

CITY COUNCIL SPECIAL MEETING

JANUARY 05, 2006

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

Members present: Mayor Johnston, Vice Mayor Denham, Councilman Brown, Councilman Jennings, and Councilman Rothman.

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

Mr. Cuyler stated that he would be asking Council to revisit the issue of Resolution 06-011.

Water Quality issues

Approval of Water Quality Survey

Other

Ms. Zimomra stated that at Council's direction comments were taken from Council. She stated that if approved the mailing would take place Wednesday, January 11, 2006. She also stated that Council could mail to property owners and/or registered voters.

Discussion ensued regarding talk among the Lions Club that the mailing should go to all tax payers, mailing should go to registered voters, Ms. Zimomra stated that registered voters had established as Floridians and renters could be included as a registered voter, Ms. Zimomra stated that the business survey would be sent to property owners unless Council decided differently, timeshares were property owners, Mr. Cuyler stated that time sharers were considered property owners, and Council was previously considering a referendum therefore the survey should be to registered voters.

Council consensus was that the water quality mailing would go to registered voters.

Public Comment:

Rob Jess spoke to his agreement that the mailing should be to registered voters and the need for an introduction outlining the issue. He cautioned Council for the need to have the science findings for proof the freshwater release was causing problems. He stated that there was data being collected within the refuge, working with geological surveys, the marine lab and the water district. He spoke to the Wilderness Act and the sanctioned wilderness within the refuge.

Discussion ensued regarding the need for a fact sheet, Council adopted a proclamation, Council had previously agreed upon a policy sheet, unclear on how much science exist to show that the estuaries would not recover, report by Wayne Daultry and strategy that it would take 10 years after all water releases were stopped for the Calooshattee River to recover, the need for any flyover the island include the refuge,

Mr. Cuyler stated that when Council set the Special Meeting from a time frame of 9:00 a. m. to 10:00 a. m., he would encourage Council to try to stay within that time frame.

Discussion ensued regarding seeing boulder size scum balls on the beach, League of Cities discussion regarding the water releases, Lake Erie had 20 feet of sediment on the bottom and before it was cleaned-up the water releases were discontinued, discussion with Lee County regarding a flyover, Ms. Zimomra stated that City staff was looking into working with the Mosquito Control District for a possible flyover, and unclear that the Wayne Daultry report had been accepted by Lee County.

Karen Storijohan spoke to 1st paragraph of the letter and the first question on the survey was not consistent. She further stated that there should be a definition of estuary.

Mr. Cuyler stated that due to the time limit of the meeting set by Council, his advised that public input should continue and then continue Council discussion.

Mike Valiquette spoke to the need to educate the public along with the mailing the survey.

Glenn Martin asked Council had to do a referendum or survey and Council stated no. He stated that Council should make a decision and move forward.

Wayne Ponader spoke to his agreement of not having a referendum. He also stated that the wording of "pursue litigation" was to limiting.

Discussion ensued regarding the need to take strong immediate action and pursue the stopping of the water releases, Council authorized Mr. Cuyler to look in to F. S. 273, hire a law firm and put together a legal strategy, public education campaign was ongoing, continue to educate the public, the need to mail the survey, the need for more information,

Councilman Jennings made a motion, Vice Mayor Denham, to table sending the survey out at this time, direct staff to accelerate an educational program and send the survey out at a later date.

Discussion ensued regarding not enough information to the public, and move forward with a legal strategy.

Discussion ensued regarding protecting the environment.

The motion carried 4 to 1 with Councilman Rothman voting in opposition.

Mike Valiquette stated he had not heard back from Moorehaven High School.

Vice Mayor Denham made a motion, seconded by Councilman Rothman, to acknowledge the expiration date of the Planning Commissioners Dr. Phillip Marks and John Veenschoten January 12, 2009.

There being no further business the meeting was adjourned at 10:45 a. m.

Respectfully submitted by,

Pamela Smith, CMC
City Clerk