

**SANIBEL CITY COUNCIL MEETING  
NOVEMBER 01, 2005**

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

Members present: Vice Mayor Denham, Councilman Brown, Councilman Jennings and Councilman Rothman. Mayor Johnston was absent due to the reason cited below.

Vice Mayor Denham noted that Mayor Johnston was in attendance at the Lee County Board of Commissioner's meeting regarding the discussion of funding for the Sanibel Recreation Center.

Councilman Brown made a motion, seconded by Councilman Jennings, to excuse Mayor Johnston due to her attendance at the Lee County Board of Commissioners meeting.

The motion carried unanimously.

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

**PRESENTATIONS:**

**Presentation by the U. S. Fish and Wildlife of a \$470,000 grant.**

Rob Jess, Executive Director of J. N. "Ding" Darling Wildlife Refuge spoke to a grant of \$470,000 from the Department of Interior. He also noted that the money would be used for the following:

- Continuing successful vegetation eradication and maintenance of 2,700 acres of protected wildlife habitat on Sanibel Island as exotic free
- Eradication of invasive exotic vegetation from spoil islands of the Caloosahatchee NWR
- Restoration of 133 acres of riparian wetlands and coastal forest along the Sanibel River
- Removal of spoil through the backfilling and of blocking 400 acres of riparian wetlands and coastal forest long the Sanibel River
- Increasing flow in tidal mangrove wetlands from property owned by the Service Foundation (preserved lands)

He presented a check in the amount of \$470,000 to the City of Sanibel and a check in the amount of \$480,000 to Sanibel Captiva Conservation Foundation (SCCF).

**Public Comment:**

Erick Lindblad spoke to working with the City and staff. He also spoke to 1,810 acres of restored land owned by SCCF.

Council spoke to the relationship between the City, "Ding" Darling and SCCF, the help that Rob Jess had given the City during the aftermath of Hurricane Charley.

Ms. Zimomra commended staff for working with the different entities. She also spoke to need to have adequate people in the Finance Department to process the increase in grants.

**RESOLUTION 05-158 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2006-007 AND PROVIDING AN EFFECTIVE DATE** (\$470,000 grant from U. S. Fish and Wildlife 1) continuing successful vegetation eradication and maintenance of 2,700 acres of protected wildlife habitat on Sanibel Island as exotic free; 2) eradication of invasive exotic vegetation from spoil

islands of the Caloosahatchee NWR; 3) restoration of 133 acres of riparian wetlands and coastal forest along the Sanibel River; 4) removal of spoil through the backfilling and of blocking 400 acres of riparian wetlands and coastal forest long the Sanibel River; and 5) increasing flow in tidal mangrove wetlands from property owned by the Service Foundation preserved lands)

Ms. Zimomra read the title of Resolution 05-158.

Councilman Jennings made a motion, seconded by Councilman Rothman, to adopt Resolution 05-158.

The motion carried unanimously. Mayor Johnston was absent.

**Proclamation supporting the efforts of C.R.O.W. and acknowledging the “Commitment to Compassion.”**

Councilman Rothman spoke to accomplishments of C. R. O. W. and their dedication in taking care of wounded and sick wildlife. He read the Proclamation and presented it to members of C. R. O. W.

Bertie Burdish spoke to the collaboration between the City, “Ding” Darling Wildlife Refuge and SCCF.

Council spoke to the care given by C. R. O. W. to injured animals of Lee County, the October report from C. R. O. W. and animals being affected by red tide.

**Proclamation supporting the November 8, 2005 election for the creation of the Sanibel Library District**

Councilman Jennings spoke to the supplemental information sent to Council with changes within the Proclamation. He also spoke to sending a letter to the electorate regarding the upcoming vote to create an Independent Library District

Councilman Jennings made a motion, seconded by Vice Mayor Denham, to send a letter to the electorate regarding the November 8<sup>th</sup> referendum vote to establish an Independent Library District and accepting the changes to the Proclamation.

The motion carried unanimously. Mayor Johnston was absent.

Councilman Jennings read the Proclamation and presented it to the Board of Directors and Pat Allen, Executive Director of Sanibel Library.

