



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Draft City Council

Tuesday, April 1, 2025

9:00 AM

BIG ARTS - 900 Dunlop Road

1. CALL TO ORDER

The meeting convened at 9:02 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Mayor Miller)

Mayor Miller 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

Vice Mayor Smith requested to move item 16b - Scheduling a special meeting, before item 11 - Discussion of draft legislation.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to move City Manager Report item 16b before item 11 Discussions of Draft Legislation. The motion carried.

5. PLANNING COMMISSION REPORT (Commissioner Burns)

Commissioner Burns provided the following brief report:

Since last report the Planning Commission met on March 25th.

- Public hearing and consideration of a variance request to allow a second sign at CVS Pharmacy located at 2331 Palm Ride Road. Commission determined that not all variance standards were met and passed a resolution denying the variance request by a unanimous vote.
- Public hearing to promote community resiliency through code amendments related to the placement of fill. The resolution forwarding to Council for consideration of an ordinance with a modification to the purpose statement under Section 86-46a, was passed by a unanimous vote.
- Public hearing to allow an exception to height limitation for resiliency specific to build-back. The resolution forwarding to Council for consideration of an ordinance passed by a unanimous vote.
- Public hearing to adopt an ordinance amending the Code of ordinances to aid

hurricane recovery by allowing a short-form process for 4 conditional uses through the end of 2025. The resolution forwarding to Council for consideration of an ordinance, striking provision 4, passed by a vote of 6-1 with Commissioner Welch opposed.

The next Commission meeting will be April 8th. The LDC Subcommittee meeting has been scheduled for April 22nd following the PC meeting.

Council inquired about the hearing for the CVS sign and why it was denied. Ms. Burns spoke to the standards not having been met and the request coming before commission two times previously. Discussion ensued regarding what steps were taken to provide all information prior to the hearings. Attorney John Agnew spoke to the review process at the Commission level, advising the denial of the application had no negative affects to recovery efforts of the organization.

Discussion ensued regarding the possibility of moving the sign as opposed to placing a second sign to increase visibility.

6. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Public comments:

- Matt DePaolis - Sanibel Captiva Conservation Foundation (SCCF) - spoke to the decision from the court regarding US Sugar and acknowledging the importance of the support from the local municipalities.
- Chet Sadler - Sanibel Resident - spoke to the need to continue discussions with Lee County to create two lanes exiting the causeway. He further spoke to the dark sky regulations and the need to enforce them.
- Mitch Koppelman - Sanibel Resident - spoke to the hearing for the CSV variance request and the need to consider updates to the code for commercial signs.

7. PRESENTATION(S)

b. Recognition of the Employee of the 2nd Quarter

Postponed to May 6th.

a. Employee Service Awards

- i. Thomas Wierda, Wastewater Plant Operator III, 10 Year Service Award (Date of Hire: 3/19/2015) (Postponed from March 18th)
- ii. ~~Anthony Thompson, Deputy Chief of Police, 30 Year Service Award (Date of Hire: 09/12/1994)~~ (Postponed to July 15th)

Human Resources Director Crystal Mansell advised the employee of the quarter presentation would be postponed to the May meeting. Ms. Mansell then introduced

Wastewater Plant Operator III, Thomas Wierda, commending him for his 10 years of service to the City. Mayor Miller presented Mr. Wierda with a certificate and pins for 5 and 10 years of service. Public Works Director Fred Mittl spoke his appreciation for Mr. Wierda's service.

c. Proclamation declaring April 10, 2025 as Gopher Tortoise Day on Sanibel Island

Mayor Miller read into record and presented the proclamation declaring April 10, 2025 as Gopher Tortoise Day on Sanibel Island to the Natural Resources Department Staff. Natural Resources Director Holly Milbrandt spoke her appreciation for the proclamation and the importance of protecting the island gopher tortoises.

d. Spirit of Sanibel Proclamation (Supplement 2)

Councilmember DeBruce read into record the proclamation recognizing the Spirit of Sanibel.

e. Presentation of the Fiscal Year 2024 Annual Comprehensive Financial Report (ACFR) Prepared by the Finance Department and Audited by CliftonLarsonAllen LLP. Presentation by Steve C. Chaipel, Deputy City Manager/CFO with Chris Kessler and Rob Willems of CliftonLarsonAllen LLP.

