental impacts.

Council Member McLean stated that he and Council Member King were present for the joint meeting. He stated the session was very productive.

Mayor Allers acknowledged AAC Chair King and both committees for their work.

VIII. PRESENTATION

Beth Cahill, treasurer of What's Up FMB, shared a message with the Council, on behalf of the organization's president, Dawn Miller, and vice president, Karen Woodson. She thanked the town for allowing them to be a part of this year's Fourth of July celebration. She noted that this fundraising effort is a reminder of what this island can accomplish when the community comes together. She expressed their gratitude to the Town of Fort Myers Beach for their partnership for Freedom by the Bay and their assistance in creating an event that the entire community would be proud of. More than \$129,000 has been raised to support the fireworks display, barge operations, permitting, parade support, and event logistics for this year's celebration. She stated that this contribution represented the community's spirit, collaboration, and shared commitment to keeping traditions like the Fourth of July alive in Fort Myers Beach. She presented the check of \$129,000.00 to Council, on behalf of What's Up FMB and the Fort Myers Beach community.

A. Bridge Project Landscaping Updates

Florida Department of Transportation (FDOT) - Update on Landscaping

Darryl Richard, District Landscape Architect and State Transportation Landscape Architect for the State of Florida, briefly presented the changes that have occurred since his last report. He noted that, for this project, bids are due on October 15, 2026. Construction will begin around 30 to 60 days from the deadline and will continue until around spring of 2027. The project is expected to be completed around spring to summer of 2027. There will be a one-year establishment period with the contractor. Margaritaville will take over maintenance around midsummer of 2028. Design Consultant Michael Schultz presented the landscaping details, providing a map, images of the proposed plantings, and street view renderings. Mr. Richard provided that the county is signing onto the maintenance of the project.

There is an agreement That will be executed by the Lee County Board of Commissioners. The county will have public ownership and had requested that the area on the other side of the bridge, by Main Street, be removed.

Mayor Allers requested that the representatives communicate his report of an issue with the pedestrian lights in that area. He also asked for additional information on maintenance of the other side of the bridge. Mr. Richard responded that it was his understanding that TPI would be ready to maintain that area as soon as the establishment period is completed. He can provide a copy of this agreement. After Lee County signs onto the maintenance agreement, DOT will construct the project. There is a separate agreement between Lee County and TPI. Mr. Richard noted that the area in question could be addressed in the future. He said that there would be minor plantings in that location. He provided the possibility of using grant funding to complete that project.

IX. APPROVAL OF MINUTES

A. Town Council - May 4, 2026

Council Member King moved to approve the minutes of the Town Council meeting on May 4, 2026, seconded by Council Member Link.

The motion carried unanimously.

X. CONSENT AGENDA

XI. ITEMS REMOVED FROM CONSENT AGENDA

XII. PUBLIC HEARINGS

A. Ordinance 26-08; Charter Changes

This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 26-08. If approved at First Reading, a Second Reading and Final Adoption Hearing will be scheduled for June 1, 2026, at 9:00 AM or at another time identified by Town Council.

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, PROPOSING AMENDMENTS THE FORT MYERS BEACH TOWN CHARTER; PROPOSING CHARTER AMENDMENTS 1) MANDATING ORDINANCES REQUIRING DISCLOSURE IN QUASI-JUDICIAL HEARINGS, AND PROHIBITING UNLAWFUL GIFTS; 2) REVISING THE TOWN COUNCIL COMPENSATION PROCESS; 3) REVISING THE TERM OF TOWN COUNCIL SEATS FILLED BY APPOINTMENT; 4) CLARIFYING THE SERVICE OF THE INTERIM MAYOR; 5) CLARIFYING THE QUALIFYING PERIOD FOR TOWN COUNCIL CANDIDATES; AND 6) PROVIDING FOR THE USE OF THE LEE COUNTY CANVASSING

