

**SANIBEL CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 07, 2014**

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

Vice Mayor Congress gave the Invocation and led the Pledge of Allegiance.

Members present: Mayor Ruane, Vice Mayor Congress, Councilman Denham and Councilman Harrity.
Councilman Jennings was absent due to illness.

Mayor Ruane moved, seconded by Vice Mayor Congress, to excuse Councilman Jennings.

Public Comment

None

The motion carried.

Presentation(s)

Presentation of a Proclamation proclaiming Arbor Day as January 17, 2014

Mayor Ruane read and presented the proclamation to Berdenna Thompson, Vegetation Committee member.

Planning Commission Report

Chairman Mike Valiquette gave the following report:

- Presentation of interconnectivity for parking
- Repair and replacement of 1870 Woodring for a boat dock adding two boatlifts, which was approved
- Adding tour routes to Segway tours for Billy's Bike rentals
- Continuation of Billy's Bike rental in Bailey's Plaza

Public Comments

Hazel Schuller recognized Mayor Ruane for taking home rule efforts to Washington, D.C. She also spoke to the Environmental Handbook on-line and the Coastal Construction Control Line.

Tom Pfeifer spoke to his frustration of the application process for a minor subdivision permit.

Council recessed at 9:21 a.m. due to network failure.

Council reconvened at 9:28 a.m.

Barry Roth spoke to the money raised at the New Year's Eve party at the Recreation 429 in attendance, and 60 to 70 volunteers. He thanked the City and volunteers.

Council Comments

Councilman Harrity spoke to Bennett's opening, happy birthday to Berdenna Thompson and thank you to Barry Roth.

Councilman Denham spoke to a response to Mr. Pfeifer and spoke to Mr. Pfeifer. She related to problems in the Planning Department.

Vice Mayor Congress recognized Mayor Ruane for being nominated for elected official of the year. He thanked Barry Roth.

Mayor Ruane spoke to Mr. Pfeifer and he understands the issues. He encouraged residents to come before Council on any issues. He further expressed his tanks for the nomination and thanks to Mr. Roth.

Second Reading and Public Hearing

Mayor Ruane requested that Ordinance 13-009 be continued to the February 04, 2014 City Council meeting.

ORDINANCE 13-009 AMENDING CHAPTER 66 OF THE SANIBEL CODE OF ORDINANCES ENTITLED “TRAFFIC”, ARTICLE II, “PARKING, STOPPING AND STANDING”, DIVISION 1 – “GENERALLY” IN ORDER TO PROVIDE A PROHIBITION OF THE PARKING, STOPPING OR STANDING OF ANY BUS (OTHER THAN A SCHOOL BUS), VAN OR OTHER MOTOR VEHICLE ON ANY PUBLIC STREET OR ROAD OR WITHIN ANY PUBLIC STREET OR ROAD RIGHT-OF-WAY FOR PURPOSES OF ALLOWING OR PERMITTING PASSENGERS TO EXIT OR ENTER THE VEHICLE; AMENDING DIVISION 2 – “BEACH AREA PARKING RESTRICTIONS”, SECTION 66-101 “PROHIBITION AND PENALTIES”, BY ADDING A NEW SUBSECTION (a)(11) TO PROVIDE THAT IT IS PROHIBITED TO PARK, STOP OR STAND ANY BUS, VAN OR OTHER PASSENGER VEHICLE WITH A SEATING CAPACITY OF 10 OR MORE PASSENGERS IN ANY CITY OF SANIBEL OWNED OR MANAGED BEACH PARKING LOT FOR THE PURPOSE OF DISCHARGING OR PICKING UP PASSENGERS UNLESS THERE EXISTS A LAWFUL AND AUTHORIZED PARKING SPACE IN SUCH BEACH PARKING LOT AND THE BUS, VAN OR OTHER PASSENGER VEHICLE IS PARKED IN SUCH SPACE AND THE APPLICABLE PARKING FEE IS PAID; PROVIDING EXCEPTIONS; AMENDING THE PENALTY PROVISIONS IN SECTION 66-37 AND SECTION 66-101; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

Mayor Ruane moved, seconded by Councilman Denham to continue the public hearing to February 04, 2014 at 9:15 a.m.

Public Comment

None

The motion carried with Councilman Jennings excused.

CONSENT AGENDA

Mayor Ruane asked that item (f) be pulled for discussion and Vice Mayor Congress asked that items (d) and (e) be pulled for discussion.

