



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Minutes - Draft City Council

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Tuesday, February 3, 2026

9:00 AM

MacKenzie Hall - 800 Dunlop Road

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### 1. CALL TO ORDER

The meeting convened at 9:00 a.m.

### 2. INVOCATION AND PLEDGE OF ALLEGIANCE (Mayor Miller)

Mayor Miller requested a moment of silence for the passing of former Planning Director Bruce Rogers, he then gave the invocation and led the Pledge of Allegiance.

### 3. ROLL CALL

**Present:** 5 - Mayor Mike Miller, Vice Mayor Holly Smith, Councilmember Laura DeBruce, Councilmember John Henshaw, and Councilmember Richard Johnson

### 4. SET THE AGENDA

The agenda was set as published.

### 5. PLANNING COMMISSION REPORT (Commissioner Steiner)

Commissioner Steiner provided the following report of the January 27th meeting:

- Organizational meeting - Chair Nichols and Vice Chair Steiner re-elected
- Approved subcommittee memberships and elected subcommittee chairs
- Received a recap from 2025 by Senior Planner Savannah White
- Received updates from Steering Committee representatives

The February 10th meeting has been cancelled, the next Commission meeting will be Tuesday, February 24, 2026, followed by the Land Development Code Review Subcommittee.

### 6. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

There were no public comments from the audience.

Council members expressed appreciation for the words spoken during the Invocation.

### 7. PRESENTATION(S)

- a. Recognition of the Employee of the 1st Quarter, Fiscal Year 2026 - Denise Dillon, Marketing and Events Coordinator (Sanibel Recreation Department)

Human Resources Director Crystal Mansell spoke to the Employee of the Quarter/Year program, noting the honorable mentions as Nathan Castle (Recreation Department) and Jeremy Larimer (Information Technology Department). Ms. Mansell provided a brief background for employee of the quarter Denise Dillon. Mayor Miller noted peer comments made in the nomination process and presented Ms. Dillon with a letter of congratulations, certificate and check. Ms. Dillon expressed her appreciation for the recognition. Council expressed their appreciation for Ms. Dillon's service to the city.

**b.** Proclamation recognizing February 11, 2026, as United Way 211 Day

Mayor Miller read into record and presented the proclamation recognizing United Way 211 Day. Toni Lapi, on behalf of the Sanibel Captiva United Way Committee and United Way Staff, expressed appreciation for the recognition. Council members expressed appreciation for the United Way and their service on the island.

## **8. DISCUSSIONS OF DRAFT LEGISLATION**

**a.** Smoking on Beaches Ban

**DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, EXPANDING THE PROHIBITION OF SMOKING, TO INCLUDE VAPING, WITHIN ALL PUBLIC PARKS AND PUBLIC BEACHES OWNED BY THE CITY OR LEE COUNTY WITHIN THE CITY'S JURISDICTION, BY AMENDING SANIBEL CODE OF ORDINANCES CHAPTER 36, HEALTH AND SANITATION, ARTICLE III, SMOKING PROHIBITIONS, DIVISION 1, BY ADDING A NEW SECTION 36-67, DEFINITIONS AND AMENDING DIVISION 2, TOBACCO FREE PUBLIC SPACE, SECTION 36-78, THE CITY OF SANIBEL COMMUNITY PARK; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew spoke to the background for the draft ordinance, noting the materials included in the agenda packet. Discussion ensued regarding the exemption for unfiltered cigars and how to designate the boundaries of the ban. Attorney Agnew spoke to the designations included in the draft ordinance. Further discussion ensued regarding being restricted to City owned beaches and parks, including the accessways.

Attorney Agnew spoke to verbiage to update prior to first reading as Section 36-78(b) "(including associated parking lots)". Discussion continued how to enforce the ban. Police Chief Bill Dalton spoke to the Rangers being on the beaches and available to educate the public and enforce the ban.

Public Comment:

- David Finkelstein - inquired as to signage

Discussion ensued regarding signage options and recommending Staff come back with sign options as well as an education campaign. City Attorney Agnew read into record the verbiage to be added to Section 36-78(b) between "parks" and "subject" as, "including their respective parking lots and other public access points,".

