

**SANIBEL CITY COUNCIL REGULAR MEETING
MARCH 19, 2013**

OATH OF OFFICE

Oath of Office – Mick Denham

Councilmember Mick Denham took the oath of office.

Oath of Office – Marty Harrity

Councilmember Harrity took the Oath of Office.

Oath of Office – Kevin Ruane

Councilmember Ruane took the Oath of Office.

Call to Order by Kenneth B. Cuyler, City Attorney

Mr. Cuyler called the meeting to order.

Councilmember Congress gave the Invocation and led the Pledge of Allegiance.

Mr. Cuyler explained that the election of Mayor would be conducted

Election of Mayor and Oath of Office

Vice Mayor Denham nominated Kevin Ruane for Mayor.

Vice Mayor Denham moved, seconded by Councilman Harrity, to nominate Kevin Ruane as Mayor.

The motion carried.

Election of Vice Mayor and Oath of Office

Councilman Harrity nominated Councilman Congress.

Councilman Harrity moved, seconded by Mayor Ruane, to nominate Councilman Congress as Vice Mayor.

The motion carried.

Council recessed for a group photo at 9:18 a.m.

Council reconvened at 9:25 a.m.

Planning Commission Report

Commissioner John Talmadge gave the following Planning Commission report:

- Discussion of valet parking

Public Comments

Barry Roth reported that \$61,088.50 was raised at the New Year's Eve party 2012. He explained the scholarship process for the after-school program, fun days and holiday days.

Council Comments

Councilman Jennings spoke to the New Year's Eve event and its success. He also spoke to attending the Florida League of Cities Legislative Days in Tallahassee. He also asked that the discussion for Council liaison be moved up due to his leaving early to drive to Tallahassee. He also asked to be excused.

Vice Mayor Congress spoke to the Florida House taking action relative to voting procedures.

Councilman Denham spoke to CHR's fund raising activity.

Councilman Harrity congratulated Mayor Ruane and Vice Mayor Congress. He further thanked Councilman Denham for his past duties as Vice Mayor.

Mayor Ruane asked if Council would be amendable to discussing the Consent Agenda and liaison.

Mayor Ruane moved, seconded by Vice Mayor Congress, to move discussion of Council's liaisons after the Consent Agenda.

Public Comment
None

The motion carried.

CONSENT AGENDA

- a. Approval of an agreement between the City and Woodroffe Architect, Inc., in the amount of \$15,390 for a needs assessment for Center4Life and authorize the City Manager to execute same **AND RESOLUTION 13-026 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2013-025 AND PROVIDING AN EFFECTIVE DATE** (To transfer \$15,390 from the reserve for contingencies for a Center4Life needs assessment. This budget amendment does not increase or decrease the FY13 budget)
- b. **RESOLUTION 13-006 AMENDING RESOLUTION 09-085 WHICH SETS FORTH THE FINANCIAL ASSISTANCE POLICY AND PROCEDURES FOR THE RECREATION DEPARTMENT'S SUMMER PROGRAM SESSIONS, HOLIDAY PROGRAM, AFTER SCHOOL PROGRAM AND SIMILAR RECREATION PROGRAMS CONDUCTED DURING THE SCHOOL YEAR IN ORDER TO UPDATE AND AMEND THE "SLIDING SCALE" FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE**
- c. **RESOLUTION 13-027 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2013-026 AND PROVIDING AN EFFECTIVE DATE** (To transfer \$50,000 from the reserve for contingencies for professional services related to the redevelopment project. This amendment does not increase or decrease the FY13 budget)
- d. **RESOLUTION 13-028 AMENDING THE SCHEDULE OF REGULAR CITY COUNCIL MEETINGS TO CANCEL THE SCHEDULED MEETING OF APRIL 2, 2013 AND TO CALL AND ESTABLISH APRIL 16, 2013 AS THE REGULARLY SCHEDULED CITY COUNCIL MEETING FOR APRIL, 2013; AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra read the titles of Resolutions 13-026, 13-006, 13-027 and 13-028.

Mr. Cuyler pointed out that item (a) when adopted would include the agreement.

Mayor Ruane moved, seconded by Vice Mayor Congress, to adopt Resolutions 13-026, 13-003, 13-027 and 13-028.

Public Comment
None

The motion carried.

Appointment of Council liaisons

Ms. Zimomra noted that staff recommended that a liaison be appointed to the Causeway toll project to provide assistance. She further noted that staff recommended the Parks and Recreation Committee be sunset and not appoint a liaison. She further explained that this committee worked on the Shared Use Master Plan and once sunset staff would work with the Sanibel Bike Club.

