

**SANIBEL CITY COUNCIL MEETING
MAY 17, 2005**

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

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

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

Vice Mayor Denham made a motion, seconded by Councilman Jennings, to find extenuating circumstances and allow Councilman Brown to participate by phone.

The motion passed unanimously.

PRESENTATION(S).

Proclamation expressing condolences and sympathy from the Sanibel City Council and the family of Kent A. Crappell, BOH Brothers crane operator.

Mayor Johnston read the proclamation and noted it would be mailed to the family.

Proclamation expressing best wishes from Sanibel City Council to John T. Collins for a speedy recovery from injuries received during the Causeway crane accident on Friday, April 29, 2005.

Mayor Johnston read the Proclamation and noted it would be mailed to Mr. Collins.

Proclamation proclaiming the week of May 21 through May 27, 2005 as Lee County Safe Boating Week.

Mayor Johnston read the Proclamation and presented it to Lt. Greg Stanley, Fish and Wildlife Commission.

Public Comments:

Wayne Ponader representing C. O. T. I. spoke to the Florida Statute that regulates segways the need to prohibit the use of segways on the Shared Use Paths.

Hazel Schuller spoke to permitting commercial use in the gulf ecozone of beach chairs and the City violating the Sanibel Plan by intensifying use in the gulf beach zone (page 194 Sanibel Plan). She also spoke to prohibiting the rental of segways on Shared Use Paths (page 130 Sanibel Plan).

Claudia Burns spoke to the temperature in MacKenzie Hall.

Steve Oberbeck spoke to using the Recreation Center.

Louise Johnston spoke to prohibiting segways on the Shared Use Paths.

Council Comments.

Councilman Jennings spoke to the graduation the Sanibel 8th grade, Island Night on June 07 and creating a hand out of the proposed Recreation Center and alternatives to pass out at Island Night.

Councilman Brown asked to the City receiving a letter from Mr. Wingard, Deputy Director for Lee County Department of Transportation (DOT) regarding DOT not having a contingency plan for the Causeway.

Ms. Zimomra reminded Council of 2 letters that the City had recently sent to Lee DOT regarding bikes on the Causeway and a contingency plan for the Causeway.

Councilman Brown spoke to a barge/ferry service and a practice run in July from the mainland to Sanibel. He also spoke to the second letter from Lee County of bikes on the Causeway and they would be mingled with vehicular traffic. He also spoke to segways and addressing criteria set out by the legislature.

Vice Mayor Denham spoke to bikes on the Causeway and grants awarded to the City. He also spoke to the \$14 million cost the City incurred from Hurricane Charley, the monies that would not be recovered being approximately \$4 million. He further spoke to the revenue stream being reduced by approximately \$1.7 million dollars due to various Causeway activities.

Mayor Johnston congratulated City staff for receiving the Innovation and Communication Technology award from the Florida City and County Managers Association.

Ms. Zimomra gave credit for the award to Bert Smith, Information System Director and Mike Claney of the Information System Department.

Mayor Johnston asked if Council would like a staff report on segways.

Discussion ensued regarding a future agenda item on segways and the need for a staff report.

Mr. Cuyler, City Attorney stated to the conditional use petition submitted by Billy Kirkland had gone to the Planning Commission. He further stated that any decision that Council made regarding segways in the future would be speaking to the safety of segways and the only impact the discussion would have on Mr. Kirkland's operation would be in the context of segways in general as opposed to the conditional use permit unless the Planning Commission decision was appealed to City Council.

Councilman Rothman spoke to the award received by City staff at the Governor's Hurricane Conference for recovery efforts during Hurricane Charley.

Mayor Johnson noted that Harold Law, Building Official led a Building Code workshop.

Ms. Zimomra noted that all 4 Councilmembers attended the Governors Hurricane Conference as had Councilman Brown had also attended the same conference in the past. She also noted that it speaks well to the continuity and commitment of being hurricane prepared and that all 4 Councilmembers would take a week to attend the conference and work with the staff to make certain the City would be ready for the 2005 season.

Planning Commission Report.

Dr. Phillip Marks gave a brief report of the May 10, 2005 Planning Commission meeting on the following issues:

- ❖ Variance request from Billy Rentals to operate segway tours
- ❖ Commercial zoning in progress

Mayor Johnston noted that there was a Joint City Council/Planning Commission meeting scheduled for Thursday, May 12 at 9:00 a. m.

Discussion ensued regarding the commercial zoning in progress issue coming back to Council.

Mr. Cuyler stated that he did not know the timeline for the zoning progress issue coming back Council.