**Public Comment:**

Tom Kreckle spoke to the initiation of the referendum was due to Lee County giving the Board of Directors alternatives when the Interlocal Agreement discussion was concluded. He also spoke to the control the citizens would have if approved by the electorate.

Pat Allen, Executive Director spoke to the referendum.

Councilman Jennings spoke to the absentee voting process for the referendum.

**Public Comments:**

Michael Cuscaden spoke to CHR had receiving the certificate of occupancy for Woodhaven.

Paul Andres spoke on the City to consider an Australian pine removal program.

Ed Seiber spoke to giving citizens an option for supervised trimming.

Maureen Valiquette spoke to “The Restore Our Water Forum” at B. I. G. Arts November 10 at 6:30 p. m.

Discussion ensued regarding inserting the forum flyer in the library referendum mailing.

Councilman Brown made a motion, seconded by Vice Mayor Denham, to allow the use of the City Seal on the forum flyer, use of the City website address on the forum flyer, City being a co-sponsor, and send within the Library referendum mailing.

The motion carried unanimously. Mayor Johnston was absent.

Claudia Burns spoke to her agreement with Ed Seiber's comments.

Herb Rubin spoke to his support of the comments of Ed Seiber and Claudia Burns.

Barbara Cooley spoke against Australian Pines.

Henry Glissman spoke to the cost of removing Australian Pines in Gulf Pines.

Louise Johnson spoke to City staff handled the return to Sanibel after Hurricane Wilma, different entities working together on the island, and pines blocking her home entrance after Hurricane Wilma.

Erick Lindblad spoke to SCCF's concern regarding the see source of Australian Pines.

Julie Schwartz spoke to the Vegetation Committee meeting Thursday, November 3 at 1:00 p.m.

### **Council Comments.**

Councilman Jennings spoke to the Halloween party at the Recreation Center being a success. He further spoke to voting November 8 on the Library referendum.

Councilman Brown spoke to public input of Australian Pines. He asked Council to consider reimbursing Mr. and Mrs. Valiquette for their expenses for the water forum.

Councilman Brown made a motion, seconded Councilman Jennings, to reimburse Mike and Maureen Valiquette's expenses for the water forum. Mayor Johnston was excused.

The motion carried unanimously. Mayor Johnston was absent.

Councilman Brown spoke to Ms. Zimomra protecting the health and safety welfare of the island.

Vice Mayor Denham spoke to the e-mail messages complimenting City staff and City Manager of their work before, during and after Hurricane Wilma. He also spoke to the expense of removing Australian Pines.

Claudia Burns spoke a second time to information of the City's website.

Council recessed at 10:03 a. m.

Council reconvened at 10:13 a.m.

Council asked Ms. Zimomra to explain Hurricane Wilma debris pick-up.

Ms. Zimomra explained the following:

- Normal vegetative waste collection should be bundled or tied for regular vegetative waste pick-up
- Hurricane Wilma debris pick-up would be picked-up by the City's contractor (Crowder-Gulf) and taken to the burn site until November 04, 2005
- Debris could be picked-up if cut and bundle in the allowed lengths
- Property owners could call Waste Pro and for a nominal fee they would pick-up additional hurricane debris

Council asked if debris would be picked-up past the November 04, 2005 deadline.

Ms. Zimomra stated:

- Receive FEMA reimbursement hurricane debris pick-up
- Length of operation time for burn site
- FEMA only pays for emergency debris pick-up
- No request to extend
- Council could decide to extend the deadline

**CONSENT AGENDA:**

a. **Renewal of the Donax Water Reclamation Facility Operating Permit**

b. **Purchase of Tractor with mower and flail axe attachments**

Councilman Jennings made a motion, seconded by Councilman Brown, to approve (a) and (b) of the Consent Agenda.

Public Comment:  
None.

The motion carried by consensus. Mayor Johnston was absent.

c. **RESOLUTION 05-160 AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUB-GRANT AGREEMENT WITH THE STATE OF FLORIDA OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT FOR THE FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION/STATE OF FLORIDA GRANT IN THE TOTAL AMOUNT OF \$270,500 FOR THE PERIWINKLE CORRIDOR DRAINAGE AND SHARED USE PATH IMPROVEMENTS AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra read the title of Resolution 05-160.

