

**SANIBEL CITY COUNCIL REGULAR MEETING
TUESDAY, MARCH 06, 2012**

Mayor Ruane called the meeting to order at 9:00 a.m.

Councilman Jennings gave the Invocation and led the Pledge of Allegiance.

Members present: Mayor Ruane, Vice Mayor Denham, Councilman Congress, Councilman Harrity and Councilman Jennings.

Planning Commission Report

Chairman Valiquette gave the following report of the February 28, 2012 Planning Commission meeting:

- Approve second visit 3577 West Gulf Drive
- Discussed Section 86-43 for short/long form

Discussion ensued regarding Council embracing lowering fees and notification of neighbors.

Public Comments

None

Council Comments

Vice Mayor Denham spoke to the Regional Planning Council's statewide strategic planning discussion meeting today at FGCU. He further spoke to Sanibel residents participating. He also spoke to participating as Council's liaison at the Sanibel stoop at Bowman's Beach for the Guinness Book of Records.

Ms. Zimomra requested a contractual agreement for post-employment be added to the agenda.
Council agreed.

First Reading of an ordinance and scheduling of public hearing

ORDINANCE 12-003 PERTAINING TO CHAPTER 14 OF THE SANIBEL CODE ENTITLED "BUILDING AND BUILDING REGULATIONS"; AMENDING ARTICLE IV, PERMITS, SECTION 14-191, FEE SCHEDULE, AND ARTICLE V, STANDARDS, SECTION 14-212, VALUE OF PROJECT OR WORK; AMENDING THE BUILDING PERMIT AND BUILDING REGULATION RELATED FEES SET FORTH THEREIN TO REDUCE SUCH FEES BY 25% WHILE MAINTAINING THE MINIMUM FEE STRUCTURE; ESTABLISHING THE CURRENT SCHEDULE OF FEES AND SUPERCEDING AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS INCONSISTENT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Ordinance 12-003.

Council scheduled the second reading and public hearing on Tuesday, April 03, 2012 at 9:15 a.m.

Mr. Cuyler noted it was not a land development change and did not need to go to the Planning Commission

CONSENT AGENDA

Vice Mayor Denham pulled items c and e. Councilman Jennings noted that the minutes recorded by staff were amazing.

- b. **RESOLUTION 12-013 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-027 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate a \$2,500 donation from Zonta for after-school program financial assistance. This amendment increases the FY12 budget by \$2,500)
- d. **RESOLUTION 12-021 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-022 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$20,000 for actuarial services for special reports and cost studies for the General Employee's Pension Plan. This amendment does not increase or decrease the FY12 budget)
- f. **RESOLUTION 12-026 DETERMINING THE REQUEST FOR AN ENTERTAINMENT LICENSE AT CHIPS SANIBEL STEAK HOUSE, SANIBEL HOLDINGS, INC., 1473 PERIWINKLE WAY; AND PROVIDING AN EFFECTIVE DATE**
- j. **RESOLUTION 12-023 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-024 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$9,034 to remove and dispose of the existing climber at Bowman's Beach Park and to purchase and install a new climber. This amendment does not increase or decrease the FY12 budget)
- k. **RESOLUTION 12-025 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-024 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate a \$10,000 donation from Trails in Motion for the Periwinkle Way rest area. This amendment increases the FY12 budget by \$10,000)

Ms. Zimomra read the titles of Resolutions 12-013, 12-021, 12-026, 12-023 and 12-025.

Vice Mayor Denham moved, seconded by Councilman Congress, to adopt Resolutions 12-013, 12-021, 12-026, 12-023 and 12-025.

Public Comment
None

The motion carried.

- c. Pension Update AND **RESOLUTION 12-020 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-023 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$2,000,000 from general fund ending fund balance to be paid at Council's discretion to the General Employee's Pension Plan. This amendment does not increase or decrease the FY12 budget)

Vice Mayor Denham wanted to recognize the importance of the above. He explained the reason for the amendment.

Discussion ensued regarding the transfer of an additional \$2 million, Pension Board to discuss at their next meeting and meeting again April 05, 2012 with recommendation to City Council.

