

City of Marco Island Florida

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



Meeting Minutes - Draft

Monday, August 19, 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*

City Manager: Michael McNeas

City Attorney: Alan L. Gabriel

City Clerk: Laura Litzan

1. Call to Order

Chair Brechnitz called the meeting to order at 5:35 P.M. due to Council participating in a shade session that extended past the allotted time.

2. Roll Call

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

Absent: 1 - Vice-Chair Rios

Also Present

Michael McNeese, City Manager
David Harden, Former Interim City Manager
Alan Gabriel, City Attorney
Laura Litzan, City Clerk
Guillermo Polanco, Finance Director
Mike Murphy, Fire Rescue Chief
Dave Batiato, Deputy Fire Chief
Dave Baer, Acting Police Chief
Tim Pinter, Director of Public Works
Jeff Poteet, General Manager of Water and Sewer
Daniel Smith, Community Affairs Director
Jose Duran, Information Technology Manager
Samantha Malloy, Parks Culture and Recreation Manager
Lisa Smith, Recording Specialist
Chuck Ludwigsen, Special Detail Police Officer
Citizens and Visitors

3. Invocation - Led by Councilor Reed

4. Pledge of Allegiance - Led by Chair Brechnitz

5. Approval of the Agenda

MOTION by Councilor Honig, seconded by Councilor Grifoni, to approve the Agenda. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

6. Approval of the Minutes

- a. [ID 19-405](#) Approval of the Budget Workshop Part III Meeting Minutes of July 15, 2019

MOTION by Councilor Young, seconded by Councilor Honig, to approve the July 15, 2019 City Council Budget Workshop Part III Meeting Minutes. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

b. [ID 19-309](#) Approval of the City Council Meeting Minutes of July 15, 2019

Councilor Roman requested amending Item 14 (Council Communications and Future Agenda) to add verbiage " She received consensus by the Council" to her comments.

Original Minutes:

Councilor Roman expressed her displeasure with the second incident of destruction of the dunes, this time by the Madeira Condominium which occurred during sea turtle nesting season and hurricane season. She offered the following recommendations; direct the City Manager to come up with a plan to better protect the beach and coastal resources, enhanced beach patrol, implement the beach steward program again and update the Magistrate order regarding fine amounts.

Revised Minutes:

Councilor Roman expressed her displeasure with the second incident of destruction of the dunes, this time by the Madeira Condominium which occurred during sea turtle nesting season and hurricane season. She received consensus by the Council to direct the City Manager to come up with a plan to better protect the beach and coastal resources. She offered recommendations such as enhanced beach patrol, implement the beach steward program again and update the Magistrate order regarding fine amounts.

MOTION by Councilor Roman, seconded by Councilor Reed, to approve the July 15, 2019 City Council Meeting Minutes as amended. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

c. [ID 19-406](#) Approval of the Leadership & Strategic Planning Workshop Minutes of July 16, 2019

MOTION by Councilor Reed, seconded by Councilor Grifoni, to approve the July 16, 2019 Leadership and Strategic Planning Workshop Meeting Minutes. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

7. Approval of the Consent Agenda (*)

MOTION by Councilor Grifoni, seconded by Councilor Honig, to approve the Consent Agenda. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

[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.]

- a.(*) [ID 19-409](#) Approving the Purchase Order for American Engineering Consultants of Marco Island, Inc., for the Survey and Design of the Bald Eagle Drive Shared Use Pathway Project, in an amount not to exceed \$80,500.00.
This item was approved under the Consent Agenda.
- b.(*) [ID 19-410](#) Approving the Purchase Order for Atkins North America, Inc., for the Survey and Design of the San Marco Drive Shared Use Pathway Project, in an amount not to exceed \$112,701.30.
This item was approved under the Consent Agenda.
- c.(*) [ID 19-411](#) Approving the Purchase Order for Hole Montes, Inc., for the Survey and Design of the Inlet Drive Shared Use Pathway Project, in an amount not to exceed \$135,700.00.
This item was approved under the Consent Agenda.
- d.(*) [ID 19-430](#) Approving the Purchase Order for Kimley-Horn and Associates, Inc., for the Survey and Design of the San Marco Road Drainage Improvements Project, in an amount not to exceed \$124,980.00.
This item was approved under the Consent Agenda.
- e.(*) [ID 19-383](#) Resolution of the City Council of Marco Island, Florida, approving the Fiscal Year 2019-20 Non-Ad Valorem Assessment Rolls
This item was approved under the Consent Agenda.
- f.(*) [ID 19-432](#) Appointment of Mr. Phillip Thompson to the Waterways Advisory Committee - Chair Erik Brechnitz
This item was approved under the Consent Agenda.
- g.(*) [ID 19-429](#) Mutual Agreement between the City of Marco Island and the Marco Island Yacht Club to provide sailing instruction and sublease of the coastal property.
This item was approved under the Consent Agenda.

