



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Minutes - Final City Council

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Tuesday, December 6, 2022

9:00 AM

B.I.G. Arts - 900 Dunlop Road, Sanibel

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### 1. CALL TO ORDER

The meeting convened at 9:00 a.m.

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

Councilman Miller gave the Invocation and led the Pledge of Allegiance.

### 3. ROLL CALL

**Present:** 3 - Councilmember Scott Crater, Councilmember John Henshaw, and Vice Mayor Mike Miller

### 4. PRESENTATION(S)

#### a. Proclamation recognizing the retirement of Fire Chief William Briscoe

Mayor Smith spoke to Retired Chief Briscoe's tenure and presented him with a proclamation from the City of Sanibel. Mr. Briscoe spoke of his appreciation and thanked Council for their recognition.

#### b. Community Housing and Resources, Inc. (CHR) Update by Executive Director Melissa Rice

Dr. Steve Brown, Chairperson of the Community Housing and Resources (CHR) Board of Directors, spoke his appreciation to Executive Director Melissa Rice and Bonnie McCurry, CHR Bookkeeper, for their hard work and dedication during these unprecedented times.

Melissa Rice, introduced herself and spoke to the mission and vision of CHR. She then gave a brief update of steps taken in the recovery process as well as status of the properties.

Discussion ensued regarding the residents of the properties, where the residents are located, and what the requirements are for the residents to return to CHR properties. Council inquired what the current reserves for CHR total to which Ms. Rice responded was 1.2 million. Further, Council inquired if the mitigators were testing for mold not just by sight and moisture tests but by testing.

Additional discussion ensued regarding using a public adjuster, safety for residents to return to the properties, some of the residents staying on island

though they were not in CHR properties during the storm event, this being a preliminary report, and all working toward the common goal of getting the properties rehabilitated and residents back in.

**c. Captiva Sewer Project Transmission Presentation**

Interim Public Works Director David Schmitt gave a brief background of the project and introduced Fred Mittl, Tetra Tech Engineer of Record on the project. Mr. Mittl gave a PowerPoint presentation regarding the project and provided a status update. Mr. Schmitt then spoke to the next steps for the project.

Discussion ensued regarding looking at parallel piping throughout the island, noting the bulk of the report had been completed prior to the storm which may result in cost increases in the future, Sanibel and Florida Department of Environmental Protection (FDEP) standards were considered in design discussions, and what increases to flow capacity. Further discussion ensued regarding potential revenue when the system is up and running, and the number of connections. City Manager Souza noted the effluent study, which is provided by the County needs to be completed first. Then bringing the item back to Council in January with a rate study update. Slowly moving forward but process needs to be followed.

Continued discussion ensued regarding what improvements could be made to the current system and the system working with the constraints of the storm effects. City Manager Souza thanked Lee County and the Captiva Panel for funding the project and spoke to applying for a grant which was approved for the funding of the design of the system. Mayor Smith spoke to David Mintz and Jay Brown being in the audience and thanked them for their work on the Captiva Community Panel. Mr. Brown spoke his appreciation for the support from the City of Sanibel.

**d. Hurricane Ian Recovery Update (Information to come)**

Mayor Smith spoke to receiving a letter of support and hand mural art tapestry from the City of Mexico Beach. Ms. Smith read into record the letter received and spoke appreciation for all the support received since the storm.

City Manager Souza spoke to the FEMA Townhall scheduled for this Thursday, December 8 at 6 p.m., here at BIG Arts. Noting, following the townhall meeting, FEMA Representatives will assist with resident claims. City Manager Souza introduced Kati Sherrard, Resident Construction Engineer for Florida Department of Transportation (FDOT) who gave a brief update of the repairs, designs, and next steps of the Causeway and East Periwinkle Way bridges. Discussion ensued regarding the large amount of sand on the causeway beaches being staging areas for crews, working on resilient alternatives in the repairs, reiterating that the current bridge is just a temporary replacement, the datum

collected during the storm was used to perform the calculations for the design criteria, and working to have East Periwinkle Way bridge open to the public by end of week.

City Manager Souza introduced Diana Wilson, General Manager of Island Water Association (IWA) who provided an update of the repairs to the water lines on island. Ms. Wilson spoke to suspending water billing until the end of December, noting billings would resume in January 2023 and explained the process for the calculations; regular billing rates will resume in February. Discussion ensued regarding repairs to the IWA facility, water pressure being close to normal on the island, and appreciation to the staff of IWA for their efforts and diligence.

