



Fort Myers Beach Management & Planning Session

Council Chambers
2525 Estero Blvd.
Fort Myers Beach, FL 33931

Minutes

Thursday, March 4, 2021

9:00 AM

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Members present: Mayor Murphy, Vice Mayor Hosafros, Council Member Allers, Council Member Atterholt and Council Member Veach.

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. Lee County Update - written report only

Update of Lee County projects on Fort Myers Beach

Mayor Murphy noted a report was provided and was available online.

B. Comprehensive Plan Update Status

The Corradino Group will provide a project status of the Comprehensive Plan updates

Project Manager Eddie Ng reviewed The Corradino Group's experience. He utilized PowerPoint for his presentation. Slides included: Agenda; Project Tasks and Timeline; Preliminary Review - General; Future Land Use Element; Community Design Element; Transportation Element; Coastal Management Element; Capital Improvements Element; Intergovernmental Coordination Element; Utilities Element; Housing Element; Recreational Element; Conservation Element; Historic Preservation; Stormwater Management Element and Examples of Updates.

Vice Mayor Hosafros brought up the lack of work-force housing. She brought up conflicts in the code regarding repetition and organization and indicated that the survey was too technical.

She questioned if the survey could be modified and re-released. Council Member Atterholt suggested that they present best practices from other communities. Community Development Services Director Jason Green explained the bank situation at Sea Grape Plaza. Council Member Atterholt questioned whether Director Green could provide action items to expand the potential of that property. Town Manager Hernstadt commented that any serious inquiry regarding the property would be presented to Council.

C. Preview of draft updated website

As authorized by Town Council, staff launched a redesign of the website to bring it into ADA compliance, change the look and colors to match the Town's new branding strategy, edit and fix outdated content, and restructure the navigation system to make content more easily accessible to website visitors.

Social Media & Communications Coordinator Jennifer Dexter displayed the new homepage. She stated the Town's goal was three-clicks or less for all content. Council Member Veach suggested adding Parks to the Beaches button. Council Member Allers suggested adding webcams to the homepage. Town Manager Hernstadt noted that a disclaimer could be added to alert users when they were being redirected to other websites. Coordinator Dexter reviewed Popular Pages and noted traffic cams were included in the list and that more pictures will be added throughout the website.

Council Member Atterholt questioned whether all current and past public meetings would be accessible through the Town's website or other sources. Coordinator Dexter responded that all meetings were available on YouTube and the Town's website. Town Manager Hernstadt encouraged feedback.

D. Code Enforcement Strategies

Code Enforcement Discussion

Council Member Atterholt stated his goal was to develop best practices to avoid code enforcement and to educate community members.

Community Development Administrator Daphnie Saunders thanked Council and staff. She stated that complaints could be called in anonymously and their process was engagement, education, and compliance. She explained how the process worked. She noted that people who appeared before the Special Magistrate had already had months to comply and the hearings were the last resort for the Town. She explained the lien process, foreclosures, short-term rental violations and work without permit violations.

Town Manager Hernstadt suggested that people get multiple bids on projects and make contractors prove that they obtained permits. Council Member Atterholt questioned how property owners could expedite the permit process. Town Manager Hernstadt replied that they should contact the Town. Mayor Murphy added that permits required inspections to protect the property owner. Council Member Allers stated that a lack of communication and difficulty finding information on the website was an issue.

Coordinator Saunders described the portal to track permit activity for property owners on the Building Services page. Council Member Atterholt questioned what people purchasing property should do to ensure the property is free of violations. Prospective buyers should contact the Town for information. Council Member Veach described his experience with the first house he bought on the island and commented that he did not know to ask questions regarding the non-conforming but legal apartment in the lower portion of the house. Town Manager Hernstadt indicated that they gave the best information to anyone who called.

Coordinator Saunders suggested that a page could be created on the website with information on buying a home. Council Member Atterholt suggested adding information regarding installing a pool and building a fence, among other items, to expedite the process. Town Manager Hernstadt replied they could add that information.