8. Proclamations and Presentations

- a. [ID 19-414](#) Proclamation Recognizing Stevens Johnson Syndrome Awareness Month

On behalf of City Council, Chair Brechnitz read a proclamation recognizing Stevens-Johnson Awareness Month.

- b. [ID 19-435](#) Presentation - Marco Island Loop Trail Feasibility Study - Ms. Anne McLaughlin, Executive Director, Collier County Metropolitan Planning Organization

Executive Director of the Collier County Metropolitan Planning Organization (MPO) Anne McLaughlin gave a presentation on the Marco Island Loop Trail Feasibility Study. She provided background information, how the process works and answered Council's questions and concerns. She clarified that the Collier County MPO Bicycle and Pedestrian Master Plan does include connections to Marco Island, even though Marco Island was omitted from the Naples Pathways Coalition Vision Statement. It is her recommendation that Marco Island wait until the 2020 census for Florida Department of Transportation (FDOT) and the Governor's office to determine the number of representatives from Marco Island who will sit on the MPO. It is noted, Marco Island would like to have two (2) representatives for the MPO, the same as the City of Naples.

Public Comment:

Mr. Al Musico, 907 Panama Court, Chairman of the Marco Island Bike Paths Volunteer Committee and Board Member of the Bicycle and Pedestrian Advisory Committee (BPAC), thanked Ms. McLaughlin for putting this project forward.

9. 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, spoke about updating the Land Development Code (LDC) and Comprehensive Plan and hopes the small residential island character remains in tact just as the Mackle Brothers envisioned. He offered solutions for water rates, roads and stormwater issues and asked the City Manager to address these problems. In his opinion the City needs a new Public Works Director. City Manager Michael McNees responded this is not the right venue to criticize City Staff for past issues and will be happy to speak to citizens in private.

Ms. Michaelon Wright, 900 Montego Court, ceded her time to Mr. Olson.

Mr. Rick Woodworth, 908 North Barfield Drive, Chairman of the Waterways Advisory Committee, noted the committee unanimously endorsed the draft Request for Proposal (RFP) for Consulting Services for Nutrient Source Evaluation and Assessment at their August 15, 2019 meeting and urged Council to move this forward as soon as possible.

Mr. Phil Kostelnik, 121 Channel Court, commented again on the poor conditions of the roads throughout Marco Island and is happy to see funds in the budget for repairs. He believes awarding contracts to the lowest bidder is a mistake and a waste of citizen's tax dollars.

Ms. Debbie Roddy, 1860 Watson Road, Collier County Coastal Advisory Committee Member, provided an update on the Aids-to-Navigation (atons) for Caxambas Pass G1, R2, G5, G7, Picket Fence to Dickman's Point R2, G3, R4, G5 and Cape Romano R6 and G21.

Mr. Lee Rubenstein, American Legion Post 404 Commander, advised Council the post applied for the Vietnam Traveling Memorial Wall for 2020 or 2021 and they were notified Marco Island has been selected to rehost the wall for February 2020. He is seeking Council approval to utilize Veteran's Community Park for the event.

MOTION by Councilor Roman, seconded by Councilor Grifoni, to approve American Legion Post 404 host the Vietnam Traveling Memorial Wall in February 2020 at Veteran's Community Park. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

Mr. Rocky Cale, 108 Beachcomber Street, representing Marco Island Model Yacht Club and Regatta Chair, encouraged the City to do an annual treatment for hydrilla in Mackle Park Lake. He announced that a national regatta will be coming to Marco Island the first weekend in March of 2021 for a three (3) day event. He is seeking support from the City and Chair Brechnitz congratulated Mr. Cale.

Mr. Ed Issler, 908 South Joy Circle, introduced the newly formed "Ban Recreational Marijuana Political Action Committee" created by a group of citizens to look into the process of banning recreational marijuana on Marco Island.

Ms. Litha Berger, 1648 Windmill Avenue, issued her complaint on the sidewalk issues on her vacant lot on Butterfield Court. Chair Brechnitz responded the City Manager will address this issue and he will forward his recommendations to the September 3 agenda.