First Reading:

ORDINANCE 05-007 AMENDING THE SANIBEL CODE, PART II, SUBPART B. LAND DEVELOPMENT CODE, CHAPTER 126. ZONING. ARTICLE V. NONCONFORMANCES. DIVISION 2. USES. SECTION 126-152 “EXCEPTIONS AND PROHIBITIONS”, TO UPDATE THE LISTING OF NONCONFORMING RESORT HOUSING USES LOCATED OUTSIDE THE RESORT HOUSING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE, AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Ordinance 05-007.

Council scheduled the second reading and public hearing for June 07, 2005 at 9:30 a. m.

ORDINANCE 05-008 PERTAINING TO BRAZILIAN PEPPER ERADICATION; AMENDING SUBSECTION 2 (b) OF ORDINANCE NO. 02-07 BY AMENDING THE BRAZILIAN PEPPER ERADICATION MAP REFERRED TO IN THAT SECTION; BY IMPLEMENTING A NEW MANDATORY ERADICATION ZONE NO. 4, IN ADDITION TO THE MANDATORY ERADICATION ZONE 1 REFERRED TO IN SECTION 3 OF ORDINANCE 98-02, AND ZONE 2 IN SECTION 2 OF ORDINANCE 00-15, AND ZONE 3 IN SECTION 2 OF ORDINANCE 02-07, AND DIRECTING THE CITY MANAGER TO MAINTAIN ON FILE IN THE PUBLIC RECORDS A COPY OF THE BRAZILIAN PEPPER ERADICATION MAP AS AMENDED AND THE DESCRIPTION OF THE MANDATORY ERADICATION ZONES (1, 2, 3 AND 4); PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Ordinance 05-008.

Council scheduled the second reading and public hearing for June 07, 2005 at 9:30 a. m.

CONSENT AGENDA:

Council pulled items (a) April 25th and May 03 minutes, (b), (i), (j), (m) and (n) from the Consent Agenda.

Councilman Brown made a motion, seconded by Vice Mayor Denham, to approve April 5th and April 19 City Council minutes.

The motion passed unanimously.

- a. **Approval of minutes – April 05, 2005 Regular Meeting, April 19, 2005 **
- b. **Regular Meeting, April 25, 2005 Budget Workshop and May 03, 2005 Regular Meeting.**

- b. **RESOLUTION 05-073 AMENDING RESOLUTION NO. 97-97, AUTHORIZING THE CITY MANAGER TO ACCOUNT FOR PROPERTY ACQUISITIONS OF \$1,000.00 OR MORE AND WHICH HAVE A NORMAL EXPECTED LIFE OF ONE YEAR OR MORE AS GENERAL FIXED ASSETS; TO DELETE FROM THE CITY'S INVENTORY OF FIXED ASSETS ALL ITEMS WHICH WERE ACQUIRED FOR LESS THAN \$1,000.00; TO AUTOMATICALLY INCREASE THE VALUATION THRESHOLD FOR FIXED ASSETS**

WHEN SECTION 274.02, FLORIDA STATUTES, IS AMENDED TO INCLUDE AN INCREASE IN THE VALUATION THRESHOLD; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Resolution 05-073.

Vice Mayor Denham made a motion, seconded by Councilman Jennings, to adopt Resolution 05-073.

The motion passed unanimously.

- c. **RESOLUTION 05-074 ACCEPTING WASTEWATER COLLECTION AND TRANSMISSION SYSTEM EASEMENTS FROM SANIBEL PROPERTY OWNERS FOR THE SANIBEL SEWER SYSTEM EXPANSION PROJECT, PHASE 3B; AUTHORIZING THE CITY MANAGER TO RECORD SAME IN THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Zimomra read the title of Resolution 05-074.

Vice Mayor Denham made a motion, seconded by Councilman Brown, to adopt Resolution 05-074.

The motion passed unanimously.

- d. **Purchase of a van from Rivers Bus Sale, Inc., in the amount of \$46,148 to replace a rental van. Funds in the amount of \$53,000 were approved in the FY 2004-05 Recreation Department Capital Improvement Program (CIP) budget**
- e. **Approval of the Interlocal Agreement with Lee County and the NPDES Co-Permittees regarding permit fee allocations.**
- f. **Approval of Agreement for Consulting Services with Sea System, Inc., for physical monitoring of coastal erosion and accretion for a fee of \$42,000.00. (funded by a grant Tourism Development Council (TDC) in the amount of \$25,000 and \$17,000 from the Beach Parking Fund)**
- g. **Award removal and replacement of existing Rabbit Road Pedestrian Bridge Contract to Marine Contracting Group, Inc., in the amount of \$79,848.00 and authorize City Manager to execute contract. (funded by the Public Works Department Capital Improvement Program (CIP))**
- h. **Award Beach Walkover Repair and Replacement contract to Kelly Brothers, Inc., in the amount of \$405,140.00 and authorize the City Manager to execute contract. (funded by Tourism Development Council grant (TDC) in the amount of \$50,000, \$335,000 from FEMA & State re-imbursement and \$20,000 from Beach Parking Fund)**
- k. **Approval of Change Order No. 1 – ET MacKenzie of Florida, Inc., to increase the contract time in the amount of one hundred and twenty-five days (125) and approve delivery of all project pipe to the project site on or about April 30, 2005.**

