

# City of Marco Island Florida

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



## Meeting Minutes - Final

**Monday, July 22, 2024**

**5:30 PM**

**Community Meeting Room**

### **City Council**

*Chair: Jared Grifoni  
Vice-Chair: Erik Brechnitz*

*City Council: Rich Blonna,  
Greg Folley, Becky Irwin,  
Darrin Palumbo, Joe Rola*

*City Manager: Mike McNeas  
Assistant City Manager: Casey Lucius  
City Attorney: Alan L. Gabriel  
City Clerk: Joan Taylor*

## 1. Call to Order

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

## 2. Roll Call

**Present:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

## Also Present

Michael McNees, City Manager  
Casey Lucius, Assistant City Manager  
Joan Taylor, City Clerk  
David Tolces, City Attorney  
Tracy Frazzano, Police Chief  
Chris Byrne, Fire Chief  
Guillermo Polanco, Finance Director  
Daniel J. Smith, Community Affairs Director  
Justin Martin, Public Works Director  
Jose Duran, Information Technology Director  
Jeff Poteet, Water & Sewer General Manager  
Angela Johenning, Purchasing & Risk Manager  
Mary Holden, Senior Planner  
Sonia Iszler, Water & Sewer Engineering & Operations Manager  
Samantha Malloy, Parks, Culture & Recreation Manager  
Martin Luna, Video/Broadcast Technician  
Jim Kornas, Recording Specialist  
Citizens and Visitors

## 3. Invocation

Offered by Reverend Thomas McCulley of the New Life Community Church.

## 4. Pledge of Allegiance

Led by Chair Grifoni.

## 5. Approval of the Agenda

Chair Grifoni noted that the years of service recognition for Mr. Frank Clark, City Water & Sewer Department employee, as noted under Agenda Item 8a. (Proclamations and Presentations) has been deferred to a future meeting of the Council.

**MOTION by Vice-Chair Brechnitz, seconded by Councilor Palumbo, that the Agenda be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

## 6. Approval of the Minutes

- a. [ID 23-3143](#) Approval of the City Council Capital Budget Workshop Minutes of June 17, 2024

**MOTION by Councilor Folley, seconded by Councilor Palumbo, that the City Council Capital Budget Workshop Minutes of June 17, 2024, be Approved.**

**MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

- b. [ID 24-3728](#) Approval of the City Council Meeting Minutes of June 17, 2024

**MOTION by Vice-Chair Brechnitz, seconded by Councilor Blonna, that the City Council Meeting Minutes of June 17, 2024, be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

### **7. Approval of Consent Agenda**

**MOTION by Councilor Folley, seconded by Councilor Blonna, that the Consent Agenda be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

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

- a. [ID 24-3702](#) Resolution - Approving Collier County's Potential Acquisition of Two Parcels of Land Totaling 0.80 Acres Located within the City of Marco Island Under the Conservation Collier Land Acquisition Program - Joan Taylor, City Clerk
- b. [ID 24-3725](#) Authorize the City Manager to Execute a Purchase Order to Stryker for the Replacement of four (4) Cardiac Monitors and two (2) Cardiac Compression Devices in the Amount not to Exceed \$256,252.34 - Chris Byrne, Fire Chief, Fire Rescue Department
- c. [ID 24-3723](#) Authorize the City Manager to Issue a Purchase Order to Titan Concrete & Utilities, Inc., for the Removal and Replacement of a Storm Sewer Drainage Pipe at 558 Bald Eagle Drive in the Amount of \$139,320.10, Using the City Public Infrastructure Construction Services Contract 2023-029 - Justin Martin, P.E., Director of Public Works
- d. [ID 24-3719](#) Authorize the City Manager to Approve the Dark Fiber and Network Connectivity Service Agreement, Annual \$69,600 - Jose Duran, Director, Information Technology
- e. [ID 24-3726](#) Authorize the City Manager to Issue a Purchase Order in the Amount of \$84,713.00 to Hole Montes, Inc., (a Bowman Company), for the Engineering Services for the Mackle Park Airnasium Replacement - Lazaro Pomier, Ph.D., Project Manager, Fleet and Facilities

- f. [ID 24-3713](#) Award of Contract for Sanitary Sewer Manhole Lining Services to Eight (8) Qualified Contractors on As-Needed Basis (RFQ 2024-15) - Jeffrey E. Poteet, General Manager, Water and Sewer Department