Councilman Rothman made a motion, seconded by Councilman Jennings, to adopt Resolution 05-160.

Public Comment:  
None.

Ms. Zimomra noted the following:

- Grant was in the amount of \$270,000
- Repair habitual drainage problem at Casa Ybel
- Separate the Shared Use Path along Periwinkle Way and Meridian Road
- Make general repairs to the Shared Use Paths
- One of the foundations toward improvements

The motion carried unanimously. Mayor Johnston was absent.

d. **RESOLUTION 05-159 APPROVING A BUDGET AMENDMENT/TRANSFER NO. 2006-008 AND PROVIDING AN**

**EFFECTIVE DATE** (\$200,000 grant from Florida Fish and Wildlife Conservation Commission for beach plantings)

Ms. Zimomra read the title of Resolution 05-159. She stated this grant was to re-plant Bowman's Beach from hurricane damage.

Councilman Rothman made a motion, seconded by Councilman Jennings, to adopt Resolution 05-159.

Public Comment:  
None.

The motion carried unanimously. Mayor Johnston was absent.

e. **RESOLUTION 05-161 APPROVING A BUDGET AMENDMENT/TRANSFER NO. 2006-009 AND PROVIDING AN EFFECTIVE DATE** (\$25,000 grant from U.S. Fish and Wildlife Service to restore & enhance wildlife habitat on Bowman's Beach Re-vegetation Project)

Ms. Zimomra read the title of Resolution 05-161. She explained that this grant was also to replant trees at Bowman's Beach due to hurricanes.

Vice Mayor Denham made a motion, seconded by Councilman Brown, to adopt Resolution 05-161.

The motion carried unanimously. Mayor Johnston was absent.

Public Comment:  
None.

#### **OLD BUSINESS:**

##### **Discussion of Water Quality Issues:**

##### **Invitation to South Florida Water Management District (SFWMD) to attend the November 15, 2005 City Council meeting**

##### **Recommendation for joint response to letter from South Florida Water Management District regarding grant**

Councilman Brown read the letter in the agenda packet from the SFWMD due to Council's . He spoke to his attendance of the seminar held at Florida Gulf Coast University in September. He further spoke to the Water Management District's attendance to a Marine Advisory Committee. He also spoke to water releases, water clean up, protecting Sanibel by stopping water releases from Lake Okeechobee, and the need for a common course of action.

Discussion ensued regarding a reply to the South Florida Water Management letter, e-mail messages sent to the district, concern that sediment in Lake Okeechobee was disturbed and had not settling due to the 2004 hurricane season, several research teams working on water quality, SFWMD considering which report to accept, consider making a public records request regarding the data, refer to water district website for information, Lake Okeechobee level 3 discharge began October 27<sup>th</sup>, level 3 discharge would reduce the lake level by 3.1 feet, and Councilman Rothman and Rob Loflin working together to craft a letter for Council's review at the November 15 meeting.

Public Comment:

Mike Valiquette spoke to the locks that Lake Okeechobee release water must travel before reaching the Caloosahatchee River, and the inaccuracy of numbers in the information released to the public.

Herb Rubin spoke to e flow of water, and sugar industry subsidized.

Henry Glissman spoke to the water district send the Chairman of the board and copy Governor Bush. He further stated he felt the red tide was being used as a red herring.

Erick Lindblad spoke to the water management governing board meeting in West Palm Wednesday, November 2 at 10:30 a. m., 2 governing board members terms expire March, 2006, and must attend the governing board meetings.

Barbara Cooley spoke to the letter Councilman Brown read do not address the fresh water killing the sea grass beds, and speak to water being released only to the south.

David Bath spoke to the immediate action was for the water releases go south, and start research that polluted water affect the barrier (Lake Okeechobee), and to the everglades.

Paul Emilius spoke to publishing an article named "The Death of a Barrier Island."

Tom Kreckle spoke to inviting the South Florida Water Management District to speak to Council and knowing their reasons for their decisions.