Councilman Jennings made a motion, seconded by Councilman Rothman, to approve Consent Agenda items (d), (e), (f), (g), (h) and (k).

The motion passed unanimously.

- i. **RESOLUTION 05-079 ACCEPTING A PROPOSAL FROM SOON COME, INC./DICKEY BROS. FOR THE OPERATION OF AN EXOTIC VEGETATION BURN SITE ON THE U.S. FISH AND WILDLIFE SERVICE PROPERTY COMMONLY KNOWN AS THE "GAVIN SITE" PURSUANT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANIBEL AND THE U.S. DEPARTMENT OF THE INTERIOR PREVIOUSLY APPROVED BY CITY COUNCIL ON MARCH 1, 2005; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Zimomra read the title of Resolution 05-079.

Councilman Brown made a motion, seconded by Councilman Rothman, to adopt Resolution 05-079,

Discussion ensued regarding the operation and smoke.

Ms. Zimomra stated that a permit would be needed from the Department of Protection (DEP). She also stated that the site had been operated as an open burn site in the past, but proposed site would be an iron curtain incinerator regulated by DEP.

The motion passed unanimously.

- j. **RESOLUTION 05-080 ACCEPTING A BID FROM ECOSCAPE, INC. FOR THE POST-HURRICANE TREE AND SHRUB PLANTINGS AT THE FOUR MAIN BEACH PARKS ON SANIBEL (I.E., CAUSEWAY PARK, LIGHTHOUSE PARK, GULFSIDE PARK, AND BOWMAN'S BEACH PARK); AND PROVIDING AN EFFECTIVE DATE.**

Ms. Zimomra read the title of Resolution 05-080.

Vice Mayor Denham made a motion, seconded by Councilman Brown, to adopt Resolution 05-080.

Dr. Rob Loflin, Natural Resources Director spoke to the following:

- ❖ A design was completed
- ❖ Positive results from 4 grants, which include \$100,000 South Water District, \$200,000 Florida State Wildlife Program, \$385,000 State legislature and \$400,000 from Tourism Development Council (TDC)
- ❖ Establishment of the native plant community and wildlife habitat
- ❖ Planting would begin June or July during the rainy season.

Discussion ensued regarding the timeline of the planting, and which beach accesses to plant first, City Manager would negotiate a contract, some grant money available next year, the initial planting would begin this year with additional planting next season to fill in any gaps.

Dr. Loflin spoke to the need for debris clean up on conservation lands and re-designating fire lines. He also spoke to the debris on large tracts of private properties.

Discussion ensued regarding another full-time employee for the Natural Resources Department.

The motion passed unanimously.

- l. **Acceptance of Solid Waste Proposals submitted by Waste Services of Florida, Inc., and Waste Pro of Florida, Inc., acceptance of the recommended staff ranking and direct City Manager to negotiate a solid waste franchise contract with the top ranked firm, Waste Pro of Florida, Inc.**

Mr. Cuyler explained that the City had received a letter of protest from Florida Recycling Services (FRS), and a hearing was scheduled for the June 07 City Council meeting.

- m. **RESOLUTION 05-077 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2005-030 AND PROVIDING AN EFFECTIVE DATE.** (to appropriate a grant of \$867,000 of a \$1.125 million from Federal Highway (FHWA) through Department of Transportation for the "first push and pull of debris removal" expenses related to Hurricane Charley)
Ms. Zimomra read the title of Resolution 05-077.

Councilman Brown made a motion, seconded by Councilman Rothman, to adopt Resolution 05-077.

The motion passed unanimously.

- n. **RESOLUTION 05-078 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2005-031 AND PROVIDING AN EFFECTIVE DATE.** (FDLE grant for equipment installation in vehicles)

Ms. Zimomra read the title of Resolution 05-078.

Councilman Jennings made a motion, seconded by Councilman Rothman, to adopt Resolution 05-078.