### 8. Proclamations and Presentations

- a. [ID 23-3306](#) Employee Service Awards:  
Michael McNees - 5 Years  
Frank Clark - 20 Years

*Council Chair Jared Grifoni called forward City Manager Michael McNees to receive his recognition certificate and pin for five years of service to the City and the citizens of Marco Island. Noting Mr. McNees's tenure to date as the second-longest serving City Manager for Marco Island, Chair Grifoni highlighted and thanked Mr. McNees for his many successes and accomplishments over the past five years.*

*All present offered a warm round of applause in appreciation of Mr. McNees's leadership and service to the community.*

#### SPECIAL RECOGNITION:

*City Manager McNees introduced U.S. Army - Retired Colonel Glenn Waters, 2024 International City/County Management Association (ICMA) Senior Fellow, who is engaging with the City of Marco Island's senior leadership during the week of July 22, 2024 in a cross-organizational sharing and development program sponsored by the ICMA.*

*[Editorial Note: City Manager McNees initially advised the Council of the City's participation in the ICMA Senior Fellowship Program during his City Manager Report (Agenda Item 16) on February 5, 2024, with follow-up updates on March 18, and April 8, 2024]*

- b. [ID 24-3711](#) Presentation - Recognition of the Marco Island Police Department and Katie Hofmeister, Accreditation and Grants Coordinator

*Chair Grifoni called forward Police Chief Tracy Frazzano and members of the Marco Island Police Department to receive recognition for the Department's accomplishment in being awarded the Rocky Pomerance Law Enforcement Excellence Award in recognition of its innovative approach to community engagement and policing during 2023.*

*Ms. Katie Hofmeister, MIPD Accreditation and Grants Coordinator, also received the Florida Police Chief's Association Civilian Employee of the Year Award recognizing the efforts of non-sworn employees of police departments who perform with exemplary dedication in their assigned positions.*

*All present offered a warm round of applause for Chief Frazzano and the members of her team.*

- c. [ID 24-3677](#) Presentation - Lee County Electric Cooperative (LCEC) Storm Season Preparation - Trisha Dorn, LCEC Key Account Executive and Allan Ruth, LCEC Incident Commander

*Mr. Allan Ruth, Incident Commander with Lee County Electric Cooperative (LCEC), shared an overview of the Cooperative's storm preparation, management, and restoration process to service its Florida customers before, during, and after a significant weather event.*

*Mr. Ruth addressed a number of questions from members of the Council, and he received a round of applause from the residents and visitors who attended the meeting.*

*No members of the public came forward to offer comment.*

- d. [ID 24-3691](#) Presentation - Parks and Recreation Master Plan - Carlos Perez, PLA, Perez Planning & Design, LLC

*Marco Island Community Affairs Director Daniel Smith briefly outlined the process and timetable for the Parks & Recreation Master Plan. He introduced Mr. Carlos Perez, President and Founder of Perez Planning & Design LLC, to review his firm's approach, findings, and next steps in the development of the Plan's recommendations. He addressed a number of questions from members of the Council.*

*Ms. Samantha Malloy, Marco Island Manager of Parks, Culture, and Recreation, recognized the effort and dedication of the current Parks & Recreation team.*

*No members of the public came forward to offer comment.*

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

*Mr. Robert Vetrano (Tahiti Rd.) expressed frustration with the behaviors of certain short term property renters in his neighborhood, and he encouraged the City to take steps to resolve the issue.*

*Mr. Phillip Kostelnik (Channel Ct.) shared the experience of his fall, injury, and the responsiveness of Marco Island's first responders in assisting him. He expressed his appreciation for their assistance.*

*Mr. Tom Henning (Sonderhen Dr., Naples), Collier County School Board District 4 candidate, commended the Council on its eight years of successfully "rolling back" its property millage rate, and he contrasted the Council's success with the growth of the Collier County School Board budget.*

*Dr. Pam Cunningham (The Lane, Naples), Collier County School Board District 2 candidate, expanded on Mr. Henning's comments by citing examples where she believes School Board spending has been excessive.*