Ms. Marge Merklingshaus, 1140 San Marco Road, expressed her displeasure with all of her comments not being recorded under citizens comments at the June 17, 2019 City Council meeting. She believes her statement of "and her family" was deleted. Councilor Grifoni responded it was not deleted because it was not recorded.

Ms. Bernie Greichen, 51 South Seas Court, verified Ms. Merklingshaus's comments made at the June 17, 2019 meeting and is asking Council to record exactly what citizens say, not a condensed version. Councilor Grifoni responded the verbiage was never in the minutes, it is available on the audio recording on the City's website for anyone to view, Council had an obligation to disclose if there was a monetary gain for themselves or their families and the insinuation that there is one, is absolutely incorrect.

Mr. Ken Honecker, Marco Island Resident, spoke on three (3) topics; he is asking for updates on the Mainsail project, he believes the City should take over ownership of the sidewalks and he is asking the City consider looking into taking over trash collection in order to save the taxpayers some money.

Ms. Michelle Malsbury, representing the US Census Bureau, is asking all citizens to participate in the decennial census in 2020 and left information with the City Clerk to distribute. She is seeking a greater than 95% response rate.

10. Quasi-Judicial Public Hearing - None

(THE MEETING WENT INTO RECESS AT 6:48 P.M. IT IS NOTED FOR THE RECORD THE SAME COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 7:00 P.M.)

11. Ordinances

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

[ID 19-394](#)

Ordinance - Second Reading & Public Hearing - Section 30-1012 of the Land Development Code - Supplemental District Regulations - Solid Waste Disposal - Requiring Dumpster Enclosures

(Editorial History: This amendment was driven from citizen input and discussions at Planning Board and City Council regarding the requirement of dumpster enclosures at existing and new buildings, not generating the trash volume for a typical dumpster enclosure. Some businesses would like to use hand roll out receptacles for trash and recycling with individual curb side service. Staff made revisions based on Council comments on June 3. The Planning Board at the June 7th meeting recommended by a vote of 7-0 to forward the changes to the City Council for approval; individual curbside containers allowed up to 96 gallons with no screening required and removal of the dumpster enclosure requirement if a commercial zone abuts another commercial zone with a bisecting alley. The City Council at the June 3rd meeting (1st reading) requested the Ordinance include a definition for "Container/bulk container," and include a provision to allow for bulk containers in parking and landscape areas prior to the solid waste ordinance adopted November 4, 2002.)

City Clerk Laura Litzan read into the record by title only on second reading, Ordinance 19-14.

Community Affairs Director Dan Smith provided background information and answered Council's questions and concerns.

Public Comment: None

MOTION by Councilor Grifoni, seconded by Councilor Roman, to approve Ordinance 19-14 on Second Reading, Section 30-1012 of the Land Development Code - Supplemental District Regulations - Solid Waste Disposal - Requiring Dumpster Enclosures.

NO VOTE TAKEN ON THIS MOTION

MOTION by Councilor Reed, to amend the language in Section 3-B-2 of the third sentence to change the word "compatible" to the words "staff approved".

MOTION FAILED FOR LACK OF SECOND

MOTION by Councilor Reed, seconded by Councilor Honig, to amend the motion on the floor and remove the sentence "material for screening shall be of a compatible color of the primary structure".

MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 4 - Councilor Reed, Councilor Honig, Councilor Young and Councilor Grifoni

No: 2 - Chair Brechnitz and Councilor Roman

Not Present: 1 - Vice-Chair Rios

MOTION by Councilor Grifoni, seconded by Councilor Roman, to approve Ordinance 19-14 on Second Reading, Section 30-1012 of the Land Development Code - Supplemental District Regulations - Solid Waste Disposal - Requiring Dumpster Enclosures, as amended.

MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

B. First Readings

[ID 19-431](#) Ordinance - First Reading - Section 30-1007 of the Land Development Code (LDC) amendments clarifying the storage of vehicles and trailers on residential lots and adding definitions to Section 30-10.

(Editorial History: A City Council initiated change amending Section 30-1007 related to parking and storage of certain vehicles. This amendment was discussed at City Council and it was determined that utility trailers needed to be regulated like boat trailers for storage on residential lots. This item was heard at the August 2nd Planning Board meeting and was approved 6-1.)

City Clerk Laura Litzan read into the record by title only, an Ordinance on first reading, Section 30-1007 of the Land Development Code (LDC) amendments clarifying the storage of vehicles and trailers on residential lots and adding definitions to Section 30-10.

