

**SANIBEL CITY COUNCIL MEETING
SEPTEMBER 20, 2005**

City Council honored Mrs. Grace Whitehead at a reception as the recipient of the first Founders Day from 8:30 to 9:00 a. m.

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.

Vice Mayor Denham gave the Invocation and led in the Pledge of Allegiance.

Mayor Johnston advised Council and the audience that Ms. Whitehead would be unable to attend.

Public Comments:

Hazel Schuller gave Council a copy of Ms. Whitehead's book titled "Scenes on the Beach."

Sandy McDougal spoke to a visit with Ms. Whitehead last evening.

Stewart Stauss spoke to the stories Ms. Whitehead has to tell.

Council Comments:

Councilman Brown noted the audience represented what Sanibel means and their accomplishments. He also spoke to Ms. Whitehead's contributions. He spoke to Ms. Hyatt retiring and her contributions.

Vice Mayor Denham spoke to knowing Ms. Hyatt a short period of time and wished her well.

Councilman Jennings spoke to his and Ms. Hyatt's families knowing each other. He further spoke to Ms. Hyatt's dedication to CHR and Sanibel. He also spoke to Ms. Whitehead's smile and her contributions. He also spoke to the recent Sanibel School fundraiser for the victims of Hurricane Katrina and C. R. O. W. raising \$10,000 for the animals of the storm area.

Councilman Rothman spoke to being the current CHR liaison. He further stated that Ms. Hyatt was very committed to the CHR program.

PRESENTATION(S):

Proclamation presented to Grace Whitehead, "2005 Founder's Day Honoree"

Mayor Johnston read a letter from Porter Goss, CIA Director. She also read the Proclamation honoring Ms. Whitehead.

Proclamation presented to Jan Hyatt, Executive Director of Community Housing Resources upon her retirement

Mayor Johnston read the Proclamation honoring Ms. Jan Hyatt, retiring Executive Director of CHR.

Proclamation designating September 24, 2005 as National Estuaries Day.

Councilman Rothman spoke to Charlotte harbor estuary and the recovery taken place since Hurricane Charlie. He also spoke to the water releases from Lake Okeechobee and the deterrent to Charlotte Harbor. He further spoke to the proclamation, read the proclamation, and presented to Stuart Stauss, Chairman of the Charlotte Harbor citizen committee.

Councilmember Comments:

Councilman Brown spoke to the loss of Sanibel resident Mark Rubin. He also spoke to the loss of Crystal Mansell's sister.

Vice Mayor Denham thanked Council for allowing him to participate by phone while in England. He also spoke to the disaster created by Hurricane Katrina aired in England.

Councilman Rothmans spoke to Hurricane Katrina and that residents should look at the possibility of such a storm hitting Sanibel.

Public Comments:

Mike Cuscaden thanked staff for repaving the Shared Use Path on Periwinkle Way. He read a short statement from the CHR Board of Directors and cited their request for \$40,000 for the Employee Assisted Program,” and inclusion in the budget.

Discussion ensued regarding the \$40,000 not being budgeted.

Karen Storjohan spoke to 2 News Press articles.

Henry Glissman spoke to the Fire District budget approaching 50% of the City budget and a time set aside by the City to discuss the Fire Department budget.

Discussion ensued regarding the City having no control over the Sanibel Fire District budget and the amount of attendance by residents and was there a need to have the fire department under the City.

Planning Commission Report:

Mr. Mike Valiquette gave the following report of September 14, 2005

- Variance request for a boat dock, which was approved
- Variance request for another boat dock, which was approved
- Request from Jack Samler, Chair of Planning Commission to delay the buildback discussion, but not agreed by other members of the Planning Commission, which would be heard September 27, 2005

Discussion ensued regarding the Planning Commission’s ability to schedule it’s discussions, Mr. Cuyler noted that staff wanted to make certain to get the discussion on a Planning Commission agenda as soon as possible for discussion, and a joint workshop between Council and Planning Commission.

Council recessed at 10:04 a. m.

Council reconvened at 10:17 a. m.

SECOND READING:

ORDINANCE 05-015 AMENDING THE SANIBEL CODE, PART II, SUBPART B. LAND DEVELOPMENT CODE, CHAPTER 126. ZONING, BY AMENDING ARTICLE XIV SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2. ACCESSORY STRUCTURES, SECTION 126-852 REQUIREMENTS, TO ESTABLISH A HEIGHT LIMIT FOR ACCESSORY SWIMMING POOLS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Ordinance 05-015.