Discussion ensued regarding the Regional Planning Council (RPC) and the time it took to attend to multitude of meetings, Councilman Denham noted it was time to switch liaisons, each Councilmember explained their liaisons and what the Council, Committee or Board accomplished, TCD position term expires in June after serving 4 years, Florida Regional Council Association (FRCA) liaison was appointed by the Regional Planning Council, liaison of Causeway toll project would be added, Councilman Jennings spoke to being past president of the Southwest Florida League of Cities, need liaison for the redevelopment project, code issue liaison and Planning Commission, Civic and Cultural redevelopment liaison, Chamber Government Affairs Committee and redevelopment code issues as one liaison, consistency that one person is liaison and talking to groups, calendar of all events and monitoring a community calendar for fundraising and/or event, commercial redevelopment had two parts and liaison would take item by item, look at redevelopment for the cultural center, looking at needs assessments and talking with groups, connectivity with Historical Village and sunset Parks and Recreation, important slot vacant South Florida Water Management District and would like to see Councilman Denham make application because no one has done more for water than Councilman Denham, may be to late to apply, the district was dominated by Big Sugar and this seat was in a minority, most investments on the east coast, Councilman Denham declined, Councilman Denham interested in the redevelopment process, Vice Mayor Congress would also like to be involved in the redevelopment process and take liaison to Chamber Government Affairs Committee and Planning Commission, how would a transition for RPC work, PC liaison, code and needs assessment for redevelopment, does Government Affairs need to stay separate and would there be a benefit to have a liaisonship combined for both, Planning Commission, Government Affairs and first aspect of redevelopment one liaison, Councilman Harranty accepted Government Affairs Committee and Vice Mayor Congress Planning Commission and RPC liaison

National/Regional

Charlotte Harbor Policy Committee
Regional Watersheds Committee
Florida Municipal Insurance Trust Board of Directors
Florida Municipal Insurance Investment Fund Chair
National League of Cities Voting Delegate
Florida League of Cities Mayor's Round table
Florida League of Cities Voting Delegate
Florida League of Cities Environmental &
Energy Committee
Florida Regional Council Association (FRCA)
SW Florida League of Cities
Estero Agency Bay Management

City of Sanibel Representative

No Liaison

Kevin Ruane
Kevin Ruane
Jim Jennings
Kevin Ruane
Mick Denham
Mick Denham

Mick Denham
All Council members
Mick Denham

Lee County Committees for Council

Horizon Council
Metropolitan Planning Commission (MPO)

SW Florida Regional Planning Council
Tourism Development Council (TDC)
Mayor's Council

Marty Harranty
Kevin Ruane/Doug Congress/ Mick Denham
(alternate)
Doug Congress
Kevin Ruane
Kevin Ruane

Sanibel Committees/Functions

CHR	Mick Denham/Kevin Ruane
Chamber Governmental Affairs Committee	Marty Harrity
Coast & Island Community Land Trust (CHR)	Doug Congress/Kevin Ruane
Recreation Financial Assistance Program	Doug Congress
Historical Committee	Marty Harrity
Historical Museum & Village, Inc.	Marty Harrity
Center4Life Needs Assessment	Jim Jennings
Planning Commission	Doug Congress
Vegetation Committee	Jim Jennings
Employee Dependent Scholarship Committee	Kevin Ruane
Audit Committee (currently sunset)	Kevin Ruane
Contractors Review Board	Jim Jennings
General Employee Pension Board	Doug Congress/Kevin Ruane
Police Pension Board	Kevin Ruane/Mick Denham
Redevelopment Improving quality of life and assess cultural needs	Kevin Ruane
Development of Land Bank Program	Jim Jennings

Lee County Committees for Staff or Citizens

Blind Pass Management & Coastal Advisory	James Evans
Charlotte Harbor Natural Estuary Program	James Evans
Disaster Recovery Task Force	Chief Tomlinson
Technical Advisory to MPO	Keith Williams /Ben Pople
Citizen Advisory to MPO (CAC)	
Lee County Beach Preservation Task Force	James Evans
*Public Parks & Recreation Services Advisory	Jean Baer
*Regional Harbor Board	Tom Kaplan
* Bike\Walk Lee County	Darla Letourneau
*Human Services Council	Jean Ann DeWalt

Lee County Committees with Staff or Citizen representative (* citizen appointed directly by Lee County Board of County Commissioners)

*All 5 Sanibel City Council members are members of the Southwest Florida League of Cities Councilman Jennings left at 10:29 a.m.

Mayor Ruane moved, seconded Councilman Denham, to excuse Councilman Jennings from the remainder of the meeting.

The motion carried.

Council recessed at 10:30 a.m.

Council reconvened at 10:45 a.m.

Vice Mayor Congress moved, seconded by Councilman Denham, to approve the new liaison assignments effective immediately.

The motion carried.

OLD BUSINESS

Water Quality

Update relative to the citizen fertilizer educational program

Councilman Denham reported he was waiting to hear if Lee County supported the fertilizer educational program, noted that the incoming Senate President would like to recommend a 2-year moratorium from adopting further

fertilizer legislation while a statewide study was completed. He also noted that if there was a state Board, and he would be interested in serving on the Board.