Community Affairs Director Dan Smith provided background information and answered Council's questions and concerns. Marco Island Police Captain Baer answered questions regarding language pertaining to the definition of a conversion van.

Discussions ensued and Council offered the following suggestions by consensus for the second reading:

- *page 3, line 116 - add language "conversion vans outfitted as described above"*
- *page 3, line 128 - remove the word "single" from "transportation of single boat" and insert "transportation of one (1) or more boats or watercraft"*
- *page 4 line 135 - change the words "or used" to "or available for use"*
- *page 5, line 190 - remove section one (1) c and section two (2) a-b-c-d-e*
- *page 6, line 215, change verbiage from "all of which" to "and"*
- *page 217, change verbiage from "automobiles, vans, or pickup trucks" to "any vehicle"*

Public Comment: None

MOTION by Councilor Reed, seconded by Councilor Young, to approve an Ordinance on First Reading, Section 30-1007 of the Land Development Code (LDC) amendments clarifying the storage of vehicles and trailers on residential lots and adding definitions to Section 30-10.

NO VOTE TAKEN ON THIS MOTION

MOTION by Councilor Reed, seconded by Councilor Young, to approve an Ordinance on First Reading, Section 30-1007 of the Land Development Code (LDC) amendments clarifying the storage of vehicles and trailers on residential lots and adding definitions to Section 30-10, amended to include changes discussed by Council consensus. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

12. Resolutions and Council Items

- a. [ID 19-420](#) Appropriation of Funds and Contract Award to Kimley-Horn and Associates, Inc., for Veterans' Community Park Design Services, in an amount not to exceed \$594,950.00.

(Editorial History: On April 10, 2018, the City entered into a contract with Kimley-Horn and Associates for preparation of an updated Master Plan for Veterans' Community Park. The final Master Plan has been completed and was adopted by the City Council on March 18, 2019. The Council also authorized the City Manager to negotiate with Kimley-Horn for a scope of work and fee for design of the park improvements included in the plan. The Council has since decided to proceed with design based on using the Construction Manager at Risk method of construction of the park improvements. Accordingly, Kimley-Horn has prepared the attached Scope of Services for completing the design of park facilities and providing construction phase services.)

City Clerk Laura Litzan read into the record by title only, Resolution 19-28.

Former Interim City Manager David Harden provided background information and answered Council's questions and concerns.

Kimley-Horn Project Manager James Pankonin answered Council's questions and concerns regarding design build verses construction management at risk methods.

Parks and Recreation Advisory Committee Chair Portu also answered Council's questions and concerns.

Public Comment:

Mr. Ken Honecker, 632 Dorando Court, said he prefers the bid process since that has worked in the past and is what the City Manager is comfortable with. He noted this project is not being done by referendum like Mackle Park and explained the Herb Savage Bridge project process.

MOTION by Councilor Grifoni, seconded by Councilor Reed, to approve Resolution 19-28, Appropriation of Funds and Contract Award to Kimley-Horn and Associates, Inc., for Veterans' Community Park Design Services, in an amount not to exceed \$594,950.00. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

- b. [ID 19-422](#) Beautification Advisory Committee (BAC) Recommendation to Establish a Variance Process for Reviewing Requests to Place Landscape Plants in the Public Rights-of-Way

(Editorial History: Pursuant to City Ordinance 15-18, construction and landscaping activities within the public right-of-way within the City of Marco Island are governed by the Construction Standards Handbook for Work Within the Public Right-of-way. Section 13 of the Handbook, titled "Sod & Approved Groundcover Species Placement" lists what species ground cover are approved for such installation. The Beautification Advisory Committee (BAC) recommended earlier in 2019 that Frog Fruit (Phyla nodiflora) be added to the list of approved ground covers, and that planting in the swale areas around mailboxes be allowed with certain stipulations. City Council approved those recommendations via Resolution 19-03 on January 7, 2019. Furthermore, both Section 30-435(h) and Section 42-76(a) of the Land Development Code refer to the requirement to obtain a permit before placing landscape material within the public

right-of-way. It is the feeling of the BAC that City Codes are too restrictive in prohibiting plantings in the right-of way. At their May 1, 2019 meeting the BAC, by a four to one vote, recommended that the City Council establish a variance process for reviewing requests to place landscape plants in the public right-of-way.)

Beautification Advisory Committee Chair Kirlin provided background information and answered Council's questions and concerns.