Mr. Cuyler noted that he had reviewed the issue and Councilman Brown could participate and vote on the matter under the Ethic Rule of the State of Florida.

Mr. Pfalzer spoke to the following:

- Council’s adoption of Resolution 05-106 regarding a moratorium
- Planning Department prepared a memorandum of moratorium and establishment of standards
- Planning Commission review with amendment resulting in Ordinance 05-015

- Establishment of pre-development grade
- Apply to pool basins exceeding the area of 125 feet
- Height limit limited to half way to principal structure and trigger increased set backs from property line
- Planning Commission split with a 3 to 3 vote
- Alternative from a Planning Commission member of in lieu of changing standard setting a height limit to have staff to redraft ordinance
 - Notify neighbors within 300 feet
 - Buffer around elevated pool
 - Comply with Section 86-43
 - Staff did not have the authority to include above-mentioned suggestion since a tie vote from the Planning Commission members

Discussion ensued regarding the vote of the Planning Commission members, members present and voting carried no legal significance.

Mr. Pfalzer continued:

- Planning Department had seen elevated pools inland Sanibel for some time
- Review how to determine the grade of pools and no section of a pool exceed 18 inches above topography
- Recent construction on the velocity zone
- Correction to staff report in reviewing of elevated pools in the B Zone and currently under construction – plans were reviewed and break away construction below flood elevations
- Consistent within building code for B Zone and pools not required to be a break away construction
- Building code require must be built as a bunker and require an engineer address the redirection of the waves that would hit an immovable structure due to increase of flooding neighboring property
- Total elevated pools under construction in the B Zone equals 4
- Ordinance 05-015 written to maintain the character of the community

Mr. Pfalzer to regulations:

- Currently no regulations of pool height – proposed no pool elevated above 3feet 6 inches
- Rule apply if surface area exceeded 125 feet for additional yard setbacks

Public Comment:

Richard Strong ask how does a 3 to 3 tie vote by Commission members endorse the ordinance to bring to Council and what did the statement made by Councilman Brown that he voted for Planning Commission members.

Barbara Cooley spoke to having a 3 foot elevated pool and looking across the lake to see an elevated pool that was massive and ugly. She spoke to her concern of masking an elevated pool with vegetation.

Rosanne Tradonny asked Council to vote against the ordinance. She also spoke to her own proposed elevated pool construction.

Mike Valiquette spoke to problems of Ordinance 05-015 and issue of size and mass.

Discussion ensued regarding sending back to the Planning Commission, question of tie vote with the Planning Commission, Mr. Cuyler advised if the Planning Commission had a tie vote on a petition the vote would be sent to the next meeting for another vote and discussion, but if a negative vote a recommendation would come to Council against recommendation, a tie vote was not a negative vote, majority recommending an approval comes as approval, definition of rural in the context of the vision statement, Mr. Pfalzer stated the City was not rural, but the Vision Statement stated that Sanibel Plan maintains a continuation of rural character, legal definition of rural, Mr. Cuyler answered there could be rural characteristics, pool that was encompassed within a house such as a courtyard would not be observe, rear

line of a house on the gulf included the Coastal Construction Control line as the setback, pool 125 square feet would be allowed under the ordinance, could legally build a lap pool, clarification of pool deck or lip of pool, pool not require to be a breakaway construction in the B Zone, Mr. Pfalzer gave an example if there were no flood management plan, but construction was requested to elevate the house anyway – that would create a mass of the structure, living level above flood, does the City legislate private views, Mr. Pfalzer stated the Planning Department application of Section 86-43 was the appearance of what was being built not the obstruction of the view, should send Ordinance 05-015 to the Planning Commission, and had not strictly controlled the provisions of Section 86-43.

Councilman Brown made a motion, seconded by Councilman Jennings, to send Ordinance 05-015 back to the Planning Commission.

Discussion ensued regarding giving current ordinance teeth.

Mr. Cuyler stated that currently there was zoning in progress where homeowners could submit applications, but the Planning Department could not act upon the application. He asked Council if it was their intention to continue the zoning in progress. He further stated that there was no case law in regards to length of time for zoning in progress.

Discussion ensued regarding enforcing Section 86-43, maintaining the rural character of Sanibel, no pending applications, Mr. Pfalzer stated the zoning in progress prohibits issuance of any applications for above ground pool, recommended making the above-ground pool a long application process resulting in a Planning Commission public hearing.