- e. Timeline for bond refinancing AND **RESOLUTION 12-022 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-021 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate: 1) \$2,970,000 in debt proceeds and bond payment for the refunding and refinancing of the 2002 \$3.825M general obligation bond and ; 2) \$50,000 for bond refunding issuance costs. This amendment increases the FY12 budget by \$2,970,000) AND Approval of the Dunlap and Associates, Inc. Contract to serve as the City's Financial Advisor for debt and refunding

opportunities (Piggy backing the Lee County contract fees shall be charged for assignment on a lump sum or not-to-exceed basis as approved by City Council in accordance with the contract's rate schedule) **AND** Approve an agreement between the City of Sanibel and Dunlap & Associates for the 2002 General Obligation Bond refunding in the amount of \$15,000 and authorize the City Manager to execute same **AND** Approval of the Bryant, Miller and Olive fee for the 2002 General Obligation Bond Refunding in the amount of \$18,000 plus \$3,000 in estimated out-of-pocket expenses

Ms. Edwards explained as follows:

- Opportunity to refund 2002 bonds with substantial savings
- 4.69 average interest rate currently
- Reducing to 10 years from 20 years for less than 2.15% interest rate
- Provide \$1.1. million interest saving
- Produce a tax increase of \$2.48 per \$100,000
- Produce a \$35.10 savings per \$100,000

Ms. Zimomra read the titles of Resolutions 12-020 and 12-022.

Vice Mayor Denham moved, seconded by Vice Mayor, to adopt Resolutions 12-020 and 12-022.

Public Comment
None

The motion carried.

- Approval of minutes – February 07, 2012 Regular Meeting
- Award a 2-year City Hall cleaning contract to Performance Cleaning Group in the amount of \$12,025 for 1-year of agreement and authorize the City Manager to execute same
- Award a 2-year Beach Parks and Community Park Restrooms cleaning contract to RT Cleaning by Rimma Tyo, LLC in the amount of \$25,896 for 1-year of agreement and authorize the City Manager to execute same
- Award reject storage tank inspection and repair to Crom Engineering and Construction Services, Inc. (CECS) as sole source provider in the amount of \$50,000

Councilman Congress moved, seconded by Vice Mayor Denham, to approve the above items.

Public Comment
None

The motion carried.

COMMITTEES, BOARDS, COMMISSION

City Council Liaison to Planning Commission

March 13, 2012	Councilman Jennings	Report 03/06/12 CC Meeting
March 27, 2012	Councilman Congress	
April 10, 2012	Mayor Ruane	Report 04/03/12 CC Meeting
April 24, 2012	Vice Mayor Denham	

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May 08, 2012	Councilman Harrity	Report 05/01/12 CC Meeting
May 22, 2010	Councilman Jennings	
June 12, 2012	Councilman Congress	Report 06/05/12 CC Meeting
June 26, 2012	Mayor Ruane	
July 10, 2012	Vice Mayor Denham	
July 24, 2012	Councilman Harrity	Report July 17, 2012 CC Meeting
August 14, 2012	Councilman Jennings	Report August 07, 2012 CC Meeting
September 11, 2012	Councilman Congress	Report September 08 CC Meetings
September 25, 2012	Mayor Ruane	Report September 18 CC Meetings
October 09, 2012	Vice Mayor Denham	Report October 02, 2012 CC Meeting
October 23, 2012	Councilman Harrity	
November 13, 2012	Councilman Jennings	Report November 06, 2012 CC Meeting
November 27, 2012	Councilman Congress	
December 11, 2012	Mayor Ruane	Report December 04, 2012 CC Meeting
December 18, 2012	Vice Mayor Denham	

Discussion ensued regarding rotating Planning Commission liaisons, for consistency a Councilmember should be the liaison and Mayor Ruane volunteered.

Mayor Ruane moved, seconded by Vice Mayor Denham, to approve Mayor Ruane as the Planning Commission liaison.

Discussion ensued regarding Councilman Harrity attending the April 06 Chamber Governmental Affairs Committee and Councilman Harrity agreed.

Public Comment
None

The motion carried.