City Manager Michael McNees advised Council that Vice-Chair Rios had reached out to him to ask if Council would defer this item until he returns. Following discussion, it was determined by unanimous consensus to return this item back to staff and the Beautification Advisory Committee to expand the list of plantings with an emphasis on Florida friendly and forward back to City Council for their second meeting in September.

- c. [ID 19-374](#) Approve an Interlocal Agreement for an Advanced Life Support Partnership between Collier County and the City of Marco Island.

(Editorial History: Under Florida Law, in order for a department to provide paramedic services, it must be licensed by the State of Florida as an Advanced Life Support (ALS) provider. The City of Marco Island does not have its own ALS License and therefore in order to provide services must be licensed under Collier County EMS if it is to provide services. Collier County requires that the City of Marco Island enter into an interlocal agreement in order for our personnel and vehicles to have the capability to provide paramedic services. The City and County staff have been working together on an updated agreement which was approved by the Collier County Commission on 7/9/2019.)

Fire Rescue Chief Mike Murphy provided background information and answered Council's questions and concerns.

Public Comment:

Mr. Ken Honecker, 632 Dorando Court, asked Council to consider looking into down grading back to Basic Life Support (BLS) service.

MOTION by Councilor Young, seconded by Councilor Reed, to Approve an Interlocal Agreement for an Advanced Life Support Partnership between Collier County and the City of Marco Island and allow City Manager Michael McNees to continue negotiations. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

- d. [ID 19-426](#) Possible Changes to the Proposed FY2020 Budget

(Editorial History: First, as was discussed at the July 15 Budget Work Session, we expect to receive more funds than were budgeted for Fiscal 2019 from at least two sources as follows:

State Revenue Half Cent Tax	\$175,000
Communications Service Tax	\$215,000
TOTAL	\$390,000

Although \$390,000 might be considered available, the City's spending cap limits additional spending to \$216,998. Considering previous Council discussion, I suggest using these funds as follows:

Comprehensive Plan Update	\$75,000
A Strategic Plan Top Priority	
Median Remodeling	\$50,000
<i>Reduces irrigation needs and reuse water runoff</i>	

Tree Replacement	\$ 40,000
Supports Strategic Plan Vision (distinguished by our BEAUTY)	
BAC Community Presentation	\$1,000
Supports Strategic Plan Vision (distinguished by our BEAUTY)	
High Clearance Vehicle Maintenance	\$15,000
Paint and mark, add warning and flood lights	
Upgrade Existing Administrative Position	
To Include Public Engagement Activity	\$ 35,000
A Strategic Plan Top Priority (Proactive Communications/Public Engagement)	
TOTAL =	\$216,000

Second, several Councilors have indicated that they do not support keeping \$20,000 in the Water & Sewer budget for the Urban Mobil Irrigation Lab. In the past this was supported by the Water Management District for water conservation purposes, but they have now shifted their funding to other priorities and local funding is being sought. Staff requests Council direction, either by majority consensus or by motion and vote, as to whether to add the items listed under First above, and whether to keep the Mobil Irrigation Lab in the budget or to remove it.)

Former Interim City Manager David Harden provided background information and answered Council's questions and concerns on his above recommendations. Council agreed by consensus to move forward with Mr. Harden's recommendations. Regarding the Mobile Irrigation Lab, the majority of Council agreed to remove it from the budget.

Public Comment: None

e. [ID 19-415](#) Update to City Council's Rules of Procedure - Chair Erik Brechnitz

(Editorial History: As suggested by Councilor Roman at the March 4, 2019 meeting, Chair Brechnitz offered to update City Council's Rules of Procedure for Council's consideration. At the July 15, 2019 meeting, Councilors provided comments and suggestions for changes.)

Council engaged in a lengthy discussion and offered the following suggestions:

- add Council Communications shall be a mandatory part of the meeting and non cancelable
- excluding emergency circumstances, meetings shall not be extended beyond 9:30 P.M.
- emergency definition - shall be defined as an unexpected circumstances, circumstance that threatens life or property and requires immediate action
- page 2, section 2(f) - change time to six (6) minutes
- page 8, section 8(c)(3) - remove the word "one" from the sentence "one additional five (5) minutes time period and add "at the discretion of the Chair" at the end
- page 2, Section 2(b) - put consent agenda under agenda and remove the word "approved" item four (4) and be silent on Section 2(f) citizen's comments thirty minutes time limit.

Chair Brechnitz will take Council's suggestions into consideration and forward an amended document to a future agenda.