- d. Approval of a contract between the City of Sanibel and United Mechanical Inc. for the preventative quarterly maintenance for the Recreation Center’s HVAC System in the amount of \$10,300 and the monthly remote monitoring in the amount of \$5,800 with a total of \$16,100 and authorize the City Manager to execute same (this project is funded through the adopted FY14 budget)

Vice Mayor Congress spoke to the interlocal speaking to the district paying for 25% of the utility bill, but was not responsible for the cost sharing of the HVAC.

Vice Mayor Congress moved, seconded by Mayor Ruane, to approve the above.

Public Comment
None

The motion carried with Councilman Jennings excused.

- e. Award three year contract with optional two one-year extensions to Karle Enviro-Organic Recycling Inc. for hauling and disposal of wastewater sludge and authorize the City Manager to execute same

Vice Mayor Congress asked about the two bids and if there was an existing agreement with the chosen company. Director Williams spoke to the following:

- Chosen bidder had current contract
- No increase in cost due to a hold on last year's price
- Small increase over the next two years
- Cost reflective to bidders

Vice Mayor Congress moved, seconded by Councilman Harrity, to approve.

Discussion ensued regarding the placement of the sludge, Director Williams stated that the company determines the placement of sludge to approved lands and the City receives a certificate of disposal to an appropriate area.

Public Comment
None

The motion carried with Councilman Jennings excused.

- f. Approval to Issue Request for Proposal and Proceed with Sewer Debt Refunding Opportunity for a Bank-Qualified Loan not to exceed \$9.575 million AND **RESOLUTION 14-003 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2014-009 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate: 1) \$9,575,000 in debt proceeds and bond payments for the refunding and refinancing of the Sewer System Series 2003 bonds and State Revolving Loan #835080; 2) \$754,096 debt restricted fund balance available to retire the Sewer 2003 Series Bonds and SRF #835080; 3) \$55,000 for bond refunding issuance costs. This amendment increases the FY14 budget by \$10,329,096)

Mayor Ruane requested the Finance Director clarify the above.

Director Edwards spoke to the following:

- Increase in budget by recognizing the bond proceeds and expense to by the debt off
- Substantial savings of \$679,000
- Restricted monies of approximately \$700,000

Discussion ensued regarding reviewing pay downs.

Ms. Zimomra read the title of Resolution 14-003.

Mayor Ruane moved, seconded by Vice Mayor Congress, to adopt the resolution and approve the proposed RFP.

The motion carried with Councilman Jennings excused.

- b. **RESOLUTION 14-001 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2014-007 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$1,000

from the Sanibel-Captiva Kiwanis Foundation for the City of Sanibel Employee Dependent Scholarship Fund. This amendment increases the FY14 budget by \$1,000)

- c. **RESOLUTION 14-002 AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE OR SURPLUS FIXED ASSETS; AND PROVIDING AN EFFECTIVE DATE** (liquidate 2007 Chevy Tahoe) AND Approval to purchase a 2014 Ford Interceptor AWD for the amount of \$24,597 (the cost of the vehicle is in the adopted FY14 budget)

- g. **RESOLUTION 14-004 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2014-008 AND PROVIDING AN EFFECTIVE DATE** (To roll-forward \$37,000 in funds authorized in FY2013 (Resolution 13-064) for partial funding to Lee County for a fertilizer education program to FY2014. Funds were not expended in FY2013. To roll-forward \$33,500 in funds authorized from other governments and authorized to support Lee County for a fertilizer education program and recognize an additional \$5,000 authorized from other governments in FY2014. This total amendment increases the FY2014 budget by \$75,500)

- i. **RESOLUTION 14-007 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2014-010 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$124,500 for Phase 4 expansion of the Sanibel Sewer System. This amendment does not increase the FY14 budget)

- j. **RESOLUTION 14-006 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2014-011 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$45,000 for emergency dredging of the entrance/exit channel to the Shell Harbor canal system. This amendment does not increase the FY14 budget)

Ms. Zimomra read the above-mentioned legislation titles.

Councilman Denham moved, seconded by Mayor Ruane, to adopt the above legislation.

Public Comment
None

The motion carried with Councilman Jennings excused.

a. Approval of minutes – December 03, 2013 Regular meeting

h. Request from the Historical Museum & Village, Inc., to serve alcohol at their 30th Anniversary Celebration Thursday, March 20, 2014

Mayor Ruane moved, seconded by Councilman Harrity, to approve the above.