Recommendation to the Board of Lee County Commissioners to appoint a Sanibel representative to the Metropolitan Planning Organization (MPO) Citizen Advisory Committee (CAC)

Discussion ensued regarding Sanibel representation on MPO, the need for a CAC representative, two applicants Ralph Sloan and Doug Dietrich, could there be an alternate and staff would check bylaws.

Council voted via paper ballot.

Mr. Cuyler noted that Mr. Dietrich received 4 votes and Mr. Sloan received 1 vote.

Mayor Ruane moved, seconded by Vice Mayor Denham, to recommend Doug Dietrich as the Sanibel CAC representative for the MPO.

Public Comment
None

The motion carried.

Councilman Congress asked if Council would allow Richard Johnson to make a public comment due to his schedule.

Council agreed

Public Comment

Richard Johnson spoke to community appreciation for Gates Castle. He also spoke to the CHR audit report, resident board appointments, recent account payables over 90 days taken care of and the hiring of an executive director.

OLD BUSINESS

Evaluation Appraisal Report (EAR)

Economic Indicators

Ms. Zimomra gave a brief PowerPoint presentation.

Discussion and staff direction regarding the Evaluation Appraisal Report (EAR)

Director Jordan gave a brief PowerPoint presentation.

- Recommendation to remove review of beach carrying capacity when reviewing the Sanibel Plan
- Beach carrying capacity review self-imposed requirement rather than a state requirement
- Request regarding Below Market Rate Housing (BMRH) program
- BMRH currently had 73 units with current target 3% of residential households (increase/decrease target number)
- Council could invite Community Housing Resources (CHR) for discussion or allow Council's liaison to handle
- Plan meets all concurrency requirements
- State had remove concurrency requirements i.e., school, public facilities and parks and recreation
- Reaffirm the Plan's level of service in those areas were maintained to meet community needs
- Not projecting more growth, but reaching build out and the focus would be re-development
- Through Council's goals reaffirm City position on level of service by maintaining or eliminating those services no longer required by the state
- Maintain level of service standards for concurrency requirements i.e., water supply, waste water treatment and drainage
- Currently have an agreement with Lee County School District – staff recommends retaining the policy until it comes up for renewal
- New state requirements
 - New horizon period for a 5-year plan taking the City to 2018
 - Comp Plan 10-year period taking the City to 2023
 - Remove any obsolete of any sections of Florida's Administrative Code
 - Include any concerns and issues that Council sees

Discussion ensued regarding concurrency requirement tied to future development and have service issues due to the commitment for no new roads or no stop lights, how was beach carrying capacity measured, Director Jordan answered the language in the plan calls for the first phase 2007-08 and had not identified any issues with beach carrying capacity, provided provisions for beach preservation and restoration with regards to re-development, carrying capacity during discussions of the resort housing from the Sanibel Plan does not lessen Council's commitment, CHR unit numbers and CHR strategy different, many meetings with public participation, any ramifications for no reaching affordable housing goal, Director Jordan noted that the requirement does not exist, but Council would want to decide if affordable housing was removed or not from the Sanibel Plan, Ms. Zimomra noted that does Council want to make the affordable housing determination policy and transmit to the Planning Commission or allow Planning Commission to determine, any Interlocal agreements with Lee County for beach accesses, Capital Improvements discussion during budget process, language in previous EAR was to improve the coordination and collaboration with other governmental units and had improved, major change in last EAR was re-development and buildback legislation, Council reiterate their goals and objectives of Sanibel Plan, 10% less vehicles coming over the causeway, maintain property and dealing with issues, beach carrying capacity part of the budget, allow CHR to review percentage of units needed and present to Planning Commission and previous major issue was coordinating with other governmental entities, which had improved.

Public Comment

Karen Stori Johan spoke to her concern of removing beach carrying capacity from the Sanibel Plan and need to measure.

Ms. Zimomra noted that beach carrying capacity was not noted in the EAR until 1997.

Richard Johnson spoke to CHR selling one property for the sustainability of the program and Mayor Ruane noted that Council wanted CHR Board to bring recommendations.