*Ms. Sheila Yawitz (N. Collier Blvd.) expressed her opposition to the Council allocating \$200,000 in its 2025 Fiscal Year Budget toward the test of a Collier Boulevard "trolley" and an on-Island circulating bus route during the upcoming winter tourist season.*

### **10. Quasi-Judicial Public Hearing**

- [ID 24-3693](#) Resolution - Variance Petition (VP-23-000403) Request to the Land Development Code (LDC) Sec. 30-441(g) Landscape Buffer Width for the Property Located at 588 Bald Eagle Drive, Marco Island FL 34145 - Mary P. Holden, Planning Manager, Community Affairs/Growth Management

*City Attorney David Tolces swore in all parties who indicated an intention to provide witness or testimony, and each Council member conveyed a verbal ex parte disclosure related to the Applicant's appeal.*

*City Clerk Joan Taylor read Resolution 24-34 into the record by title only.*

*Marco Island Senior Planner Mary Holden outlined the details of the variance petition, and she summarized the results of the Planning Board's review and vote on the Applicant's request. She, in concert with Mr. Anthony Oliverio, the Applicant, and Mr. Andres Boral of Boral Engineering & Design, Inc., responded to numerous questions raised by members of the Council.*

*Public Comment*

The following individuals came forward to express their opposition to the variance petition:

- 1) Reverend Thomas McCulley (Vintage Bay Dr.)
- 2) Mr. Irvin Povlov (Dorando Ct.)
- 3) Mr. Rony Joel (Bermuda Rd.)
- 4) Mr. Patrick Frazee (Blackberry Dr., Naples)
- 5) Mr. Howard Reed (Bald Eagle Dr.)
- 6) Mr. Jason Fries (Pelican Ct.)
- 7) Ms. Pamela Gill (N. Collier Blvd.)

The following individuals ceded their time to those expressing opposition to the variance petition:

- 1) Ms. Beth Povlov (Dorando Ct.)
- 2) Mr. Stanford Alliker (Winterberry Dr.)

The following individual expressed his support of the variance petitioner, and the variance request:

Mr. Joe Oliverio (Caxambas Ct.)

**MOTION by Councilor Palumbo, seconded by Councilor Irwin, that Resolution 24-34 - Variance Petition (VP-23-000403) Requesting a Reduction in the Land Development Code (LDC) Sec. 30-441(G) Landscape Buffer Width From fifteen feet (15') to three feet (3') for the Property Located at 588 Bald Eagle Drive, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 5 - Councilor Blonna, Councilor Folley, Councilor Irwin, Councilor Palumbo and Chair Grifoni

**No:** 2 - Vice-Chair Brechnitz and Councilor Rola

(THE MEETING WENT INTO RECESS AT 9:00 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 9:05 P.M.)

## 11. Ordinances

### A. Public Hearings

None.

### B. First Readings

[ID 24-3694](#) Ordinance - First Reading - Land Development Code Amendment (LDCA 24-000034) Request to Adopt a New Section to Provide for Authorization for Mixed-Use in Overlay District Two - A Subject to Conditional Use Approval - Mary P. Holden, Planning Manager, Community Affairs/Growth Management

City Clerk Joan Taylor read Ordinance 24-14 into the record by title only.

Marco Island Senior Planner Mary Holden presented a visual overview of Overlay District 2, and she noted the Planning Board's recommendation that no parking credits be allowed in this overlay district.

Attorney Zach Lombardo of Woodward, Pires & Lombardo, P.A. spoke on behalf of Oliverio Investment and Consulting, Inc. in support of the proposed amendment, and he responded to questions raised by members of the Council.

*Public Comment*

Ms. Lisa Foster (S. Seas Ct.) disagreed with the assertion by the Applicant's attorney that property owners in this overlay district have development rights by entitlement, and she noted that, with no stated requirements in the Amendment regarding proof of local employment or the length of stay in each unit, she sees no safeguards to discourage the establishment of short-term rental activity in this overlay district.