The motion passed unanimously.

OLD BUSINESS:

Discussion and direction to staff regarding inclusion of underground power lines and increase of franchise fee in the Lee County Electric Cooperative (LCEC) Agreement.

Ms. Zimomra spoke to the following:

- ❖ Continuation of discussion from the May 03 City Council meeting
- ❖ Advantages of placing power lines underground
- ❖ Technical advantages and disadvantages
- ❖ Impact of aesthetics
- ❖ Long-term feasibility of putting power lines underground
- ❖ 30 year agreement expired shortly after Hurricane Charley, which was extended to June 30, 2005
- ❖ Multi-year agreement desired
- ❖ Current agreement gives flexibility to power lines underground
- ❖ Staff recommendation was to continue the flexibility to put power lines underground
- ❖ Staff does not recommend an agreement that would put all power lines underground
- ❖ Franchise fee of 3% in current contract (Marco Island increase franchise fee to 5%, Cape Coral franchise fee 3% and Fort Myers over 5%)
- ❖ 3% franchise fee generates approximately \$400,000

Discussion ensued regarding the placement of underground lines being installed for aesthetic reasons in certain areas, only putting power lines underground for special projects, franchise fees could not be deducted from income tax, increase of franchise fees passed on to customers, franchise fees an alternative revenue, water table a factor with underground power lines, cell tower discussion would not be included in the franchise agreement, and Mr. Cuyler stated that in a previous discussion LCEC noted that they would be willing to entertain a proposition, individual Council briefings regarding cell towers, Council had the

option to increase/decrease franchise fees at any time and the possibility of dropping the franchise fee, and a policy issue for Council to raise taxes to make up for a franchise fee if eliminated.

Council consensus was to leave the franchise fee at 3%.

Ms. Zimomra stated that there was an on-going discussion with City Council regarding the proposed recreation center. She briefly spoke to each upcoming item under the Recreation Center:

- ❖ Various Councilmembers requested a re-design and alternative costs for the proposed Recreation Center
- ❖ Architect would bring back June 07
- ❖ Look in to the feasibility of grants
- ❖ Timeline for referendum
- ❖ Renewing contract for modular restrooms
- ❖ Fill generated from the Phase 3B sewer expansion project

Recreation Center Issues:

Discussion and direction to the Staff regarding Design Modifications.

Discussion ensued regarding one Council member's unofficial survey regarding the need of a new recreation center, cost to remove certain items, process of recreation center was not advertised enough, the need to have a child's pool, no issue that recreation facility needs replacing, the question was the recreation design and concern of different levels of flooring at the recreation center.

Ms. Zimomra stated the discussion was not to delete certain items from the proposed recreation center, but a request for direction from Council for a comprehensive list of alternatives that would be forwarded to the architect for evaluation of the design and bring back to Council at a later City Council meeting.

Discussion ensued regarding a long litany of publicly noticed meetings regarding the recreation center, dollar amount if elements of projects were reduced, significant hurricane debt and the need for a referendum and possible items to remove or reduce pool, lockers/showers, remove of multi-purpose teen/craft room, and reduction of gym.

Public Comment:

Frances Sheldon spoke to public notices, cost of recreation center, visited a facility in Ann Arbor, Michigan costing \$18 million and proposal needed several designs.

Discussion ensued regarding public notices of meetings of the proposed Recreation Center.

Mr. Armand Ball, Chairman Parks and Recreation Committee has had numerous meetings, posted meeting on the bulletin board, articles in the paper about the proposed recreation center.

Ms. Zimomra stated that every action taken by Council was noticed in the paper, public notices are posted for all committee meetings and City Council meetings on the City bulletin board and the City website.

Mr. Armand Ball, Chairman of the Parks and Recreation Committee stated that the committee has had articles in the newspaper inviting public comment on recreation issues, as well as the proposed recreation center, the Parks and Recreation Committee had scheduled monthly meetings on the 4th Wednesday of each month at 3:00 p.m.

Ms. Zimomra also noted that the City calendar published every year gives the schedule of each monthly meeting of all City committees.

Discussion ensued regarding noticing the public regarding any issue coming to City Council and numerous noticed public meetings.

Richard Strong asked about the poll that Vice Mayor Denham took and Vice Mayor Denham answered it was his private poll. He further spoke to younger people buying land on Sanibel.

Julie Schwartz spoke to public notices and mailings for the Periwinkle Way Restoration Project versus little information for the proposed Recreation Center. She also felt the proposed Recreation Center was against the vision statement. She stated she would prefer a lap pool and a family pool.

