

City of Marco Island Florida

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



Meeting Minutes - Final

Monday, October 17, 2016

5:30 PM

Community Meeting Room

City Council

Chairman: Bob Brown

*City Council: Joe Batte, Ken Honecker, Larry Honig, Amadeo R. Petricca, Victor Rios
and Larry Sacher*

City Manager: Roger Hernstadt

City Clerk: Laura Litzen - City Attorney: Alan Gabriel

1. Call to Order**2. Roll Call**

Present: 4 - Chairman Brown, Councilor Honig, Councilor Batte and Councilor Rios

Absent: 0

Also Present

*Roger T. Hernstadt, City Manager
Laura Litzan, City Clerk
Alan L. Gabriel, City Attorney
Dave Batiato, Deputy Fire Chief
Al Schettino, Police Chief
Guillermo Polanco, Director of Finance
Tami Scott, Zoning Administrator - Growth Management
Tim Pinter, Director of Public Works
Jeff Poteet, General Manager - Water & Sewers
Lola Dial, Recreation Manager
Mark Jackson, Director of Information Technology
Lisa Smith, Recording Specialist
Citizens and Visitors*

3. Invocation - Led by Chairman Brown**4. Pledge of Allegiance - Led by Councilor Sacher****5. Approval of Agenda and Consent Agenda**

**MOTION by Councilor Rios, seconded by Councilor Sacher, to approve the
Agenda and Consent Agenda. MOTION CARRIED BY THE FOLLOWING VOTE:**

Yes: 7 - Petricca, Chairman Brown, Honecker, Councilor Honig, Councilor Batte, Councilor Rios and Sacher

[Approval of Consent Agenda passes all routine items indicated by asterisk (*). Consent Agenda items are not considered separately unless a council member so requests. In the event of such a request, the item is returned to the Regular Agenda.]

6. City Council Items**A. (*)Approval of Minutes**

[ID 16-1031](#) Approval of the City Council Minutes of October 4, 2016

This item was approved under the Consent Agenda.

B. Presentations / Community Proclamations

1. [ID 16-1067](#) Presentation from Collier County Coastal Zone Manager Gary McAlphin regarding the South Beach Renourishment Project

Collier County Coastal Zone Manager Gary McAlphin provided Council an update regarding the South Beach Renourishment Project and answered Council's questions and concerns. This is a FEMA (Federal Emergency Management Agency) project as a result of Tropical Storm Debby in June 2012 and is scheduled to begin next week with a two week completion time.

2. [ID 16-1071](#) Proclamation for Upcoming Veteran's Day Community Event

Chairman Brown informed Council a proclamation will be read at the upcoming Veteran's Day Community Event scheduled for November 11, 2016 at Veterans' Community Park. Copies will be available to all Vietnam Veterans present at the ceremony.

3. [ID 16-1065](#) Proclamation for the 50th Anniversary of the Marco Island Woman's Club

On behalf of City Council, Chairman Brown presented a proclamation to the members of the Marco Island Woman's Club in recognition of their 50th Anniversary.

4. [ID 16-1024](#) Recognition of Division Chief Tom Bogan's 25 Years of Service to the Fire-Rescue Department

On behalf of City Council, Deputy Fire Chief Dave Batiato presented a proclamation to Division Chief Tom Brogan for his 25 years of service to the Fire-Rescue Department.

5. [ID 16-1073](#) Presentation from the Marco Island Planning Board - Chairman Irv Povlow

Planning Board Chairman Povlow provided Council an update of all the projects the Planning Board has been working on during the 2016 year.

C. Council Communications and Discussion (per 2f) - 15 minute limit

On behalf of City Council, Chairman Brown presented Councilor Sacher with a plaque signifying the community's appreciation for his years of service on City Council.

Councilor Sacher thanked the community, City staff and directors, Fire Chief Murphy, Police Chief Schettino, and City Manager Roger Hernstadt for all their support during his tenure.

Councilor Honig had no comment.