BOARD; PROVIDING FOR REFERENDA ON THE PROPOSED CHARTER AMENDMENTS; PROVIDING FOR BALLOT TITLES AND BALLOT SUMMARIES FOR SUCH REFERENDA; PROVIDING FOR DIRECTION TO THE TOWN CLERK AND COORDINATION WITH THE LEE COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR FILING THE REVISED CHARTER WITH THE FLORIDA DEPARTMENT OF STATE; AND PROVIDING FOR FINDINGS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Allers read the title of the ordinance. Town Attorney Stuparich provided an overview of the Ordinance. She noted that she has worked with Wade Vos to determine if there were any administrative options available. They found that there were none. She presented the ordinance and the referendum, which is attached as Exhibit A. She provided that the Spanish translation, which is required by statute, is not included in the draft for this meeting, as additional changes may be made at this time. The Town Attorney highlighted the tight timeline, though she will defer to Town Clerk Amy Baker on potential areas of flexibility. There are also opportunities to modify the summary, but not the title, of the referendum.

Mayor Allers asked if the voters would be able to see the exact proposed changes to the language. Town Attorney Stuparich stated that she believed that they would only be able to see the question and the translation. They should not be able to see the actual text revision. She will follow up with additional information at the next meeting. Council Member McLean thanked the Town Attorney for her work on this matter. Council Member Link asked that each of the items be separately considered for questions and comments. Mayor Allers granted this request. She thanked the Charter Review Commission. She expressed her concerns about the charter change related to changing compensation, fearing that allowing a committee to be selected by Council would create an erosion of public trust. She would like to see the provision contain a COLA adjustment and refer to the voters any proposals exceeding this increase. Mayor Allers explained that the provision would only allow the Council to consider increases in compensation for members in future terms. There was discussion on COLA adjustments and inflation.

Human Resources Director Talissa Oliveira added that COLA has been in place for the council members since October 1, 2024, and is issued out every year on October 1. Mayor Allers and Council Member Link both brought up the discrepancy between the frequency of review (three years) and election term lengths (four years). There were further discussions and suggestions related to the selection of members for the committee reviewing compensation. After confirming with Town Clerk Baker, Town Attorney Stuparich noted that there were six committees, not including the Local Planning Agency. Mayor Allers determined that there was a majority in consensus to move forward with this charter change proposal, in its existing form. Council Member Link expressed her concerns about allowing appointments for vacancies for several years. She is against taking this power away from the voter.

Mayor Allers asked for clarification on the definition of a "term" when determining the maximum number that a member can serve. Council Member McLean and Vice Mayor Safford noted the desire to provide a staggering of terms, alternating between three members and two members. Town Attorney Stuparich provided that the current language indicates that members are restricted to two consecutive full terms. Any period of time shorter than a complete term would not count towards the limitation. Council Member Link noticed that only one of the two questions provided language with the phrase "interim mayor." Town Attorney Stuparich noted the need to update this language for consistency reasons, though she also explained that there is a limitation of one topic per question. She reminded the Council that only the questions would be on the ballot and confirmed the adjustments for the second, third, and fourth items.

No public comment.

Council Member King moved to approve Ordinance 26-08; Charter Changes for second reading on June 1, 2026 at 9:00 a.m., seconded by Vice Mayor Safford.

The motion carried unanimously by roll call vote.

XIII. ADMINISTRATIVE AGENDA

A. Special Event: Coastal Cars & Coffee

Approval of a Special Event for the Coastal Cars & Coffee classic car showcase to be held on May 23, June 20, July 18, August 15, and September 19, 2026, at Santini Plaza, located at 7205 Estero Boulevard, from 8:30 AM to 11:00 AM, as requested by What's Up FMB, including authorization for the recurring event and the rental of 22 parking spaces at Beach Access 36 (Wastina Way) for overflow parking, subject to further approval by the Fort Myers Beach Fire Control District and the Lee County Sheriff's Office.

Mayor Allers read the item into the record. Town Manager McKannay stated that representatives of What's Up FMB were present. Staff has reviewed the request. They are currently awaiting final feedback from the Lee County Sheriff's Office and the Fort Myers Beach Fire Control District, but they do not foresee any issues.

Vice Mayor Safford requested additional information on the parking spaces rented at Wastina Way. He noted the large distance. Ms. Cahill responded that these spaces were related to the lunch event. Mayor Allers confirmed that this was a rental. Council Member McLean provided some positive remarks on the event.

