

City of Marco Island Florida

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



Meeting Minutes

Monday, August 19, 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 McNees
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

(Note: Councilor Palumbo participated remotely via Zoom teleconference connection)

Also Present

Michael McNees, City Manager

Casey Lucius, Assistant City Manager

Joan Taylor, City Clerk

Alan L. Gabriel, City Attorney

Tracy Frazzano, Police Chief

Dave Ennis, Police Captain

Chris Byrne, Fire Chief

Daniel J. Smith, Community Affairs Director

Justin Martin, Public Works Director

Jose Duran, Information Technology Director

Angela Johenning, Purchasing & Risk Manager

Mary Holden, Senior Planner

Martin Luna, Video/Broadcast Technician

Jim Kornas, Recording Specialist

Citizens and Visitors

3. Invocation

Offered by the Reverend Ed Brandt of the United Church of Marco Island.

4. Pledge of Allegiance

Led by Chair Grifoni.

Motion To Allow for Remote Participation by Councilor Palumbo

MOTION by Vice-Chair Brechnitz, seconded by Councilor Folley, to allow Councilor Palumbo to participate in, and vote on, all allowable matters coming before the Council at this meeting. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

5. Approval of the Agenda

Chair Grifoni noted that Agenda Item 8b. (Employee of the Quarter) will be deferred to a future meeting of the Council.

MOTION by Councilor Blonna, seconded by Vice-Chair Brechnitz, 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 24-3729](#) Approval of the City Council Operating Budget Workshop Minutes of July 22, 2024

MOTION by Councilor Irwin, seconded by Councilor Blonna, that the City Council Operating Budget Workshop Minutes of July 22, 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 23-3150](#) Approval of the City Council Meeting Minutes of July 22, 2024

MOTION by Councilor Blonna, seconded by Councilor Irwin, that the City Council Meeting Minutes of July 22, 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

c. [ID 24-3748](#) Approval of the Special-Called Meeting Minutes of August 1, 2024

MOTION by Vice-Chair Brechnitz, seconded by Councilor Blonna, that the City Council Special-Called Meeting Minutes of August 1, 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

Councilor Folley requested that Consent Agenda Item 7e. (Approving Amendments to the City of Marco Island Construction Standards Handbook) be removed from the Consent Agenda.

Vice-Chair Brechnitz requested that Consent Agenda Item 7i. (Award of Contract to Ronald L. Book for Lobbying Services) be removed from the Consent Agenda.

Both removed Consent Agenda items are now reflected in these Minutes under Agenda Item 13 (Items Removed From the Consent Agenda).

MOTION by Councilor Irwin, seconded by Vice-Chair Brechnitz, that the Consent 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

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

a. [ID 24-3733](#) Resolution - Approving of the Appointment of Linda Scherzinger to the Beautification Advisory Committee - Joan Taylor, City Clerk

- b. [ID 24-3750](#) Resolution - Approving of the Appointment of Marv Needles to the Beautification Advisory Committee - Joan Taylor, City Clerk
- c. [ID 24-3763](#) Resolution - Approving of the Appointment of Mitzie Kelly to the Parks and Recreation Advisory Committee - Joan Taylor, City Clerk
- d. [ID 24-3774](#) Resolution - Reappointment of Dustin Nesmith to the Beautification Advisory Committee - Joan Taylor, City Clerk
- f. [ID 24-3762](#) Resolution - Ratifying the Three-Year Police Union Collective Bargaining Agreement - Tracy Frazzano, Police Chief
- g. [ID 24-3760](#) Award of Contract for the Modernization of the City Hall Annex Elevator to TK Elevator Corporation in the Amount of \$160,000.00 - Heather Reed, Fleet and Facilities
- h. [ID 24-3771](#) Authorize the City Manager to Issue a Purchase Order to B & J Lining, Inc., for the Sewer Manhole Rehabilitation Project in the Amount of \$199,025.00 - Jeffrey E. Poteet, General Manager, Water and Sewer Department
- j. [ID 24-3775](#) Authorize the City Manager to Issue a Purchase Order to Titan Concrete & Utilities, Inc., to Excavate 1490 feet of Swale along the Right-of-Way of Lilac Avenue and Apple Court and Replace Two Storm Box Structures at 1211 Lilac Avenue and 800 Apple Court in the Amount of \$113,700.00, using the City Public Infrastructure Construction Services Contract 2023-029 - Justin Martin, P.E., Director, Public Works
- k. [ID 24-3776](#) Authorize the City Manager to Issue a Purchase Order to Titan Concrete & Utilities, Inc., for the Installation of Two New Storm Boxes on Honduras Avenue in the Amount of \$125,316.35, using the City Public Infrastructure Construction Services Contract 2023-029 - Justin Martin, P.E., Director, Public Works

