



Fort Myers Beach Town Council

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

Minutes**Monday, March 15, 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. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Council Member Allers moved to approve the final agenda; second by Vice Mayor Hosafros.

Motion carried unanimously.

V. PUBLIC COMMENT

Larry Wynberg from Advanced Disposal requested a time waiver for trash, recycling and horticulture pickup due to seasonal traffic and construction. He requested a 6:00 a.m. start and a discussion with Town Council concerning upcoming issues.

Larry Wood, President of Waterside Master Association, stated that the new Manatee Zone signs were installed last week. He thanked Environmental Project Manager Chadd Chustz, Council Member Allers, Commissioner Sandelli and others. He noted the majority of boats were moving slower thanks to the signs.

VI. PROCLAMATIONS**A. Donate Life Month****Donate Life Month**

Mayor Murphy read the Proclamation.

VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Vice Mayor Hosafros stated that the Fort Myers Beach Community Foundation scholarships were available to anyone who wished to pursue post-high school education. She noted that she had applications and they were available on the website. She encouraged residents to apply.

Council Member Atterholt provided an update regarding the clean water initiative. He encouraged everyone to write letters.

Council Member Veach recognized Sue Morris and the Waterside communities for their year-long effort to get the boat speed lowered.

No items from other members.

VIII. ADVISORY COMMITTEES ITEMS AND REPORTS

Steve Johnson, Chair of the Marine Resources Task Force (MRTF), reported that MRTF reviewed the Sea Turtle Ordinance and suggested changes regarding interior lighting. He addressed comments made at the last M&P Session. MRTF Member Jennifer Rusk described the educational outreach program called Ask Me Pop-Up booths. She noted they were invited to the Mermaid Festival at Lovers Key on April 2-4, 2021 and provided a list of organizations and volunteers.

IX. APPROVAL OF MINUTES**A. Draft March 1, 2021 minutes**

Vice Mayor Hosafros moved to approve the minutes; second by Council Member Atterholt.

Motion carried unanimously.

B. Draft March 4, 2021 minutes

Vice Mayor Hosafros moved to approve the minutes; second by Council Member Atterholt.

Motion carried unanimously.

X. PUBLIC HEARINGS**A. ORDINANCE NO. 21-03 Sea Turtle Conservation**

First Reading and Public Hearing: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING ARTICLE V OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE TOWN OF FORT MYERS BEACH ENTITLED “SEA TURTLE CONSERVATION”, PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER’S ERRORS; CONFLICTS OF LAW AND AN EFFECTIVE DATE. Open the first public hearing and schedule for second reading and final adoption on April 5, 2021 at 9:00 a.m.

Mayor Murphy read the title of the ordinance.

Project Manager Chustz noted a typo in Sec. 32-105 (e) on packet page 27. He indicated that new construction was clarified. Council Member Allers discussed lighting control systems. Town Manager Hernstadt commented that they would contact FWCC (Fish & Wildlife Conservation Commission) for their input on lighting systems.

No public comment.

Council Member Veach moved to schedule a second hearing on April 5, 2021; second by Vice Mayor Hosafros.

Motion carried unanimously.

B. Ordinance 21-01; Chapter 6 and 34 of Land Development Code

Second Reading and Final Public Hearing: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 6 MAINTENANCE CODES, BUILDING CODES, AND COASTAL REGULATIONS OF THE LAND DEVELOPMENT CODE; AMENDING CHAPTER 34-1180 CREATING GARAGE DESIGN AND LOCATION STANDARDS; PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW AND PROVIDING AND AN EFFECTIVE DATE.

Mayor Murphy read the title of the ordinance.

Community Development Director Jason Green reviewed the change that allowed three garages. Town Attorney Herin, Jr. noted the hearing was properly advertised.

No public comment.

Council Member Allers moved to approve the ordinance; second by Council Member Veach

Motion carried unanimously by roll call vote.

C. Ordinance 20-18; Water Supply Facilities Work Plan

Second Reading and Final Public Hearing: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA ADOPTING AMENDMENTS TO THE TOWN OF FORT MYERS BEACH COMPREHENSIVE PLAN UTILITIES ELEMENT TO UPDATE DATA AND ANALYSIS AND THE GOALS, OBJECTIVES, AND POLICIES RELATED TO WATER SUPPLY PLANNING REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; CONFLICTS OF LAW AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Murphy read the title of the ordinance. Town Attorney Herin, Jr. noted the hearing was properly advertised.