Councilman Rothman spoke to the St. Lucie estuary could not accept the amount of water releases as the Caloosahatchee River. He stated that the water coming into the St. Lucie watershed was too much to accept any releases from Lake Okeechobee.

Mike Valiquette spoke a second time regarding meeting with the South Florida Water Management District, and speaking with a representative of the district that stated that by release water from Lake Okeechobee was bringing the lake back to life. He also spoke to the elevation of the lake now versus last year. He made Council aware of the FGCU documentary on how the lake was built. He asked if there could be a police presence in the B. I. G. Arts parking lot.

Council agreed that a police presence would be good in the parking lot for traffic control during the water forum at B. I. G. Arts.

Discussion ensued regarding the letter that would go to the water district, negotiate with the water district to work together, and the water district having emergency power and what that means.

Public Comment:

Maureen Valiquette spoke to the need for voice, stop the water releases and go further stating that the releases must go south.

**RESOLUTION 05-146 OF THE CITY OF SANIBEL, FLORIDA, AUTHORIZING THE ISSUANCE, SUBJECT TO THE BOND REFERENDUM HEREIN PROVIDED FOR, OF NOT TO EXCEED \$\_\_\_\_\_ GENERAL OBLIGATION BONDS FOR THE CITY OF SANIBEL, FLORIDA, FOR PROVIDING FUNDS, TOGETHER WITH ANY OTHER AVAILABLE FUNDS, TO FINANCE OR REFINANCE A COMMUNITY-WIDE RECREATION/COMMUNITY CENTER WHICH IS PART OF THE CITY OF SANIBEL'S PARKS AND RECREATION FACILITY MASTER PLAN, INCLUDING THE ACQUISITION, EQUIPPING AND CONSTRUCTION OF SUCH RECREATION/COMMUNITY CENTER AND RELATED EQUIPMENT AND INFRASTRUCTURE; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY TO BE HELD ON \_\_\_\_\_, 2006; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR BOND REFERENDUM PROCEDURES; ESTABLISHING ITS INTENT TO REIMBURSE SUCH CAPITAL EXPENDITURES INCURRED WITH PROCEEDS OF SUCH GENERAL OBLIGATION BONDS; AND PROVIDING AN EFFECTIVE DATE**

Staff requested Resolution 05-146 be brought back for discussion at the November 15 Council meeting.

Council agreed.

**Pursuant to Section 2 of City Council Resolution No. 04-074, consideration of a request that City Council authorize the issuance of a Development Permit to divide an existing 7,814 sq. ft. commercial unit into 3 commercial units. The existing commercial unit is to be reduced to 4,569 sq. ft. of commercial floor area. The new commercial units are to be 1,645 sq. ft. and 1,600 sq. ft. of commercial floor area. The subject property is located at 1711 Periwinkle Way (SWF Mango Bay.) The application is submitted for the property owner Sanibel Center, Inc., by Howard Freidin, Esq. for SWF Mango Bay Sanibel, Inc., Application No. 05-2835DP.**

Mr. Cuyler stated that this was a request from the owner of 1711 Periwinkle Way (Mango Bay premises) He spoke to the previous presentation and gave the following discussion between staff, the Mango Bay owners and his attorneys:

- Request was to divide the existing 78,014 square foot commercial unit into 3 separate commercial units; 1) 45,069 square foot unit, 2) 1,645 square foot unit; and 3) 1,600 square foot unit
- Council previously adopted a resolution affecting a zoning in progress
- Owners indicated that they understand they are not coming into complete conformance with those interim regulations
- Propose to come more into conformance since they currently exist as a non-conforming use and non-conforming areas because the areas exceed 2,000 square feet
- Previous Council allowed since the owner was already in the permitting process to continue the permitting process and establish their uses
- Staff indicated to owner that staff wanted to see movement toward conformity if the Council looked favorably on the recommendation from staff
- If Council were to approve the 3 commercial units the single 78,014 square foot commercial unit into 2 units 1) into 1645 square foot unit; and 2) into 1600 square foot unit respectively
- Currently even though there were no walls separating 3 commercial units it was apparent that there were 3 different types of enterprises within the building
- If Council approved the recommendation the 2 units would be below the established zoning-in-progress of less than 2,000 square feet for commercial use and would promote smaller resident oriented uses
- If any business either a conforming use, such as a pharmacy or bank or a non-conforming, such as another apparel store were to be established in one of the smaller units a fire wall that had been constructed would be put between the smaller and larger units permanently so the smaller unit would become a permanent smaller unit and come into conformance
- There would be no unit signage until the permanent wall was put in place – if in the 1600 square foot unit a dress shop instead of the current bathing suit apparel business was established that would be non-conforming; the non-conforming use would be permitted; the separation would apply; the 1600 square foot portion would become permanent and would work toward conformance not in use, but size
- The 1600 square foot unit would never be allowed to be combined with the larger unit; at the time a dress shop was established unit signage would be allowed for that use regardless of conformity or non-conformity
- Center signage would only be permitted if 2 conforming business went in to the premises and each unit would be allowed unit signage

Discussion ensued regarding the non-conforming due to interim regulations, benefit the City by creating 2 new commercial units under the 2,000 zoning-in-progress regulations, the usage was a question, incentive to move toward conforming uses by agreeing to a center sign, if divided and a separate business was leased that was non-conforming use in the second area could stay in that location forever, new business must be

separate from Mango Bay, as long as interim regulations in affect the business would be conforming and non-conforming would be the incentive on signs, if there were not existing non-conforming business it would not have come before Council, less space for a larger business, 45,000 square foot space, the need for smaller units, all the small businesses that were in the Mango Bay location wanted to stay, previous Council had no choice but to allowing Mango Bay due to the permitting process initiate before the zoning-in-progress regulations were instituted and that was the reason that the zoning-in-progress was brought forward, reason the code address non-conforming to becoming conforming, and should bring all businesses into conformance.

Council recessed at 12:22 p. m.

Council reconvened at 12:33 p. m.

Mr. Cuyler stated that the petitioner would like a continuance.

Discussion ensued regarding some Councilmembers not in favor of a continuance, allowing a continuance, wanting the long range plans for the location, and the Land Development Code (LDC) called for a non-conforming use not being improved.

Howard Freidan, Attorney for Mango Bay stated that all firewalls were in place and the fire door left open during the day.

Council recessed at 12:40 p. m.

Council reconvened at 1:36 p.m.

Mayor Johnston returned from the Lee County Board of Commissioners meeting. She announced that the Commissioners approved unanimously to give \$3.2 million dollars for the recreation center and not more than 28%.

Council thanked Mayor Johnston for her efforts.

**RESOLUTION 05-145 ESTABLISHING THE CLASSIFICATION PLAN AND PAY SCHEDULE FOR CITY EMPLOYEES FOR FISCAL YEAR 2005-2006; ESTABLISHING PAY GRADES AND PAY RANGES FOR NON-UNION AND UNION POSITIONS; ADOPTING NEW AND REDESCRIBED JOB DESCRIPTIONS; AUTHORIZING THE CITY MANAGER TO AMEND JOB DESCRIPTIONS AS NECESSARY TO KEEP SUCH DESCRIPTIONS CURRENT; AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra read the title of Resolution 05-145. She noted the following:

- Compliant with union employees that salaries were not kept current
- Comparative analysis for like position
- Additional positions included in the budget
- Update of job descriptions

Councilman Brown made a motion, seconded by Councilman Jennings, to adopt 05-145.

Public Comment:

Paul Emilius and Wayne Ponader spoke to being members of the previous Traffic Committee with a past recommendation for a Transportation Planner.

Discussion ensued regarding the need for a transportation planner.

Paul Emilius spoke to including the certificate of a traffic engineer.

Ms. Zimomra stated that a traffic planner was a different skill set and if the description included an engineer, that position would be included in the Public Works Department.

Discussion ensued regarding the span of control, 5 mechanics and includes electrician functions supervisor's position, and abolish the electrician position.

Ms. Zimomra reminded Council of the audit findings, the need for management in the Finance Department, and the need for additional employees due to increased activity.