8. Proclamations and Presentations

- a. [ID 24-3642](#) Employee Service Awards:
Tracy Frazzano - 5 Years
Ivo Krizek - 15 Years

City Manager Mike McNees recognized and called forward City Police Chief Tracy Frazzano, recognizing her leadership and history of community engagement, to receive her Five Year service recognition certificate and pin as presented by City Council Chair Jared Grifoni. Chief Frazzano shared her comments of appreciation for the support of the Council, her officers, the City Staff, and the citizens of Marco Island.

City Manager Mike McNees then called forward Water & Sewer Department Senior Instrument & Controls Technician Ivo Krizek, highlighting the importance of his role in ensuring the performance and safety of Marco Island's water utility, to receive his Fifteen Year service recognition certificate and pin as presented by City Council Chair Jared Grifoni. Mr. Krizek thanked the Council for this recognition.

Both recipients received a warm round of applause from all present.

b. ID 23-3304 Employee of the Quarter

As noted under Agenda Item 5 (Approval of the Agenda), recognition of the City's "Employee of the Quarter" was deferred to a future meeting of the Council.

c. ID 24-3756 Presentation - Glenn Waters, COL, US Army (ret), ICMA Senior Fellow

Colonel Glenn Waters, US Army (retired), ICMA City-County Senior Fellow, and former Garrison Commander of Fort Sill and current Director of Planning, Mobilization and Training, joined the meeting via Zoom teleconference connection to thank the Council and the City Staff for hosting him in a week long sharing of perspectives and operation insights at City Hall during the week of July 22 - 26, 2024.

In appreciation for this opportunity, Colonel Waters presented the City with a framed, historical rendering of Fort Sill, Oklahoma entitled "The Old Post Quadrangle 1870 - 1910".

d. ID 24-3773 Collier County Tourist Development Council Quarterly Update - Joan Taylor, City Clerk

Mr. Jay Tusa, Tourism Director, Naples, Marco Island, Everglades Convention & Visitors Bureau (CVB) and Ms. Sandra Rios, Public Relations & Communications Manager, Naples, Marco Island, Everglades Convention & Visitors Bureau (CVB) provided an overview of Collier County's tourism metrics, marketing initiatives, and economic impacts for Fiscal Year 2023.

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

Mr. Doug Kelly (N. Barfield Dr.) shared his perspective on Councilor Greg Folley's candidacy as the potential Republican nominee for the Florida House of Representatives District 81.

Ms. Bonita Schwan (Cape Marco Dr.) introduced herself and her qualifications in seeking election as Marco Island City Councilor on November 5, 2024.

Ms. Margaret Bramel (Bond Ct.) offered recognition and thanks to the City's Public Works Department, Police Chief Tracy Frazzano, and City Councilor Greg Folley for their service to the Marco Island community.

Ms. Angie Biesinger-Corle (Butterfield Ct.) thanked Councilor Greg Folley for his advocacy on behalf of the citizens of Marco Island, and she congratulated Police Chief Tracy Frazzano on her five years of service to the City.

Ms. Jeanne Wagner (Villa Ct.) shared a personal story of endorsement for Councilor Greg Folley's candidacy for the Florida House of Representatives District 81 seat.

Mr. Mark Morze (Bimini Ave.) shared his rationale for supporting a trolley/bus pilot program on Marco Island and shared his support for Councilor Greg Folley's candidacy for the Florida House of Representatives District 81 seat.

10. Quasi-Judicial Public Hearing

a. ID 24-3765 Resolution - Boat Dock Extension (BD-24-000054) Request to Allow for an Additional One and a Half (1.5') Foot Encroachment into the Waterway for a Boat Dock Facility for the Vantage Condominiums Located at 860

Panama Court, Marco Island, FL 34145 - Josh Ooyman, Planner II,
Community Affairs/Growth Management

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 related to the Applicant's Appeal.

Marco Island City Clerk Joan Taylor read Resolution 24-44 into the record by title only.

Growth Management Department Senior Planner Mary Holden reviewed background regarding this request, provided a visual overview of the current and proposed condition, summarized the direction and action of the Planning Board in approving the Applicant's Appeal. Mr. Tim Hall, Principal, Turrell Hall & Associates, provided testimony on behalf of the Applicant.

No members of the public came forward to offer comment.