Larry Schopp noted his understanding as follows: during EAR process state notified of changes and would recommend removing the beach carrying capacity from EAR review, but would keep in the Plan.

Director Jordan noted the recommendation was to remove beach carrying capacity from the Sanibel Plan.

Mr. Cuyler noted that the beach carrying capacity would be part of the EAR process, but through the process it would be removed from the Sanibel Plan if Council decided to accept the recommendation.

Mike Valiquette spoke to his confusion regarding discussion needed for beach carrying capacity and if Council was thinking of spending money to have a study completed.

Mayor Ruane summarized Council's thoughts as follows:

- Work closely with Community Housing Resources through liaison and Board to make a recommendations to City Council
- Capital Improvements Plan (CIP) was a budget item, no direction to Planning Commission
- Beach carrying capacity go to Planning Commission for public input

Discussion ensued regarding if there were a need to conduct a study, study would be a budget issue, but if was a community concern should not take away the opportunity for public discussion, planning commission should discuss beach carrying capacity, plenty opportunities for public conversations and send beach carrying capacity deal with beach carrying capacity.

Karen Stori Johan spoke to the need of a restatement of the philosophical understanding of beach carrying capacity.

Claudia Burns spoke to keeping the beach carrying capacity in the Sanibel Plan was a mandate to protect the natural asset and no way to control a bus unloading large numbers of people to Sanibel beaches.

Mayor Ruane moved, seconded by Vice Mayor Denham, to work with CHR through liaison and CIP dealt by City Council and beach carrying capacity passed to the Planning Commission for public input and any recommendation that required funds be passed to Council for a decision.

Mr. Cuyler noted that for example the CIP would go the Planning Commission, but little time would be spent because Council had answered the policy question.

The motion carried.

Council recessed at 11:03 a.m.

Council reconvened at 11:16 a.m.

Continued discussion regarding Planning Departmental fees

Draft legislation regarding Planning Department fees

Discussion and staff direction for after-the-fact variance fees

Director Jordan spoke to the following:

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- Under current code provisions Council could:
 - Amend the fees (Section 90-5) exempt or waive fees for particular reasons
 - Demonstration of hardship that was generally inconvenience of paying fee
 - Submission of application was necessary and inequitable to require payments of a full application fee when resubmitting an application
 - Substantial portion of the benefit of filing the application would result in public benefit
- City Attorney opined it was within the discretion of Council to find if there was a public benefit that exist with eliminating particularly a violation that was found through no fault of the current owner the variance fee could be adjusted
- Staff recommend that if owner could demonstrate the construction was inherited Council could hear on a case-by-case basis could reduce or eliminate fee associated with an after-the-fact development permit and grant relief to cut the fee in-half or direct staff to amend the code

Discussion ensued regarding the Code currently requiring the fee to be doubled for a development permit for after-the-fact construction regardless of self-imposed or not, Director Jordan explained that currently the code required a double fee, at the last discussion Council wanted to hear the these type of permits on a case-by-case basis and another option would be to direct staff to bring back legislation to amend the code, two separate

Mayor Ruane moved, seconded by Councilman Congress, to accept the draft ordinance to reduce fees as presented by the Planning Department.

Public Comment
None

The motion carried with Vice Mayor Denham out of the room.

Discussion ensued regarding dealing with construction completed before current owner took possession of property on a case-by-case basis and intention to give residents the opportunity to come before Council to discuss their hardship for a Council decision to reduce or waive fee.

Mayor Ruane moved, seconded by Councilman Harrity, to deal with after-the-fact construction on a case-by-case basis.

Ms. Zimomra noted the fee portion would come before Council.

Public Comment
Sonia Smith asked if this would apply that property mandated to comply with federal and/or state outside the code.

Mr. Cuyler answered that the existing authority allows Council to reduce the fee, which had been granted before and the party continued to comply with local and state regulation. .

Holly Smith asked if items that come to her as a real estate appraiser such as the 50% rule and a resident replacing windows to reduce insurance sometimes creates conflict whether something is going over the 49.9% rule versus the allowance of doing impact windows and is that something that can be addressed.

