

CITY COUNCIL SPECIAL MEETING

SEPTEMBER 27, 2004

Mayor Harrity called the meeting to order at 1:00 p. m.

Councilmember Workman gave the Invocation and led in the Pledge of Allegiance.

Members present: Mayor Harrity, Vice Mayor Walsh, Councilman Brown, Councilman Jennings and Councilmember Workman.

Mr. Cuyler stated the Special Meeting was noticed as designated by phone. He further stated the latest Attorney General opinion states that if a Council member requests to participate by phone the City Council could find that there was extenuating circumstances and all members could vote on the circumstances.

Councilman Jennings made a motion, seconded by Mayor Harrity to allow Councilman Brown and Vice Mayor Walsh to participate by phone due to extenuating circumstances.

The motion passed unanimously.

Mayor Harrity suggested that the City work with Lee County to drop the tolls. He also suggested that Ms. Zimomra, City Manager contact the County for such discussion.

Discussion of a letter to the Lee County Board of Commissioners regarding the increase of tolls.

Discussion ensued regarding if Council could speak to someone going downtown to speak with County officials, sending the proposed letter, Fort Myers Beach bridge built by the state, increase in tolls devastating to Lee County and Sanibel, not sending a letter, but the City Manager requesting a meeting with Lee County officials, the previous meeting with County officials attended by Mayor Harrity, County meeting concerned with coverage on bonds of building Causeway bridges, reduce the cost of building the Causeway bridges could decrease the tolls, sending e-mails received regarding toll increase to Lee County, could not send City Attorney due to County Attorney wanting to be being present, possible discussion with the Mayor of Fort Myers and Cape Coral for toll increase and joint dismissal of all matters surrounding the law suit.

Mayor Harrity made a motion, seconded by Councilman Brown, to direct the City Manager to request a meeting with Lee County officials regarding the effects of disposing of litigation and reduce the tolls.

Discussion ensued regarding the City dropping the lawsuit and County not complying because of the increase the tolls.

Public Comment:

Mary Cutari asked about the excess profits Lee County expects. She read a letter she wrote to Lee County.

Michael Bilhiemer spoke to his agreement of dropping the lawsuit.

A citizen spoke to his agreement of dropping the lawsuit, City Manager meeting with Lee County officials and then what would happen if Lee County were not interested.

Steve Greenstein, Executive Director of Sanibel Captiva Chamber of Commerce spoke to the increased tolls on the local economy and formulate a frame work of concern that may result in the dismissal of all pending lawsuits.

Frances Bailey spoke to his agreement of dropping the lawsuit.

A citizen, Manager of South Seas spoke to increase in tolls and laying 250 employees off due to Hurricane Charley.

Barbara Knave spoke against the increase of tolls.

Tony Lapi spoke to his agreement of dropping the lawsuit.

Dick Muench spoke to his agreement of dropping the lawsuit and the Parks and Recreation Committee has a 3:00 p.m. meeting.

Patty Sprinkle asked if the Save Our Bay lawsuit was attached to the City's lawsuit.

Mayor Harrity advised that at the advice of the City Attorney the material put on the Public Information table was removed before the meeting started.

John Adler spoke to the decline of Sanibel economy over the last 14 years.

Steve Smith spoke to his agreement of dropping the lawsuit.

Gilda Suarez spoke to her agreement of dropping the lawsuit.

Discussion ensued regarding Steve Greenstein, Executive Director of Sanibel Captiva Chamber comments, by dropping the lawsuit the City would loss leverage and tremendous impact of the increase of tolls.

The motion passed unanimously.

Councilmember Workman made a motion, to send the letter with amendment to remove the Fort Myers Beach bridge from and attach all e-mails.

The motion failed for the lack of a second.

There being no further business the meting was adjourned at 2:29 p. m.

Respectfully submitted by,

Pamela Smith, CMC
Deputy City Clerk