Director Green stated all entities involved approved the language. Council Member Atterholt questioned whether a backup plan was in place if the water supply from Fort Myers became compromised. Town Manager Hernstadt replied affirmatively.

No public comment.

Vice Mayor Hosafros moved to approve Ordinance 20-18; second by Council Member Veach.

Motion carried unanimously by roll call vote.

XI. ADMINISTRATIVE AGENDA

A. AARP Community Challenge Application Authorization

Authorize the Town Manager to apply for the AARP Community Challenge grant for \$91,000 to be used for Bayside Park's Redevelopment.

Council Member Veach moved to authorize the Town Manager to apply for the grant; second by Vice Mayor Hosafros.

Motion carried unanimously.

B. 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 why members were being selected. Council Member Veach noted that Leah Gregg was interested as a member of the public. Council Member Allers stated that Jim Hockett was interested. Mayor Murphy suggested contacting Chamber of Commerce Director Jacki Lyszak for her input. He had another person in mind who would represent hotels and rentals. Council Members agreed to move forward.

XII. FINAL PUBLIC COMMENT

No public comment.

XIII. TOWN MANAGER'S ITEMS

Town Manager Hernstadt reported that they would receive approximately \$3 million from the American Rescue Plan. He addressed the request for an earlier pickup from Advanced Disposal. He noted that members of the community complained because they were unable to complete their routes. Mayor Murphy questioned whether the backup beepers could be disabled. Mr. Wineberg replied negatively. Vice Mayor Hosafros questioned whether they could waive enforcement of the current ordinance until Easter and modify the ordinance to grant an extra 1/2 hour from New Year's Day to Easter. Town Manager Hernstadt addressed their contract and preferred to deal with it on an exception basis.

Vice Mayor Hosafros moved to allow Advanced Disposal to pick up trash at 6:00 a.m. for 30 days from today; second by Mayor Murphy. Motion carried unanimously.

Council Member Atterholt questioned the status of the landscape on Estero Blvd. Town Manager Hernstadt replied that they were installing temporary sod to prevent a dropoff from the sidewalk to the curb. He reported that they had not received the landscape money from the County yet.

A. Bicycle Signage

Town Manager Hernstadt provided a map of where there were no bicycle lanes on Estero Blvd. He noted they would install bicycle signs in the area if approved. Council Member Veach questioned whether they could install a "wrong way" sign on the back of the post so bicyclists would not travel against traffic. Town Manager Hernstadt replied that they would look into stock signs.

B. Beach Bucket Foundation

Town Manager Hernstadt reviewed a request to clean up the beach. Council Member Veach recommended that MRTF review alternatives and make a presentation to Council. Vice Mayor Hosafros noted they turned down another group due to their advertising. She suggested limiting signs and supported MRTF reviewing options. Town Manager Hernstadt will give it to MRTF.

XIV. TOWN ATTORNEY'S ITEMS

No items.

XV. COUNCILMEMBERS ITEMS AND REPORTS

Council Member Veach described the Palermo-Primo native plant project in front of The Whale in the Town's right-of-way. He requested funds for excavation and dirt so plants could be installed. Consensus was reached to support the request. Council Member Atterholt noted that a memorial plaque for Town employee Joe Lyszak was no longer on a Key Estero Plaza bench. He questioned whether they could add another plaque to a different bench. Vice Mayor Hosafros supported his request. Town Manager Hernstadt brought up acknowledging other employees who were no longer with them. Council Member Atterholt agreed with his idea.

Mayor Murphy was in favor of discussing newspapers left in driveways at a future M&P Session. Vice Mayor Hosafros agreed.

Council Member Allers questioned whether Council Members were interested in joining Sanibel by sending a thank you letter to party members and delegates who worked on the short-term rental bill to protect their grandfather status. Vice Mayor Hosafros noted that Sanibel did not reply to their earlier inquiries. Council Member Allers stated that he would contact Vice Mayor Smith for details. He questioned installing signs to prohibit electric bikes on sidewalks and requested permission to discuss bicycle safety issues with the Sheriff's office. He received support to move forward. Vice Mayor Hosafros suggested he contact Darla Laturno from Bike Walk Lee and Mayor Murphy suggested he contact Dan Moser. Council Member Allers noted that the new logo looked good.

XVI. ADJOURNMENT

Vice Mayor Hosafros moved to adjourn; second by Council Member Allers. The meeting was adjourned at 10:20 a.m.

Minutes adopted, April 5, 2021; Motion by Council Member Allers and seconded by Vice Mayor Hosafros. Passed 5-0.



Amy Baker, Town Clerk