**Councilmember Johnson moved, seconded by Councilmember DeBruce, to move the draft ordinance to first reading with the verbiage as proposed by Attorney Agnew. The motion carried.**

## **9. FIRST READING OF AN ORDINANCE AND SCHEDULING OF PUBLIC HEARING**

### **a. Smoking on Beaches Ban**

**FIRST READING - ORDINANCE 26-001 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, EXPANDING THE PROHIBITION OF SMOKING, TO INCLUDE VAPING, WITHIN ALL PUBLIC PARKS AND PUBLIC BEACHES OWNED BY THE CITY OR LEE COUNTY WITHIN THE CITY'S JURISDICTION, BY AMENDING SANIBEL CODE OF ORDINANCES CHAPTER 36, HEALTH AND SANITATION, ARTICLE III, SMOKING PROHIBITIONS, DIVISION 1, BY ADDING A NEW SECTION 36-67, DEFINITIONS AND AMENDING DIVISION 2, TOBACCO FREE PUBLIC SPACE, SECTION 36-78, THE CITY OF SANIBEL COMMUNITY PARK; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 26-001.

Second reading and public hearing scheduled for 9:05 a.m., Tuesday, March 3, 2026.

## **11. OLD BUSINESS**

- a. 9:30 Time Certain** - Recommendation from the Sanibel Coyote Working Group to conduct a targeted lethal removal program for the purpose of reducing coyote depredation of sea turtle nests for the 2026 sea turtle nesting season

Natural Resources Director Holly Milbrandt introduced the topic and provided a brief background. James Evans, CEO of Sanibel Captiva Conservation Foundation (SCCF) and Coyote Working Group, further spoke to the issue of coyotes on the island and mitigation processes. Jack Brzoza, Biologist with SCCF, provided a brief PowerPoint presentation regarding the depredation summary and predation management strategies. Rachel Rainbolt, City of Sanibel Conservation Officer, continued the presentation relating to coastal wildlife predation management strategies. Ms. Milbrandt spoke to the recommended actions, advising the reporting process if the program were approved for the 2026 sea turtle nesting season. She further spoke to the scope of work.

Discussion ensued regarding the vision statement, the island still being in recovery, and where the City ranks in the statewide nest counts. Mr. Brzoza spoke to the need for continued conservation efforts. Council inquired how many coyotes have been killed (by any means) over the last few years, to which Ms. Rainbolt advised could be reported to Council.

Discussion continued regarding there being a data gap, and concerns with the work being done prior to season beginning. Mr. Brzoza spoke to the errors on the charts originally provided to Council during briefings and the information included in the agenda packet, noting the discrepancies were from updating the data to be Sanibel specific, as opposed to including Captiva. Discussion continued regarding the video from 2014 and whether it is relevant to the current discussion. Discussion turned to the pictures previously provided of deceased coyotes and why they were removed from the presentation. Council expressed concerns that the studies for “effective TLR programs in barrier islands” were not conclusive nor did they prove to be effective.

Discussion ensued regarding what happens if partial families/packs are removed, and what happens if a coyote is wounded but not killed. Jeremy Butts, U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA APHIS), spoke to the firearms portion of the program and being federally insured so there would be no liability to the City.

Continued discussion ensued regarding following the direction of the professionals, thinking outside the box and trying efforts that have not been tried before, and appreciation for the hard work done by the Working Group. Additionally, discussion was held regarding the possibility of delaying the project by a month. Ms. Milbrandt spoke to the process for working with USDA and coordinating with the start of the sea turtle nesting season. Discussion then turned to what the expectations of the program were.

City Manager Souza spoke to the community relying on the professionals over that past 50 years, the presentation not being geared to get to "yes", and his request to the working group for clarification of information and data. Council inquired if there were data in respect to interactions between coyotes and humans or dogs. Mr. Souza and Ms. Milbrandt spoke to reviewing police reports for additional reporting data.

Council inquired if the food sources were back to pre-Ian levels. Ms. Milbrandt spoke to the datum having been trending over the years, leading to this discussion, and the screening/caging program over the past few years. Further discussion ensued regarding if marsh rabbits were considered and what other options may be available.

Public Comments:

- Paul Tritaik - resident - spoke to previously being on the coyote working group

