# **City of Marco Island Florida**

51 Bald Eagle Drive Marco Island, Florida cityofmarcoisland.com



# **Meeting Minutes - Final**

Monday, October 6, 2025 5:30 PM

**Community Meeting Room** 

# **City Council**

Chair: Erik Brechnitz Vice-Chair: Stephen Gray

City Council: Rene Champagne, 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 Gray called the meeting to order at 5:30 P.M.

#### 2. Roll Call

Vice-Chair Gray, in recognizing the long-standing service of Chair Brechnitz to the community, and the provisions in the City Charter regarding consecutive absences by members of the Marco Island City Council, asked, and received, Council consensus to recognize Chair Brechnitz's absence from the meeting as "Excused".

Present: 6 - Councilor Champagne, Councilor Goehler, Vice-Chair Gray, Councilor Henry,

Councilor Palumbo and Councilor Schwan

Excused: 1 - Chair Brechnitz

#### Also Present

Michael McNees, City Manager Casey Lucius, Assistant City Manager Joan Taylor, City Clerk (via Zoom teleconference connection) Alan L. Gabriel, City Attorney Tracy Frazzano, Police Chief Chris Byrne, Fire Chief Daniel Zunzunegui, Fire Marshall Sharon Dangles, Acting Finance Director Daniel J. Smith, Community Affairs Director Justin Martin, Public Works Director Jose Duran, Information Technology Director Jeff Poteet, Water & Sewer General Manager Diana Snover, Human Resources Director Melissa Hinton, Budget Manager Stephen Disantis, Purchasing & Risk Manager Sonia Iszler, Water & Sewer Engineering & Operations Manager Martin Luna, Video/Broadcast Technician Jim Kornas, Recording Specialist Citizens and Visitors

### 3. Invocation

Offered by Reverend Scott Kerens of the Marco Presbyterian Church.

# 4. Pledge of Allegiance

<u>ID 25-4335</u> Pledge of Allegiance - Led by Ethan Pattath of Marco Island Charter Middle School

Master Ethan Pattath led the meeting's attendees in the Pledge of Allegiance.

# 5. Approval of the Agenda

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

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

# 6. Approval of the Minutes

ID 25-4200 Approval of the City Council Meeting Minutes of September 22, 2025

Attachments: City Council Meeting Minutes of September 22, 2025

MOTION by Councilor Palumbo, seconded by Councilor Champagne, that the City Council Meeting Minutes of September 22, 2025, be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

# 7. Approval of Consent Agenda

Vice-Chair Gray requested that Agenda Item 7d (Resolution - Amending Fire Fee Schedule) be removed from the Consent Agenda.

[Editorial Note: the record of the Council's decision on this item is now reflected in these Minutes under Agenda Item 16 (Items Removed From the Consent Agenda)]

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

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

# [Approval of the Consent Agenda Passed All Routine Items Listed Below]

a. <u>ID 25-4746</u> Renewal of Employee Insurance Plans Representing a 6% Increase in

Health Insurance in the Amount of \$192.850, and a 15.3% Increase in Dental Insurance in the Amount of \$3,435 - Casey Lucius, Ph.D., Assistant

City Manager

Attachments: Cigna November 2025 Renewal

**b.** <u>ID 25-4698</u> Authorize the City Manager to Issue a Purchase Order to Titan Concrete &

Utilities, Inc., for the Stormwater Pipe and C Box Replacement at 41 and 51 Hickory Court for \$61,500.00, using the City Public Infrastructure Construction Services Contract 2023-029 - Justin Martin, P.E., Director of

**Public Works** 

Attachments: Titan Concrete Estimate #25090 - 51 Hickory Court

Titan Concrete Contract - Fully Executed

c. ID 25-4769

Authorize the City Manager to Renew the Microsoft Enterprise Agreement for an Additional 3-Year Term in the Amount of \$162,748.54 Per Year -

Jose Duran, Director, Information Technology

Attachments: City of Marco Island - MS EA Renewal Quote - 9-18-25

# 8. Proclamations and Presentations

City Manager Mike McNees took a moment introduce new employees Stephen Disantis (Purchasing and Risk Manager), and Diana Snover (Human Resources Director) to the Marco Island City Council and to welcome them to the City Staff.

a. <u>ID 25-4171</u> Employee Service Awards:

John Richards - 20 Years Sharon Kovacs - 10 Years

City Manager Mike McNees recognized and called forward City employees Sharon Kovacs (Police Department) and John Richards (Public Works Department) individually to receive their service recognition certificate and pin as presented by City Council Vice-Chair Stephen Gray.