Ms. Lynch, Finance Director stated that the upgrade was in conformance with the management letter. She further stated that it became evident that closer scrutiny of the sewer system and collection and the need for accounting supervisory consistency.

Discussion ensued regarding the move of an employee from the Finance Dept. to the Administrative Department for Human Resources duties, change in grade level due to change in responsibilities.

Mr. Isom commented that this employee was shared by the Finance Department, and spoke to the need to assign duties and responsibilities, which picked-up human resources responsibilities

Discussion ensued regarding the upgrade of the Program Coordinator, Senior Program 12 years old and had 200 members, but now include 600 members, the need to coordinate classes, coordinate the out to lunch bunch, work with the seniors taking trips, supervise a large number of volunteers and as needed employees.

Ms. Zimomra stated that one of thing that was being done was the contracting of instructors instead of the senior coordinator being responsible for teaching the classes because of the increase of responsibilities.

Ms. Isom stated there were 3 employees as recreation program coordinators, 2 at the recreation center and the third at the senior citizens center, and all were classified differently.

Public Comment:

None.

The motion carried unanimously.

Council decided to discuss the recreation center.

Discussion ensued regarding obtaining the exact funding figure from the Lee County Board of Education, staff recommendation \$2.2 million and the Lee County Board of Commissioners authorized \$3.2 million or 28%, whichever was the lower figure, the need to write the referendum language in such a way as to include the funding of Lee County and the Board of Education, suggest a letter be sent to the Lee County Commissioners and staff thanking them for their \$3.2 contribution, and the target financial funding of 28% was \$4.5 million

Mr. Cuyler noted that the intent was to try to get the final budget numbers and the approval the Lee County Board of Education and Lee County Board of Commissioners. He further stated that once those funding figures were obtained the exact not to exceed amount would be included in the ballot language.

Council requested staff draft a letter of thanks.

Ms. Zimomra noted that she had passed a letter to Council regarding requesting help form Congressman Mack for help in FEMA consideration to pay the remainder of the cost to remove Hurricane Charley debris.

Councilman Jennings made a motion, seconded by Vice Mayor Denham, to send a letter to Congressman Mack regarding payment for Hurricane Charley debris pick-up.

The motion carried by consensus.

## **CITY MANAGER'S REPORT**

### **Informational items:**

#### **Hurricane Wilma Recovery Update**

Ms. Zimomra explained that the estimate of expenses for Hurricane Wilma was approximately \$1 million. She also spoke to the following:

- Burn site at Sanibel Gardens
- Portico damage at City Hall
- Lee County would meet threshold for FEMA reimbursement – 75% - State and Locals would split the remaining 25%.
- Fishing pier had suffered erosion at base of the pier and was more serious than initially thought.
- An evaluation was done immediately after Hurricane Wilma as to amount of vegetation down
- Deadline for vegetation debris – November 4, 2005 – Crowder Gulf City contractor
- Waste Pro would pick up if debris was cut, bundled and stacked properly after November 4
- No stump removal
- Staff would evaluate the City's right-of-ways

Ms. Zimomra stated the draft letter for SFWMD was ready for review. She also spoke to the City Manager's personnel evaluation had been delayed. She gave a standard evaluation form to City Council and noted that City Council would do a public evaluation of the City Manager. She further stated that the City Attorney's evaluation would follow the same process.

Councilman Brown spoke to the uniform process for these evaluations and recommended the evaluation not be done in public. Ms. Zimomra stated that any salary adjustment must be done in the public forum for both the City Manager and the City Attorney.

#### **CHR Quarterly Financial Statement**

Ms. Zimomra noted that the Financial Statements statement was in the agenda packet and the new director for CHR would start within the week.

#### **CHR Woodhaven Ribbon Cutting**

Ms. Zimomra stated that the Woodhaven ribbon cutting would be Saturday, November 7, 2005.