City Manager Souza introduced Tricia Dorn, Key Account Executive with Lee County Electrical Cooperative (LCEC) who gave a brief report of power restoration efforts.

City Manager Souza provided a brief report on behalf of Sanibel Fire Chief Kevin Barbot who advised that burning debris on private property is not allowed and debris would be picked up.

Sanibel Police Chief William Dalton gave brief update regarding security on the island and traffic issues. Discussion ensued regarding the checkpoint being moved closer to the island and toll booth area for increased security. City Council and Staff spoke their appreciation for the support from other municipalities.

City Manager Souza introduced Barrett Holmes, Senior Project Manager with Crowder Gulf, who gave a brief PowerPoint presentation regarding the amount of debris being collected and targeting 75-80% completion by the end of December. Mr. Holmes further spoke to the haul-out units and trends, continuing to address areas as many times as possible to get the debris collected, being at a sufficient number of trucks for collection, and having completed 100% first pass for collection.

Deputy Public Works Director Scott Krawczuk gave a brief updated regarding repairs at City Facilities, beaches, and dune walkovers, fleet maintenance, utilities, other Public Works tasks, and status of current construction projects.

Administrative Services Director Crystal Mansell gave a brief report regarding risk management and shoring up the damaged leg of the lighthouse until the permanent repair is completed. Ms. Mansell spoke of the 166 insured assets, noting 53 had no damage, 116 claims have been filed, full elevator system needs to be replaced, and air quality tests have not passed which continues the need for remote working locations for staff. Further Ms. Mansell spoke to repairs and conditions at the Recreation Center, Donax Water Treatment Plant, Library Way

bank building, and Center-4-Life building. City Manager Souza spoke to the potential of demolition of the Center-4-Life building. Finally, Ms. Mansell spoke to the efforts for preservation at the lighthouse and cottages property.

Natural Resources Director Holly Milbrandt gave a brief report of wildlife and vegetation growth on the island, working with Planning Staff for code updates, completing beach surveys as contracts were previously approved by Council, and provided an update for island and regional water quality.

Recreation Department Director Andrea Miller gave a brief update, speaking to opening to the facility for free public use, limited class offerings, childcare availability, and tennis courts set up for pickleball games. She further spoke to having childcare available for the next two Saturdays, anticipating reopening the pools next week, and hosting a community event on December 17th from 4-6 pm.

Building Official Craig Molé gave a report of the current permit processes, counts, and statuses.

Deputy City Manager Steve Chaipel gave a brief update of the financial standings of the City, speaking to requests submitted to FEMA for expedited reimbursements which will cover payroll during the recovery process, and noted the expiration for the 100% reimbursement period has been extended another 15 days. Currently, approximately \$5 million has been expended with the vast majority being payroll expenses. Mr. Chaipel spoke to issuing a request for proposals (RFP) on November 29 with a submission deadline of December 16. An update will be provided at the December 20 City Council Special meeting and the resolution will come to the January 17, 2023 meeting for action and approval. Finally, he spoke to lost revenue issues and upcoming amendments to the adopted budget to accommodate for the effects of Hurricane Ian.

City Manager Souza spoke to the estimated date of January 2, 2023, for opening the causeway to the public, no longer requiring hurricane passes, noting the curfew will remain in place as 9 p.m. to 6 a.m. This date was chosen to coincide with Lee County resuming toll operations.

**11. 12:00 PM - CONVENE AN EXECUTIVE SESSION TO DISCUSS PENDING  
LITIGATION WITH SWFL RESPONSE LLC, IN ACCORDANCE  
WITH SECTION 286.011(8), FLORIDA STATUTES**

In attendance shall be only the following persons:

Mayor Holly D. Smith

Vice Mayor Richard Johnson

Councilman Dr. Scott Crater

Councilman John Henshaw

Councilman Mike Miller

Sanibel City Manager Dana Souza  
Sanibel City Attorney John Agnew  
Court Reporter

Attorney Agnew spoke to the purpose and process for the shade session and read into record those allowed to attend and participate in the shade session. Mr. Agnew spoke to reconvening the meeting at 1:30 p.m.

The meeting recessed at 12:39 p.m.

The meeting reconvened at 1:38 p.m.

Council presented Staff with questions as follow-up to the Hurricane Ian update.

Council inquired if the risk management report included flood, Ms. Mansell noted the flood adjusters were currently on island doing inspections. Council inquired as to any City facilities that may be condemned, Ms. Mansell responded only the Center-4-life. Discussion ensued regarding the role of an Industrial Hygienist which Ms. Mansell stated was responsible for testing for moisture and air quality.