13. Council Reports - None

14. Council Communications & Future Agenda

[ID 19-310](#) Future Agenda Items

Council Communications:

Councilor Honig commented on the master calendar date for the legislative priorities workshop that is scheduled for a tentative date of October 21 and advised Council that the delegation meets on October 30. He is asking Council to consider changing the date for the workshop to October 7, 2019 in order to meet deadlines. He asked City Attorney Alan Gabriel for an update regarding what information public speakers are required to give before speaking. Mr. Gabriel replied, there are no requirements for a citizen to provide their name and/or address but the Chair may ask. Councilor Honig inquired about the Winterberry Bridge project and if it will be wider to accommodate the shared use path. Public Works Director Tim Pinter responded "yes" and also informed Councilor Honig that the bridge will be a total closure for twelve (12) to eighteen (18) months.

Councilor Grifoni suggested a date of September 16 for the legislative priority and asked if Marco Island Lobbyist Ron Book would attend. He noted the sidewalk issue has already been discussed and the City Manager is looking into that item. He advised during his time on Council, the top three (3) issues are permitting delays, roads and sidewalks and noise. Council may want to revisit the Noise Ordinance at a future date. He followed up on the "Adopt a Canal" program and Public Works Director Tim Pinter advised it is going forward with Waterways Advisory Committee. Lastly, Councilor Grifoni spoke about the Burrowing Owl tax incentive for property owners and said it is on the Beach and Coastal Resource Advisory Committee agenda for September 4, 2019.

Councilor Reed spoke about the Crescent Street seawall cut in that was passed at the last City Council meeting and is seeking clarification for the record. He questioned the way the variance is interpreted and asked if the length of the vessel that the petitioner requested in their drawings and notes is relevant and the decision that Mr. Dan Smith as Community Affairs Director would make is based upon the materials presented at that meeting so that the size of the vessel is not unlimited and is bounded by the boundaries of that space. Mr. Smith replied yes, that is his understanding.

Councilor Young believes another water quality workshop is not necessary since there is an RFP that is ready to be implemented. He suggested Public Works Director Tim Pinter contact Mr. Harry Phillips with Cape Coral regarding the Adopt a Canal.

Councilor Roman commented on citizens speaking and is seeking information on if the citizens speaking are from Marco Island. Chair Brechnitz responded he will ask each citizen where the citizens are from before they being speaking. She conveyed she contacted City Attorney Alan Gabriel in reference to microphones at the dais being left on during recess at the last City Council meeting and is seeking a response. Mr. Gabriel replied there is no video tape or audio tape regarding that meeting so he is unable to hear anything. He advised that if anyone has that information to forward it to him so he can investigate.

Future Agenda:

Councilor Reed removed two (2) of his future agenda discussion topics; development of emergency room facility and improved methodology for managing City Council and City Attorney relationship. He added a discussion item for an update on off shore and canal water testing data and conclusions to the next water quality workshop where he can give a presentation.

MOTION by Councilor Roman, seconded by Councilor Reed, to extend the meeting fifteen (15) minutes to 9:45 P.M. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 6 - Councilor Reed, Councilor Honig, Chair Brechnitz, Councilor Young, Councilor Roman and Councilor Grifoni

Not Present: 1 - Vice-Chair Rios

15. City Manager's Report

City Manager Michael McNees provided his report and answered Council's questions and concerns.

16. City Attorney's Report

[ID 19-311](#) City Attorney's Report

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

17. Departmental Reports

[ID 19-312](#) Monthly Departmental Reports

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

- Building Services Department Report - Chief Building Official Raul Perez*
- Finance Department Report - Finance Director Guillermo Polanco*
- Fire-Rescue Department Report - Fire Chief Mike Murphy*
- Growth Management Report - Community Affairs Director Dan Smith*
- Human Resources Department Report - HR Director Leslie Sanford*
- IT Department Report - Director of Information Technology Jordan Turek*
- Parks and Recreation Report - Parks, Culture and Recreation Manager Samantha Malloy*
- Police Department Report - Acting Police Chief Dave Baer*
- Public Works Report - Public Works Director Tim Pinter*
- Water and Sewer Report - General Manager Jeff Poteet*

18. Citizens' Comments - None

19. Adjournment

There being no further business to come before City Council, the meeting adjourned at 9:37 P.M.

Erik Brechnitz, Council Chairman
ATTEST:

Laura Litzan, City Clerk
PREPARED BY:

Lisa Smith, Recording Specialist