

City of Marco Island Florida

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



Meeting Minutes - Draft

Monday, May 20, 2019

5:30 PM

Community Meeting Room

City Council

Chair: Erik Brechnitz

Vice-Chair: Victor Rios

*City Council: Jared Grifoni, Larry Honig, Howard Reed,
Charlette Roman and Sam Young*

Interim City Manager: David Harden

City Attorney: Alan L. Gabriel

City Clerk: Laura Litzan

1. Call to Order

Chair Brechnitz called the meeting to order at 5:30 P.M.

2. Roll Call

Present: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

Absent: 1 - Councilor Young

Also Present

David Harden, Interim City Manager
Laura Litzan, City Clerk
Alan L. Gabriel, City Attorney
Mike Murphy, Fire Chief
Dave Baer, Administrative Police Captain
Richie Stoltenborg, Operations Police Captain
Guillermo Polanco, Finance Director
Tim Pinter, Director of Public Works
Jeff Poteet, General Manager of Water and Sewer
Justin Martin, Water and Sewer Senior Project Manager
Daniel Smith, Community Affairs Director
Jason Smalley, Planner II
Lina Upham, Purchasing and Risk Manager
Lisa Smith, Recording Specialist
Bill Miller, Special Detail Police Officer
Citizens and Visitors

3. Invocation - Led by Pastor Kevin Koenig of the Marco Lutheran Church

4. Pledge of Allegiance - Led by Chair Brechnitz

It is noted for the record, Councilor Young is now present for the meeting at 5:33 P.M.

5. Approval of the Agenda

MOTION by Vice-Chair Rios, seconded by Councilor Honig, to approve the Agenda. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

6. Approval of the Minutes

- a. [ID 19-267](#) Approval of the Water Quality Workshop Minutes of April 29, 2019

Councilor Honig requested amending Item three (3) New Business to add an additional consensus item "prepare adopt-a-canal" to the summary paragraph.

MOTION by Vice-Chair Rios, seconded by Councilor Honig, to approve the April 29, 2019 City Council Water Quality Workshop Meeting Minutes as amended. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

b. [ID 19-103](#) Approval of the City Council Meeting Minutes of May 6, 2019

Councilor Honig noted a typographical error under Item seven (7) Approval of the Consent Agenda and is requesting to amend his verbiage for comments under Item fourteen (14) Council Communications as follows:

Original Minutes:

Councilor Honig noted he attended a conference by the Florida League of Cities and spoke to Dr. Scott Paine who "congratulated Marco Island for coming to grips with some of the issues you face, this is a critical juncture when City Council can say to itself, let's fix this and has a Manager that can and will get it done."

Revised Minutes:

Councilor Honig noted he attended a conference by the Florida League of Cities and spoke to Dr. Scott Paine who said "I want to congratulate Marco Island for coming to grips with some of the issues you face - this is a critical juncture, when City Council can say to itself, 'Let's fix this and has a Manager who will get it done.'"

Councilor Roman is requesting to amend verbiage for Chair Brechnitz's comments under Item fourteen (14) Council Communications as follows:

Original Minutes:

Chair Brechnitz advised Council he will be sending a letter to all committee chairs and committee members regarding deportment in committee meetings.

Revised Minutes:

Chair Brechnitz advised Council he will be sending a letter to all committee chairs and committee members regarding deportment in committee meetings and bring the draft back to City Council.

MOTION by Vice-Chair Rios, seconded by Councilor Honig, to approve the May 6, 2019 City Council Meeting Minutes as amended. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

c. [ID 19-269](#) Approval of the Special-Called Meeting Minutes of May 7, 2019

MOTION by Vice-Chair Rios, seconded by Councilor Grifoni, to approve the May 7, 2019 Special Called City Council Meeting Minutes. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

7. Approval of the Consent Agenda

Councilor Young requested to remove Item 7-d (Approval of Roadways to be Resurfaced in FY19) from the Consent Agenda.

MOTION by Vice-Chair Rios, seconded by Councilor Reed, to approve the Consent Agenda as amended. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

[Approval of Consent Agenda passes all routine items. 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.]

(IT IS NOTED FOR THE RECORD, THE ITEMS ON THE AGENDA APPEAR IN NUMERICAL ORDER IN THE MINUTES.)

- a.(*) [ID 19-272](#) Site Improvement Plan - Hideaway Beach Clubhouse Renovation (SDP-19-000889)

(It is noted for the record, this is subject to conditions set forth by the Planning Board.)