Council Member Allers questioned whether the Town could provide a list of recommended contractors. Town Attorney Herin, Jr. replied negatively. He recommended that they include a section on the website with information on what to do before buying property.

Coordinator Saunders concluded that many rules were on signs at the beach accesses if people wanted to avoid code enforcement issues.

E. Lighting Study Stakeholder Meeting Assignment of Representatives To select/appoint members to represent the community as "Stakeholders" for a meeting to guide the Lighting Study.

Town Manager Hernstadt reviewed two options put forth by the lighting consultant with different price tags. Council Members agreed to move forward with the least expensive alternative.

Council Member Allers noted that he sent Council Members the name of a person volunteering to participate. Town Manager Hernstadt remarked that they could advertise details to encourage interest.

F. Mechanical Noise

Discussion about mechanical equipment and techniques to mitigate potential impacts of noise.

Town Manager Hernstadt provided information from other communities. Vice Mayor Hosafros brought up baffling. She noted the cost to add baffling was minimal. Director Green stated that location, separation and baffling were the three options. Council Member Atterholt questioned whether they could set parameters on baffling. Council Member Veach questioned how effective baffles were. Vice Mayor Hosafros replied that it was an inexpensive option that would help somewhat. Town Manager Hernstadt stated that they would investigate baffling details.

G. Sea Turtle Conservation Ordinance

Discuss proposed changes to Sea Turtle Conservation Ordinance.

Environmental Project Manager Chadd Chustz reviewed minor changes. He stated interior light pollution was the most common violation. He requested they consider applying a 15% tinting of windows to remodeling projects and window replacements. He noted that opaque curtains were the best option. Council Member Allers felt the definition of new construction was vague.

Town Manager Hernstadt explained how the turtle enforcement worked before turtle season. He described the difference between manufacturer's tinted windows versus homeowners installing their own tinting.

Council Member Allers brought up communicating the rules to new property owners not familiar with turtle regulations. Town Manager Hernstadt commented that owners could contact the Town to set up an inspection of their property prior to turtle season. Council Member Veach stated that grants were available to bring houses up to compliance. Council Member Allers indicated that some people installed lights from the Town and still received citations. Town Manager Hernstadt responded that in some instances, other light sources were the problem.

Project Manager Chustz noted that citations for interior lighting were usually due to blatant violations rather than a light left on in a hallway.

Council Member Veach discussed tinted windows and noted that tinting was a partial solution and would alleviate some light on the beach. Project Manager Chustz added that a combination of techniques might be required.

Town Attorney Herin, Jr. stated that the turtles were protected under the Federal Endangered Species Act and implemented at the State level through the Fish and Wildlife Conservation Commission (FWCC). He noted that the FWCC updated its ordinance last year and the Town was attempting to customize it based on the needs of the community. He stated that they would send the draft ordinance to the FWCC for their review.

IV. AGENDA MANAGEMENT

Add a discussion on newspapers in plastic bags left in driveways.

Vice Mayor Hosafros noted that the Vice Mayor of Sanibel Holly Smith contacted her regarding House Bill 219 and Senate Bill 522 concerning short-term rentals. She stated that Sanibel and Estero were sending letters to legislators and Cape Coral was considering. She received support to add it to the next agenda. Town Attorney Herin, Jr. will draft a letter to the legislature, provide a synopsis on the senate bill and a copy of Sanibel's letter.

Town Manager Hernstadt stated that their ordinance was grandfathered. Town Attorney Herin, Jr. recommended against making any changes until the issue was resolved at the legislative level.

Add work-force housing.

Public Works Director Chelsea O'Riley stated that she met with the school district regarding the placement of the proposed field to the school. She noted the field was shifted and should be finalized with attorneys in a couple of months.

V. ADJOURNMENT

Mayor Murphy adjourned the meeting at 12:01 p.m.

Minutes adopted, March 15, 2021; Motion by Vice Mayor Hosafros and seconded by Council Member Veatch. Passed 5-0.

A handwritten signature in blue ink, appearing to read "Amy Baker". The signature is stylized with a large, looped initial "A" and a cursive "Baker".

Amy Baker, Town Clerk