## **CITY ATTORNEY'S REPORT.**

### **Status report on letter from the Nave's dealing with granting an extension**

Mr. Cuyler reported the following:

- The Nave's sent a letter declining to grant the extension

Public Comment:

Daniel Dix, Sanibel business owner spoke to the following:

- Do not want a strip mall
- Need to institute careful planning for the Nave property
- Not healthy for one or two people to own all the commercial property on Sanibel
- There was interest in a collaborative movement to purchase the Nave property
- Would like to see positive outcome from the sale of the Nave property
- Encouraged the City to provide resources and expertise to purchase the Nave property

Discussion ensued regarding the City should get an appraisal of the Nave property, the cost of an appraisal, Mr. Cuyler stated that it would take between 8 and 12 weeks and the cost would be approximately \$5 to

\$10 thousand, the previous John Adler study for Sanibel, Mr. Cuyler stated that Mr. Adler could do an analysis, but not the market value, a copy of the Adler 1996 study to Council, Mr. Cuyler would speak to Mr. Adler, impressed by the attitude of small business and the concept of a collaborative movement to purchase the Nave property, the need for a valid figure that could be used for negotiations, Council directed Mr. Cuyler to speak with someone about the value of the property, ways an appraisals was conducted, and the need for a business analysis in addition to an appraisal, the need for staff to meet with professionals to help visioning regarding the Nave property, could non-profit organizations help, and the intent was to benefit the small businesses on Sanibel.

Barbara Cooley spoke to her concerns about the City getting into commercial ventures.

Daniel Dix spoke to not looking for the City to purchase or develop the property, but requesting direction from the City on what to do. He further stated that this was an opportunity.

Council agreed for Councilman Brown to meet with John Adler.

Karen Stori Johan, spoke to The Bean being the only business attending the meeting and speaking to the Nave property.

Daniel Dix, spoke again that businesses located beside The Bean were weary of the Nave property being for sale.

Karen Stori Johan, spoke a second time to setting time aside at the next Council meeting to discuss the sale of the Nave property.

Discussion ensued regarding Vice Mayor offering to speak to the Main Street Center, a non-profit organization that could possibility offer guidance, and Council agreed.

Ms. Zimomra stated that Vice Mayor Denham should talk with the City Manager and City Attorney prior to the discussion with Main Street.

Discussion ensued regarding starting the appraisal process, initiative for a possible partnership, private sector could hold a meeting and council members could attend, hold discussion during the first City Council meeting in December, the private sector could hold meetings; Councilman Brown could meet with Mr. Adler, Vice Mayor Denham would speak to the Main Street Center and Mr. Cuyler would inquire to the cost of an appraisal and the timing for an appraisal.

Councilman Rothman made a motion, seconded by Vice Mayor Denham, to direct Mr. Cuyler to ascertain what an appraisal would cost and if the cost was no more than \$5,000 then begin the appraisal process.

The motion carried 3 to 2 with Councilman Brown and Councilman Jennings voting in opposition to the motion.

Ms. Zimomra stated that the Small Business Initiative would be presented at the November 17, 3005 City Council meeting.

## **COUNCILMEMBERS' REPORT.**

### **Mayor Johnston's attendance to the League of Cities Legislative Conference in November.**

Mayor Johnston reported the following:

- Effort made to form a Mayor's organization
- Small cities need to attend

Council spoke to sending a letter to the Army Corps of Engineers.

Councilman Brown made a motion, seconded by Vice Mayor, to send the letter to the Army Corps of Engineers.

The motion carried by consensus.

Councilman Jennings was excused from the meeting at 4:10 p. m.

Discussion ensued regarding the proposed letter including “in the 2<sup>nd</sup> paragraph “consideration of the feasibility”, 3<sup>rd</sup> and 4<sup>th</sup> paragraph regarding reports, we will get too many reports, and eliminate the last sentence in paragraph 3; add two bullets at the end of the letter regarding what Council wanted the recipient to address, staff would revise and refine the letter for Council to sign.

David Bath, spoke to sending Lake Okeechobee water releases to the south.

Councilman Brown made a motion, seconded by Vice Mayor Denham to adjourn the meeting.

The motion carried unanimously.

There being no further business the meeting was adjourned at 4:25 p. m.

Respectfully submitted by,

Pamela Smith, CMC  
City Clerk