**b.** <u>ID 25-4168</u> Employee of the Third Quarter

Ms. Susie Hernandez (Water & Sewer Department) and Ms. Melissa Hinton (Finance Department) were recognized and honored by Vice-Chair Gray, the Council, and the City Staff as Marco Island's "Employees of the Quarter" for the 3rd quarter of 2025.

c. <u>ID 25-4766</u> Presentation - Service Commendation - North Water Treatment Plant Lime Reactor Cleaning - Jeffrey E. Poteet, General Manager, Water & Sewer Department

Water & Sewer General Manager Jeff Poteet recognized and chronicled, with a creative music video tribute, the efforts of the City of Marco Island North Water Treatment Plant's 15 person project team, under the leadership of Scott Henrikkson, in undertaking the cleaning of the plant's lime reactor, saving the City approximately \$100,000 in outside contractor cleaning fees in the most recent fiscal year.

Mr. Poteet also highlighted the use of technology and human ingenuity employed by Collections & Distribution Manager Bart Bradshaw and his team over the past year in applying new approaches to reduce the cost of operating the City's water & sewer utility for the benefit of the citizens of Marco Island.

d. ID 25-4730 Proclamation - National Fire Prevention Week

Attachments: Proclamation

Vice-Chair Stephen Gray proclaimed October 5 - 11, 2025 as National Fire Prevention Week for the City of Marco Island, and he presented the Proclamation to Marco Island Fire Chief Chris Byrne, Fire Marshall Dan Zunzunegui, Fire Inspector Michael Beirne, and Marco Island Fire Department mascot Sparky.

# 9. Citizens' Comments on Items Not Scheduled for Public Hearing and Items Other Than Those Appearing on the Agenda

Mr. Elliott Mascoop (6th Ave.) thanked the City's Police and Public Works Departments for their application of local resident recommendations in implementing the re-routing of traffic during the N. Collier Boulevard / N. Barfield Drive road construction project. He proposed that both departments review and address the current safety conditions of the Waikiki/Fairlawn Ct. alternative route and the Yellowbird/6th Avenue mini-roundabout.

Mr. Joseph Oliverio (Caxambas Ct.) encouraged the Council and the City Staff to establish priorities for

capital improvement projects and to outline the steps required for successful implementation.

Mr. Ryan Sullivan (S. Heathwood Dr.) expressed concern with a recent interaction with a member of the Marco Island City Council.

Mr. Brad Henson (Marco Island resident) referenced Section 38-40 of the City of Marco Island Code of Ordinances to support his position regarding the authority and powers of the Planning Board.

# 10. City Manager's Report

City Manager Mike McNees noted the responsiveness and flexibility of the Marco Island Police and Public Works Departments in managing the inbound and outbound traffic patterns resulting from the City's roadwork at the intersections of North Collier Boulevard and North Barfield Drive.

He also encouraged all members of the public to access and read the Departmental Reports included under Agenda Item 12 of the evening's Agenda to gain a deeper understanding of the initiatives being undertaken by the City and its Staff on behalf of the citizens of Marco Island.

# 11. City Attorney's Report

City Attorney Alan Gabriel reported on the City's successful receipt of the outstanding balance of the code compliance mitigation amount, and the dismissal of the lawsuit in the City of Marco Island v. Uooligan Marco Island Real Estate, LLC case.

# 12. Departmental Reports

ID 25-4199 Monthly Departmental Reports

Attachments: City Clerk

Internal Services
Public Works

Water & Sewer

**Police** 

Vice-Chair Gray requested insight from Public Works Director Justin Martin on the pest control issues noted in his department's Monthly Report.

Vice-Chair Gray also queried Water & Sewer General Manager Jeff Poteet on the annual number, and the total annual cost, for repairing water main breaks on the Island. City Manager Mike McNees shared additional insight on this issue relative to past contractor installations (such as fiber optics) in the City's rights-of-way (swales) and that the City recovers repair costs from the Contractors.

# 13. Quasi-Judicial Public Hearing

ID 25-4731

Resolution - Variance Petition (VP-25-000127) Request to Hideaway Planned Unit Development (PUD), Section 4.04.04 Minimum Setbacks, A.4. to have a Portion of a House Encroach up to Eight (8) Feet into the Required Twenty-five (25) Foot Setback for property located at 673 Waterside Dr., Marco Island - Mary P. Holden, Planning Manager, Community Affairs/Growth Management

Attachments: Resolution 25-49

Staff Report

Application

Narrative

Site Plan

Site Plan Diagram

Notice of Publication

City Attorney Alan Gabriel swore in all parties who indicated an intention to provide witness or testimony, and each Council member conveyed a verbal ex parte disclosure relative to the Applicant's Appeal.