Deputy City Manager/CFO Steve Chaipel introduced Chris Kessler and Rob Willems of CliftonLarsonAllen who provided a brief PowerPoint presentation relating to the 2024 annual comprehensive financial report.

Council expressed appreciation for Mr. Kessler and Mr. Willems and the report. Council inquired about the report findings. Mr. Chaipel spoke to the process for the audit and reporting, creating and filling the Grant Manager position, and implementing new software to manage the grants. Discussion ensued regarding the ability to correct the process for accurate reporting.

Council inquired as to the difference between material weakness and a significant deficiency, to which Mr. Kessler explained. Council further inquired about the grant tracking and software abilities. Mr. Chaipel responded that there would be a shared control number in both software programs to ensure they are tied together in the two systems.

Mr. Kessler continued the presentation regarding the report findings. Council inquired how the funding levels would fluctuate with recovery efforts and if the revenue replacement funds were included in the general fund balance. Mr. Chaipel advised the financial effects of the award would be recognized in FY25.

Mr. Chaipel expressed his appreciation for CliftonLarsonAllen and their partnership

over the years. He further spoke to receiving the Certificate of Achievement for Excellence in Financial Reporting award for 2023, this being the 39th consecutive year for receiving the award.

f. City Hall Landscaping - Leigh Gevelinger, ASLA - Coastal Vista Design

Holly Milbrandt, Natural Resources Director, introduced Leigh Gevelinger, Coastal Vista Design, who provided a brief PowerPoint presentation relating to updating landscaping around City Hall. City Manager Dana Souza spoke to the financial plan to incorporate the conceptual plans.

Discussion ensued regarding how this falls in the budget discussions, demonstrating the use of native vegetation in a positive manner, and inquired how education would be incorporated. Ms. Gevelinger spoke to the education components and the intent to reinstall the plant placards. Mr. Souza spoke to bringing the item to Council before working with the Vegetation Committee and expressed his appreciation for Ms. Gevelinger's efforts thus far in the project.

Further discussion ensued regarding the continuation of the Plant Walks at City Hall that are hosted and led by the Vegetation Committee Members. Ms. Gevelinger advised that her staff had also participated in the plant walks.

g. Hurricane Recovery (Ian, Helen & Milton)

i. Presentation on Recovery Performance Measures - Doug Congress & Eric Pfeifer

Eric Pfeifer, on behalf of a group of residents and business owners, spoke to the initiatives proposed at the March meeting and introduced Doug Congress who presented an online implementation plan and dashboard for tracking recovery efforts.

Council discussion ensued regarding the importance of data collection and metrics, the data being measurable and actionable, and providing the ability for tracking the progress of recovery. Council inquired who would be preparing and maintaining the website. Mr. Congress advised the group refers to themselves as "Sanibel Solutions", noting organizations they are working with and that FGCU would be maintaining the website and information. Council inquired what next steps would be and what was being asked of the Council and City Staff. Mr. Congress responded that they would be gathering information, requesting the City sign on as supporters of the program, and providing a forum for public participation.

Discussion ensued regarding concerns that the dashboard could be seen as a deterrent for encouraging visitors, looking forward to discussion regarding how to make it work, support of the concept, understanding concerns with the data presentation, and working with Staff to provide relevant information. Deputy City Manager Steve Chaipel spoke to the data that would be available from the City.

ii. Public Comment

Public Comments:

- Mitch Koppelman - Sanibel Resident - spoke to verifiable data being important and the need to ensure the information collected is verifiable.
- Rebecca Serra - Tradewinds Resident - thanked Mr. Pfeifer and Mr. Congress and spoke to there being enough volunteers to maintain the website.
- Jason Haliburton - Sanibel Resident - commended the group on their efforts and spoke to the need for encouraging investment in the island residences and businesses.