[Editorial Note: Councilor Darrin Palumbo, as a remote participant to the Hearing, was ineligible to vote on this quasi-judicial matter]

MOTION by Councilor Irwin, seconded by Councilor Blonna, that Resolution 24-44 - Boat Dock Extension (BD-24-000054) Request to Allow for an Additional One and a Half (1.5) Foot Encroachment into the Waterway for a Boat Dock Facility for the Vantage Point Condominiums Located at 860 Panama Court, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

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

b. ID 24-3769 Resolution - Conditional Use Permit (CUP-24-000089) to Construct a Recreational Vehicle (RV) Garage for the Property Located at 1960 San Marco Road, Marco Island, FL 34145 - Mary P. Holden, Planning Manager, Growth Management/Community Affairs

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 related to the Applicant's Appeal.

Marco Island City Clerk Joan Taylor read Resolution 24-45 into the record by title only.

Growth Management Department Senior Planner Mary Holden briefly described the Conditional Use Permit Request, and summarized the Planning Board's recommendation on this Appeal.

No members of the public came forward to offer comment.

[Editorial Note: Councilor Darrin Palumbo, as a remote participant to the Hearing, was ineligible to vote on this quasi-judicial matter]

MOTION by Councilor Folley, seconded by Councilor Irwin, that Resolution 24-45 - Conditional Use Permit (CUP-24-000089) to Construct a Recreational Vehicle (RV) Garage for the Property Located at 1960 San Marco Road, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

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

11. Ordinances

A. Public Hearings

1. [ID 24-3768](#) Ordinance - Second 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

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

Growth Management Department Senior Planner Mary Holden reminded the Council of its action on First Reading of this Ordinance at the July 22, 2024 City Council Meeting, and she noted that this proposed Ordinance would not result in additional density for this Overlay District.

No members of the public came forward to offer comment.

MOTION by Councilor Irwin, 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 - Subject to Conditional Use Approval, be Approved on Second Reading. 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

2. [ID 24-3764](#) Ordinance - Second Reading - Revised Municipal Code of Ordinances - Continued to September 9, 2024 meeting with a Public Announcement to this Effect

[Editorial Note: the Second Reading of the Revised Municipal Code of Ordinances is Continued to the Council's September 9, 2024 Meeting with Public Notice to that effect]

B. First Readings

None.

12. Resolutions & City Council Items

a. [ID 24-3772](#) Resolution - Floodplain Variance Request (SF-22-02623) for Property Located at 230 Polynesia Court, Marco Island, FL 34145 - Kelli DeFedericis, CFM, Floodplain Coordinator, Community Affairs/Building Services

Marco Island City Clerk Joan Taylor read Resolution 24-46 into the record by title only.

Marco Island Community Affairs Director Daniel Smith outlined the reason for the Applicant's variance request, and Mr. Ryan Williams, President and Owner, KWC Homes, shared details and responded to questions from members of the Council.

No members of the public came forward to offer comment.

[Editorial Note: Resolution 24-46 was presented under a City Staff recommendation to deny the Applicant's Floodplain Variance Request (SF-22-02623). The Motion and Second advanced by Vice-Chair Brechnitz and Councilor Irwin is in opposition from the presented City Staff recommendation under Agenda Item 12(a)]

MOTION by Vice-Chair Brechnitz, seconded by Councilor Irwin, that Resolution 24-46 not be Advanced as Proposed. Rather, Direction to the City Staff to Approve Floodplain Variance Request (SF-22-02623) Administratively Without Further Future Council Review, be Approved. MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

Yes: 5 - Vice-Chair Brechnitz, Councilor Folley, Councilor Irwin, Councilor Palumbo and Chair Grifoni

No: 2 - Councilor Blonna and Councilor Rola

13. Items Removed from the Consent Agenda

7e. [ID 24-3618](#) Resolution - Approving Amendments to the City of Marco Island Construction Standards Handbook for Work Within the Right-of-Way - Justin Martin, P.E., Director, Public Works

Marco Island City Clerk Joan Taylor read Resolution 24-25 into the record by title only.

Marco Island Public Works Director Justin Martin outlined the requested amendments for the work within the right-of-way section of the City of Marco Island Construction Standards Handbook, and he responded to questions raised by members of the Council.

Councilor Folley, as the Councilor requesting the removal of this item from the Consent Agenda, shared his reasons for asking for additional discussion on this proposed Resolution. [Editorial Note: Councilor Folley briefly left the conversation in the Community Meeting Room at 7:56 P.M., and returned to the dais at 7:57 P.M.]