Vice-Chair Petricca had no comment

Councilor Honecker had no comment.

Councilor Rios had no comment.

Councilor Batte had no comment.

7. Citizens' comments on agenda items not scheduled for public hearing and items other than those appearing on the agenda.

Mr. Bob Olson, 900 Montego Court, voiced his discontent with the quality of work provided on the Landmark Street bike path.

Mr. Howard Reed, 1065 Bald Eagle Drive, spoke on the Veterans' Community Park PUD process and what a unique situation it is.

Mr. Bill McMullan, 129 South Collier Boulevard, expressed his displeasure with the political tone of the upcoming election.

Mr. Phil Kostelnik, 121 Channel Court, proclaimed what an honor it is to live in the United States of America.

8. City Manager's Report

A. Departmental Reports

[ID 16-1033](#) City Manager's Report

Parks and Recreation Report - Lola Dial

Growth Management Report - Tami Scott

Finance and IT Monthly Report - Guillermo Polanco

B. Community Announcements

City Clerk Laura Litzan announced community events occurring October 17, 2016 through November 14, 2016.

9. City Attorney's Report

[ID 16-1034](#) City Attorney's Report

City Attorney Alan Gabriel provided his report and answered Council's questions and concerns. He advised the application for the Small Brothers LLC is still pending and the inquiry that it has been withdrawn is false. Due to the inclement weather from Hurricane Matthew, the report on the Goodland Road hydrology study will be forth coming.

10. Quasi-Judicial Public Hearings: none

11. Ordinances

[ID 16-1076](#) Ordinance - First Reading - Fiscal Year 2016 Budget Re-appropriation

(Editorial History: Each year the City prepares the budget based on estimated revenues and expenses for the coming year. The unaudited general fund fiscal year 2016 surplus is \$1,274,990 which was carried over to fiscal year 2017. During the course of the fiscal year, budget adjustments and revisions due to operational activities and actual expenses are approved by the City Council. The Finance Department periodically updates the City Council throughout the fiscal year on the status of the budget. These adjustments and revisions are then combined into a re-appropriation ordinance for ratification by City Council at the end of each fiscal year as the final amended fiscal year 2016 budget. The following summarizes the significant changes to the City's FY16 budget:

General Fund - The changes are comprised primarily of a transfer of \$1,609,381 for the partial funding of the unfunded liabilities in the Pension Funds. The Fire Pension Plan insurance premium and supplemental rate funding totaled \$530,530 in transfers to the Fire Pension Fund. An amount of \$312,602 was

appropriated for the engineering portion of the Yellowbird Road impact fee funded Public Works project with an estimated construction cost of \$850,000.

Capital Projects Fund - The proposed budget amendment is the prior year carry forward of purchase orders and unexpected appropriations of capital project funds from fiscal year 2015 to fiscal year 2016 budget to fund capital projects. In addition, \$3,115,540 funded the construction of the Mackle Park Community Center, a total of \$1,374,369 for Public Works projects, including \$717,427 for the grant funded Landmark and South Barfield Bikepath and Shared-Use Pathways projects, \$82,880 for sidewalk improvements and the Bayport Tahiti Road and Drainage project, \$261,460 for the Public Works Gradall equipment, and \$312,602 for the Yellowbird Road project.)

City Clerk Laura Litzan read by title only, an ordinance approving the budget re-appropriation on first reading.

Director of Finance Guillermo Polanco answered Council's questions and concerns.

Public Comment: None

MOTION by Councilor Batte, seconded by Vice-Chair Petricca, to approve an ordinance for fiscal year 2016 Budget Re-appropriation on first reading. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Petricca, Chairman Brown, Honecker, Councilor Honig, Councilor Batte, Councilor Rios and Sacher

12. Resolutions for Adoption

- a. [ID 16-1070](#) Award of Contract - Extension of the Contract with Ronald Book, P.A. for the Lobbying Services on Behalf of the City of Marco Island before the Florida Legislature for an Additional Two Year Term

(Editorial History: On August 4, 2014 City Council approved Resolution 14-32, authorizing the Lobbying Service agreement with Ronald L. Book, P.A. by piggy-backing on the existing contract between the said firm and City of Marathon, Florida at a monthly fee of \$5,000. Due to Mr. Book's efforts, the City has received the following funding from the State of Florida:

*Marco Shores Alternative Water Solution Project - \$400,000 in FY15, \$750,000 in FY16.