Sonia Smith, CASI spoke to the cost that comes with the current proposed recreation facility design.

John Friedman spoke against the proposed recreation facility.

Steve Oberbeck spoke to the previous recreation center plans, uses the recreation center every day and Council should explain the reason that none or part of the center could not be refurbished. He also asked if there was a legal binding agreement from Lee County and the Board of Education for capital and operation costs.

Mr. Cuyler and Ms. Zimomra spoke to the following:

- ❖ Staff in the process of negotiating a long-term contracts with Lee County Board of Education and Lee County Commissioners
- ❖ Letter from Lee County staff making a commitment based on the participation rate of non-island residents (children from Captiva, after-school program) 29% of Capital, Council authorized City staff to pursue an agreement, which would come back to Council for approval
- ❖ Letter from Lee County School Superintendent making a similar offer for operational costs with an agreement circulating between staffs that would come before Council for approval

Discussion ensued regarding the cost of sending out a flyer, which could be done in-house with a map showing the current proposal and /or giving the flyer out at Island Night.

Steve Oberbeck spoke a second time to waiting to send out an informational flyer on the proposed recreation center.

Dr. Jack Emery asked if the percentage of proposed participation by the County would be on the made on the number of pupils. He asked if the percentage of funds would guarantee the percentage of recreation time for off-island participates. He further spoke to posted hours at the pool for school use. He recommended having one multi-purpose pool that would be 25 meters by 25-yard central pool.

Ms. Zimomra answered the percentage was based on a survey of participates (called a blended rate), which was previously presented to Council. Ms. Zimomra stated the Interlocal Agreement would address, as the current Interlocal Agreement, certain hours the school would have preference in recreation facility usage, just as the City would have certain hours of preference. She further stated that the Interlocal Agreements were a partnership; County owns the land and the City owns the Recreation Facility.

Ms. Helene Phillips stated that she knew of no times due to posted hours at the pool for school use that had ever impacted the public's opportunity to use the pool. She stated for the most part the hours affect the gymnasium.

Mr. Cuyler stated that the proposed draft of the Interlocal Agreement does not give the school priority use of the pools.

Discussion ensued regarding continuing the discussion at approximately 3:00 p.m. of the proposed recreation facility.

Council recessed at 12:00 p. m.

Council reconvened at 12:15 p. m.

Mayor Johnston announced that Council would hold the Executive Session beginning at 12:15 p. m. and the following persons would be in attendance.
Council convened in to Executive Session at 12:15 p. m.

EXECUTIVE SESSION RELATING TO UNION NEGOTIATIONS. In attendance shall be only the following persons:

Sanibel City Council
Sanibel City Manager Judie Zimomra
Sanibel City Attorney Kenneth Cuyler
Jim Isom, Director of Administrative Services
Wayne Helsby, Labor Counsel (Allen, Norton & Blue) (by phone)

Council convened in to open session at 1:28 p.m.

Councilman Jennings made a motion, seconded by Vice Mayor Denham, to excuse Councilman Brown from the rest of the Council meeting.

The motion passed unanimously.

Council decided to discuss the following:

RESOLUTION 05-081 AUTHORIZING THE SALE OF CITY-OWNED REAL PROPERTY APPROVED FOR SALE BY PUBLIC REFERENDUM; FINDING THAT THE SALE SERVES AN APPROPRIATE AND PROPER PUBLIC PURPOSE; DECLARING SAID PROPERTY TO BE SURPLUS PROPERTY AND AVAILABLE FOR SALE; AUTHORIZING THE EXECUTION OF PURCHASE AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Resolution 05-081.

Mr. Cuyler spoke on the Petel property as follows:

- ❖ Previously approved by City Council and the electorate to sale 2 parcels of land (Petel Tract) to the U. S. Fish and Wildlife
- ❖ Petel tract contiguous to J. N. Ding Darling Wildlife Refuge and would remain in the Environmental Sensitive Land District
- ❖ Resolution approving a sale of one tract and donation of the other parcel for the same amount of money
- ❖ U.S. Fish and Wildlife attorney request one agreement with the same stipulations rather than two agreements
- ❖ Resolution 05-081 would authorize staff to proceed with the execution of the sale agreement
- ❖ U. S. Fish and Wildlife have prepared a management plan to take care of the property
- ❖ Sale price of \$750,000

Vice Mayor Denham made a motion, seconded by Councilman Rothman, to approve Resolution 05-081.

Public Comment:
None.

The motion passed unanimously.