Discussion ensued regarding support of the program and the importance of the data being verifiable and actionable. Mr. Congress spoke to the information being verifiable and well identified as to the source. Discussion ensued regarding the ability to impact the re-opening of businesses by improving the permitting process. City Manager Souza spoke to including links back to the source of the data as opposed to duplicating information. Council requested to add an update to the May agenda. Discussion continued regarding including updates to the code in the metrics for ease of access.

Council encouraged Mr. Pfeifer and Mr. Congress to continue moving forward with the proposed dashboard and website. Mr. Souza spoke to gathering data points to ensure actionable items and including information following the completion of the vulnerability assessment.

The meeting recessed at 11:33 a.m. and reconvened at 11:43 a.m.

a. **11:00 a.m. TIME CERTAIN**

Request from The Sanctuary at Wulfert Point Community Association to reduce the speed limit on Wulfert Road from 30mph to 20 mph (Postponed from March 18th meeting)

City Manager Dana Souza provided a background and summarized the memorandum included in the agenda packet. Mark Lautenbach, Sanctuary at Wulfert Point Community Association, spoke to the background for the request, expressing appreciation for discussions with Staff to this point. Police Chief William Dalton spoke to efforts for tracking speeds in the area and reported the findings.

Public Comment:

- Craig Helmen - Resident - advising the lowering of the speed would not solve the problem, recommended there should be a traffic study, the need to take facts into account, and requested a relative risk study be included.
- Jean Burks - Blue Crab Court - advised the survey that was previously done had not included all streets in the area that are affected

Discussion ensued regarding support of lowering the speed limit without doing a traffic study. Council inquired if there were a requirement for a traffic study. City Manager Souza responded that the two neighborhood areas are very different and advised the Florida Statutes require the study; noting the Dunes study is 11 years old. Attorney Agnew opined that though the previous study could be used, it would not necessarily be analogous to the situation. Discussion continued regarding the language in the state statutes applying to the whole state.

Mayor Miller spoke to being in support of a study in an effort to include the other streets affected. Council inquired if 25 miles per hour would be a compromise. Mr. Lautenbach responded that the statutes require 5 mile/hour increments and that 20mph was chosen knowing driver's commonly drive 5 miles over the limit, and the reduction being to improve safety concerns. He further advised the Association has a contact list for the residents of the area.

Public Comment:

- Craig Helmen - suggested fundamental basic change management principles were not considered, there being a lack of communication with the public, and noted the safety issues would not be affected.

Attorney Agnew recommended fully following the 20mph recommendation of the Dunes study to eliminate any chance of "arbitrary" challenges, if a new traffic study were not required.

Public Comment:

- Ken Monahan - Citizen - spoke to the whole community wanting to feel safer and did not intentionally disregard neighboring areas.
- Craig Helmen - advised there were no arguments against improving safety, noting he does not believe a reduced limit would solve the problem.
- Jean Burks - spoke to the previous survey not including the other roads affected.

Discussion ensued regarding there not being posted limits on the other streets connected to Wulfert Road and support by some Councilmembers of going to 20 mph.

Councilmember DeBruce moved, seconded by Councilmember Henshaw, to use the recommendations from the Dunes Study to lower the Sanctuary at Wulfert Point neighborhood speed limit from 30 mph to 20 mph and including the three adjacent roads in the proposal. The motion carried by a vote of 3-2 with Mayor Miller and Vice Mayor Smith opposed.

Opposed: 2 - Mayor Mike Miller, and Vice Mayor Holly Smith

The meeting recessed at 12:52 p.m. and reconvened at 1:31 p.m.

8. CITY COUNCIL COMMENTS

Councilmember DeBruce congratulated Committee of the Islands (COTI) upon the success of their annual meeting and the excellent speaker they hosted. Ms. DeBruce spoke to an AI project by the University of Florida (UF) regarding "Dynamic Doppelgangers - Developing Florida's Digital Twins". She advised she had spoken to Tom Ankerson regarding the possibility of including the study of a round-about for Sanibel. Finally, she spoke to the topic of microgrids being an option for the study.

Councilmember Johnson concurred with the comments for COTI.

Councilmember Henshaw spoke to a scrivener's error in the printed Sanibel Spirit proclamation. City Manager Souza read into record the correct verbiage, noting the correct proclamation was posted in the agenda packet and advising the revised proclamation would be prepared in print format.