This item was approved under the Consent Agenda.

- b.(*) [ID 19-286](#) Appointment to the Beautification Advisory Committee (BAC) - Councilor Grifoni

This item was approved under the Consent Agenda.

- c.(*) [ID 19-278](#) Contract Award to All Webbs Enterprises, Inc. for Rehabilitation of RO Production Wells #17 and 18 in the Amount of \$192,500 and Authorize a Purchase Order to Water Science Assoc. in the Amount of \$29,500 for Well Rehabilitation Oversight Services

This item was approved under the Consent Agenda.

- d. [ID 19-282](#) Approval of Roadways to be Resurfaced in FY19

(Editorial History: On an annual basis, the Public Works Director and the Construction Manager evaluate the remaining streets that were listed for resurfacing during an August 7th, 2017 presentation to City Council. At that meeting, Council requested that the Director return each subsequent year to provide a list of the streets recommended to be resurfaced in the current fiscal year. For FY19 the Selected Roadways are Residential Group which is the top listed roadways in the fair condition category.)

Councilor Young removed this item from the Consent Agenda. He is asking for an explanation on the group three (3) streets and clarification on the roadway map.

Public Works Director Tim Pinter answered Council's questions and concerns.

MOTION by Vice-Chair Rios, seconded by Councilor Grifoni, to approve the Roadways to be Resurfaced in FY19. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

8. City Council Items

A. Presentations

[ID 19-273](#) Bicycle Pathways Volunteer Committee Annual Report

Mr. Al Musico, Chairman of the City of Marco Island Bike Path Volunteer Committee gave a presentation on the current status of the bike pathway projects and projected Florida Department of Transportation (FDOT) approved projects.

B. Discussion Items

1. [ID 19-283](#) City Manager's Employment Agreement

(Editorial History: At the May 7, 2019 Special-Called meeting, City Council voted unanimously to direct the Council Chair and the City Attorney to negotiate a contract with Mr. Michael McNees.)

Council engaged in discussion regarding the contract terms and City Attorney Alan Gabriel answered Council's questions and concerns. Interim City Manager David Harden advised Council he will finish the budget process and will work for Mr. Michael McNees during the thirty (30) days overlap period.

MOTION by Vice-Chair Rios, seconded by Councilor Honig, to approve City Manager Michael McNees's Employment Agreement. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

2. [ID 19-293](#) Approval of Request for Proposals (RFP) for Landscape Maintenance Services

(Editorial History: At the February 19, 2019 meeting, City Council directed that the contract for landscape maintenance services be rebid. Attached for Council's review is the draft of RFP #19-017.)

Interim City Manager David Harden advised Council he is not seeking approval tonight but would like Council's comments on the document as it stands. Following discussion, it was determined to forward this item to the second City Council meeting in June.

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

Mr. James De Nicolo, 261 South Collier Boulevard, supports the activities of the bicycle path committee and expressed his displeasure over the employee survey and asked the City Manager why he is getting rid of the Police Chief when it's a hard position to fill.

Ms. Caitlyn Robinson, 121 Lamplighter Drive, thanked Council for taking their time and careful consideration in the selection of the new City Manager.

10. Quasi-Judicial Public Hearing - None

11. Ordinances

A. Public Hearings - Time Certain Approximately 7:00 p.m.

[ID 19-245](#) Ordinance - Second Reading & Public Hearing - Amending Section 42-36 of the City Code - Duty of Abutting Property Owners to Construct and Maintain Sidewalks

(Editorial History: Sidewalks are an important safety and quality of life element of any community. They provide a safe, convenient, health promoting and energy efficient means of transportation. During the March 18th City Council meeting, staff presented options and solutions to help correct problems encountered in attempting to enforce the current Code requirements. City Manager Harden advised Council that staff would take the recommendations and translate them into Code amendments. City Council unanimously approved this Ordinance on first reading at the May 6, 2019 meeting.)

City Clerk Laura Litzan read into the record by title only, Ordinance 19-13.

Public Comment: None

MOTION by Councilor Grifoni, seconded by Vice-Chair Rios, to approve Ordinance 19-13 on Second Reading, Amending Section 42-36 of the City Code - Duty of Abutting Property Owners to Construct and Maintain Sidewalks. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 7 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman, Councilor Grifoni and Vice-Chair Rios

B. First Readings - None

12. Resolutions for Adoption - None

13. Council Reports

- a. [ID 19-279](#) Medical Marijuana - Understanding Local Government Authority - Councilor Larry Honig

Councilor Honig gave a powerpoint presentation on medical marijuana and understanding local government authority. He noted the discussion today is not to determine pros and cons of medical marijuana and he is only passing along information received from the Florida League of Cities.