**MOTION by Councilor Palumbo, seconded by Councilor Blonna, that Ordinance 24-14 - Land Development Code Amendment (LDCA 24-000034) Request to Adopt a New Section to Provide for Authorization for Mixed-Use in Overlay District Two be Approved on First Reading WITHOUT Parking Restrictions. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:**

**Yes:** 6 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo and Chair Grifoni

**No:** 1 - Councilor Rola

***Motion To Extend The Meeting***

**MOTION by Councilor Folley, seconded by Chair Grifoni, to extend the City Council Meeting to conclude no later than 10:00 P.M. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

**12. Resolutions & City Council Items**

- a. [ID 24-3659](#) Resolution - Approving the Proposed Millage Rate for Fiscal Year 2025 - Guillermo A. Polanco, CPA, Director, Finance

City Clerk Joan Taylor read Resolution 24-35 into the record by title only.

City Finance Director Guillermo Polanco announced that the State of Florida Truth-in Millage (TRIM) statute requires that the City of Marco Island publicly notice the following:

For the City of Marco Island:

- A) The Proposed Millage Rate for the upcoming Fiscal Year is 1.2400;
- B) The Prior Year Millage Rate was 1.3137, and;
- C) The Current Rolled-Back Rate is 1.2400

For the Hideaway Beach Tax District:

- A) The Proposed Millage Rate for the upcoming Fiscal Year is 1.6000;  
 B) The Prior Year Millage Rate was 1.6000  
 C) The Current Rolled-Back Rate is 1.5509

The date, time and meeting place of the Budget Hearing for both the City of Marco Island and the Hideaway Beach Tax District will be September 9 (First Reading) and September 23 (Second Reading), 2024 in the City of Marco Island Community Meeting Room, 51 Bald Eagle Drive, Marco Island, Florida, beginning at 5:30 P.M.

Council Chair Jared Grifoni noted that, in past years, prior to the Council adopting eight consecutive years of millage rollback, the Community Meeting Room would be packed with residents arguing for and against the proposed property millage rate. Now, as a testament to the City Council's continued commitment to the Island's residents regarding the City's annual millage rate, only two residents were present. Neither resident came forward to offer comment. He thanked the Council for its continued commitment to fiscally conservative principles on behalf of the residents of Marco Island.

**MOTION by Vice-Chair Brechnitz, seconded by Councilor Irwin that, Resolution 24-35 - Approving the Proposed Millage Rate for Fiscal Year 2025, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

- b. [ID 24-3695](#) Approval of a One-Year Extension of Contract #2020-002 with Affordable Landscaping Services and Design, LLC for Landscape Maintenance Services in the Amount of \$1,159,076.13 Annually - Angela Johenning, Purchasing & Risk Manager

City of Marco Island Purchasing Manager Angela Johenning briefly summarized the details of the proposed one-year extension of Contract 2020-002 with Affordable Landscaping Services and Design, LLC.

No members of the public came forward to offer comment.

Councilor Folley, in consideration of the ownership position in this business of his opponent to be the State Representative District 81 Republican Party candidate this fall, announced that he has filed State of Florida Form 8 and will be recusing himself from the Council's vote on this proposed contract extension.

[Editorial Note: Councilor Folley's Form 8 submission may be found on [www.cityofmarcoisland.com](http://www.cityofmarcoisland.com) under Our Government > Agendas and Minutes > City Council > 7/22/24 > Meeting Details]

**MOTION by Councilor Palumbo, seconded by Vice Chair Brechnitz, that a One-Year Extension of Contract #2020-002 with Affordable Landscape and Design, LLC for Landscape Maintenance Services in the Amount of \$1,159,076.13, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:**

**Yes:** 6 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

- c. [ID 24-3692](#) Approval of Interlocal Agreement Between Collier County and the City of Marco Island for City Beach Access Improvements in the Amount of \$147,500 - Casey Lucius, Ph.D., Assistant City Manager

Assistant City Manager Casey Lucius outlined the results of the City's grant application for Collier County Tourist Development Council (TDC) tax funds, and she summarized the new, estimated project cost to the

City given the lower-than-requested grant approval from the TDC. To take advantage of the grant opportunity, City funding would need to be redirected from other proposed initiatives currently comprehended in the City's 2025 Fiscal Year Budget.

Councilor Blonna proposed re-directing \$200,000, initially earmarked for the Open Space Preservation Fund, toward funding the City's two Beach Access Improvement Projects along Collier Boulevard at Winterberry Drive and near Maple Avenue so that the City could execute the proposed Interlocal Agreement.