City Clerk Joan Taylor remotely read Resolution 25-49 into the record by title only.

No members of the public came forward to offer comment.

MOTION by Councilor Palumbo, seconded by Councilor Henry, that Resolution 25-49 - Variance Petition (VP-25-000127) request to Hideaway Planned Unit Development (PUD) Section 4.04.04 Minimum Setbacks, A.4. to have a portion of a house encroach up to eight (8) feet into the required twenty-five (25) foot setback for the property located at 673 Waterside Drive, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

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

#### 14. Ordinances

None.

# 15. Resolutions & City Council Items

a. <u>ID 25-4702</u> Authorize the City Manager to Approve a Payment for FY24 Audit Services

in the Amount of \$109,190 which will Increase the Total to \$187,190 -

Sharon Dangles, Interim Finance Director

Attachments: CLA Invoice

**CLA Contract Fully Executed** 

Pages from CLA Proposal to Marco Island RFP 2023-031 (2)

Presentation - Audit Charges

Acting Finance Director Sharon Dangles outlined the reasons for the proposed request, and she, along with City Manager Mike McNees addressed a number of questions from members of the Council. Vice-Chair Gray also shared written comments from Chair Erik Brechnitz in his (Chair Brechnitz's) absence.

The Council engaged in considerable dialogue and discussion on this authorization request.

The following members of the public came forward to offer their perspective for the Council's consideration:

1) Mr. Joseph Oliverio (Caxambas Ct.)

- 2) Ms. Teri Sommerfeld (San Marco Rd.)
- 3) Ms. Elena McFann (Eubanks Ct.)
- 4) Mr. Brad Henson (Marco Island resident)
- 5) Ms. Christine Dowell (Biscayne Way)

Vice-Chair Gray obtained Council consensus to direct City Manager McNees to readdress the submitted charges from CliftonLarsonAllen LLP in light of its responsibilities and contractual obligations with the City of Marco Island in the execution of the Fiscal Year 2024 audit.

MOTION by Councilor Palumbo, seconded by Councilor Champagne, that Continuation of the authorization of the City Manager to approve the payment for FY24 audit services to CliftonAllenLarson LLP to the date-certain regular meeting of the Marco Island City Council on October 20, 2025, be Approved. MOTION CARRIED BY THE UNANIMOUS CONSENSUS OF THE COUNCIL.

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

**b.** <u>ID 25-4740</u> Rejection of the Lowest Bidder, R.J. Engineering Construction Corp.,

Under City Ordinance Sec. 2-260(a)(1) and (10), and Award of Contract to

the Second Lowest Responsive and Responsible Bidder, Infinity

Construction, LLC., for the Construction of the Sand Hill Shared Use Path

Project for \$604,603.75 - Justin Martin, P.E., Director, Public Works

Attachments: Notice of Intent To Reject Award

Notice of Intent to Recommend Award Signed - Final

**Infinity Construction Bid** 

**Bid Tabulation** 

City of Marco Island Public Works Director Justin Martin described the project and the rationale for requesting Council support to reject the lowest bidder in favor of selecting the second lowest, responsive, and responsible bidder, Infinity Construction, LLC.

No members of the public came forward to offer comment.

MOTION by Councilor Palumbo, seconded by Councilor Schwan, that the rejection of the lowest bidder, R.J. Engineering Construction Corp., under City Ordinance Sec. 2-260(A)(1) and (10), and the award of the contract to the second lowest, responsive, and responsible bidder, Infinity Construction, LLC for the construction of the Sand Hill shared use path project in the amount of \$604,603.75, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

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

(THE MEETING WENT INTO RECESS AT 7:29 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 7:36 P.M.)

c. <u>ID 25-4659</u> Discussion - Local Bill to the Florida House of Representatives - Charter

Amendment Regarding City of Marco Island City Council Vacancies- Joan

Taylor, City Clerk

Attachments: Draft - Marco Island Bill

Draft - Economic Impact Statement Marco Island Special Election for

Vacancy

Vice-Chair Stephen Gray read into the record the written statement provided by District 81 Florida State Representative Yvette Benarroch regarding her rationale for submitting a local bill that, if approved by the voters on the November, 2026 ballot, would amend Subsection (3), Section 3.05, Article III of the Marco Island City Charter regarding how vacancies on the City Council are filled.

City Manager McNees conveyed his observations regarding the review of Representative Benarroch's proposed bill at a recent Southwest Florida Legislative Delegation meeting, and he recommended that the Council consider the preparation of a Council response to Representative Benarroch.