- and research previously done.
- David Finkelstein - resident - inquired if there were a data biologist on the work group and spoke to the need to update the research to eliminate the outliers, presenting the information without prejudice.
  - Bob Brooks - Beach Road Resident - spoke to concerns with focusing on recent statistics and the need to understand that animal behaviors have changed since the storms.
  - Nancy Floyd - resident - spoke in opposition to the lethal removal of coyotes, urging consideration of other options.
  - Lizzy Hepworth - SCCF intern - spoke to research done during her internship and in support of the proposed program.
  - Merry Merryfield - Resident - spoke in opposition to the program.
  - Julie Rumrill - winter resident - provided questions for consideration by the scientists, reiterated that decisions should be based on robust, long-term, site-specific science and cautioned against acting on limited or incomplete information.
  - Simon Tutt - Sanibel Resident - spoke in support of the program.
  - Larry Hinkey - Resident - spoke in opposition to the program; recommending night patrols.
  - Chet Sadler - Sanibel Resident - spoke to protecting the turtles.
  - Mitch Koppelman - Sanibel Resident - recommended tranquilizing coyotes and relocating to a sanctuary.
  - Erika Steiner - Sanibel Resident - spoke in opposition to the program.
  - Jerry Muench - Sanibel Resident - spoke in support of the SCCF and City staff members.
  - Larry Schopp - Sanibel Resident - spoke in opposition to the program.
  - Allan Antley - Sanibel Resident - spoke in support of the work of the professionals.
  - Lyman Welch - Sanibel Resident - spoke to concerns with the program, inquired how many coyotes are on the island, how many are being targeted, and recommended a public workshop for further alternative considerations.
  - Kevin Godsea - JN Ding Darling Refuge/US Fish and Wildlife Services - advised he's on the working group, noting the proposal was not a first choice but a decision to follow federal guidelines to protect an endangered species.

Council discussion ensued regarding the possibility of postponing the decision in order to consider alternative processes and gather further data. Mr. Butts spoke to the reasoning for starting the program in April, being proactive, not reactive. Further discussion ensued regarding the desire for a data scientist to participate in the data presentation, increase volunteer opportunities, and concerns with how to prove that the target animal is guilty of the depredation. Additionally, Council expressed concerns that the City and Coyote Working Group members did not have the necessary data regarding the extent or behavior of the coyote population on Sanibel and the need for tracking the number of coyotes on the island and percentage of population being removed, how pups would be handled if a mother coyote were

killed, and possibility of bringing the decision to the public via the referendum process.

Discussion turned to the wildlife mortality report noting that six coyotes and 27 marsh rabbits were killed, indicating the marsh rabbits had returned to the island. Council consideration of postponing the program to allow for further public participation, additional data collection, and directing City Manager Souza to schedule a public workshop.

Discussion ensued regarding Council participation being allowed if the workshop is a Council workshop as opposed to a public workshop. Attorney Agnew spoke to the process for having a public town hall followed directly by a Council workshop or special meeting to allow for public discussion and Council participation. City Manager Souza spoke to options depending on Council expectations for the workshop/meeting.

**Vice Mayor Smith moved, seconded by Councilmember Johnson, to table the discussion with the direction and recommendations as provided by staff, direct the City Manager to schedule a public workshop with the stakeholders and options as outlined by the Mayor for consideration, and include a data specialist. The motion carried.**

The meeting recessed at 1:37 p.m. and reconvened at 2:19 p.m.

## 10. COMMITTEES BOARDS COMMISSION

a. Appointing a Member to Police Pension Board

**RESOLUTION 26-003 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, PERTAINING TO THE SANIBEL BOARD OF TRUSTEES OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND, APPOINTING ONE MEMBER TO SERVE AS CITY COUNCIL APPOINTEE FILLING THE REMAINDER OF A TERM BEGINNING FEBRUARY 3, 2026, AND EXPIRING SEPTEMBER 30, 2026; AND PROVIDING AN EFFECTIVE DATE** (Applicants listed alphabetically by last name)

Attorney Agnew read into record the title of Resolution 26-003. City Manager Souza passed out ballots. Attorney Agnew tallied the votes and advised the results as two for Steve Maxwell, and one each for Richard Alt, Donald Marker, and Chuck Sterrett. A second ballot was passed out. Attorney Agnew advised the votes as four for Steve Maxwell and one for Richard Alt.

**Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 26-003 appointing Steve Maxwell to fill the partial term with an expiration date of September 30, 2026. The motion carried.**

b. Transportation Master Plan Steering Committee Membership

**RESOLUTION 26-006 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING RESOLUTION 25-036, SECTION 1, BY REPLACING ONE MEMBER AND ONE ALTERNATE MEMBER TO SERVE ON THE TRANSPORTATION MASTER PLAN UPDATE STEERING COMMITTEE UNTIL**

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**THE CITY COUNCIL ADOPTS AN ORDINANCE AMENDING THE PLAN AND THE COMMITTEE IS DISSOLVED; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Resolution 26-006.

**Councilmember Johnson moved, seconded by Vice Mayor Smith, to adopt Resolution 26-006, appointing Matt DePaolis as the member and Allie Pacenka as the alternate member of the Transportation Master Plan Update Steering Committee. The motion carried.**

## **11. OLD BUSINESS**

### **b. Discussion on E-Bike Regulations**

Councilmember DeBruce filled out the Conflict of Interest Form 8B due to being the owner of a business that rents e-bikes which could benefit financially. Her form was filed with the City Clerk and added to the record. Councilmember DeBruce recused herself and stepped out of the meeting at 2:27 p.m. Recreation Director Andrea Miller provided a brief background for the proposed regulations.