[Editorial Note: The Council endorsed Councilor Blonna's \$200,000 Open Space Preservation Fund proposal, in addition to other proposed initiatives, during the Council's 2025 Fiscal Year Operating Budget Workshop earlier in the day on July 22, 2024; see Workshop Agenda Item 3b.]

No members of the public came forward to offer comment.

**MOTION by Councilor Blonna, seconded by Councilor Irwin, that the Interlocal Agreement Between Collier County and the City of Marco Island for City of Marco Island Beach Access Improvements in the Amount of \$147,500.00, be Approved.  
MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

### **13. Items Removed from the Consent Agenda**

No items were removed from the Consent Agenda at this meeting.

### **14. Council Communications & Future Agenda**

Councilor Folley engaged the Council and the City Attorney in a discussion regarding the potential release of the transcript of the Council's August 21, 2023 Special Called "Closed Meeting" in advance of the determination of Collier County Circuit Court Case No. 2023-CA-001758-001-XX (Gulfcoast & Atlantic Corporation v. City of Marco Island). City Attorney David Tolces committed to provide a recommendation to the Council on this matter.

Vice-Chair Brechnitz raised the question why Conservation Collier requests having Marco Island City Council approval before it (Conservation Collier) purchases property parcels on Marco Island. Councilor Blonna and City Manager McNees explained Conservation Collier's rationale on this matter.

Councilor Palumbo offered the following:

- 1) a sincere "thank you" to the leadership and staff of the Marco Island Hilton Beach Resort & Spa for their contribution toward the City's 2024 Independence Day fireworks display;
- 2) congratulations to Marco Island resident Matt Poland on his selection as head coach of FC Naples;
- 3) appreciation and thanks to Dr. Pam Cunningham and Mr. Tom Henning who addressed the Council during Public Comment (Agenda Item 9) regarding the growth of the Collier County School Board budget;
- 4) a "heads up" to the Council on recent communications regarding potentially displaying the U.S. Merchant Marine flag with the other U.S. Armed Services flags at Veterans Community Park, and;
- 5) his desire for the Council to engage in a future discussion regarding the enactment of a defined-duration surcharge to fund certain future City infrastructure improvements

Councilor Irwin expressed her desire to see the City devise and prepare, in advance, a quick-response

*clean up plan for addressing future red tide fish-kill events in and around Marco Island.*

*Chair Grifoni recommended that current and future Councils consider putting proposed City infrastructure improvement projects that may require City debt issuance on the ballot for citizen input before proceeding. He also cautioned Councilors on publicly endorsing positions that are not accurate regarding perceived allowances (or prohibitions) for property uses in the Land Development Code.*

[ID 23-3147](#) Future Agenda Items

*Councilor Blonna requested that a discussion regarding the permanent removal of density units for property parcels that are purchased for conservation purposes be added to a Future Agenda of the Council.*

*Councilor Irwin requested that a review regarding the City's quick-response plan for future fish kills be added to a Future Agenda of the Council.*

### **Motions To Extend The Meeting**

**MOTIONS by Councilor Folley, seconded by Chair Grifoni, (during Agenda Item 14: "Council Communications") to extend the City Council Meeting to initially conclude no later than 10:05, and then again no later than 10:07 P.M. BOTH MOTIONS CARRIED BY THE FOLLOWING UNANIMOUS VOICE VOTE:**

**Yes:** 7 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo, Councilor Rola and Chair Grifoni

### **15. Council Reports**

*None.*

### **16. City Manager's Report**

*City Manager McNees corrected his introduction of U.S. Army - Retired Colonel Glenn Waters during Agenda Item 8 ("Proclamations and Presentations").*

### **17. City Attorney's Report**

[ID 23-3148](#) City Attorney's Report

*None.*

### **18. Departmental Reports**

[ID 23-3149](#) Monthly Departmental Reports

*No comments or questions were raised regarding the Monthly Departmental Reports.*

### **19. Citizens' Comments**

*No citizens came forward to address the Council during this portion of the Agenda.*

### **20. Adjournment**

*There being no further business before the Council, Chair Grifoni adjourned the meeting at 10:06 P.M.*

\_\_\_\_\_  
*Jared Grifoni, Council Chair*

ATTEST:

\_\_\_\_\_  
*Joan Taylor, City Clerk*

PREPARED BY:

\_\_\_\_\_  
*Jim Kornas, Recording Specialist*