The following members of the public came forward to offer comment:

- 1) Ms. Christine Dowell (Biscayne Way)
- 2) Mr. Joseph Oliverio (Caxambas Ct.)
- 3) Ms. Victoria Myers (Bluebonnet Ct.)
- 4) Mr. Brad Henson (Marco Island resident)
- 5) Ms. Teri Sommerfeld (San Marco Rd.)

Vice-Chair Gray, following input and discussion from all members of the Council, volunteered to draft a letter in response to the DRAFT Bill introduced by Representative Yvette Benarroch which will be reviewed by the Council at its October 20, 2025 regular City Council Meeting.

#### 16. Items Removed from the Consent Agenda

**7d.** ID 25-4752 Resolution - Amending Fire Fee Schedule - Chris Byrne, Fire Chief, Fire Rescue Department

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Attachments: Resolution 25-50

City Clerk Joan Taylor remotely read Resolution 25-50 into the record by title only.

Marco Island Fire Chief Chris Byrne advised the Council of the impact of the passage of 2023 Florida legislation HB 1575 beginning in January, 2025 that specifies minimum public safety radio system coverage and performance standards in new and existing buildings.

With the enactment of this legislation, activities not currently covered in the City's Fire Fee schedule were recommended to be added to the City's Resolution.

No members of the public came forward to offer comment.

MOTION by Councilor Henry, seconded by Councilor Schwan, that Resolution 25-50 - amending the City of Marco Island Fire Fee Schedule, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

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

# Motion to Extend the Meeting

MOTION by Councilor Henry, seconded by Councilor Palumbo, to extend the City Council meeting by 21 minutes to conclude no later than 9:21 P.M. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

### 17. Council Communications & Future Agenda

Council Henry encouraged all members of the public to discuss City issues and citizen items of concern with members of the City Staff and the City Council through positive person-to-person dialogue rather than via social media posts and negative online comments.

Councilor Henry recognized the success of two community golf outings over the recent week, and she encouraged residents and guests to support the upcoming Marco Island YMCA Golf Outing on October 11, 2025.

Councilor Palumbo raised, for Council discussion and City Attorney opinion, the interpretation of Section 38-40 of the City's Code of Ordinances regarding the Planning Board's powers and duties. City Attorney Alan Gabriel noted the impact on City Staff resources when the Planning Board (and other City Committees) request an inquiry or pursue a direction, and he reminded the Council that direction to the City Staff occurs when a majority of Board (or Committee) members affirm a direction or record a majority vote on an item of business that comes before it.

Councilor Palumbo expressed his belief that the City's volunteer Committees and Boards are "woefully underserved" by the City Council. He read the contents of an email that he received from the Chair of the Beach & Coastal Resources Advisory Committee, and he requested the scheduling of a Workshop of the Council with representatives of the City's Committees and Boards to review their direction and goals. Councilor Schwan reminded the Council of the already-regular appearance of City Committee and Board Chairs at City Council meetings to review their Committee/Board direction during calendar year 2025.

Vice-Chair Gray proposed that Councilor Palumbo's proposed Workshop follow a recent past request by Councilor Champagne that a City Council Workshop on identifying, prioritizing, and funding the City's future infrastructure needs precede Councilor Palumbo's proposed Workshop. Councilor Champagne requested that the infrastructure Workshop only be held when all seven members of the Council are available to participate.

Councilor Palumbo shared a brief summary of his observations as the Council's representative to the Collier County Tourist Development Council (TDC). He enumerated a number of county, nonprofit, and municipal organizations that received recent funding from the TDC. Councilor Palumbo invited his colleague Councilors to brainstorm Marco Island projects and initiatives that could potentially qualify and benefit from TDC funding.

Councilor Schwan noted that, in the past, Marco Island had the benefit of having two (2) representatives (one Councilor and one private citizen) on the Collier County Tourist Development Council. She proposed that the Council explore ways to encourage the TDC to increase its Marco Island representation.

Councilor Goehler offered her recollection and point-of-view on the interaction with the Beautification Advisory Committee member who brought his concern forward during Public Comment (Agenda Item 9).

Councilor Schwan conveyed the concerns raised by members of the public regarding the non-native iguana population on the Island, and she requested that the City Staff prepare an educational report to the Council on this topic given its recent efforts to control this population at Mackle Park (see "Future Agenda Items" on Page 9)

Councilor Schwan displayed the Beautification Advisory Committee's newly-developed "Marco's Most UnWanted Trees" communications piece, and she complimented the Committee on its efforts to encourage citizen awareness and responsiveness to noxious and invasive plant species on the Island.