Discussion regarding SB382/HB243 relating to e-bikes being heard by legislative committees, what restrictions are included in the current version of the companion bills, and how the City could still regulate e-bikes on the shared use paths. Police Chief Dalton spoke to accident, crash, or medical reports involving e-bikes. Discussion ensued regarding the difficulties of verifying the class of bike, addressing behaviors instead of class of bike, and concerns with including other micro-mobility devices (scooters, etc.).

Discussion ensued regarding the possibility of instituting bicycle licenses. Chief Dalton provided bicycle speed study results from a month of monitoring a location on Sanibel Captiva Road. Discussion returned to following state/federal guidelines, difficulties of differentiating between classes, continuing to monitor behaviors, and any approved changes initiating the ordinance process. City Manager Souza clarified that the speed averages reported by Chief Dalton being all types of bikes, not just e-bikes.

#### **Public Comments:**

- Allan Antley - Resident, Sanibel Bike Club and COTI - expressed appreciation for the Sanibel Rangers, concerns that visitors need to be educated, not in support of including additional classes.
- Lyman Welch - Sanibel Resident - spoke in support of the motion and concurring with the Chief to address behaviors, not class of bike.
- Larry Schopp - Sanibel Resident - spoke in support of the motion.
- Mary Miller - Sanibel Resident - spoke to the history of the shared used paths.
- Allan Antley - spoke to the data provided by the Police Department, noting operator error as the main cause of incidents.

Discussion ensued regarding the main issue being user/operator error and the possibility of limiting rental companies. Attorney Agnew advised he could look further into the authority of the Council for regulating businesses that could rent or sell e-bikes. Discussion turned to what changes would require a referendum vote.

**Councilmember Johnson moved, seconded by Vice Mayor Smith, to follow state law and operational regulations and authorize class 1, 2, and 3 e-bikes on the shared use paths. The motion carried by a vote of 3-1 with Councilmember Henshaw opposed and Councilmember DeBruce recused.**

**Opposed:** 1 - Councilmember John Henshaw

**Recused:** 1 - Councilmember Laura DeBruce

Councilmember DeBruce rejoined the meeting at 3:46 p.m.

**c. Wildlife Crossing Signage Recommended Designs**

Conservation Officer Rachel Rainbolt summarized the information provided in the agenda packet. Discussion ensued regarding the funds covering the creation of the signs as well as posts for installation and sign sizes to be determined at staff level.

Public Comments:

- Jason Halliburton - Sanibel Resident - recommended incorporating "Wild Mile" into the signage

Discussion ensued regarding support of using the "Wild Mile" designation, marketing as such, as well as researching inclusion into the signage.

**Councilmember DeBruce moved, seconded by Vice Mayor Smith, to approve the wildlife-crossing sign designs and installation at the previously approved locations. The motion carried.**

**d. Florida Municipal Pension Trust Fund (FMPTF) Trustee Nomination**

City Manager Souza spoke to the background for the nomination. Discussion ensued regarding a nomination not being a requirement and the benefits of filling the seat on the board of trustees. Mayor Miller was nominated and accepted the nomination.

**Vice Mayor Smith moved, seconded by Councilmember DeBruce, to authorize the City Manager to submit the nomination for Mayor Miller to participate on the Florida Municipal Pension Trust Fund Board. The motion carried.**

## **12. NEW BUSINESS**

**a. Parks and Recreation Advisory Committee (PRAC) recommendation for community dog park survey**

Recreation Director Andrea Miller provided a brief background for the recommendation from the Parks and Recreation Advisory Committee.

Discussion ensued regarding the survey being the first step of the process to determine community support of the topic, what would trigger a referendum, and determining if there were consensus at the Council level for creating a dog park. City Manager Souza spoke to things to consider with the establishment and maintenance of a dog park. Further discussion ensued regarding funding for creation and upkeep, design and location being key considerations, including parking when determining a site, and if Staff manpower is available to address the project this year.

Continued discussion ensued regarding a proposed site being important to include in the survey, cover letter being a key component of the survey, and support of moving forward with the survey to determine community support.

Discussion ensued regarding the survey process, ensuring the responses come from residents and voters on the island, recommending the cover letter include a realistic timeline for the survey and proposed project. Discussion continued regarding limiting one response per email address and leaving it open for 60 days. Council inquired if the Chamber had been canvassed to determine visitor interest in a dog park.