CITY MANAGER'S REPORT:

Informational items:

Hurricane Recovery Update:

Ms. Zimomra stated to the following:

- ❖ City's contractor have been working along Periwinkle Way removing exotics, trimming and propping up of leaning native trees under the direction of Dr. Rob Loflin, Natural Resources Director
- ❖ Fence being replaced at the City's recycling site
- ❖ Meetings with each island paper regarding the upcoming hurricane seminars
- ❖ 2005 hurricane passes available

Follow-up status of refunds to customers of the old Sanibel Bayous sewer system who pre-paid connection fees.

Ms. Zimomra called Council's attention to the agenda packet information regarding the pre-paid connection fee refunds.

Status of Joint CC/PC meeting May 19, 2005.

Ms. Zimomra called Council's attention the agenda packet information regarding the Joint City Council/Planning Commission meeting scheduled for Thursday, May 19, 2005 at 9:00 a. m. She passed out the agenda packet.

Status of Joint CC/PC/Vegetation meeting June 27, 2005.

Ms. Zimomra called Council's attention the agenda packet information regarding Joint City Council/Planning Commission/Vegetation Committee Meeting on June 27, 2005 at 9:00 a. m. to review the Periwinkle Way Planting Plan.

Budget Schedule Update.

Ms. Zimomra reminded Council that Council had adopted a budget calendar. She called Council's attention to the following dates:

June 7th a discussion would take place on the following:

- ❖ Non-departmental generated issues
 - Shared Use Paths
 - Historical Village
 - Transportation Planner
 - Strategic Planning Committee
 - Pay for Performance
 - Expanding Grant Writing
 - Staff and/or Council Generated Revenue Proposals
 - ❖ Full Accounting of Indirect Cost or User Fees
 - ❖ Impact Fees
 - ❖ Occupational Licenses
 - ❖ Increased Franchise Fees

June 21st discussion would take place on the following:

- ❖ Hurricane Debt
- ❖ Recreation Center (money in FY 2004-05 budget)
- ❖ Implementation of Space Needs Study (on-going)
- ❖ Employee Housing Study
- ❖ Reserves for Union Negotiations
 - Departmental generated issues (not yet established)

Discussion ensued regarding adding initiatives or revenue issues, allowing staff time to complete research, and possibility of having a bike rental tax to go forward to help with bike path maintenance

Participation on Island Night, June 07, 2005:

Ms. Zimomra called Council's attention to the agenda packet information and announced Island Night would be June 07, 2005. She stated that historically the City helped sponsor Island Night with a \$100 donation. She stated it allows Council to be in the parade, in the past Council had helped with concessions. She asked that Council advise Council of their participation.

Discussion ensued regarding renting a vehicle to participate in the Island Night parade. Council by consensus to agreed to participate in the parade.

Florida League of Cities Meeting, August 18 thru August 20, 2005 in Orlando, Fl.

Ms. Zimomra called Council's attention to the agenda packet information and asked if Council would be interested in attending the League of Cities Conference August 18 through August 20, 2005. She advised Council that registrations and hotel room had already been reserved.

Vice Mayor Denham commented he would be attending.

Ms. Zimomra advised that the Tourism Development Council (TDC) had approved the following:

- ❖ \$795,000 total for Sanibel
- ❖ \$ 60,000 for replacing existing dune walkovers
- ❖ \$440,000 beach maintenance
- ❖ \$ 35, 000 monitoring beach erosion
- ❖ \$ 20,000 monitoring water quality
- ❖ \$110,000 upgrade bathrooms at Bowman's Beach
- ❖ \$ 40,000 Turner Beach bathroom improvements
- ❖ \$ 90,000 Causeway Beach park improvements (area connecting Pond Apple Park property, Chamber bathrooms and the road crumbling into the bay

She stated that the next step was approval by the Lee County Board of County Commissioners.

Council discussed the following item:

COMMITTEE, BOARDS COMMISSIONS:

Recommendations from the Historical Preservation Committee:

Mr. Sam Bailey and Alex Warner from the Historical Preservation Committee gave a presentation regarding budgetary recommendations for the Historical Museum, which are as follows:

❖

Councilman Jennings made a motion, seconded by Vice Mayor Denham, to have City Staff research costs for the budgetary recommendations submitted by the Historic Preservation Committee and to authorize the City Manager to meet with the Tourist Development Council (TDC) regarding funding for the budgetary items and bring back to Council regarding the request for a part-time person.

The motion passed unanimously.

Public Comment:

Dorothy Miller spoke on job description on a full-time director of the Historic Museum.