(It is noted for the record, Councilor Young left the meeting at 7:00 P.M. and returned at 7:03 P.M.)

- b. [ID 19-280](#) Collier County Population Growth - Impact on Marco Island - Councilor Larry Honig

Councilor Honig gave a powerpoint presentation on Collier County population growth and the impact on Marco Island. He provided three (3) suggestions and encouraged Council to hold a workshop on this item.

c. [ID 19-281](#) Storm Water Issues - Vice-Chair Victor Rios

Vice-Chair Rios held a discussion on several stormwater issues. Following discussion, Vice-Chair Rios will make recommendations during the future agenda.

d. [ID 19-291](#) Seawall Manufacturing in Residential Neighborhoods - Councilor Howard Reed

Councilor Reed gave a powerpoint presentation on seawall manufacturing in residential neighborhoods and is suggesting a review of the existing ordinance by staff.

e. [ID 19-292](#) Code Enforcement Issues - Councilor Howard Reed

Councilor Reed gave a powerpoint presentation on code enforcement issues, specifically signs and utility trailers. He is proposing an amendment to the sign ordinance. Discussions ensued and Interim City Manager David Harden will work with staff to address both issues.

14. Council Communications & Future Agenda

[ID 19-104](#) Future Agenda Items

Vice-Chair Rios is seeking an explanation regarding the City's permitting database and asked how often it is updated. Community Affairs Director Dan Smith clarified the process.

Councilor Young noted he forwarded a one (1) way communication to Council in reference to Advanced Environmental Laboratories and asked City staff to work with Chair Woodworth of the Waterways Advisory Committee to investigate utilizing Advanced Environmental Laboratories in lieu of Collier County Pollution Control.

Councilor Honig opposes Councilor Young sending a one (1) way communication and his request of City staff to investigate Advanced Environmental Laboratories. He expressed his displeasure with some Councilors not following the future agenda process.

Councilor Roman is in favor of regular process and noted Council seems to be repeating items and questioned why. She supports getting back on track.

Chair Brechnitz noted the first reading of the dumpster ordinance will be on the City Council agenda in June.

Future Agenda Items:

Vice-Chair Rios is asking for a workshop to address the following issues; fertilizer ordinance, reuse water and its impact on golf courses and budgeting for swales.

Councilor Young is also requesting a fertilizer workshop in June or July. He is asking for two (2) discussion items; medical marijuana and adopting the University of Florida's proposal for the June 3, 2019 City Council meeting.

Councilor Reed is asking for a discussion on water quality data update.

Chair Brechnitz advised Council that he and Interim City Manager David Harden have reviewed Council's Rules of Procedures and that it is ready for a future agenda whenever available.

15. City Manager's Report

Interim City Manager David Harden provided his report and answered Council's questions and concerns regarding speed and traffic as a result of widening Yellowbird Street. He displayed photographs of a "chicane" which is an artificial narrowing of a street and a small traffic circle as two (2) possible solutions.

16. City Attorney's Report

[ID 19-106](#) City Attorney's Report

City Attorney Alan Gabriel provided his report and answered Council's questions and concerns.

17. Departmental Reports

[ID 19-107](#) Monthly Departmental Reports

Council has agreed to forego the departmental reports by staff unless Council has a specific question for the department head.

*Finance Department Report - Acting Finance Director Debi Mueller
IT Department Report - Director of Information Technology Jordan Turek
Human Resources Department Report - HR Director Leslie Sanford
Parks and Recreation Report - Parks, Culture and Recreation Manager Samantha Malloy
Growth Management Report - Community Affairs Director Dan Smith
Building Services Department Report - Chief Building Official Raul Perez
Fire-Rescue Report - Fire Chief Mike Murphy*

18. Citizens' Comments

Mr. Rich Blonna, 1541 San Marco Road, thanked Council for a good job in hiring a new City Manager and he thanked Interim City Manager David Harden for his guidance.

19. Adjournment

There being no further business to come before City Council, the meeting adjourned at 8:51 P.M.

Erik Brechnitz, Council Chairman

ATTEST:

Laura Litzan, City Clerk

PREPARED BY:

Lisa Smith, Recording Specialist