Public Comment:

- Jason Halliburton - Sanibel Resident - spoke in support of a proposed dog park

**Councilmember DeBruce moved, seconded by Vice Mayor Smith, to proceed with the survey and research site proposals. The motion carried.**

## 11. OLD BUSINESS

### e. Florida Legislative Session 2026 (Supplement 2)

City Manager Souza summarized the information provided in the agenda packet. Discussion ensued regarding home stead exemptions, how they compare over the years, and there being a significant drop in exemptions this year.

Discussion continued regarding the League having indicated that if a bill or topic is not calendared yet, it might not be heard this year, and tracking legislation through the "On Tap at the Cap" newsletter for information related to upcoming bills.

Conversations turned to HB103 - elimination of business tax - and what Council could do, such as sending a letter explaining why, as written, the bill would not be supported by Sanibel; asking the Senate to oppose the house version. By consensus, direction was given for City Manager Souza to work with Mayor to draft letters to Senator Martin and Representative Botana for Council review and approval.

Further discussion ensued regarding SB1444 being a major preemption bill, and the single use container bill. Mr. Souza spoke to the legislative priorities and policy

positions already approved and advised to the legislators.

By consensus, Councilmember DeBruce was authorized to work with Sanibel Captiva Conservation Foundation (SCCF) to develop a position relating to the single use container bill (SB240).

Councilmember DeBruce stepped out of the meeting at 5:15 p.m.

**Councilmember Johnson moved, seconded by Vice Mayor Smith, to excuse Councilmember DeBruce from the remainder of the meeting. The motion carried.**

**Excused:** 1 - Councilmember Laura DeBruce

### 13. CONSENT AGENDA

#### CONSENT ITEMS PULLED FOR DISCUSSION

##### BUSINESS ITEMS

- a. Adoption of Minutes
- b. Engineering Services for Sanibel Roads Reconstruction Project
- c. Post Hurricane Ian Lift Station Control Panel Platforms Procurement Phase 1: Consider awarding a contract for fabrication of ten (10) lift station control panel platforms to Architectural Metals of SW Florida in the amount of \$287,100.00 and authorize the City Manager to execute the contract.

Approval of Consent Agenda Business Items 13(a), (b), and (c).

**Councilmember Henshaw moved, seconded by Vice Mayor Smith, to approve Consent Agenda Business Items 13(a), (b), and (c). The motion carried.**

### 14. INFORMATIONAL ITEMS

- a. Hazard Mitigation Grant Program Update (Tradewinds)
- b. Water Quality Report from Natural Resources Department

Discussion ensued regarding the in-depth water quality report and that a response from the letter sent to the Army Corps of Engineers (ACOE) and South Florida Water Management District (SFWMD) had not yet been received.

Discussion ensued regarding the impacts to the Everglades Coalition conference due to the state and federal participants not participating.

### 15. GENERAL COUNCIL DISCUSSION

a. Future Agenda Items Matrix

Vice Mayor Smith spoke to discussions held in Tallahassee relating to the priorities.

Mayor Miller congratulated City Manager Souza upon earning the Credentialed Manager Designation from the International City/County Management Association (ICMA) and thanked all that participated in the state of the islands event.

Councilmember Henshaw congratulated the Sanibel Fire & Rescue District upon the reopening of Station 172 and congratulated Mr. Souza upon his designation.

## 16. CITY MANAGER'S REPORT

City Manager Souza spoke to withdrawing #4 from the list at the request of Councilmember DeBruce, #2 at the request of Vice Mayor Smith, and the remote work policy. Discussion ensued regarding item #6 relating to Vegetation - Chapter 122.

Discussion turned to two letters that had been sent to Lee County Board of County Commissioners (BoCC); one relating to the Sanibel pier. Mr. Souza spoke to a request from the Tourist Development Council (TDC) went to the BoCC for \$2.5M for pier renovation with the final vote to be held at the March 3 BoCC meeting. The pier committee will continue fundraising.

Further discussion ensued regarding Community Housing & Resources (CHR) funds received from the BoCC, Hazard Mitigation Grant Program (HMGP) funds that may be available for Tradewinds. Mr. Souza provided updates based on discussions held with the County.

Council requested Staff draft thank you letters to all Commissions for consideration of the funding for CHR and pier, specifically for Commissioner Ruane's letter to go first, followed by letters to the other commissioners.

## 17. CITY ATTORNEY'S REPORT

No further report.

## 18. PUBLIC COMMENT

There were no public comments from the audience.

## 19. ADJOURNMENT

There being no further business, the meeting adjourned at 5:37 p.m.