Vice Mayor Smith spoke to possible Florida Municipal Insurance Trust (FMIT) rate reductions, attending meetings in Tallahassee, watching legislation in session, meetings in Washington DC regarding FEMA, and noted a letter from Byron Donalds regarding Housing and Urban Development (HUD) issues. She further concurred with comments made by the other members.

Mayor Miller spoke to attending a ground breaking event for The Villa's of White Pelican (previously Beach View Cottages), attending the prescribed fire workshop, attending the ribbon cutting for Sandalfoot Condos, and concurred with comments for the COTI annual meeting.

9. CITY COUNCIL CONSIDERATIONS FOR FUTURE AGENDAS

Councilmember DeBruce proposed taking a look at cost and practicalities of having pumps at the weirs. City Manager Souza spoke to that being included in the stormwater master plan update.

Vice Mayor Smith requested the Sanibel Ranger program update and discussion of short term rentals be on upcoming agendas. She further requested a look at the software program used for managing short term rentals. Mr. Souza advised the ranger program update would be on the May meeting.

Councilmember Henshaw spoke to key performance indicators (KPIs) for staff. Mr. Souza spoke to requesting metrics from staff, advising the rangers item and staff KPIs would be included on the May agenda. Discussion ensued regarding email updates that the City Manager provided to Council and how to make information visible to the public.

Mayor Miller spoke to bringing back the topic of an ombudsman, inquired if the issues with the parking QR codes had been corrected, and if the pre-Ian roadside

signs had been replaced/removed. Mr. Miller spoke to the addressing the Sanibel Plan /LDC regarding regulating building heights in the resort housing district and other eco zones. Discussion ensued regarding if a referendum would be required for height regulation changes and understanding the staff policy in relation to remote work. Discussion continued regarding whether Directors are physically at City Hall and what current staffing levels are.

City Manager Souza advised the ombudsman and staffing/remote work policy are not related, noting only about 20 staff members work remotely, and not seeing a need for the ombudsman position.

10. 9:10 - SECOND READING AND PUBLIC HEARING

a. Distressed Properties

ORDINANCE 25-004 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING CHAPTER 126, ZONING, ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 17, DISTRESSED PROPERTIES, SECTION 126-1314, MAINTENANCE AND SECURITY STANDARDS, SECTION 126-1317, ABATEMENT PLAN, AND SECTION 126-1319, ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

Attorney Agnew read into record the title of Ordinance 25-004. City Manager Souza provided a brief background for the ordinance.

Discussion ensued regarding attending the code hearings for distressed properties and issues with determining and contacting property owners. Council inquired as to the rights for vacant lands and if the City needed further authority to address vacant hazardous lands. Mr. Souza spoke to language included that addressed those parcels. Attorney Agnew spoke to the reference being given to violations within the division for distressed properties which are only improved parcels; noting vacant lots would not be included. Discussion ensued regarding the provision for hazardous lands (Section 14-244) being sufficient for the City's needs, to which Mr. Agnew confirmed.

Councilmember Henshaw moved, seconded by Vice Mayor Smith, to adopt Ordinance 25-004. The motion carried.

b. Consideration of scheduling a special meeting on April 17, 2025 (Supplement 2)

Discussion ensued regarding the possibility of scheduling a special meeting to allow for the first readings of the ordinances and scheduling the second readings for May 6th. City Manager Souza proposed holding the special meeting from 1pm-2pm with the CIP workshop following.

Public Comment:

- Arlene Dillon - requested clarification of the plan for discussion, first reading, and second reading of the items.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to schedule a special meeting from 1pm to 2pm on April 17, 2025. The motion carried.