Redevelopment Workshop Follow-up

DRAFT Objectives

Next Steps

Reinvigorate our Commercial District

Direct Staff to Prepare Outline of Proposed Code Revisions on the following issues

Permitted Uses

Non-Conforming Structures

Parking

Interconnectivity

Set-backs

To Improve our Community's Quality of Life by Assessing our Cultural and Civic

Evaluate Current City Lands (City Staff & Surveyor)

Letters to Non-profits (DRAFT Attached)

Letters of Farmer's Market Permit Holder

Letters to Major Special Event Sponsors

Special Events Matrix (FY 2011 to current)

Mayor Ruane spoke dividing objectives, specifically identifying the non-profits; Ms. Zimomra noted the following had been identified as non-profits:

- B.I.G. Arts
- Sanibel Community Association (SCA)
- Historical Museum and Village
- Library
- Senior Center

Special Events:

- Music Festival
- Shell Fair
- Lions and Rotary Art Fair
- Children's Education Center
- C.R.O.W.
- Farmer's Market

Ms. Zimomra noted that there may be follow-up to the written communication to each entity; each had at least one of the five points and get out to Council before the April 16th. The five points are as follows:

- Permitted Uses
- Non-Conforming Structures
- Parking
- Interconnectivity
- Set Backs

Discussion ensued regarding a needs assessment performed by Public Works, different tasks and responsibilities, creating a community calendar so visitors will know what would be going on during their visit, and may want to create a digital newsletter.

Public Comment

Larry Schopp spoke to a brainstorming session to staff drafting a proposed code without public input.

Mayor Ruane noted the intent was for staff to bring back further input and would be a starting point. He further stated there would be no draft ordinance.

Larry Schopp spoke a second time and noted there had been no discussion on a key issue of non-conforming structures and give the Planning Commission clear direction.

Mayor Ruane noted he was trying to move the discussion forward.

Discussion ensued regarding listing different options and educational information, non-conforming structures and how to address, permitted uses and those current that are not identified in the process and hand-off to Planning Commission, public have the opportunity to speak, staff report back at the next Council meeting, continue the process in the future, have identified 5 objectives, recommendation would be sent to Planning Commission, then send back to City Council, identify some items to pass off and continue more deliberation, identify uses, non-conforming structures and why; would like to have an inventory list of non-conforming structures, parking and post on the website.

COMMITTEE BOARDS COMMISSION

Discussion regarding the establishment of a financial assistance reserve fund

Vice Mayor Congress spoke to the following:

- Have approximately \$150,000 that could be invested
- Recommendation from committee was to reserve \$100,000 and invest
- Have a conversation with Finance Director and City Attorney
- Must be preserved for financial assistance

Discussion ensued regarding working with staff and bring back to City Council, work with Director Edwards and Ken Cuyler, City Attorney, like an endowment, Mr. Cuyler recommended finding out the options and bring back to Council.

Mayor Ruane moved, seconded by Councilman Denham, to allow staff to work with Vice Mayor Congress understanding the logistics and bring back to Council with original legislation.

Public Comment

None

The motion carried.

Final Sarbanes Study Presentation

Scott Pringle gave a brief PowerPoint presentation.

Discussion ensued regarding eco friendly vehicles, no additional signage, resolve wildlife issues with a controlled speed limit, Ms. Zimomra suggested that a consultant was performing an intersection study and if warranted, contact the Lee County Commissioners and was there any reduction on San-Cap Road when different language signs placed on roadside and she asked Council if the intersection study would be part of the Sarbanes study for possible federal funding.

Public Comment

None

Public Comment

Claudia Burns spoke to being in favor of reducing wildlife deaths. She further spoke to reducing the speed limit on San-Cap Road.

CITY MANAGER

Informational Items

East Periwinkle Way Shared Use Path Improvement Open House, Wednesday, April 03, 2013 8 to 1 and 4 to 7

Ms. Zimomra noted that a flyer was being prepared for the community regarding the open house.

Correction to Housing Count on Sanibel from Census Bureau (Number Adjusted by 1) Departmental Reports

Ms. Zimomra noted that the housing stock was reduced by one by the census.

Administration Monthly Report, February, 2013

Building Department Monthly Permit and Inspections February, 2013

Building Department Monthly Revenue Report February, 2013

Timeline for Committee appointments and Annual Reports

Response from Lee County on joint meeting dates

Ms. Zimomra noted that the only date provided by Lee County was the date in May of the General Employee Pension Board and Sanibel Police Officers Pension Plan meetings.

Discussion ensued regarding meeting with Lee County in June, come back to them later in the year, intent was to allow the public to see how the Council had progressed, calendar conflicts, and Ms. Zimomra would contact them for a joint meeting after the budget cycle.

CITY ATTORNEY'S REPORT

None

Mayor Ruane noted that there would be proposed legislation for Council consideration at the April meeting.

COUNCIL MEMBERS' REPORT

Appointment of Council liaisons

Appointment of Council liaison to causeway toll project

Discussed earlier in the meeting.

All council noted they were looking forward to working together.

Mayor Ruane spoke to attending the FMIT Board meeting and the increase for insurance was flat, \$1.4 million short for project submitted to TDC, and consensus of Lee County was there was no need for another baseball team.

PUBLIC COMMENT

None

There being no further business the meeting was adjourned at 12:05 p.m.

Respectfully submitted by,

Pamela Smith, MMC
Sanibel City Clerk