Council inquired of Building Official Molé if old elevation certificates need to be updated if they establish the current elevation is met. Mr. Molé spoke to the need for the elevation certificate to be submitted with applications. Council reiterated the expiration of the moratorium being December 16th. Discussion ensued regarding all building permits in review being caught up as of yesterday. Mr. Molé spoke to processing over 500 permit reviews since November 7 and most reviews being processed in five days.

Continued discussion ensued regarding the need to follow all the rules for emergency and other permitting so the Community Rating System (CRS) rating can be maintained and being prepared for FEMA audits of storm related records.

Deputy City Manager Chaipel spoke to processing the budget amendment appropriating funds at the November meeting which covered the costs for payroll at that time.

Discussion ensued regarding reopening in January and the conditions of the beaches and dune walkovers. City Manager Souza spoke to Trost Park being the first location that could be opened, the beaches not being ready for tourism with the opening of the causeway in January, and announcements will be made as City facilities and beach parking lots are repaired and reopened to the public. Mr. Souza spoke to reviewing reserve policies to make adjustments following the storm event.

There were no public comments from the audience.

## **5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

There were no public comments from the audience.

## **6. CITY COUNCIL COMMENTS**

Councilman Crater spoke to the unity in efforts to recovery from the storm and spoke his appreciation for all that have provided support.

Vice Mayor Johnson spoke to Comcast and CenturyLink not being able to begin their service repairs until LCEC had completed electric repairs, hoping that all recognized why there was a delay in restoring services. He further spoke his appreciation for all involved in the recovery efforts.

Councilman Henshaw concurred with prior comments and spoke to SSPR (Sanibel Strong, Proud, and Resilient) being an acronym that should be the new City moto. Mr. Henshaw further spoke his appreciation for the dedication and service of the City Staff through these unprecedented conditions. He additionally spoke to funds being collected and added to an educational endowment to provide scholarships for City dependents. Finally, he spoke to taking advantage of the opportunities provided by Hurricane Ian to pull ideas and resources together to provide tools to improve the resilience of the community.

Councilman Miller spoke to the property tax relief and the Governor's executive order which provided a deferment options for some property owners.

Mayor Smith spoke to the reimagined "Sanibel Luminary" which was hosted by and held at the Bell Tower Shopping Center. She additionally spoke to the opportunities provided by the Recreation Center being open to the public. Next she spoke to there being multiple ways to help, not only staff but residents and businesses on island, that are in need. Finally, she spoke to attending the Florida League of Cities policy committee meetings.

## **7. CITY COUNCIL CONSIDERATIONS FOR FUTURE AGENDAS**

Councilman Miller spoke to assigning the task of considering whether legislative changes are appropriate and are ongoing and increase the availability of affordable housing, and that such consideration by the Commission should include a review of Land Development Code Section 126-87(5). By consensus, Council recommended forwarding to Planning Commission for review.

Councilman Miller spoke to concerns with property owners emptying their pools onto other properties and golf courses. Discussion ensued regarding issuing another mayoral proclamation that can include language relating to regulations and restrictions for emptying pools. Further discussion ensued regarding the code speaking to dewatering a pool. Planner Kim Ruiz spoke to NPDES regulations regarding the State not allowing dewatering pools directly into waterways or another's property. Attorney Agnew spoke to the availability

of including such regulations in a mayoral proclamation. Council expressed concerns for the need to include information for emptying their pools due to the hurricane, as well as the need for providing additional communications to residents and contractors of the proper and allowable procedures.

City Manager Souza spoke to receiving guidance from Natural Resources Director Milbrandt and FDEP, noting that pumping the water out with a private company could be an option and that slow drainage on to your own property is also an option. Mr. Souza concluded by concurring with Council in including discharge guidance in the mayoral proclamation gleaned from that of the FDEP guidance.

**Councilman Miller moved, seconded by Mayor Smith, to include a provision in a mayoral proclamation, authorize Attorney Agnew to draft verbiage, and for issuance at Mayor's discretion. The motion carried.**

Mayor Smith spoke her concurrence with the need and suggestion of drafting and issuing the proclamation today.

Public Comment:

- Greg LeBlanc

Discussion ensued regarding the current use of the boat ramp and an anticipated reopening of the ramp. City Manager Souza noted the ramps current use being for contractor operations and that it would be some time before the ramp would be opened again to the public for use.