Discussion continued that the homeowner could get an appraisal to see if that applies because sometimes the Lee County valuation is not indicative of what the property is worth, the 50% rule is a federal law that Council could not change, i.e. putting in an air conditioner could take a resident over the 50% rule and would to apply for a variance, looking for mitigation for variance fees when improvements must be done because homeowner may be losing insurance, surprised that fees equal the cost of improvements, Council should hear variance issues, addressed issues and rolled back building fees.

Mayor Ruane amended the motion to include Council hearing any variance fee. The seconder agreed.

Ms. Zimomra asked Council to direct staff to review which items Council had authority over and those items that would fall under federal law and develop a matrix that would include City authority, federal authority, federal definition of the 50% rule and what triggers the 50% rule, .

Mr. Cuyler noted that an applicant may come to Council for a fee reduction, Council approves, then the applicant goes before the Planning Commission for flood variance, which would not be granted because it falls under the unusual category of regulations handed down by the feds. He continued to explain that the above was something the federal government reviews when the City was audited to determine if Sanibel would keep the flood insurance discount City-wide. If numerous variances were approved it could affect that discount.

Discussion ensued regarding 50% rule and could only increase value by 50% within a certain period of time, effects of the cost of hurricane windows, Mr. Cuyler noted that from the rule point of view it doesn't matter what the improvement might be, Ms. Zimomra wanted to make sure what was federal law and what was Sanibel law and what was the choice.

The motion was as follows: Mayor Ruane moved, seconded by Councilman Harrity, to deal with after-the-fact construction on a case-by-case basis, to hear variance fee applications and direct staff to review what items that were Sanibel law, what was federal/state law, develop a matrix including the definition of the 50% rule and what triggers the 50% rule.

Public Comment

Mike Valiquette asked for clarification of fees and the discount program and noted there were seven conditions that Planning Commission must work under in order to approve a variance.

The motion carried.

Discussion and staff recommendation regarding stop signs on Atlanta Plaza

Ms. Zimomra noted that a petition was presented to Council at the march 06, 2012 meeting from an Atlanta Plaza and requested Director Castle to prepare a staff report with recommendation, which was in the agenda packet, as well as additional information from the resident.

Director Castle spoke as follows:

- Sanibel Highlands residents requested a meeting attended by the City Manager and staff
- Concerns of speeding and safety of bicyclists and joggers within a certain area of Atlanta Plaza
- Twice as many driveways with 4 houses within each block in a 2 block area
- Informal discussions
- Staff recommendation to solve problem was to block off Atlanta Plaza in one section, which was taken back to residents without agreement
- Residents requested 5 stop signs
- Manual of Uniform Control Devices which dictates when using traffic control devices
- Recommendation was for Council deny request and direct staff to continue to work with residents for a solution

Discussion ensued regarding recommendation not to put up 5 stop signs, continue to work with residents to find a solution, and need to have all residents agree, Ms. Zimomra noted that Council directed staff to mail correspondence as was done with Nerita Street residents, would speed bumps work, Director Castle noted that vehicles go around, go faster and not recognized as a traffic control, rumble strips make drivers aware of road conditions and staff continue to work with residents, Ms. Zimomra noted that in the past referencing to Nerita Street Council directed staff for any subsequent Council discussion that a letter be sent to residents including feeder streets, which could be done for the Atlanta Plaza residents, would speed bumps help, Director Castle explained that for liability reasons speed bumps were not used and not recognized on public streets as a public solution, and rumble strips keep drivers alert and the subject or other issues were brought to the City Manager's office in the last 10 years.

Public Comment

Bill Keening spoke to his disagreement with Director Castle. He noted that the procedure was for 300 vehicles or more. He spoke to street dimensions, residents think stop sign were in order and the traffic code states that something could be tried up to three months, but due to part-time residents should try for 1-year or 6 months then re-address situation.

Discussion ensued regarding not changing precedent; work with staff, public safety and welfare important.

Mayor Ruane moved, seconded by Councilman Harrity, to direct staff to continue to work with residents to find a solution.

Public Comment

None

The motion carried.