11. DISCUSSIONS OF DRAFT LEGISLATION

a. Placement of Fill

DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO PROMOTE COMMUNITY RESILIENCY THROUGH AMENDMENTS RELATED TO THE PLACEMENT OF FILL; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 78, GENERAL PROVISIONS; SECTION 78-1, RULES OF CONSTRUCTION AND DEFINITIONS; CHAPTER 82, ADMINISTRATION, ARTICLE IV, DEVELOPMENT PERMITS, DIVISION 2, PROCEDURE, SUBDIVISION I, GENERALLY, SUBSECTION 82-382(e) AND (k), FILING PROCEDURE; CHAPTER 86, DEVELOPMENT STANDARDS, ARTICLE II, SITE PREPARATION, ADDING A NEW SECTION 86-45, USE OF FILL IN DETERMINATION OF DEVELOPED AREA; CHAPTER 94, FLOODS, ARTICLE II, DEFINITIONS, DIVISION 1, GENERAL, SECTION 94-124, DEFINITIONS, AND ARTICLE III, FLOOD-RESISTANT DEVELOPMENT, DIVISION 3, SITE IMPROVEMENTS, UTILITIES, AND LIMITATIONS, SECTION 94-154, LIMITATIONS ON PLACEMENT OF FILL, FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS

Planning Director Paula McMichael provided a brief background for the proposed code amendments.

Council inquired if the proposed legislation was a good compromise for addressing issues brought up by the contractors. Ms. McMichael responded that it was a good compromise, noting having worked with Building Staff, Floodplain Manager, and Mr. Colter (on behalf of the contractors).

Discussion ensued regarding the definition of fill and Council recommended using the term "or incidental" following "normal". Further discussion ensued regarding including the language "organic material placed to restore scoured land to previously allowed elevations shall not be considered fill" at the end of the definition of fill in Section 78-1. Ms. McMichael spoke to what actions need a permit and which don't, noting the restoration is not considered fill. Attorney Agnew expressed concerns for not including the word "permitted". Further discussion ensued regarding the need for "permitted" and "or incidental" included in the verbiage.

Discussion ensued regarding what is considered normal or incidental. Ms. McMichael provided examples of what would be replacement as opposed to increasing fill.

Discussion continued regarding ensuring the replacement is not changing the elevation or topography of the parcel nor would it be affecting the neighboring parcels.

Public Comment:

- Larry Schopp - Resident - inquired if Staff is amenable to allowing the addition of topsoil to improve the restoration of vegetative growth
- Arlene Dillon - Resident - inquired if the verbiage in Sec 94-154(b)(4) relating to stormwater runoff could be included so the property being developed keeps the water on site

Discussion ensued regarding whether two inches of topsoil would be considered de minimus. Ms. McMichael spoke to the need for Staff to inspect the parcel to ensure the area is not a retention area. Oisin Dolley, City Engineer, spoke to the process for addressing landscaping permits, utilizing an as-built survey, and changes in fill would not change the review process of drainage plans or calculations. Attorney Agnew spoke to purpose for the regulation and permitting process.

Council spoke to item 4 covering the request by Ms. Dillon and some members being in support of the additional verbiage from Ms. Dillon.

Vice Mayor Smith moved, seconded by Councilmember DeBruce, to move the draft ordinance to first reading with the added language as stated by Councilmember DeBruce and Mayor Miller.

Councilmember DeBruce moved, seconded by Councilmember Johnson, to amend the motion to include in Section 94-154(b)(4) the words "to the parcel" or "on the parcel being developed" after the words "must provide on site retention of stormwater runoff". The motion carried by a vote of 4-1 with Vice Mayor Smith opposed.

Opposed: 1 - Vice Mayor Holly Smith

Vice Mayor Smith moved, seconded by Councilmember DeBruce, to move the draft ordinance to first reading with the added language as stated by Councilmember DeBruce and Mayor Miller and to include in Section 94-154(b)(4) the words "to the parcel" or "on the parcel being developed" after the words "must provide on site retention of stormwater runoff". The amended motion carried.

b. Height Limitation Exception

DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT, CODE, CHAPTER 126, ZONING, ARTICLE V, NONCONFORMANCES, DIVISION 5, STANDARDS FOR BUILDING-BACK (RECONSTRUCTION) OF STRUCTURES SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER, SECTION 126-212, NONCONFORMING STRUCTURES, TO ALLOW AN EXCEPTION TO HEIGHT LIMITATION FOR RESILIENCY SPECIFIC TO THE BUILD-BACK (RECONSTRUCTION) OF NONCONFORMING STRUCTURES, FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS

Deputy Planning Director Craig Chandler gave an overview of the previous

discussions on the item and spoke to the current review processes.