No members of the public came forward to offer comment.

MOTION by Councilor Folley, seconded by Councilor Blonna, that Resolution 24-25 - Authorizing Amendments to the City of Marco Island Construction Standards Handbook for Work Within the Right-of-Way, 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

7i. [ID 24-3758](#) Award of Contract to Ronald L. Book for Lobbying Services, Casey Lucius, Ph.D., Assistant City Manager

Assistant City Manager Casey Lucius briefly summarized the Council's previous direction to the Staff to review the City's legislative consultancy services arrangement, and she detailed the process undertaken to solicit, review, and propose the recommended resource for the forthcoming state legislative session.

Vice-Chair Brechnitz, as the Council member requesting that this item be removed from the Consent Agenda, outlined his expectation regarding the Council's future involvement in selecting the City's legislative consultant.

No members of the public came forward to offer comment.

MOTION by Councilor Palumbo, seconded by Councilor Blonna, that Authorization for the City Manager to Award the Contract for Legislative Lobbying Services to Ronald L. Book, P.A. in an Amount Not To Exceed \$82,500.00, 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

(THE MEETING WENT INTO RECESS AT 8:15 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 8:22 P.M.)

14. Council Communications & Future Agenda

Chair Grifoni noted the City received an unsolicited email from Earthwerks, a company proposing a unique canal dredging approach that could assist the City's water quality improvement efforts. He encouraged City Manager McNees to further explore the potential opportunity.

Chair Grifoni announced the recent FBI crime data statistics denoting Marco Island as the safest city in Florida.

Chair Grifoni also highlighted the positive financial contributions Marco Island Residents enjoy from tourists to the area (as reported in this evening's earlier presentation by the Naples, Marco Island, Everglades Convention & Visitors Bureau, Agenda Item 8d.), and tax contributions from non-homestead and local businesses (information he learned from the City's Finance Director).

Councilor Folley, in reference to his candidacy for Republican nominee for District 81 of the Florida House of Representatives, provided a response to the negative campaign ads aired by his political opponents.

Councilor Irwin noted she recently posted information online extolling Marco Island's status as "the safest City in Florida", and she credited the people of Marco Island for living up to the standard that Thomas Jefferson considered when he spoke his "... a government that governs best, governs least ..." quote. Vice-Chair Brechnitz offered a brief anecdote in support of Councilor Irwin's comment.

Councilor Irwin also remarked on the difference in rules and regulations that new visitors and residents to Florida notice when they come to Florida from other states.

ID 23-3154 Future Agenda Items

Chair Grifoni requested that a review of a recently-proposed approach to dredge the Island's canals be added to the Council's Future Agenda.

15. Council Reports

None.

16. City Manager's Report

City Manager Mike McNees thanked the Council for its approval of the City's proposed Three-Year Collective Bargaining Agreement with the City's Police Union (Agenda Item 7f.). He also provided his shared perspective with Chair Grifoni (noted earlier during the Council Communications & Future Agenda portion of the meeting (Agenda Item 14) of the financial benefits that tourists and non-homestead property

ownership contribute to the Marco Island community.

City Manager McNees concluded his report by highlighting the key benefits he gained from hosting U.S. Army Colonel (retired) Glenn Waters during the week of July 22 - 26, 2024 (Agenda Item 8c.).

17. City Attorney's Report

ID 23-3155 City Attorney's Report

City Attorney Alan Gabriel outlined the status of the 2022 short-term rental ordinance litigation, and he highlighted the most recent actions undertaken to resolve the matter.

Mr. Gabriel also provided the Council with an update on his firm's progress in soliciting and receiving a response from the Federal Emergency Management Agency (FEMA) as directed by the Council. He proposed several avenues that could be pursued for the Council's consideration.

Chair Grifoni directed the following action items based on Mr. Gabriel's recommendations: 1. City Attorney Gabriel submit a public records request to FEMA for documents that concern Marco Island's FEMA credits; 2. the City Council request continued involvement from Congressman Byron Donalds with FEMA; 3. Ron Book, City Lobbyist, promote awareness of the issue to State Legislators and request their assistance with FEMA issuing credits.

18. Departmental Reports

ID 23-3156 Monthly Departmental Reports

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

19. Citizens' Comments

No members of the public came forward to offer comment during this portion of the meeting.

20. Adjournment

There being no further business before the Council, Chair Grifoni adjourned the meeting at 8:55 P.M.

Jared Grifoni, Council Chair

ATTEST:

Joan Taylor, City Clerk

PREPARED BY:

Jim Kornas, Recording Specialist