Council Member McLean moved to approve the Special Event "Coastal Cars and Coffee" for May 23, June 20, July 18, August 15, and September 19 at Santini Plaza, as well as the subsequent drive down the boulevard to a party at The Whale, seconded by Council Member Link.

Mayor Allers asked the maker of the motion if there was intent to allow use of these parking spaces without charge. Council Member McLean wished to open this matter for discussion.

Council Member Link expressed her concern about providing these spaces when they have not been provided for past events. Mayor Allers acknowledged this issue but also pointed to the parking revenue that would be generated from the 4th of July celebration, noting that this could be seen as a motion of goodwill. Vice Mayor Safford expressed his agreement. Town Manager McKannay reminded Council that there were five events. Council Member King recommended adding an end time for the use of these parking spaces. Council Member McLean amended his motion so that it now reads: "to approve the Special Event "Coastal Cars and Coffee Classic Car Showcase" to be held on May 23, June 20, July 18, August 15, and September 19 at Santini Plaza, located at 7205 Estero Boulevard from 8:30 a.m. to 11:00 a.m., as well as authorizing the use of the Wastina Way Overflow Parking Lot for 22 spaces from 8:30 a.m. to 2:00 p.m., subject to further approval by the Fort Myers Beach Fire Control District and the Lee County's Sheriff's Office." The seconder of the motion agreed to the changes. The motion carried unanimously by roll call vote.

B. Special Event: The Whale Anniversary Celebration

Approval of a Special Event for The Whale Anniversary Celebration to be held on June 13, 2026, at The Whale, located at 1249 Estero Boulevard, from 11:00 AM to 9:00 PM, as requested by Dawn Miller of The Whale, including amplified live music and food and beverage service, including outdoor alcohol service subject to ABT approval and extension of premises approval, and subject to further approval by the Fort Myers Beach Fire Control District and the Lee County Sheriff's Office.

Mayor Allers read the item into the record. Blake Colbert, the General Manager of the Whale, provided a brief summary of the request. He noted that this event will be very similar to JobuFest. There will be outdoor amplified music and three covered areas for food and beverage sales. The permit will start at 11:00 a.m. and end at 9:00 p.m.

Mayor Allers asked if the event will be inside, outdoors, or both. Mr. Colbert responded that there will be a stage outside in the parking area for daytime music and regular live entertainment inside. The Mayor also confirmed with him that outdoor alcohol will be contained within the property.

Council Member King moved to approve the Special Event "Whale Anniversary Celebration," seconded by Council Member Link.

The motion carried unanimously by roll call vote.

C. FY26/27 Budget Hearing Dates

Council shall set budget hearing dates for September 2026.

Town Manager McKannay proposed the following dates: Wednesday, September 9, 2026, and Wednesday, September 23, 2026. Council Member King confirmed that the requested start time for the hearings is 5:01 p.m. Vice Mayor Safford indicated a potential conflict but noted that he could skip the first day of his conference. Council Member McLean stated that he had a conflict for the proposed date of September 9, 2026. Town Manager McKannay asked Council Member McLean for alternative dates. The council member provided some dates that he would be available.

He noted that he wished for a full complement of members for the hearings and provided that he can listen to the recorded first session, if needed. Mayor Allers asked Town Attorney Stuparich if all members needed to be present at the hearing. She stated that she believed this is the case but that she will follow up to confirm. Council Member Link suggested that Council Member McLean participate virtually. She alternatively proposed that the first hearing be rescheduled to September 2, 2026. Town Clerk Amy Baker provided two additional dates: September 14, 2026, and September 28, 2026. She requested Council input on the times and plans for the regular Town Council meetings. Mayor Allers confirmed that all members can be present for the second hearing on September 23, 2026, starting at 5:01 p.m.

Finance Director Joe Onzick noted that staff would be able available for the first week of September. Town Clerk Baker provided that the county meetings are on September 3, 2026, and September 15, 2026. The town is not allowed to meet on those dates. Mayor Allers asked Mr. Onzick if there was a preference for September 2, 2026, or September 4, 2026. The Finance Director responded that it would need to be scheduled for that later date.