Councilman Brown amended his motion, seconded by Councilman Jennings, to institute the long-form application process for aboveground pool applications, which would include a Planning Commission hearing.

The motion carried unanimously.

Ms. Zimomra advised Council the Director Jacqueline Ripey, South Florida Water Management District SFWMD was in the audience.

Council recessed at 11:52 a. m.

Council reconvened at 12:09 p. m.

Councilman Brown stated that Dr. Amelio stated he was going to report Councilman Brown to the Ethics Commission.

CONSENT AGENDA:

Council pulled item (f), (g), (a) minutes May 19 & June 7.

Councilman Jennings made a motion, seconded by Vice Mayor, to approve Consent Agenda items (a) minutes of May 17 and June (c), (d), (e), (j), (k) and (m.) the above.

- a. Approval of minutes May 17, 2005 Regular Meeting, and June 21, 2005 Regular Meeting**
- c. Award 2005 Street Resurfacing contract to Driveway Maintenance, Inc. in the amount of \$97,000 and authorize the City Manager to execute the contract**
- d. Reject bid received for the Periwinkle Way/Casa Ybel Drainage Project.**

- e. **Approval of a grant with the Department of Environmental Protection for Maintenance of Exotic Plants in Sanibel Gardens in the amount of \$21,120 and authorize the City Manager to execute agreement**
- j. **Acceptance of the West Coast Inland Navigation District (WCIND) in the amount of \$20,000 for Marine Law Enforcement project.**
- k. **Acceptance of the West Coast Inland Navigation District (WCIND) in the amount \$2,500 to reprint the Wave Safe brochure**
- m. **Acceptance of \$470,000 grant from the U. S. Fish and Wildlife Service for exotic control, ditch removal, and improvement of tidal flows on Sanibel and authorize City Manager to execute**

The motion carried unanimously

Ms. Zimomra read the following titles:

- b. **RESOLUTION 05-132 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2005-053 AND PROVIDING AN EFFECTIVE DATE** (to appropriate the FY 2005 reserves for Pension Adjustments and for Causeway Toll increases from the Reserves to the Operating Departments from which the expenditures are made)
- h. **RESOLUTION 05-142 APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN J. N. "DING" DARLING NATIONAL WILDLIFE REFUGE AND THE CITY OF SANIBEL BY AND THROUGH THE SANIBEL POLICE DEPARTMENT; AUTHORIZING THE CITY MANAGER AND CHIEF OF POLICE TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**
- i. **RESOLUTION 05-143 AMENDING AND REESTABLISHING THE FEE SCHEDULE FOR MAKING DOCUMENTS AND RECORDS AVAILABLE TO THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE**
- l. **RESOLUTION 05-144 APPROVING AN AGREEMENT BETWEEN SANIBEL PUBLIC LIBRARY, INC. AND CITY OF SANIBEL EXTENDING LIBRARY FUNDING FOR ONE ADDITIONAL YEAR FOR THE 2005-06 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE**
- n. **RESOLUTION 05-145 ADOPT SOLID WASTE RATES FOR FY 2005-06; AND PROVIDING AN EFFECTIVE DATE**

Vice Mayor Denham made a motion, seconded by Councilman Rothman to adopt Resolutions 05-132, 05-142, 05-143, 05-144, and 05-145.

The motion carried unanimously.

- a. **Approval of minutes May 17, 2005 Regular Meeting, May 19, 2005 Joint City Council/Planning Commission Meeting, June 07, 2005 Regular Meeting, June 21, 2005 Regular Meeting**

Discussion ensued regarding the May 19 minutes as follows:

- Page 2 "Mr. Cuyler stated that the City did not have a buildback ordinance"
- Page 6 Robin Humphrey was a male not female

June 07 minutes:

- Page 1 Councilman Jennings was present by phone, "change he attended the meeting in person"

- Page 11 fiscal year 05-06 budget spoke to the property appraiser decreased the preliminary appraisal by 3.85%; should note that it was based on calendar year 2004 and the number dwellings that were not occupied due to Hurricane Charley

Council adopted by consensus.

f. Approval of a grant agreement with the Department of Environmental Protection for removal of Australian Pines on City property in the amount of \$80,000 and authorize the City Manager to execute agreement

Councilman Rothman spoke to a letter from the Vegetation Committee. He recommended that Council ask the Vegetation Committee to review the remaining Australian Pines.