Vice Mayor Smith moved, seconded by Councilmember DeBruce, to forward the draft ordinance as written to first reading. The motion carried.

c. Conditional Uses

DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT CODE, CHAPTER 82, ADMINISTRATION, ARTICLE III, PLANNING COMMISSION, DIVISION 3, SPECIFIC AUTHORITY, SUBDIVISION V, CONDITIONAL USES, SECTION 82-201, AUTHORIZATION, TO AID HURRICANE RECOVERY, FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS

Deputy Planning Director Craig Chandler provided a brief background and summarized the agenda memorandum.

Discussion ensued regarding the notification one being a 300 foot radius, request to clarify the language to include "radius", and noting that the requests are not automatically approved. Mr. Chandler spoke to the review standards and process.

Discussion ensued regarding updating the information on the draft ordinances that the first readings will be on April 17th as opposed to May 6th. Further discussion ensued regarding previous practices for boat docks/davits/lifts that all properties on the waterway that would be affected would be notified. Council additionally requested to review/revise the language regarding "anyone from the public" that could request an application. Ms. Smith read into record proposed verbiage as, "the applicant, or any member of the public, to whom notice is mailed pursuant to this subsection may request...".

Discussion continued regarding the notification practices as developed by the Planning Commission and some Councilmembers preferred not to include the language for only those that receive notice. Discussion ensued regarding item (b)(1) being separate from items (b)(2-4) and how to update the language.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to move the draft ordinance to first reading, updating the language in Section 82-201(b) language as stated, and adding "radius" to 300 feet. The motion was withdrawn.

Mr. Chandler spoke to the process for Staff to send a hearing to Planning Commission for consideration. Discussion continued regarding the issue being the notification clauses, separating (b)(1) for a different notification process, and the proposed notification process being a good compromise through the end of the year. Mr. Chandler spoke to casting broader net to the community, utilizing the website and email list to send notifications, along with the written letters that are mailed. Council discussion returned to concerns with using the email list and who can request a hearing go to Planning Commission.

Council members spoke to separating (b)(1) and keeping (b)(2, 3, and 4) together as a separate subsection. Continued discussion ensued regarding having discussion at the special meeting prior to first reading to ensure the changes are in conformance with today's discussions.

Public Comment:

- Larry Schopp - Sanibel Resident - spoke to the opportunity for public participation and right to appeal if heard at Commission level, though those opportunities are eliminated or reduced if approved at the Staff level.

Discussion ensued regarding the conditional use process, public having notice of the proposed use, and the appeal process existing through the Commission.

Public Comment:

- Arlene Dillon - spoke to the difficult appeal process when an approval has already been granted.

Discussion continued regarding being careful not to remove/reduce public rights, upholding the intent from the Commission for public participation, ensuring proper notice, and separating (b)(1) to remain with Planning Commission review process. Further discussion ensued regarding the language for "all public" being notified and having authority to request a hearing, how to disseminate the notices (email list, website, letter), and limiting the notifications/option to request a hearing to Sanibel property owners.

Mr. Chandler spoke to the Planning Commission vote history on this topic. City Manager Souza spoke to including "Sanibel Resident, property owner, or business owner" and option to bring back in November or December to determine if an extension is required.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to bring back as discussion item on April 17th, in accordance with guidance provided by Council today. The motion carried.

12. CONSENT AGENDA

CONSENT ITEMS PULLED FOR DISCUSSION

No items were pulled for discussion.

a. BUSINESS ITEMS

- i. Adoption of Minutes: February 18, 2025, Joint City Council/Planning Commission Workshop
- ii. Friends of Don, Inc. Request for City of Sanibel co-sponsorship of the annual

Independence Day Parade and to waive the Special Event fees

- iii. Approval of a proposal from Earth Tech Enterprises, Inc to recover over washed beach sand from the Clam Bayou area to restore a sand berm between the bayou and the Gulf. (Supplement 2)
- iv. Sanibel School Fund temporary fundraising sign requests at Bank of the Islands and Recreation Center - SUPPLEMENT 1

Approval of consent agenda business items 12(a)(i), (ii), (iii), and (iv).