Town Clerk Baker mentioned that advertising requirements will prevent the Council from scheduling the first hearing for the third week of September. Mayor Allers requested that this item be postponed to the next meeting and asked Town Attorney Stuparich if a motion is needed. She responded that a motion would not be necessary and noted that Council can revisit this issue at its meetings on June 1 or June 3, so long as the item has been added to the appropriate agenda. Mayor Allers announced that this item will be considered again at the regular meeting of Town Council on June 1, 2026.

D. Collections Management Policy

Approval of Collections Management Policy for the Mound House

Mayor Allers read the item into the record. Town Manager McKannay called upon Breanna Vaccaro, Archaeologist, Collections Manager, and Registrar at the Mound House, who presented a background and summary of the Collections Management Policy.

Council Member McLean requested more information on the recommendations from the reviewer. Ms. Vaccaro stated that these would include the insurance policy, additional details on governance and authority, and further consideration for acquisitions and deaccessioning policies.

Council Member McLean asked about the individual's credentials. She responded that a MAP (Museum Assessment Program) reviewer performed an assessment on the Mound House and provided these recommendations on how the Mound House can become eligible for accreditation. The council member emphasized the importance of accreditation. Council Member Link and Vice Mayor Safford commended Ms. Vaccaro and the Mound House for their work. Council Member King welcomed the presenter and inquired about the enforcement of the policy on conflicts of interest. Ms. Vaccaro noted that this policy would prevent staff, advisory board members, and members of Town Council from maintaining private collections of indigenous artifacts or historical documents.

Enforcement would be conducted by members of Town Council, the advisory board, and/or staff. Law enforcement may also be involved if the individual refuses to remove themselves from that conflict of interest. Town Manager McKannay called upon Jeff Hauge, the Director of Culture, Parks, and Recreation, who provided positive remarks and noted CELCAB's recommendation for approval.

Council Member McLean, as Council Liaison for CELCAB, moved to approve the Collections Management Policy, seconded by Council Member Link.

The motion carried unanimously by roll call vote.

E. Resolution 26-102; Amended and Restated Donation Policy

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING AND RESTATING THE TOWN'S 2011 DONATION POLICY; PROVIDING FOR DISCRETIONARY GUIDELINES TO NAME TOWN RESOURCES, FACILITIES, EVENTS OR PROGRAMS WHEN ASSOCIATED WITH A FINANCIAL DONATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager McKannay called upon Town Attorney Stuparich to provide a brief summary of the request. She highlighted that the new language removes the gift-giving catalog and that there is an added section on naming rights that may be associated with a financial donation to the town.

Council Member King moved to approve Resolution 26-102, seconded by Mayor Allers.

The motion carried unanimously by roll call vote.

F. Resolution 26-096, RFQ-25-17-AD Newton Design Agreement Approval

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING AN AGREEMENT BETWEEN THE TOWN AND JR EVANS ENGINEERING, P.A. UNDER RFQ-25-17-AD FOR THE FORT MYERS BEACH ENGINEERING & ARCHITECTURAL SERVICES NEWTON PARK BEACH FACILITY RECONSTRUCTION PROJECT IN A NOT-TO-EXCEED AMOUNT OF \$497,750; AUTHORIZING THE EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager McKannay provided a brief summary of the request as outlined in the blue sheet and noted that this will be CDBG-DR funding. Council Member McLean inquired about the expected timeline. Elizabeth Fountain, Senior Vice President at

J.R. Evans Engineering, answered that nine to ten months are expected for the design and permitting process. Construction should last between six to seven months. Council Member Link asked if the firm would be submitting permits on behalf of the town. Ms. Fountain complained that J.R. Evans Engineering will be securing all necessary permits, including at the state level (through FDEP and coordination with FWC) and at the local level (through the development order process). The team will also be addressing utility line extensions. There was a follow-up question on compliance with FEMA requirements.

Ms. Fountain confirmed that the project will follow these requirements. Mayor Allers asked for additional information on the design and permitting process. She responded that the initial step would be to determine the actual master site plan, which would contain all major components. Within the first 60 days, the public will have an opportunity to access this plan. The team will be using R2P2 modelling. There was an additional question about capping the seawall. Ms. Fountain replied that they will be incorporating enhancements to that existing wall to achieve the resiliency component of the project. This would also allow for a flood map revision to rezone the property from the higher risk V-Zone. Grade-level restrooms should then be compliant. Council Member Link asked if this matter would go through the Local Planning Agency. Town Manager McKannay noted that it would not be, and Town Attorney Stuparich provided that this would be operational.