NEW BUSINESS

RESOLUTION 05-076 OF THE CITY COUNCIL OF THE CITY OF SANIBEL MAKING A DETERMINATION OF THE PROPRIETY AND ADVISABILITY OF FUNDING A PORTION OF THE SANIBEL SEWER SYSTEM COLLECTION SYSTEM PROJECT BY SPECIAL ASSESSMENT; SAID PROJECT TO BE REFERRED TO AS THE "SANIBEL SEWER SYSTEM PHASE 3B EXPANSION PROJECT"; MAKING A FINAL DECISION TO LEVY THE SPECIAL ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Resolution 05-076.

John Hefty, Utility Director discussed the improvements and the special assessments requested by the Resolution 05-076.

Councilman Rothman made a motion, seconded by Vice Mayor Denham, to accept Resolution 05-076.

Public Comment:

None.

The motion passed unanimously.

RESOLUTION 05-075 OF THE CITY COUNCIL OF THE CITY OF SANIBEL SITTING AS THE SANIBEL EQUALIZATION BOARD; EQUALIZING AND APPROVING A SPECIAL ASSESSMENT FOR THE SANIBEL SEWER SYSTEM PHASE 3B EXPANSION PROJECT; PROVIDING FOR PREPARATION AND FILING OF A FINAL ASSESSMENT ROLL FOR SAME; PROVIDING FOR CONFIRMATION OF THE PROJECT AND ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Resolution 05-75

Mr. Cuyler spoke on legalities.

Councilman Rothman made a motion, seconded by Mayor Johnston, to accept Resolution 05-75.

Public Comment:

Vern Frankwich spoke on the amount of the sewer bill.

Rebecca Cobb spoke to the new sewer line be added to the Sanctuary sewer system, and the possibility of subdividing lots after sewer was put in.

Council recessed at 2:30 p.m.

Council reconvened at 2:36 p.m.

COMMITTEE, BOARDS COMMISSIONS:

Presentation of the final report by the Five-Year Budget Projection Review Committee.

Chairman T. O'Neill and Committee members C. Ketteman, M. Miller, and F. Leonard of the Five-Year Budget Committee spoke on the Final Report and gave the following recommendations:

Public Comment:

Jan Hyatt spoke to the Five Year Budget Committee Final Report and the Below Market BMRH contract with the City.

Jack Emery spoke on the Five Year Budget Final Report as it contends with the proposed Recreation Center.

Councilman Jennings made a motion, seconded Councilman Rothman, to accept the Five Year Budget Committee Final Report.

The motion passed unanimously.

The Council recessed at 3:33 p.m.

The Council reconvened at 3:42 p.m.

Discussion ensued regarding discussion of the Five Year Budget Committee recommendations as follows



Ms. Zimomra stated that those recommendations with fiscal aspect would be taken during the budget discussions. She stated that those not having fiscal implications would be a policy question for Council such as:

- ❖ Establishing a Strategic Planning Committee
- ❖ Establish a task Force to determine whether BMRH support should continue
- ❖ Perform a Financial Feasibility prior to increasing the BMRH program goal

Discussion ensued regarding recommending staff come back with a timeline for staff support of any recommendation, overlap of Planning Commission and an ad hoc Strategic Planning Commission, concern of closing FY 2004-05 books and preparation of FY 2005-06, and schedule the discussion of the above-mentioned 5-Year Budget Committee recommendations at a future meeting and Capital Improvement Budget discussion.

Council requested the Library Board be invited to either the June 7 or June 21 Council meeting to discuss impact of the Sanibel Library being a separate district.

CONTINUATION OF OLD BUSINESS

Recreation Center Issues:

Discussion and direction to the Staff regarding Design Modifications.

Public Comment:

Karen Storjohann spoke to being surprised that the state does not required a gym for schools. She asked what other items the state did not require and the City provided?

Helene Phillips, Recreation Director stated the school only uses the gym. She further stated that other programs used by the school have been created by the City's Recreation Department.

Discussion ensued regarding County funding as it applies to non-residents using the facility, the school did use the tennis courts before new school construction, school does have a multi-media room, which doubles as a cafeteria, City ball fields sit on County land and County and City have a long standing partnership.

Steve Overbeck spoke on scaling down the design of the proposed Recreation Center.

Mayor Johnston spoke on reducing or re-design design modifications of the following items:

- ❖ Redesign of Pool area
- ❖ Locker area and showers
- ❖ Multipurpose Room and teen room/craft area
- ❖ Delay in Tennis courts
- ❖ Reduction in gym size

Pool Design:

Discussion ensued regarding a proposed conference/computer room, no changes in the security features in new design, no changes in the environmental design, describe the pool to be less extensive with one lap stroke competitive pool and one family pool, Vice Mayor Denham visited lap pool/family pool in Bradenton, consider keeping the existing pool and the new pool area in a different location.