*Bald Eagle/Bayport/Tahiti Drainage Improvement and Outfall Project - \$100,000 in FY16

*Beach Restoration Funding - \$1,500,000

*Fire Rescue/EMS Facility - \$250,000 in FY17

*Storm Water Master Plan Drainage - \$299,140 in FY17

Either party may terminate the agreement with or without cause upon thirty (30) days written notice.)

City Clerk Laura Litzan read by title only, Resolution 16-85.

Public Comment: None

MOTION by Councilor Honecker, seconded by Councilor Sacher, to approve Resolution 16-85 authorizing the City Manager to execute two year contract extension with Ronald L. Book, P.A. for professional consulting and lobbying services before the legislature of the state of Florida. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Petricca, Chairman Brown, Honecker, Councilor Honig, Councilor Batte, Councilor Rios and Sacher

- b. [ID 16-1078](#) A Resolution to Issue the 2016 Series Bonds to Refund the 2010A Series Bonds and Legally Defease the 2010B Bonds

(Editorial History: City Council is requested to approve a resolution refinancing the Series 2010A and paying off the 2010B Utility System Revenue Bonds due to current favorable market conditions. The offering of the bonds will be carried out through a negotiated sale, consistent with how the City has sold most bonds in the past. A negotiated sale requires that an underwriter be hired so that the firm can pre-market the bonds before the City enters the market. Notwithstanding market conditions, it is expected that the Preliminary Official Statement will be posted and printed by October 26th and the Bonds priced during the week of October 31st. Tentatively the closing of the bond deal will be carried out during the week of November 21st. The 2016 Series will be issued on parity with the City's Utility System Revenue Bonds, Series 2010A, originally issued in the aggregate principal amount of \$50,475,000 and currently outstanding in the aggregate principal amount of \$44,270,000 and Series 2010B, originally issued in the aggregate principal amount of \$7,365,000 and currently outstanding in the aggregate amount of \$6,225,000.)

City Clerk Laura Litzen read by title only, Resolution 16-86.

Public Comment: None

**MOTION by Councilor Honecker, seconded by Vice-Chair Petricca, to approve Resolution 16-86 issuing the 2016 Bond Series to refund the 2010A Series Bonds.
MOTION CARRIED BY THE FOLLOWING VOTE:**

Yes: 7 - Petricca, Chairman Brown, Honecker, Councilor Honig, Councilor Batte, Councilor Rios and Sacher

13. Citizens' Comments

Mr. Jim Timmerman, 831 Perrine Court, provided Council an update regarding the ORI project.

Mr. Bill McMullan, 129 South Collier Boulevard, thanked the City Manager for his professionalism and a job well done for the City.

14. Council / City Manager Communications and Future Agenda (per 2g)

Vice-Chair Petricca asked the status of the sidewalks on East Elkhart Circle from the utilities to North Barfield going towards Anglers Cove. Public Works Director Tim Pinter commented there has been no action taken thus far. Vice-Chair Petricca believes the property owners should be responsible for the sidewalks.

City Manager Roger Hernstadt reiterated once again, the City can walk away from the Veterans' Community Park PUD at anytime and there is no technical legal partnership between the parties. Regarding Landmark Street, it can be added to the annual resurfacing recommendation if Council wishes.

[ID 16-1064](#) Future Agenda Items

15. Adjournment

There being no further business to come before City Council, the meeting adjourned at 6:53 P.M.

Robert C. Brown, Council Chairman

ATTEST:

Laura Litzan, City Clerk

PREPARED BY:

Lisa Smith, Recording Specialist