Council Member Link moved to approve Resolution 26-096, seconded by Vice Mayor Safford.

The motion carried unanimously by roll call vote.

G. Resolution 26-097, Second Amendment to Tidal Basin Agreement

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, APPROVING A SECOND AMENDMENT TO AN AGREEMENT BETWEEN THE TOWN OF FORT MYERS BEACH AND TIDAL BASIN GOVERNMENT CONSULTING LLC, TO INCORPORATE ADDITIONAL CDBG-DR AND STATE TERMS TO THE SERVICE PROVIDER AGREEMENT FOR DISASTER RECOVERY AND MITIGATION CONSULTING SERVICES ; AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager McKannay provided a summary of the request as outlined in the blue sheet. Council Member Link asked if there was an updated list of additional grants from Mr. Boone at Tidal Basin. Director Kropacek noted that he did not receive a copy. Town Manager McKannay and Deputy Town Manager Traci Kohler have received this list. Council Member King verified that the funding will be through CDBG-DR.

Council Member McLean moved to approve Resolution 26-097, seconded by Council Member Link.

The motion carried unanimously by roll call vote.

H. Resolution 26-101, Second Amendment to Goldman Wolfe, LLC Agreement

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A SECOND AMENDMENT TO THE EXISTING AGREEMENT BETWEEN THE TOWN AND GOLDMAN WOLFE, LLC FOR FINANCIAL CONSULTING SERVICES TO INCREASE THE NOT TO EXCEED AMOUNT FROM \$197,600 TO \$580,000; AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO SEPTEMBER 15, 2025.

Mayor Allers read the title of the resolution. Town Manager McKannay provided a summary of the request as outlined in the blue sheet. He commended Human Resources Director Talissa Oliveria for her work. Council Member King thanked Town Manager McKannay and emphasized that the resolution provides a maximum amount, that savings are achieved through the vacancies, and that services will only be utilized as needed.

Mayor Allers confirmed that the firm has worked with the town in the past. Council Member King moved to approve Resolution 26-101, seconded by Council Member McLean.

The motion carried unanimously by roll call vote.

I. Resolution 26-099, RFP-26-11-ES Disaster Debris Removal and Disposal Services Recommendation

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ACCEPTING/REJECTING OR MODIFYING THE RANKING AND DETERMINING 1) CROWDERGULF JOINT VENTURE, INC., 2) T.F.R ENTERPRISES, INC., AND 3) SOUTHERN DISASTER RECOVERY VENDOR AS THE MOST RESPONSIVE AND QUALIFIED FIRMS AS RECOMMENDED BY THE TOWN MANAGER AND SELECTION ADVISORY COMMITTEE BASED ON THE RESPONSES RECEIVED TO RFP-26-11-ES FOR FORT MYERS BEACH DISASTER DEBRIS REMOVAL AND DISPOSAL SERVICES; AUTHORIZE THE TOWN MANAGER OR DESIGNEE TO NEGOTIATE WITH THE QUALIFIED FIRMS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Manager McKannay provided a summary of the request as outlined in the blue sheet. He commended Deputy Town Clerk Jason Freeman for his work. Mayor Allers highlighted the importance of F-ROC in disaster recovery for the town. He also recognized the Deputy Town Clerk and staff for getting the town's high score. Deputy Town Clerk Jason Freeman provided an overview of the F-ROC program. Mayor Allers re-emphasized the significance of F-ROC and commended the team for their achievements. Town Clerk Amy Baker informed the Council that there would be a primary and secondary vendor. Mayor Allers moved to approve Resolution 26-099, RFP-26-11-ES Disaster Debris Removal and Disposal Services Recommendation, seconded by Council Member King. The motion carried unanimously by roll call vote.