NEW BUSINESS

Request by Bob Smith, 1022 Lindgren Boulevard and Mark Wlaz, 896 Angel Wing Drive for a waiver of variance/permit fees for after-the-fact construction completed by the previous owner

Mayor Ruane noted past discussions with residents, Bob Smith and Mark Wlaz.

Mark Wlaz spoke to purchasing home in 2008 and Bob Smith neighbor. He explained that through permitting for a major renovation found there was a non-conforming structure on the property, which was a walkway between the and constructed in 1997. He explained the construction violated the 15-foot setback and would like to keep walkway and removing 15 feet would jeopardize seawall and variance fee application cost would be extensive and significant documentation requirements with significant expense to put together a packet just to go before the Planning Commission. He request a modify application process and fee waiver.

Bob Smith spoke to note building walkway; professional survey was down with inspection and title insurance was purchase when buying home. He also stated that he was not aware of any complaints by neighbors. He further spoke to variance application fee and the cost incurred to go before the Planning Commission.

Discussion ensued regarding when walkway was non-conforming, Mr. Wlaz noted it came to his attention from the code enforcement office, Mr. Smith noted a nearby lift was being install and a notice was received, both purchased homes with professional inspection and title companies without notice of this walkway, \$1,500 for variance application, unique situation, Council had the authority to waive fee, would still need a variance and would Council waive, would establish a precedence, fees an easy decision, Mr. Cuyler explained that Council had used authority to grant variance decisions to the Planning Commission, Council could change regulations, only had the ability by resolution to waive and/or reduce fee and variance goes to Planning Commission and Chairman of Planning Commission noted that one of the condition was this a self imposed condition and Council could find it was not self imposed, should not change regulations, had to go to Planning Commission and if denied then would come back to Council, Mr. Cuyler noted the appellate decision was the PC had sufficient evidence to make the decision and need indication from CC and would have trouble with self imposed criteria, could reduce means of presentation material, or CC impose an expensive change, Mr. Cuyler noted could decide what they wanted to put before the PC, argument if neighbor wanted a variance to add there would be an expense to support application, basic argument as already there, not a safety and welfare issue, evidence at hand was Planning C could deny, Mr. Cuyler stated that if gentleman wanted to go to CC and an appeal fee; application process was about building something, but there would be no construction; need more streamline review before Planning Commission; could be brought forward in one application; resident told 2 applications were necessary, Director Jordan noted they could file a joint application; dock in good repair; not a self-imposed problem, why not waive all application fees, innocent party situation, 3 or 4 previous owners, not setting a precedent and authorized by code to do and City costs for staff time.

Mayor Ruane moved, seconded by Councilman Harrity, to waive the variance application fee.

Public Comment

Karen Storijohan asked if this required a CO. She asked could the structure have been legally built when it was constructed.

Mr. Cuyler answered yes and the construction was not as obvious that it would have been picked up by code enforcement.

The motion carried.

Ms. Zimomra noted that there was not a point of sale inspection and the programs extremely expensive. She advised that staff found only one municipality with the program.

Holly Smith spoke to residential appraisers not whistleblowers, but required to record, but the county was suppose to go through the home sometime after the sale.

Request from Sanibel Captiva Chamber of Commerce to install signs that designated parking spaces for visitors using the Visitor Center only

Ms. Zimomra noted the parking lot adjacent to the Chamber was owned by the City and there was a month-to-month lease agreement due to lease expiration 10 years ago. She further noted that staff met with Chamber staff and recommended to install signs on a trial basis to evaluate impacts.

Robert Monk spoke to the request and the problem, which was unique. He explained that truckloads of bike were parking in the Chamber parking lot and occupying the spaces for an unlimited period of time, which take parking spaces needed by visitors asking for information. He explained that the signage would not “visitor’s center parking only.” He spoke to the recommendation and agreed it would help alleviate the problem. He explained the signs would be on farthest 3 northern rows would have signs and the road closet to Pond Apple Park would not have signs. It was noted that there would be approximately 2 signs on each row.

Ms. Zimomra advised that it would be required to meet the standards in the manual for traffic control and that required 1 sign in the middle and 2 on each end with a total of 9 signs and there was also a request for area that had been blocked with 2 signs.