Councilman Rothman made a motion, seconded by Councilman Brown, to ask the Vegetation Committee to make a recommendation as to the direction the City should take with the remaining Australian Pines on private and City land, and approve the grant.

Discussion ensued regarding seedlings of Australian Pines, how to deal with them on public and private lands and consider the City of Cape Coral's exotic vegetation maintenance program.

Councilman Rothman and Councilman Brown amended the motion to include consideration of the City of Cape Coral's maintenance program for exotic vegetation.

Council approved by consensus.

Councilman Rothman made a motion, seconded by Councilman Brown, to approve the grant agreement with the Department of Environment Protection.

Council approve by consensus.

g. RESOLUTION 05-141 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 PUBLIC RECORDS OF LEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

Councilman Rothman stated he wanted to make certain that Council thanked the residents for their easements.

Ms. Zimomra read the title of Resolution 05-141.

Councilman Rothman made a motion, seconded by Vice Mayor Denham, to adopt Resolution 05-141.

The motion carried unanimously.

OLD BUSINESS

Status report by Henry Woodroffe, Woodroffe Architects on Design Options for the Recreation Center, 2180 San-Cap Road

Ms. Zimomra reported that Council has requested that Council had received drawings and staff requested authority to proceed wit the 100% drawings.

Councilman Jennings made a motion, seconded by Councilman Brown, to proceed with the revised design and the 100% drawing.

Discussion ensued regarding making plans clearer, divider for gym, reducing the size of the gym, women/girls locker room require according to code two-thirds more space, combining pools and providing area by roping off space for pool usage, 100% drawing required for financing, and time frame for referendum.

Ms. Zimomra explained that most states had adopted rules that give more room for women than men due to it taking longer for the same number of women to use facilities than men.

Henry Woodroffe spoke to the following:

- Double gym with partition (one gym with movable wall)
- Combined locker and increased program space
- Aquatic plan simplified
- Reduction of approximately \$200,000 in the budget

Public Comment:

Karen Storijohan spoke to flipping the restrooms and have the sinks on the same wall as the restroom saving money to run plumbing lines.

The motion carried unanimously.

Follow-up discussion regarding water releases from Lake Okeechobee and City Council's Proclamation on September 10, 2005

Discussion ensued regarding Councilman Brown sharing the proclamation at the Southwest League of Cities meeting and discussion of problems each municipality was having due to Lake Okeechobee water releases, Ft. Myers Beach problem in the back bays with blue-green algae, City of Bonita Springs taking action and put \$7,500 to address the run-off and discharge problem, spoke to Commissioner Hall regarding run-off and Commissioner Hall stating there was no direct correlation to water run-off, City of Cape Coral made no comment, article from Sun Sentinel from the east coast that Lake Okeechobee was dying, Hurricanes dumped 5 feet of water in the lake, areas to the north already saturated, wetlands north of Tamiami trail wetter than normal, continue with the Everglades Restoration Program, problem caused 50 years ago, and 5 years to build 3 20-acre lakes that would only take 4 inches per lake from Lake Okeechobee.

Dr. Rob Loflin, Natural Resources Director spoke to the first of the new reservoir was about 5 years out, implementation of other components would take 15 to 20 years, management solutions, other political issue, retention of water for agriculture (Sugar Fields), current level of Lake Okeechobee 15.7 feet, urge Army Corps of Engineer and Water Management District to revise their schedule of water releases from Lake Okeechobee, outflows from lake as a gravity system to help in the case of a drought, focus on the infiltration of the snail kite and marshes being destroyed around the lake due to high water levels, possibility of diverting funds from the Everglades Restoration Project due to Hurricane Katrina, and risking destruction of grass beds in the estuaries.

Public Comment:

Mollie Hourie spoke to her concern of the water releases and the need to stop the releases from Lake Okeechobee.

Mike Valiquette spoke to his conversation with the South Florida Water Management District representative stating that the lake was coming back to life, when the building Lake Okeechobee there was enough funding for 5 reservoirs, which were never built. He spoke to trying to put together a group to work together as a unified front against Lake Okeechobee water releases and suggested holding a forum sometime during the first 2 weeks of November. He further stated the following should be done:

- Send out letters for forum
- Hold forum at B. I. G. Arts and use Schien Hall
- Urge County to hold a forum
- Urge each municipality to hold a forum
- Thursday, September 27 forum held at Florida Gulf Coast University

Council recessed at 1:30 p. m.