XIV. FINAL PUBLIC COMMENT

None

XV. TOWN MANAGER'S ITEMS

Town Manager McKannay thanked the School District of Lee County Board for voting in favor of the draft ILA for potential transfer of the school property. He also expressed his appreciation to Council for their support. He presented some areas of the ILA that he will be requesting amendments for:

1) an extension of the initial charter application deadline from 120 days to 12 months; 2) a provision allowing the town immediate access for the property to begin planning, preparation, and potential construction; 3) an expansion of allowable uses; 4) a request for a longer timeframe to restart the school (from 1 to 2 years following closure); 5) a provision giving the town the opportunity to purchase the property within the 3-year term.

This language is based on independent appraisals done on the property.

Mayor Allers confirmed, for the third recommendation, that the intent is that education would still be the primary use. He also verified with the Town Manager that there is an existing provision that gave the town the ability to purchase the property in the case of school closure. Deputy Town Manager Traci Kohler provided that each entity conducted independent appraisals. Town Manager McKannay additionally requested that the town strengthen its force majeure provisions. He reported that he and Deputy Town Manager Traci Kohler have begun preliminary charter application work, with the assistance of an experienced charter school consultant. They met with the Education Freedom Foundation last week. The organization has agreed to provide pro bono services, but the town wishes to first ensure that they are done in compliance with its policies and procedures. They will meet with members of the ad hoc committee and the parents involved in previous ILA discussions to consider next steps. He stressed the intent on making this a community-supported project. Discussions will be done through public meetings. In the future, they plan to hold a community information meeting and consider creating committees in support of the project. Town Attorney Stuparich stated that she and Attorney Vose have not had an opportunity to review, the interlocal agreement, from a strictly legal perspective. They most likely will have their own requested changes. She also pointed out that the draft refers to creating a new charter school, which is significantly different from converting a public school to a charter school. Town Manager McKannay confirmed that he will closely work with the Town Attorney and Attorney Vose. Council Member King inquired about potential safeguards, especially given past actions related to the previous ILA. Town Attorney Stuparich answered that, if the situation resolves between the school board and the town, they will not need to proceed with the process related to that prior agreement. They can look into terminating the prior ILA by writing, though the new ILA would supersede the older version. Town Manager McKannay deferred to the Town Attorney and Attorney Vose on exploring potential safeguards for the town.

The Town Manager announced the launch of Finn, an interactive virtual assistance tool, on the town's website. He invited everyone to test the platform and provide feedback to Town Deputy Manager Traci Kohler or Public Information Officer Abigail Eberhart. He updated the Council on Times Square. He sent a photograph from Lee County webcams. He announced that the streetlights were running and working. He thanked the Public Works team. They will continue additional work in the area. This will include adding safety cones and beautification efforts for Times Square.

Town Manager McKannay acknowledged the Human Resources team for their work on the recruitment for the Emergency Services Director position. Staff have participated in interviews and have narrowed down the candidates. There will be an in-person interview at the end of this week, and Human Resources Director Talissa Oliveira will set up additional interviews with the top candidates in the following weeks. He thanked the current Emergency Services Director Tom Yozzo for staying on for the duration of the recruitment process. Town Manager McKannay announced that the Town Hall will be closed next Monday for the observance of Memorial Day. He informed the Council that he will be one of the veterans interviewed by Ed Ryan for his Memorial Day show.

Council Member King asked if the Town Manager has had the opportunity to review a resident concern he submitted last week regarding drought and irrigation. He responded that he has met with the Environmental Manager, who will be reviewing the matter and submitting recommendations to the Town Manager and his director. These will include restrictions on irrigation and watering times. He thanked Council Member King for bringing this matter to his attention. He reminded everyone that, even though the rainy season has begun, the drought has not yet ended. Mayor Allers also highlighted the issue of sinks being left running and unoccupied. Town Manager McKannay provided that they will add this to the public information that will be rebroadcasted via radio. Vice Mayor Safford thanked Emergency Services Director Thomas Yozzo and Commander Lalor from LCSO. The Town Manager noted the town's great coordination with the LCSO and Commander Lalor. They are planning for proactive measures due to the anticipated increase in people for the Memorial Day weekend. Council Member Link asked if the charter school matter will impact the budget. Town Manager McKannay responded that the budget and the charter school item will run on parallel paths. Council Member McLean emphasized the importance of addressing the enforcement problem in the back bay. He would like to see some coordination efforts from the Council and encouraged everyone to report any speeding incidents they see. Town Manager McKannay provided that he has spoken with the Emergency Services Director, who will be reaching out to the Commander of the LCSO Marine Unit. Harbormaster Ludwig will also be included in these talks. Council Member McLean thanked the Town Manager for his work.

