

City of Marco Island Florida

*51 Bald Eagle Drive
Marco Island, Florida
cityofmarcoisland.com*



Meeting Minutes - Draft

Tuesday, January 21, 2025

2:00 PM

Special-Called Meeting

Community Meeting Room

City Council

Chair: TBD

Vice-Chair: Erik Brechnitz

*City Council: Stephen Gray,
Tamara Goehler, Deb Henry,
Darrin Palumbo, Bonita Schwan*

City Manager: Mike McNees

Assistant City Manager: Casey Lucius

City Attorney: Alan L. Gabriel

City Clerk: Joan Taylor

1. Call to Order

Vice-Chair Brechnitz called the meeting to order at 2:00 P.M.

2. Roll Call

Present: 6 - Vice-Chair Brechnitz, Councilor Gray, Councilor Goehler, Councilor Henry, Councilor Palumbo and Councilor Schwan

Also Present

Michael McNees, City Manager
Casey Lucius, Assistant City Manager
Alan L. Gabriel, City Attorney
Tracy Frazzano, Police Chief
Chris Byrne, Fire Chief
Jose Duran, Information Technology Director
Martin Luna, Video/Broadcast Technician
Jim Kornas, Recording Specialist
Citizens and Visitors

3. Approval of Agenda

Vice-Chair Brechnitz requested that Agenda Item 5 (Citizens' Comments) be received by the Council prior to the Council's business to select a candidate to fill the City Council vacancy (Agenda Item 4a).

MOTION by Councilor Palumbo, seconded by Councilor Henry, that the Agenda be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 6 - Vice-Chair Brechnitz, Councilor Gray, Councilor Goehler, Councilor Henry, Councilor Palumbo and Councilor Schwan

4. Business - Selection of Candidate to Fill City Council Vacancy

a. [ID 25-4084](#) Selection of Candidate to Fill the City Council Vacancy - Joan Taylor, City Clerk

Vice-Chair Brechnitz opened the Council's discussion by outlining a proposed two-round, paper ballot selection process that was distributed to each Councilor at the start of the meeting, and he offered his opinion on the interpretation of the City Charter's regarding the calling of a City-wide special election to fill the Council's vacant seat.

All members of the Council participated in sharing perspectives, suggestions, and alternatives to Vice-Chair Brechnitz's proposed process, and City Attorney Alan Gabriel was consulted for his opinion on elements of the City's Charter, the Sunshine Law, and the responsibility of the Council to adopt and own its process to select its seventh member.

MOTION by Councilor Palumbo, seconded by Councilor Henry, that the adoption of a sequential candidate-by-candidate verbal nomination and verbally-communicated Council voting process to select a seventh Marco Island City Councilor, be Approved. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

No: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

The Council next considered modifications to the initially-proposed two-round paper ballot process advanced by Vice-Chair Brechnitz.

MOTION by Councilor Palumbo, seconded by Councilor Schwan, that a two-round selection process whereby: 1) in Round One, each Councilor, by paper ballot, individually selects six (6) preferred candidates from the original pool of twenty-four (24) applicants, and; 2) in Round Two, the candidates appearing most often across the Councilors' paper ballots are Motioned, Seconded, and individually voted upon in a verbally-communicated Council voting process, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

Yes: 6 - Vice-Chair Brechnitz, Councilor Gray, Councilor Goehler, Councilor Henry, Councilor Palumbo and Councilor Schwan

(THE MEETING WENT INTO RECESS AT 3:15 P.M. TO ALLOW ASSISTANT CITY MANAGER CASEY LUCIUS TO COLLECT THE INDIVIDUAL PAPER BALLOTS AND TO TABULATE THE APPLICANT/CANDIDATES THAT MOST APPEARED ACROSS THE COUNCILOR BALLOTS. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 3:25 P.M.)

ID 25-4084 Selection of Candidate to Fill the City Council Vacancy - Joan Taylor, City Clerk

Assistant City Manager Casey Lucius reported the following tally of Applicant/candidates who were most-selected across the City Councilor paper ballots, and she briefly displayed each individual Councilor's paper ballot on the overhead projector in the Council's chambers:

Mr. Thomas Fontana appeared on five (5) City Councilor paper ballots

Mr. Dennis Bartolucci appeared on four (4) City Councilor paper ballots

The following six (6) Applicant/candidates appeared on three (3) City Councilor paper ballots:

1. Mr. David Crain
2. Mr. David Leaser
3. Ms. Nanette Rivera
4. Mr. Ralph Rohena
5. Ms. Sheila Yahwitz
6. Ms. Teri Sommerfeld

Beginning with Mr. Fontana, and continuing down the list noted above, each Applicant/candidate was Motioned, Seconded, and voted upon by the Council.