Vice Mayor Smith moved, seconded by Councilmember DeBruce, to approve consent agenda business items 12(a)(i), (ii), (iii), and (iv). The motion carried.

13. OLD BUSINESS

b. MacKenzie Hall Improvements

City Manager Dana Souza provided a brief PowerPoint presentation and summarized the memorandum included in the agenda packet.

Discussion ensued regarding timing, direction, and possibility of holding meetings in MacKenzie during construction. Some Council members expressed need to let the work happen without moving meetings back and forth. Council inquired as to the difficulties getting contractors to commit. Mr. Souza spoke to the low bidders having withdrawn and that contractors are not looking for small projects. Discussion ensued regarding if use of the Recreation Center would be suitable. Ms. Souza spoke to challenges with technology and scheduling when moving to Recreation.

Continued discussion ensued regarding only City Council and Planning Commission are currently meeting at BIG ARTS, if the budgeted amount is appropriate, and what the current and future capacity of MacKenzie Hall will be.

Council requested a more defined timeline update at the next meeting, to move forward with discussion, design and bidding contractors, and possibility to move back to MacKenzie until construction requires moving out again.

City Manager Souza requested direction to move forward and allow staff to work on the project with monthly updates provided, noting new chairs were being purchased. By consensus, Council directed Staff to move forward with efforts to update MacKenzie Hall.

The meeting recessed at 4:23 p.m. and reconvened at 4:33 p.m.

- c. Recommendation of Award - ITB-UT-0-2025/SK**
Post Hurricane Ian Sanitary Sewer Cleaning and CCTV Inspection - Phase 1

Jason Goodrich, Deputy Director of Utilities, provided a brief background for the request.

Discussion ensued regarding the project being grant funded, the proposed timeline, covering 20% of system, providing cleaning and inspection concurrently, addressing critical areas first, and concerns with Senate Bill 810 (SB810) regarding stormwater which is currently going through the legislative session.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to approve a contract with National Water Main Cleaning Company in the amount of \$374,650.00 for the Post Hurricane Ian Sanitary Sewer Cleaning and CCTV Inspection – Phase 1 project and authorize the City Manager to execute the contract. The motion carried.

d. RESOLUTION 25-018 APPROVING BUDGET AMENDMENT 2025-007 TO APPROPRIATE \$400,188 FOR REPAIRS TO THE CITY'S BOAT RAMP AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 25-018. Deputy City Manager Chaipel spoke to the background for the funds appropriation.

Discussion ensued regarding any cost share opportunities and the scope of work that will be covered. Deputy Public Works Director Scott Krawczuk spoke to the portions of the boat ramp structure to be replaced.

Council inquired as to the timing of repairs in conjunction with Punta Rassa access. Mr. Krawczuk spoke to waiting for season to end and the project taking approximately 60-days. Discussion ensued regarding hearing from Lee County the timeline for Punta Rassa reopening and if the repairs need to be done this year. Mr. Krawczuk spoke to following the timelines of the grant. Mr. Souza spoke to getting the projects done, receiving the funds, and meeting funding guidelines. Discussion ensued regarding the contractor pricing being held for 60 days, and the possibility of ordering supplies and extending the pricing hold.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 25-018. The motion carried.

e. Sanibel Boat Ramp Dock Replacement Project - Recommendation to award repair contract.

Councilmember DeBruce moved, seconded by Councilmember Henshaw, to award the Boat Ramp Dock Replacement Project to Florida Marine Contracting & Recovery LLC in the amount of \$317,877.00, and to authorize the City Manager to execute the contract. The motion carried.

f. City 50th Anniversary Workgroup Recommendations for Community Record Setting Attempt

Recreation Director Andrea Miller provided a brief background for the item and summarized the proposed record setting event.

Discussion ensued regarding the reasoning for the date, time, and location. Council inquired as to the requirement for a specific area and guidelines for dual counting of participants. Discussion continued regarding allowing Staff/Committee to set the date, the location being approved, authorizing work on marketing and video, and restrictions for use of the Guinness logo or name.