Public Comment
None

The motion carried with Councilman Jennings excused.

OLD BUSINESS

Water Quality Issues

Director Evans, Natural Resources Director gave a report regarding Lake Okeechobee levels. He recommended a letter to the SFWMD and the ACOE relative to make-up releases.

Mayor Ruane moved, Councilman Denham to accept staff's recommendation.

Public Comment
None

The motion carried with Councilman Jennings excused.

Director Evans spoke to inaccurate comments by the News Press article. He also spoke to the Everglades Coalition Conference this week and being a panelist.

Discussion ensued regarding Mayor Ruane speaking to the Senate-select committee chairman and Senator Benacquisto, changing LORS, speaking with the Georgia senator, responsibility of water management district, attention in Washington, Mayor will contact Senator Negro, write a letter, adapted protocol prepared by water district with guidance with the ACOE Lake Okeechobee release plan, understanding protocol, letter to Van Pool and wait for response for lobbyist.

Bonita Springs Resolution 13-081 requesting approval of the Water Resource Development Act (WRDA)

RESOLUTION 14-005 OF THE CITY OF SANIBEL, FLORIDA, URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO APPROVE THE WATER RESOURCES DEVELOPMENT ACT OF 2013 AND FUND CONSTRUCTION OF THE C-43 RESERVOIR PROJECT, THE CENTRAL EVERGLADES PLANNING PROJECT, THE COMPREHENSIVE EVERGLADES RESTORATION PLAN, AND THE REHABILITATION OF THE HERBERT HOOVER DIKE; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Resolution 14-005.

Mayor Ruane moved, seconded by Councilman Denham, to adopt Resolution 14-005.

Public Comment
None

The motion carried with Councilman Jennings excused.

Update on the Conceptual Plan for the Civic Core and Next Steps

Mayor Ruane spoke to the following:

- Stakeholder meeting in December
- Some consensus relative to a conceptual plan and location
- Met with Police and Fire Chiefs relative to road, traffic and conceptual rendition
- Another meeting with stakeholders in town, could not speak on behalf of Boards (B.I.G. Arts and SCA)
- Next step was to review of drainage, traffic, fits into Sanibel Plan, density, intensity of use, wetlands
- Public/private partnership
- Next Council meeting consultant speak to the above
- Funding

Discussion ensued regarding who would continue with next step, Ms. Zimomra spoke to the consultant having a traffic engineer on staff and final stages for landscape architects with coordination of City departments, need flow chart of process with bullet points (life cycle of process), create a timeline of next steps and Periwinkle Pines HOA should be a stakeholder and like to have all Council members present for any addition changes.

Public Comment

Karen Stori Johan spoke to the need to incorporate history and look at negatives of the proposed Civic Center such as moving the Sanibel Community Center due to it being on an historical site.

Ms. Zimomra noted that the consultant team analysis would be objective.

Ed Hancock, Periwinkle Pines requested that the home owners association become a stakeholder for the civic core.

Discussion ensued regarding any thought from Mr. Hancock relative to the last stakeholder meeting, Periwinkle Pines opinion was that a few people were involved in a back room, but now realizes this was a process of many groups.

Peter Pappas spoke to the possible loss of the proposed civic core concept before completely vetted and should be reserved public input until there was a definitive plan.

Wayne Snyder spoke against the new bike path width of 20 feet and two entrances to Periwinkle Pines.

Hazel Schuller spoke to not understanding the influence of B.I.G. Arts and the grant award to build Shien Hall and why move.

Mayor Ruane spoke to trying to create a proposed conceptual plan, speaking to versions of the plan may be out-of-date.

**COMMITTEES BOARDS COMMISSION
RESOLUTION 14-008 APPOINTING MEMBERS TO THE SANIBEL PLANNING
COMMISSION; AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra read the title of Resolution 14-008

Ballots were passed to Councilmembers.
The ballots reflected the following:

Peter Gaines	
Chuck Ketteman	3
Tom Krekel	4
Jason Maughan	1
Mike Miller	1
Robert Moyle	
John Talmage	4

Mayor Ruane moved, seconded by Councilman Harrity, to adopt Resolution 14-008 and reappoint the incumbents.

Public Comment
None

The motion carried with Councilman Jennings excused.