MOTION by Vice-Chair Brechnitz, seconded by Councilor Gray, that Mr. Thomas Fontana be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING VOTE:

Yes: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

No: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

MOTION by Councilor Gray, seconded by Councilor Goehler, that Mr. Dennis Bartolucci be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING VOTE:

Yes: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

No: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

MOTION by Councilor Palumbo, seconded by Councilor Henry, that Mr. David Crain be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

No: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

MOTION by Councilor Schwan, seconded by Councilor Palumbo, that Mr. David Leaser be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

No: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

MOTION by Councilor Palumbo, seconded by Councilor Schwan, that Ms. Nanette Rivera be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

No: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

MOTION by Councilor Gray, seconded by Councilor Goehler, that Mr. Ralph Rohena be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

No: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

MOTION by Councilor Gray, seconded by Vice-Chair Brechnitz, that Ms. Sheila Yahwitz be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

No: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

MOTION by Councilor Gray, seconded by Councilor Goehler, that Ms. Teri Sommerfeld be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

No: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

Following the Council's failure to select an Applicant/candidate under the process agreed to earlier in the meeting, several members of the Council proposed alternative approaches to select and appoint a seventh Marco Island City Councilor.

Vice-Chair Brechnitz advanced Mr. Thomas Fontana, the Applicant/candidate who appeared five times on the Councilor's individual paper ballots during Round One of the adopted Council process.

MOTION by Vice-Chair Brechnitz, seconded by Councilor Gray, that Mr. Thomas Fontana be appointed to the Marco Island City Council. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

No: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

Note: Councilor Gray Motioned to vote on appointing Mr. Dennis Bartolucci to the Marco Island City Council, with Councilor Goehler's Second, but no vote was taken.

Responding to concerns raised by members of the Council that Messrs. Fontana and Bartolucci were not personally known to one or more Councilors, Vice-Chair Brechnitz proposed that Messrs. Fontana and Bartolucci each be given ten (10) minutes before the Council to address Councilor questions.

Mr. Fontana came forward to receive Councilor questions and responded accordingly.

Mr. Bartolucci followed, received Councilor questions, and responded as well.

Following the interviews of Messrs. Fontana and Bartolucci, the Council engaged in a discussion of other Applicant/candidates. Mr. Fontana removed himself from the Council's consideration, and he endorsed Mr. Bartolucci. Additional Council dialogue regarding alternative Applicant/candidates ensued, and Assistant City Manager Casey Lucius was asked to display the individual Councilor paper ballot sheets from Round One of the process for the Council's consideration. A Motion was brought forward for the Council's vote.

MOTION by Councilor Schwan, seconded by Councilor Palumbo, that a coin flip to select between Messrs. David Crain and Dennis Bartolucci to be appointed as the seventh Marco Island City Councilor, be Approved. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 3 - Councilor Henry, Councilor Palumbo and Councilor Schwan

No: 3 - Vice-Chair Brechnitz, Councilor Gray and Councilor Goehler

Vice-Chair Brechnitz determined that the selection of an Applicant/Candidate would not occur in the remaining time allotted, so he opened the floor to Councilor Gray to briefly discuss his White Paper under Agenda Item 4b (Special Election for Council Member Vacancy Appointment).

b. ID 25-4092 Special Election for Council Member Vacancy Appointment - Councilor Stephen Gray

Councilor Gray shared his perspective on the paths available to discharge the City's business with or without a seventh Councilor, and he expressed his preference for a solution that will select a seventh Marco Island City Councilor.

Vice-Chair Brechnitz stated his intention to continue to call Special Meetings to resolve the Council's impasse on the selection of a Marco Island City Councilor.

5. *Citizens' Comments*

Having received a Motion, Second, and unanimous Council Approval to receive citizen and City Council applicant/candidate input and comments prior to the discussion of the Council's candidate selection process (Agenda Item 4a), Vice-Chair Brechnitz encouraged all interested applicant/candidates and residents to register to receive four minutes each to address and/or comment to the Council.

The following six City Council applicant/candidates addressed the Council and shared overviews of their qualifications for the role:

1. Mr. Thomas Fontana (Lamplighter Ct.)
2. Mr. Dennis Bartolucci (Caxambas Dr.)
3. Ms. Nanette Rivera (Ludlow Rd.)
4. Mr. David Leaser (Partridge Ct.)
5. Ms. Sheila Yawitz (N. Collier Blvd.)
6. Mr. Ed Johnson (Iris Ct.)

Applicant/candidate David Crain used his time before the Council to endorse and support Applicant/candidate David Leaser.

The following citizens also registered to address the Council:

1. Mr. Randy Egan (Bonita Ct.) spoke against the idea of holding a City-wide election to select the Council's seventh Councilor, and he endorsed Applicant/candidate David Leaser.
2. Mr. Don Petit (Caxambas Dr.) endorsed Applicant/candidate Dennis Bartolucci.
3. Mr. Jim Heglund (Caxambas Dr.) endorsed Applicant/candidate Dennis Bartolucci.

6. Adjournment

There being no further business before the Council, Vice-Chair Brechnitz adjourned the Special-Called Meeting at 4:57 P.M.

Erik Brechnitz, Council Vice-Chair

ATTEST:

Joan Taylor, City Clerk

PREPARED BY:

Jim Kornas, Recording Specialist