Council reconvened at 2:09 p. m.

Follow-up on Business Survey Summary of Responses from Non-Renewals of Occupational License

Ms. Zimomra explained that one of the respondent from the small business survey was to survey the non-renewal occupational licensee. She further stated that there was 32 responses and had similar answers to the previous survey responses. She also stated that even though there was 32 responses it represented 342 full-time employees and 18 part-time employees. She stated the following:

- Higher percentage of non-long term business
- Much greater percentage where businesses off-island
- Three greatest challenges
 - Traffic and commuting distances
 - Inability to hire sub-contractors
 - Tolls
 - Hurricane related
 - Death of partner

She stated that the following were suggestions:

- Change licensing procedure
- Lower tolls
- Did not know they has not renewed

She stated that the presentation was presented to the following:

- Planning Commission
- Met with Sanibel-Captiva Chamber Government Affairs Committee

She suggested sending a survey to residents with regards to shopping.

Discussion ensued regarding what would come next, possibility of someone under contract to work with businesses, possible business advisory council, city involvement, toll letter that went out to residents, do not like Contractor Board, Contractor Board gives Sanibel more regulations to control contractors, and handyman use was included within the new ordinance.

She further mentioned that staff was looking forward to more conversation with Periwinkle Way Corridor.

Public Comment:

None.

Status report regarding Zoning in Progress

Ms. Zimomra called Council's attention to the agenda packet information.

Discussion ensued regarding short-term rental provisions being used by rentals through a corporation and rented short-term, the need of architectural standards for commercial zoning to maintain, development of a timeline for re-development discussion, conclusion of the build back ordinance and canvassing Council to schedule joint meetings with the Planning Commission on re-development, Council asked staff to develop a schedule for joint meetings on re-development with the Planning Commission and the need for all Councilmembers review the Clarion Report.

Public Comment:

None.

NEW BUSINESS:

Pension Fund Presentations:

General Employees Pension Fund Performance Review by Mr. Greg McNeillie, Dahab and Associates

Ms. Zimomra noted that annually Council receives a report of the facts and finding for the past years report.

Ms. Renee Lynch, Finance Director introduced Greg McNeely, Dahab and Associates.

Mr. McNeeley gave the following report:

- 9 months into the fiscal year the plan had grown to \$8,184,336
- Beginning of fiscal year the plan had \$6.8 million dollars
- 4 separate investment managers; 2 managers managing domestic equity; 1 manager managing all fixed income
- Separate company to handle the large equity funds
- Added small cap to domestic equities
- Hartford Investment Management manages the international
- Bonds invested in the Florida Investment Trust
- Benefits USA a third party administrator
- Total return was 8.4% for 9 months and annual assumption normally 7.5%
- Domestic equities up 10%
- International equity up 14.2%
- Must have an Investment Policy and filed with state
- 50% domestic equity, 40% bonds and 10% international equity

Discussion ensued regarding selection of management companies, General Employees Pension Board approves choices, members of the Board, when a person was younger would like more aggressive investments, and older employees less aggressive investments, 1999 talk to form a define benefit plan with a lot of uncertainty and forward Council a copy of the quarterly investment report.

Police Pension Fund Performance Review by Mr. Burgess Chambers, Chambers & Associates, Investment Advisor

Mr. Burgess Chambers gave the following report:

- Plan up around 12%
- Plan now around \$6 million 15% of program passively invested, which cuts the cost
- Management fee 50 basis points per year
- Defined Benefit Plan
- Actuarial goal was 8%
- Added small cap value

Discussion ensued regarding staff review investments each year, and audit complete annually.

RESOLUTION 05-135 OF THE CITY OF SANIBEL, FLORIDA AMENDING AND RESTATING RESOLUTION NO. 99 – 119, ADOPTED BY THE CITY ON JUNE 1, 1999 WHICH AUTHORIZED THE ISSUANCE OF THE CITY OF SANIBEL, FLORIDA REVENUE NOTE, SERIES 1999A; SUBSTITUTING THE EXISTING PLEDGE OF THE CITY'S ENTITLEMENT TO THE SANIBEL CAUSEWAY SURPLUS FUNDS RECEIVED BY THE CITY BY PROVIDING THAT THE REISSUED NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED AND APPROPRIATED AS PROVIDED HEREIN; AUTHORIZING THE REISSUANCE OF THE NOTE IN AN AMOUNT EQUAL TO \$583,945.65; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE REISSUED NOTE; DEEMING THE REISSUED NOTE A QUALIFIED TAX-EXEMPT OBLIGATION WITHIN THE MEANING OF THE INTERNAL REVENUE CODE;

**MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH;
AND PROVIDING FOR AN EFFECTIVE DATE:**

Ms. Zimomra read the title of Resolution 05-135.