## **8. 9:10 - SECOND READING AND PUBLIC HEARING**

### **a. Leaf Blowers - Deadline Extension:**

**ORDINANCE 22-007 AN ORDINANCE PERTAINING TO CHAPTER 30, ENVIRONMENT, OF THE CODE OF ORDINANCES OF THE CITY OF SANIBEL; AMENDING ARTICLE III, NOISE, SECTION 30-70, GAS POWERED LEAF BLOWERS, BY AMENDING SUBSECTION (1) RELATING TO THE EFFECTIVE DATE OF THE PROHIBITION OF GAS-POWERED LEAF BLOWERS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 22-007.

City Manager Souza gave a brief background for the requested extension, noting the recommendation was for a 6-month extension which is what is included for approval.

There were no public comments from the audience.

**Councilman Miller moved, seconded by Councilman Henshaw to adopt Ordinance 22-007. The motion carried.**

### **b. Sanibel Boat Ramp Parking - Pilot Program:**

**ORDINANCE 22-008 AN ORDINANCE AMENDING CHAPTER 66 - TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION II, PERMITS, SECTION 66-76, TYPES OF PERMITS AND SECTION 66-85, FEES; HOURS; AND CHAPTER 74, WATERWAYS, ARTICLE III, BOAT RAMPS, SECTION 74-97, PARKING AND USE OF THE PARKING AREA ADJACENT TO THE CITY PUBLIC BOAT RAMP FACILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 22-008.

City Manager Souza gave a brief background for the requested code amendments and summarized the amendments. Discussion ensued regarding it being a 1-year pilot program and that periodic updates would be provided to Council. Additionally, discussion included the increase of the penalty which was missed the last time council adjusted fees.

There were no public comments from the audience.

**Vice Mayor Johnson moved, seconded by Councilman Henshaw to adopt Ordinance 22-008. The motion carried.**

anticipated Discussion ensued regarding the current use of the boat ramp and an reopening of the ramp.

operations City Manager Souza noted the ramps current use being for contractor and that it would be some time before the ramp would be opened again to the public for use.

- c. **Historical Register - Priscilla Murphy Center:**  
**ORDINANCE 22-009 - FIRST READING - AMENDING THE LOCAL REGISTER OF HISTORIC LANDMARKS OF THE CITY OF SANIBEL, HISTORIC PRESERVATION ELEMENT, PURSUANT TO CHAPTER 82, ADMINISTRATION, ARTICLE II, CITY COUNCIL, DIVISION 1, GENERALLY, SECTION 82-31, CONSIDERATION OF AMENDMENTS, relating TO PLACEMENT OF A STRUCTURE ON THE LOCAL REGISTER OF HISTORIC LANDMARKS AND ADOPTING AN UPDATED REGISTER, NAMELY property owned BY PRISCILLA MURPHY CENTER, A CONDOMINIUM, and located at 1019 PERIWINKLE WAY, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 22-009.

Planning Supervisor Craig Chandler gave a brief background for the request for placement on the Historical Register. Discussion ensued regarding if a property

on the register is exempt from the 50% build back rules. Mr. Chandler read into record the section of the code relevant to repairs and rehabilitation of the registered building.

Public Comment:

- Roy Gibson

Discussion continued regarding the motivation for placing the property on the register to which Mr. Chandler responded was due to an application which affected the visibility of the facility. He noted the application for placement on the register was to preserve the visibility of the building. Gus Simmons and Jonathon Ruiz concurred with the statements of Mr. Chandler and spoke to the background for placing the property on the historical register. Mr. Simmons and Mr. Ruiz stated their understanding of the regulations relating to registered historical properties.

Councilman Henshaw moved, seconded by Councilman Crater to adopt Ordinance 22-009.  
The motion carried.