**CITY MANAGER
Informational Items
Status report of Verizon Tower**

Ms. Zimomra spoke to the following:

- Extended to March 17, 2014
- Lease agreement with Verizon City must sign off on any co-locator with a sub-lease date of January 01, 2014
- City Clerk pulling historical information
- Identify remaining sites

Discussion ensued regarding construction delay due to design, contractor pulled permits and told in the past the project was lower in importance due to the economic downturn, give extension to review next steps and technology different and code review new technology when reviewing site locations.

Public Comment

John Gill spoke to the length of time the permit was first pulled and what does the City have as leverage. He further spoke to no reception on the east-end of the island and the need for reasonable amenities at a vacation location.

Sonia Van Racland spoke to her agreement with no reception and who would discuss the problem.

Mayor Ruane noted that he had taken the project and would be discussion options with the City Manager.

Departmental Reports

Building Department Monthly Revenue Report

Building Department Monthly Permit and Inspections

Planning Department Permit Activity Report

Planning Department Code Enforcement Activity

Grease Trap Report

Status of Capital Improvement Projects

Administrative Departmental Report

Recreation Membership and Revenue Report

Ms. Zimomra noted the above-mentioned reports were for information.

Letter dated November 21, 2013 appointing Pamela Smith, City Clerk to the Florida League of Cities Technology Leadership Committee

Ms. Zimomra spoke to the City Clerk's appointment to the above Florida League of Cities committee.

Request from the Horizon Council for \$2,500 support for FY2014 (this amount was approved in the FY2014 budget)

Ms. Zimomra spoke to the request and the return on investment and should come back to Council for confirmation.

Mayor Ruane moved, seconded by Vice Mayor Congress, to \$2,500 and include in budget without bring back to Council for approval.

Public Comment

None

The motion carried with Councilman Jennings excused.

Discussion ensued regarding the liaison of MPO being Mayor Ruane and changing the alternate to Councilman Denham.

Mayor Ruane moved, seconded by Councilman Harrity, to change the MPO alternate to Councilman Denham.

The motion carried with Councilman Jennings excused.

Mayor Ruane spoke to Governmental Affairs Committee and would remain the liaison.

CITY ATTORNEY'S REPORT

None

COUNCIL MEMBERS' REPORT

Attendance to the December FMIT/FMIvT meetings

Mayor Ruane spoke to the following:

- Look at 2014 health care coverage
- Decrease in health coverage

Attendance to the December Tourist Development Council (TDC) meeting

Mayor Ruane spoke to the following:

- Sanibel no longer the first in bed tax collection
- Changed seats to first and second in bed tax for board seats

Discussion regarding Resort Re-Development Habitable Area standards

Councilman Denham spoke to the following:

- Room size for re-development for hotels a problem
- Room size (600 square feet required for 2 beds (queen)
- Bring back an proposed amendment to LDC for the above-mentioned
- No change in density

Mr. Cuyler spoke to the following:

- Developer could only build back at current room size
- Need 600 square feet room
- Staff completed research and found the above was true
- Staff preliminary determination no density increase

Discussion ensued regarding keeping the same number of rooms, when room size increased up to 600 square feet staff determined there would not be a increase of density, re-development was to buildback what was current, industry standard shows that travelers want 600 square feet rooms, direction to staff to clarify for Council with study and understand the impact, concern of prioritizing the Planning Department projects and Vice Mayor Congress work with City Manager with recommendation of Planning projects.

Councilman Denham moved, seconded by Councilman Harrity, to direct staff to put together information to modify the land Development Code to all increased room size for re-development.

Public Comment

Larry Schopp asked if the latest charter amendment and the number of room should be reduced to increase room size to 600 sq feet. He further stated that major concession with allowed due to redevelopment legislation, as well as grandfathered density.

The motion carried with Councilman Jennings excused.

Mayor Ruane spoke to the evaluation process for the City Manager and City Attorney and neither had been evaluated in the last seven years, no formal process and the Mayor would put together a written report for the file with an amendment to the agreement.

Mayor Ruane moved, seconded by Councilman Harrity, for the Mayor to evaluate the City Manager and City Attorney annually with a written report and bring back any amendment to the agreement to Council.

The motion carried with Councilman Jennings excused.

PUBLIC COMMENT

Claudia Burns spoke to what organizations asked to postpone bus regulations.

Mayor Ruane noted it was Wayne Ponader and Chris Heidrick.

Tom Krekel spoke to an evaluation of Library Director annually and asked for written opinions from each Councilmembers.

Peter Pappas spoke to the establishment of the form of government.

There being no further business the meeting was adjourned

Respectfully submitted by,

Pamela Smith, MMC
Sanibel City Clerk