Armand Ball spoke to the proposed building being built above flood plain, which would be higher than the existing pool causing children to go up and down stairs.

Discussion ensued regarding redesigning the pool area to keep the existing pool.

Helen Phillips, Recreation Director spoke to the concept behind the proposed pool area was to give something for everyone at any age, new pool 25 yard pool (basically the same as the existing pool), leisure pool would have a zero depth entry, the activity pool would be zero depth for young middle school children, splash pad would be use by toddlers, which all would encourage families to come together.

Discussion ensued regarding the leisure pool would be 4 feet in depth, splash pool no depth, activity pool two feet in depth and the opening of the pool area could be staggered according to use.

Public Comment:

Frances Sheldon spoke to reducing the shower/locker/restroom area

- ❖ Council by consensus directed staff to asked the architect to design a two-pool concept using the current pool. Councilman Jennings preferred the current design.

Public Comment:

Jack Emery spoke to having a pool that would be 25 yards by 25 meters.

Discussion ensued regarding the present pool being 75 feet by 45 feet and allowing the architect to take Council direction and create a design modification.

Locker/Shower area

Discussion ensued regarding separating dressing children from adults, family restroom, ask architect to make an appropriate size under reduction, concern had been expressed on privacy in the changing area, interest in security and privacy.

- ❖ Council by consensus directed the architect to show appropriate size reduction in the locker area maintaining security and privacy in the changing area.

Multipurpose/Teen Room

Discussion ensued regarding removing the multi-purpose room and teen room, but leaving the decking so that in the future the rooms could be added back in, numerous complaints that teen did not have an activity room, senior would use the same room for activities, keep conference/computer as a multi-use room, seniors could use the craft room, 700 members in the senior program, turning away seniors from classes, proposed complex was for everyone, not just teens and could gym be used for line dancing and other activities.

Public Comment:

Steve Overbeck spoke on actual usage and patterns of the proposed Recreation Center.

Multi-purpose/Teen Rooms:

- ❖ Council by consensus directed staff to ask the architect the cost by removing the teen and multi-purpose room, but keeping the decking.

Tennis Courts:

- ❖ Council by consensus decided to delay construction of the tennis courts.

Discussion ensued regarding reducing the size of the gym, staging area for construction materials would be the proposed location of the tennis courts, ask the architect to footnote any challenges and maximum cost for redesign of above-mentioned items would be \$20,000.

Gym:

- ❖ Council by consensus Request that the architect show cost of reducing the gym.

Report on Status of Grant Applications:

Ms. Zimomra stated the following were recommendations from the grant writer:

❖

Discussion ensued regarding a naming campaign for the proposed Recreation Facility; Ms. Zimomra stated that Council did not object to applying for all grants for environmentally sustainable design that would be the first objective.

- ❖ Council by consensus approved working on Environmentally sustainable grants and /or Greenways issues.

Referendum requirements:

Discussion ensued regarding timeline for a possible referendum for the proposed Recreation Center, deadline to have a referendum on the November ballot and cannot go to the elector until costs were decided including County cost participation, timeline for the proposed referendum and modifying timelines for construction, etc.

Renewal of modular restroom contract:

Council by consensus approved the renewal of the modular restrooms contract.

Discussion and direction to the Staff regarding the purchase of fill from the sewer expansion phase3b project for the proposed recreation center:

Council by consensus approved the purchase of fill from the sewer expansion Phase 3b for the proposed Recreation Center.

Council discussed distributing flyers on the proposed Recreation Center and by consensus agreed to distribute the flyers at Island Night on June 7, 2005

Public Comment:

Frances Sheldon spoke on distributing the Recreation Center flyers at the Library and Baileys.

The Council agreed by consensus that Recreation Center flyers should be distributed at the Library and Baileys.

Request for Council direction to City staff to investigate development of a more strict noise policy, including measurement standard, as it refers to noise emanating from the Donax Wastewater Treatment Facility:

Discussion ensued regarding investigating a strict noise policy.

The Council agreed by consensus to direct staff to develop a change of scope for the noise policy. The change of scope would be discussed at the June 7, 2005 Council meeting.

Public Comment:

Tom De Benedictis spoke on silencing the noise at the Donax Plant.

CITY ATTORNEY'S REPORT.

None.

COUNCILMEMBERS' REPORT.

PUBLIC COMMENT.

None.

There being no further business the meeting was adjourned at 5:41 p.m.

Respectfully submitted by,

Pamela Smith, CMC
City Clerk