d. **FEMA (LiMWA) Regulations:**

**ORDINANCE 22-010 TO UPDATE FLOOD REGULATIONS AFFECTING DEVELOPMENT STANDARDS, AMENDING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 94 - FLOODS, ARTICLE I - ADMINISTRATION, DIVISION 1. GENERAL, SECTION 94-13 - BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; AMENDING CHAPTER 94 - FLOODS, ARTICLE II - DEFINITIONS, DIVISION 1 - GENERAL, SECTION 94-124 - DEFINITIONS; AMENDING CHAPTER 94 - FLOODS, ARTICLE III - FLOOD-RESISTANT DEVELOPMENT, DIVISION 1 - BUILDINGS AND STRUCTURES, SECTION 94-133 - ACCESSORY STRUCTURES; AMENDING CHAPTER 94 - FLOODS, ARTICLE III - FLOOD-RESISTANT DEVELOPMENT, DIVISION 4 - MANUFACTURED HOMES, SECTION 94-162 - LIMITATIONS ON INSTALLATION; AND AMENDING CHAPTER 94 - FLOODS, ARTICLE III - FLOOD-RESISTANT DEVELOPMENT, DIVISION 5 - RECREATIONAL VEHICLES, AND PARK TRAILERS, SECTION 94-182 - TEMPORARY USE PERMIT REQUIRED, AS RECOMMENDED BY THE LDC REVIEW SUBCOMMITTEE AND PURSUANT TO LAND DEVELOPMENT CODE CHAPTER 82, ARTICLE VI. - AMENDMENTS; SECTION 82-97 - CONDUCT OF HEARINGS; ACTION, AND SECTION 82-117 - AUTHORIZATION, FOR THE PURPOSE OF LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 22-010 and spoke to a request from Planner Kim Ruiz to remove the fourth whereas clause which has already occurred.

Planner Kim Ruiz gave a brief background for the requested code amendments and summarized the amendments. Discussion ensued regarding it being a 1-year pilot program and that periodic updates would be provided to Council.

Additionally, discussion included the increase of the penalty which was missed the last time council adjusted fees.

Public Comment:

- Roy Gibson

**Councilman Miller moved, seconded by Mayor Smith to adopt Ordinance 22-010 with the fourth whereas clause deleted. The motion carried with Councilman Crater and Councilman Henshaw opposed.**

**Opposed:** 2 - Councilmember Crater, and Councilmember Henshaw

## 9. CONSENT AGENDA

Councilman Miller requested to pull item f.

- f.** Approval of a Department of Environmental Protection (DEP) agreement for Wulfert Reclaimed Water Auxiliary Supply Tank and authorize the City Manager to execute same

Discussion ensued regarding the project and the funding needed for completion. Deputy Public Works Director Krawczuk responded in regards to the history of the project and the current design needed more funding due to pandemic delays and other factors. Council inquired if the additional storage of Captiva sewer contributes to the additional costs to which Director Krawczuk noted the tank size proposed in the project design is large enough to handle the extra capacity.

**Councilman Miller moved, seconded by Mayor Smith to approve non-resolution consent agenda item f. The motion carried.**

- b. RESOLUTION 22-058 APPROVING RELIEF OF SANITARY SEWER CHARGES FOR THE MONTH OF OCTOBER 2022 AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into the record the title of Resolution 22-058.

**Councilman Miller moved, seconded by Vice Mayor Johnson to adopt Resolution 22-058. The motion carried.**

- a.** Adoption of Minutes - September 12, 2022 Regular Meeting; October 3, 2022 Final Budget Hearing; November 1, 2022 Regular Meeting
- c.** Approval of a 2-year agreement extension for disaster debris monitoring services with Thompson Consulting Services, LLC (including attached revised rate schedule as indicated in Amendment 1) and authorize the City Manager to execute the agreement extension
- d.** Approval of a West Coast Inland Navigation District (WCIND) Subgrant Agreement between the City of Sanibel and Lee County in an Amount not to Exceed \$35,000 for one Marine Patrol Officer and Authorize the City Manager to Execute Same (Funding is included in the Adopted FY23 Budget)
- e.** Approval of a request for an extension of audit timeline for the Historical Museum & Village

- g. Approve the acquisition of the three administrative vehicles

Approval of non-resolution consent agenda items a, c, d, e, and g.

**Councilman Miller moved, seconded by Councilman Henshaw to approve non-resolution consent agenda items a, c, d, e, and g. The motion carried.**

## 10. INFORMATIONAL ITEMS

- a. Facilities Update:
  - i. Status Report on the Donax Rehabilitation Project
  - ii. Phase IV Sewer Expansion Update
- b. Letter to Colonel James Booth, Jacksonville District Commander, U.S. Army Corp of Engineers, regarding red tide and Lake Okeechobee releases from Sanibel Mayor, Holly D. Smith dated November 17, 2022

No discussion ensued for the informational items.

## 12. OLD BUSINESS

- a. **RESOLUTION 22-059 REAPPOINTING TWO MEMBERS TO THE SANIBEL PLANNING COMMISSION TO FILL THREE-YEAR TERMS BEGINNING ON JANUARY 10, 2023 THROUGH MIDNIGHT, JANUARY 12, 2026; AND PROVIDING AN EFFECTIVE DATE**

Mayor Smith read into record the title of Resolution 22-059.