Discussion turned to requesting funding from the Tourist Development Council (TDC) as it is a tourism marketing event, if there is an application to request funding from TDC at their next meeting on April 10th, and proposed writing a letter to Board of County Commissioners (BoCC) Chair Ruane who is Chair of TDC. Mayor Miller advised he has requested to meet with Mr. Ruane and would include this topic as well.

g. RESOLUTION 25-013 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING BUDGET AMENDMENT 2025-006 TO APPROPRIATE \$50,000 IN THE GENERAL FUND FOR A MARKETING CAMPAIGN AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 25-013. City Manager Souza provided a brief background for the appropriation.

Discussion ensued regarding including a letter to the TDC regarding marketing efforts, including a request for funding of half of the fireworks demonstration, and how the TDC marketing funds are distributed among the local municipalities. Council inquired as to who benefits from the marketing efforts and if the focus is on parking, selling homes, and/or supporting businesses. Discussion ensued regarding being stewards of the local economy and the importance of marketing the island to support the local small businesses.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 25-013. The motion carried.

h. RESOLUTION 25-017 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING BUDGET AMENDMENT 2025-005 TO ADJUST THE ADOPTED BEGINNING AND ENDING FUND BALANCES IN THE GOVERNMENTAL FUNDS AND PROVIDING AN EFFECTIVE DATE.

Attorney Agnew read into record the title of Resolution 25-017. Deputy City Manager Chaipel provided a brief background.

Discussion ensued regarding the ending fund balance and understanding there is not a huge surplus of taxpayer dollars in the accounts.

Councilmember Henshaw moved, seconded by Vice Mayor Smith, to adopt Resolution 25-017. The motion carried.

14. NEW BUSINESS

a. Fiscal Year 2026 City of Sanibel Strategic Goals

City Manager spoke to the draft goals and recommended including Hurricanes Debbie, Helene and Milton. Discussion ensued regarding tracking the success of the goals through key performance indicators and expanding the goals under customer service.

Discussion continued regarding the goals not being in a specific order and including a goal for improving and hardening infrastructure. Further discussion ensued regarding bringing residents and businesses/customers back and which category that goal would fall under. Council requested hurricane recovery be number 1 on the list.

15. INFORMATIONAL ITEMS

a. Hazard Mitigation Grant Projects Update (Tradewinds and East Rocks)

b. Water Quality Report from Natural Resources Department

c. Finance Department Reports

Natural Resources Director Holly Milbrandt provided a brief report regarding water quality. Discussion ensued regarding the lake being at 12.5 feet, anticipating cut backs and moving out of recovery operations, not expecting additional red tide blooms at this time, and the C43 project being on track and progressing.

16. CITY MANAGER'S REPORT

a. Discussion regarding Donation of Painting

City Manager Souza spoke to a painting that was donated, provided the background for the donation, and advised he was authorized to accept it due to the adoption of the donation policy. Discussion ensued regarding preparing a letter of appreciation to the donor.

Mr. Souza spoke to the correction for the Spirit of Sanibel proclamation, addressed distressed properties, issuing Dairy Queen a notice of violation for a dangerous building, and receiving notice the owners are working on dry flood proofing and possibly a historical register designation. He further spoke to participating on a workgroup relating to microgrids.

Finally, Mr. Souza spoke to hearing concerns with permitting review times, noting the City is reviewing within 5 days, requesting the public provide an address when voicing

concerns to the City, monitoring key performance measures, and expressed appreciation for how hard the Staff is working in all departments. Council inquired why insufficient applications were being submitted and how to communicate to and educate applicants on submitting applications. Mr. Souza spoke to improvements in the review process with the implementation of the CityView software.

17. CITY ATTORNEY'S REPORT

Attorney Agnew spoke to code violations and updates on abatement and compliance. Discussion ensued regarding code violations and the process when a property is owned by heirs or unknown heirs.

18. COUNCIL MEMBERS' REPORTS

There were no further reports from Council.

19. PUBLIC COMMENT

There were no public comments from the audience.

20. ADJOURNMENT

There being no further business, the meeting adjourned at 6:06 p.m.