XVI. TOWN ATTORNEY'S ITEMS

No items.

XVII. COUNCILMEMBERS ITEMS AND REPORTS

Council Member McLean thanked members of Council for attending the school board meeting last week.

Vice Mayor Safford recognized the FMB Garden Club and their work in the butterfly garden at the Mound House.

Council Member King reported that he had conversed with Commissioner Brian Hamman. He shared that the pier item will be considered sooner than expected. He also informed the Council of an e-mail communication from Assistant County Manager Glenn Salyer.

There was a joint meeting of all reviewing agencies, and the county reiterated the need to have the project approved by June 30, 2026.

Based on those discussions, the United States Army Corps of Engineers issued a revised letter last Monday to extend the NEPA review period until June 30, 2026.

While not a guarantee that the permit will be issued by that date, reviewers were optimistic that they could meet this deadline. Commissioner Hamman believed that the new pier may be completed by the fifth anniversary of Hurricane Ian. Mayor Allers asked about the budget impact of the 5% increase for the Town Manager. Finance Director Joe Onzick responded that there were significant savings from the payroll due to vacancies. There is also contingency funding available for any unplanned expenditures. Mayor Allers requested input from Council on addressing repeat offenders of code violations, especially those who are operating under a special use permit or a special temporary accession permit. He noted the pressures on staff. He asked if there was a way to revoke their permits or special exceptions. He also asked Town Attorney Stuparich and Town Manager McKannay to explore additional options for the town to engage in stronger enforcement. The Town Attorney expressed her willingness to meet and address this issue. She reported that there are two cases pending in court. Her office is continuing to monitor these two matters. She also noted the option to seek an injunction. However, she also pointed to the potentially lengthy process. The property owner would need to respond to the court when there is a violation of the injunction. She explained that each situation is unique and that she can review and provide separate recommendations for these incidents. Town Manager McKannay offered a possible solution that is connected with ETPP permitting. He will continue discussions with the Town Attorney to explore alternatives. Council Member McLean expressed his agreement to the Mayor's remarks. Council Member Link believed that if the property owner is not following the guidelines of the special exception, this exception should be revoked. Mayor Allers highlighted the differences between an emergency temporary use permit and a special exception. He requested that the town look into ways that it can revoke special exceptions for repeat violators.

A. Town Manager Annual Performance Evaluation

Annual Performance Evaluation of Town Manager

Human Resources Director Talissa Oliveira provided a background for the Annual Performance Evaluation of the Town Manager. Each member of Council reported their evaluation and rationale. Perceived strengths included leadership, community involvement, and commitment to transparency and fairness. Areas of improvement included better communication and constituent response times, earlier dissemination of agenda packets, and further work in addressing staffing gaps. Human Resources Director Talissa Oliveira provided an overview of raises based on performance and progression. She outlined the increases that the Town Manager would be eligible and not eligible for. She reported that there were two forms containing all fives (the highest score) and that the remaining contained fours. There were no scores below four.

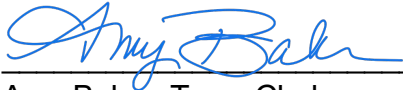
Mayor Allers moved to thank the Town Manager for his and his wife's investment in the community, as well as his continued good work in building a team, and to offer him a 5% increase to his base salary, seconded by Council Member King.

Council Member Link asked if this increase would be in the form of a bonus or a raise to the base pay. Mayor Allers expressed his preference for the latter. Human Resources Director Talissa Oliveira also advised that the increase be reflected in the base pay. The motion carried unanimously by a roll call vote.

XVIII. ADJOURNMENT

Council Member King moved to adjourn.
The meeting was adjourned at 11:59 a.m.

Minutes adopted as presented, June 15, 2026. Motion by Council Member McLean, seconded by Council Member King.
Passed 5-0.



Amy Baker, Town Clerk