Discussion ensued regarding not having advertised for applications prior to this resolution being presented, noting there also being an upcoming vacancy. Further discussion ensued regarding reviewing policy to ensure advertising is done for every opportunity for appointment to a board, committee, or commission, as well as establishing term limits.

Council directed Staff to advertise for applications for the three expiring terms on the Planning Commission. No action was taken on the resolution.

- b. **RESOLUTION 22-060 REAPPOINTING A MEMBER TO THE CITY OF SANIBEL CONTRACTOR REVIEW BOARD; AND PROVIDING AN EFFECTIVE DATE**

Mayor Smith read into record the title of Resolution 22-060, no action was taken.

Council Directed staff to advertise for applications for the expiring term.

- c. Legislative Priorities

City Manager Souza gave a brief presentation regarding the City's proposed

legislative priorities.

Discussion ensued regarding being in communication with Lee County and if funds are available for matching requirements on grant applications. City Manager Souza spoke to the situation being different this year and revenue streams being compromised due to hurricane impacts. Council agreed and supported the legislative priorities by consensus. Natural Resources Director Milbrandt spoke to having conversations with Lobbyist Dan Delisi who agreed the project holds merit and should be included in the requests. City Manager Souza spoke to adding the guiding principals which were included in last years priorities to the list before providing to the delegation.

### 13. NEW BUSINESS

#### a. Police Department Beach Parking Payment App Presentation

Sanibel Police Chief William Dalton gave a brief presentation regarding the beach parking payment app which was in the works prior to the hurricane. Discussion ensued regarding taking advantage of the machines being damaged during the storm and transitioning to app payments only, not using parking spot numbers by using the license plate number for tracking, not having the capability for signs that advertise “parking available” or “lot full”, and at this time only the app will be used as opposed to replacing the damaged machines.

Council inquired regarding the requirement for a cash payment option to which Deputy City Manager Chiapel noted the City would be required to provide a cash payment option for processing payments for beach parking in order to charge visitors a convenience fee for using credit cards at beach facilities.

Public Comment:  
- Greg LeBlanc

Planning Supervisor Chandler spoke to researching performance pricing and sensors for parking. Mr. Chandler explained what “performance pricing” is and how it works.

Councilman Miller moved, seconded by Councilman Henshaw to approve the recommendation. The motion carried.

#### b. Building Fees - Private Provider

**Discussion of a proposed ORDINANCE 22-0XX PERTAINING TO CHAPTER 14, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF SANIBEL; AMENDING ARTICLE IV, PERMITS, SECTION 14-188, FEE SCHEDULE, BY ADDING A NEW SUBSECTION (13) RELATING TO BUILDING PERMIT DISCOUNTS IN CERTAIN INSTANCES; AND SUPERCEDING AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS INCONSISTENT HEREWITH; AND PROVIDING AN EFFECTIVE DATE**

City Manager Souza spoke to the item being for discussion only, noting with Council direction it would come back on December 20 for first reading and January 17, 2023 for second reading and public hearing.

Building Official Molé gave a brief explanation for the request.

There were no public comments from the audience.

By consensus, Council directed staff to bring back for first reading on December 20, 2022.

- c. Consideration of waiving the Building Demolition Fee and reducing the Temporary Structure fee for placing a recreational vehicle or park trailer on a residential lot. (Supplement 1)

City Manager gave a brief background for the request. Council spoke to correcting dates to

There were no public comments from the audience.

**Councilman Miller moved, Councilman Crater seconded, to approve the recommendations and including them in the mayoral proclamation.**

Council inquired if temporary structure fees would apply to temporary trailers and the like. To which Mr. Souza responded yes, per City Ordinance. Council further inquired about costs to the City, which Souza stated there are not any costs associated with the City and that at this time, no trailers have inquired about permitting for use.

**Councilman Miller amended his motion to change the reduction of fee to the waiver of a fee, Councilman Crater seconded. The motion carried.**

Councilman Henshaw left the meeting at 4:46 p.m.

#### **14. CITY MANAGER**

City Manager Souza noted his annual evaluation is soon due, and that Director Mansell would be working with Council to complete this process.

#### **15. CITY ATTORNEY'S REPORT**

No reports provided at this time.

#### **16. COUNCIL MEMBER'S REPORT**

Mayor Smith noted attending several meetings and will provide information to update the agenda packet.

#### **17. PUBLIC COMMENT**

No further public comment.

#### **18. ADJOURNMENT**

The meeting adjourned at 4:48 p.m.