Mr. Lynch, Finance Director introduced the following people:

George Smith, Bryant Miller and Oliver the City's Bond Counsel, Kelly Ryman Financial Management the City's Financial Advisor, and Greg Gudhine, Suntrust Bank.

George Smith, Bryant Miller and Oliver stated that all items were the same and the only difference was the pledge.

Kelly Ryman, Financial Management state that SunTrust worked with the City to keep the bonds the same

Ms. Lynch stated that since 1999 the interest rate was about 4.2% interest rate and the Suntrust approached the City to lower the interest rate to 3.8%.

Public Comment:
None.

Councilman Brown made a motion, seconded by Councilman Rothman, to adopt Resolution 05-135.

The motion carried unanimously.

Council recessed at 3:22 p. m.
Council reconvened at 3:34 p. m.

Request from the Rotary Club to serve alcohol at the Rotary Arts and Craft Show scheduled for February 18 & 19, 2006 to be held at Sanibel Community Association (SCA)

Ms. Zimomra called Council's attention to the matrix in the supplemental packet of other municipalities guidelines for serving alcohol.

Discussion ensued regarding Ft. Myers Beach not allowing alcohol on city-owned property, alcohol served at B. I. G. Arts, City parks, reason for serving alcohol, no Rotary representative in attendance, C.R.O.W. serving alcohol at "Taste of the Island," could Council grandfather C. R. O. W., Mr. Cuyler stated that Council could allow C. R. O. W. and no other alcohol service a functions held on City-owned property, and no regulations that a bartender would potentially serve a person that had already consumed to much alcohol.

Councilman Brown made a motion, seconded by Councilman Jennings, to table discussion until October 04, 2005.

The motion passed 3 to 2 with Vice Mayor Denham and Councilman Rothman voting in opposition.

CITY MANAGER'S REPORT

Informational items:

Attendance and Designation of voting delegate for the National League of Cities Conference December 6-10, 2005 in Charlotte, North Carolina

Discussion ensued regarding attendance, and type of classes offered.

Vice Mayor Denham agreed to attend the Legislative Conference in Orlando, November 17 & 18.

Councilman Jennings and Councilman Rothman agreed to attend the League Conference in Charlotte, North Carolina.

Invitation from City of Cape Coral to participate in the Annual Veterans Parade Day Celebration Friday, November 11, 2005

Councilman Jennings agreed to participate in the parade and requested the City rent a convertible and provide candy for children along the parade route.

Agreement with Lee County Elections Office to hold the November 8, 2005 Sanibel Library Referendum Election at the Civic Center as Precinct # 16

Ms. Zimomra called Council's attention to the agenda packet information that the Lee County Supervisor of Elections wanted to use the Civic Center as Precinct 16 for the Library referendum vote.

Ms. Zimomra passed the 2:00 p.m. Hurricane Rita update and read to Council.

Ms. Zimomra stated that staff had received verbal notification for the following and could only be used on canopy trees

- Department of Forestry grant in the amount \$375,000 with a match of \$125,000
- Apply for economic development \$270,000 with notification of award by October 1, 2005
- \$40,000 from FEMA for Hurricane Frances

Discussion ensued regarding the type of projects the money could be used for if awarded.

CITY ATTORNEY'S REPORT.

Mr. Cuyler requested that Council refer discussion of the Knave property to the October 18, 2005 City Council meeting.

Vice Mayor Denham made a motion, seconded by Councilman Rothman, to extend the Knave property discussion to October 18, 2005.

Discussion ensued regarding residents comments as to why the City was considering the purchase.

Mr. Cuyler stated that staff was only providing Council with information regarding the parcel of land being up for sale.

Discussion ensued regarding that there were no plans for the Knave property, considering long-term affect of a possible purchase of the commercial parcel.

COUNCILMEMBERS' REPORT.

None.

Councilman Rothman made a motion, seconded by Councilman Brown, to adjourn the meeting.

The motion carried unanimously.

There being no further business the meeting was adjourned.

Respectfully submitted by,

Pamela Smith, CMC
City Clerk