Vice-Chair Gray, in fulfillment of his stated campaign promise made during calendar year 2024, announced that he was returning to the citizens and the City of Marco Island, the net amount (\$5,000.00) of his annual compensation as a Marco Island City Councilor. He confirmed with City Manager McNees that his returned compensation for Fiscal Year 2025 was directed to support the City's Artificial Intelligence (AI) Task Force, and he requested that the full amount of this fiscal year's returned compensation be applied toward the 2026 Fiscal Year budget of the City's Beautification Advisory Committee.

Councilor Palumbo thanked Vice-Chair Gray for his generosity, and he requested that Vice-Chair Gray consider directing future donations toward activities that support the Island's young people during Camp Mackle and/or the protection of the City's burrowing owl population. Councilor Palumbo noted that he contributes his City Councilor compensation toward supporting St. Jude Children's Research Hospital.

Vice-Chair Gray read aloud a prepared statement on Florida Senate Bill (SB) 180 for the Council's consideration, and he received Council consensus to place, onto the City's Future Agenda, a discussion and decision on whether the City of Marco Island should join with other municipalities and counties that have retained Weiss Serota Helfman Cole + Bierman, P.L to petition the court to block/suspend SB 180's implementation.

Vice-Chair Gray indicated his desire to have the Council consider sending a letter to Florida Governor Ron DeSantis requesting an exemption for Marco Island under the provisions of the Florida Live Local Act. He shared a draft of his proposed letter with members of the Council, and he requested that this topic be added to the Council's Future Agenda.

[Editorial Note: both of the documents identified and referenced by Vice-Chair Gray above are included in the record for this meeting and may be accessed at www.cityofmarcoisland.com > Menu > Agendas and Minutes > City Council > 10/6/25 > Meeting Details]

# Special Council Discussion and Vote

During Council Communications, Councilor Schwan raised concern with the criticism of City Staff and Committee volunteers that she observed in recent meetings by members of the public and certain members of the Council. She offered a Motion for the Council's consideration, and the following members of the public came forward to comment:

- 1) Mr. Michael Josephs (Wintergreen Ct.)
- 2) Mr. Brad Henson (Marco Island resident)
- 3) Ms. Victoria Myers (Bluebonnet Ct.)
- 4) Ms. Teri Sommerfeld (San Marco Rd.)
- 5) Mr. Ryan Sullivan (S. Heathwood Dr.)

MOTION by Councilor Schwan, seconded by Councilor Henry, that Council discussion and consideration of a "Vote of No Confidence" be placed on the Council's Future Agenda. MOTION FAILED BY THE FOLLOWING COUNCIL VOTE:

Yes: 2 - Councilor Henry and Councilor Schwan

No: 4 - Councilor Champagne, Councilor Goehler, Vice-Chair Gray and Councilor Palumbo

ID 25-4198 Future Agenda Items

Attachments: Future Agenda

Councilor Palumbo requested that a Workshop with representatives of the City's Committees and Boards be added to the Council's Future Agenda.

Councilor Schwan requested that an educational update/report on the City's response to the Island's iguana population be placed on the Council's Future Agenda.

Vice-Chair Gray requested that a Council decision on whether to join in a lawsuit to block/suspend the implementation of Florida Senate Bill 180 be placed on the Council's Future Agenda.

Vice-Chair Gray requested that the sending of a exemption request to Florida Governor Ron DeSantis on the Live Local Act be placed on the Council's Future Agenda.

# Motion to Extend the Meeting

MOTION by Councilor Palumbo, seconded by Council Schwan, to extend the City Council meeting to conclude no later than 9:25 P.M. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

### 18. Council Reports

None.

#### 19. Citizens' Comments

Mr. Brad Henson (Marco Island resident) briefly summarized his understanding of Section 38-40 of the Marco Island Code of Ordinances with respect to the authority of the Marco Island Planning Board.

Ms. Christine Dowell (Biscayne Way) commented on the Vehicle Count Daily Averages data noted in the Marco Island Police Departmental Report provided under Agenda Item 12 for the month of August, 2025. Ms. Dowell indicated her belief that the monthly year-over-year increases in vehicular counts supports the need for the City to conduct a Level of Service (LOS) study during the current fiscal year.

# 20. Adjournment

There being no further business bef	fore the Council, Vice-Chair Gray adjourned the meeting at 9:27 P.M.
Stephen Gray, Council Vice-Chair	
ATTEST:	
Joan Taylor, City Clerk	
PREPARED BY:	
Jim Kornas, Recording Specialist	