Robert Monk agreed and noted that there would be 2 signs addressing handicapped parking spaces. He advised that all signs would be erected at the expense of the Chamber.

Discussion ensued regarding expectation of enforcement, and the answer was no, allow necessary signs per code at Chamber expense until June 01, 2012, Chamber experienced 800 to 1,000 visitors per day, not alleviate problem of people coming on-island using the lot to park and bike, should there be some means of an alternative parking plan, could be Roadside City Park instead of nine signs, may be the solutions long-term, visitor parking only signs did not work, original request was for 20-minute parking only, volunteers work inside not outside, no ordinance and advisory only, could post notice for future parking when parking at Chamber lot, Ms. Zimomra noted that in 2001 and 2002 there were similar issues, there was no ordinance and signing was advisory only, restrooms on each side when coming to Sanibel, she advised the Chamber contacted staff and met with staff, that the Uniform Traffic rules would need to be adhered to,

Councilman Harrity moved, seconded by Councilman Jennings, to allow temporary signs until June 01, 2012 for visitor parking only as noted above.

Public Comment

None

The motion carried.

Item below was added to the agenda:

Approval of an agreement between the City of Sanibel and Gates Castle to provide engineering and public works related consulting services at \$115 per hour and authorize the City Manager to execute same

Mayor Ruane moved, seconded by Vice Mayor Denham, to approve to above-mentioned agreement.

Public Comment

None

The motion carried.

CITY MANAGER

Informational Items

Planning Department Permit Activity Report, January, 2012

Planning Department Code Enforcement Activity Report, January, 2012

Grease Trap Report, February, 2012

Financial Report for the Quarter Ending December 31, 2011

Sanibel Treasury Investment Performance Report for the Period Ending December 31, 2011 prepared by Burgess Chambers & Associates, Inc.

Integrity Fixed Income Management, LLC Report of the City's operating, reserves, surplus and restricted funds as of December 31, 2011

Committee member appointments at the April 03, 2012 City Council meeting

Community Housing and Resources, Inc., Financial Statements and Supplementary Information years ending September 30, 2010 and 2011

Letter from Jeannie Garner, FMIT Director, Insurance and Financial Services dated February 14, 2012 congratulating Mayor Ruane regarding his appointment to the FMIvT

Ms. Zimomra noted the above items were for information only. She further spoke to committee appointments, committee liaison, adding Chamber Governmental Committee and designated Planning Commission liaison. She further noted that Councilman Harranty would attend the April 06, 2012 Chamber committee meeting.

CITY ATTORNEY'S REPORT

None

COUNCIL MEMBERS' REPORT

Tourism Development Council (TDC) Meeting and Issues

February 09, 2012

Mayor Ruane spoke to the following:

- Legislation to change Florida statute pertaining to tourism councils
- Change large population to largest contributor of bed tax
- Sanibel seat up in 2013
- Would be dealt with in 2013 session

Next steps for water/fertilizer education

Vice Mayor Denham spoke to the following:

- Pre-emption item not through legislation this year
- Letter to Fred Dickinson from Mayor

- Need to work with other municipal for professional help – Community education
- Vice Mayor willing to put recommendation together
- Need to hire a PR company with community collaboration

Discussion ensued regarding battle not over and the need for an agenda item at the April 03, 2012 City Council meeting.

Mayor Ruane moved, seconded by Councilman Harrity, to add under old business next steps for fertilizer and Vice Mayor Denham was to provide agenda information.

Public Comment
None

The motion carried.

Regional Planning Council's (RPC) Strategic Plan

Vice Mayor Denham spoke to the following:

- Meeting today at FGCU
- Several forums held throughout state
- Establish framework of economic growth in Florida
- Provide opportunities for input
- Submitted 15 names by Vice Mayor
- Tony Lapi, Ric Base and Al Hanser chosen by Governor

Councilman Congress spoke to the following:

- Executive Director beginning in mid-April
- EAR comments from CHR mid-summer

PUBLIC COMMENT

None

There being no further business the meeting was adjourned at 1:22 p.m.

Respectfully submitted by

Pamela Smith, MMC
Sanibel City Clerk

