

City of Marco Island Florida

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



Meeting Minutes - Final

Thursday, August 1, 2024

1:00 PM

Special-Called Meeting

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 brought the special-called meeting to order at 1:00 P.M.

2. Roll Call

Present: 5 - Councilor Blonna, Vice-Chair Brechnitz, Councilor Folley, Councilor Palumbo and Chair Grifoni

Not Present: 1 - Councilor Irwin

Absent: 1 - Councilor Rola

(Note: Councilor Irwin arrived at 1:29 P.M.)

Also Present

CITY STAFF:

Michael McNees, City Manager

Casey Lucius, Assistant City Manager

Joan Taylor, City Clerk

David Tolces, City Attorney

Tracy Frazzano, Police Chief

Keith Richter, Code Enforcement Supervisor

Chris Byrne, Fire Chief

Daniel Zunzunegui, Fire Marshall

Daniel J. Smith, Community Affairs Director

Martin Luna, Video/Broadcast Technician

Jim Kornas, Recording Specialist

OTHERS:

Jeff Katims, Consultant - Research Director, GFK

3. Ordinance - First Reading

[ID 24-3699](#) Ordinance - First Reading - Revised Municipal Code of Ordinances - Jeff Katims, Consultant - Research Director, GFK

At Chair Jared Grifoni's request, City Clerk Joan Taylor read Ordinance 24-15 into the record by title only.

Vice-Chair Brechnitz and Councilor Blonna requested clarification on several process and procedural elements related to the Council's pre-meeting review of the provided documentation, as well as the role and responsibility of the City Staff in updating the City's Code of Ordinances in the future.

Mr. Jeff Katims, Consultant - Research Director, GFK, responded to the Councilors' inquiries, and he provided an overview of the project Scope of Work and the timeline under which this project unfolded.

During the course of the review and discussion, the following was confirmed:

CHAPTER 1 GENERAL PROVISIONS, ARTICLE III. Officers and Employees, DIVISION 2. City Manager:

The text that was stricken from Section 2-85 (Supervision of Departments) is not eliminated, but rather is removed as redundant to the duties of the City Manager as identified in the City's Charter.

CHAPTER 1 GENERAL PROVISIONS, ARTICLE III. Officers and Employees, DIVISION 4. City Clerk: Section 2-121 (Office Established; Duties) (7): "The City Clerk shall serve as the Secretary for the Board of Directors of the Marco Island Community Parks Foundation", was confirmed.

CHAPTER 2 (ADMINISTRATION), ARTICLE I. IN GENERAL:

Section 2-31 (Induction of Members into Office: Oath) No modifications were made to the existing text.

CHAPTER 4 ALCOHOLIC BEVERAGES, ARTICLE I. IN GENERAL:

Section 4-10 (Unlawful Acts in Establishments) (1) & (2): The descriptor "any female person" was confirmed.

CHAPTER 6 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE VI. POST-DISASTER REDEVELOPMENT PLAN:

Section 6-179 (Emergency Repairs and Emergency Permitting) (a) Emergency repairs, (1)(b): The description "covering exterior wall openings with plywood or plastic sheeting" was clarified to include "sheetrock" as an allowed material.

CHAPTER 18 (ENVIRONMENT), ARTICLE IV. NOISE CONTROL:

Section 18-105 (Specifically Prohibited Activities): The City Staff was directed to confirm that the proposed modifications to this Section were ministerial only and do not result in any substantive change to the Code.

CHAPTER 18 (ENVIRONMENT), ARTICLE V. ENDANGERED, THREATENED OR LISTED SPECIES PROTECTION:

Section 18-144 (Activities Within Protection Zones): No changes were made to current text. The City Staff, however, was directed to engage with responsible State/Federal agencies to confirm the recommended perimeter protection zones for affected species, and to return with recommendations for modifications to the existing Code.

CHAPTER 18 (ENVIRONMENT), ARTICLE VIII. STORMWATER REGULATIONS:

Section 18-211 (Definitions): The definition of "Swale" as written was confirmed.

CHAPTER 38 (PLANNING), ARTICLE III. DEVELOPMENT AGREEMENTS:

Section 38-71 (Title of Article) No modification was made to the existing text.

CHAPTER 42 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES), ARTICLE I. GENERAL:

Section 42-36 (Duty of Abutting Property Owners to Construct and Maintain Sidewalks) (a) (1): Vacant lots: No modification was made to the existing text. The City Staff was directed to review this Section and engage the Council on any future proposed modifications to this Section of the Code.

The City Staff was directed to continuously monitor changes to State statutes and regulations that impact the City's Code of Ordinances to implement administrative (not policy) changes, with the advice and input of the City's legal counsel, to maintain the Code's alignment with those statutes and regulations. The City Staff was further directed to advance recommended modifications to the City's Code of Ordinances on matters of substance or policy change as they occur for the review and approval of the Marco Island City Council before enactment in the City's Code of Ordinances.

MOTION by Vice-Chair Brechnitz, seconded by Councilor Irwin, that Ordinance 24-15 - Revised Municipal Code of Ordinances, be Approved on First Reading.

MOTION CARRIED BY THE FOLLOWING COUNCIL VOTE:

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

4. Public Comment

Ms. Lynn Nathanson (Bluebonnet Ct.) expressed her concern that the First Reading of the Revised Municipal Code of Ordinances might result in substantive changes to the City's ordinances relative to the modes and methods of public transportation on the Island.

Mr. Stephen Gray (N. Collier Blvd.) communicated his belief that the 353 page document of the Revised Municipal Code of Ordinances should have been made available to the public several weeks prior its First Reading before the Council.

Ms. Vicky Myers (Bluebonnet Ct.) shared her concern that Chapter 4 (Alcoholic Beverages), Article II. (Locational Restrictions for Establishments Involving On-Premises Consumption) of the Revised Code of Ordinances was substantively changed by the wording modifications proposed in Section 4-32.

City Council Chair Jared Grifoni, City Attorney David Tolces, and City Manager Mike McNees all affirmed, separately and individually, that the changes proposed and adopted on this First Reading of Ordinance 24-15 were not intended to, nor did they in fact, alter the meaning or intent of the City's existing Code of Ordinances.

Chair Grifoni thanked Councilor Folley for encouraging and championing the Council and City Staff's initiative to streamline the City's Code of Ordinances for the benefit of the City and its citizens.

5. Adjournment

There being no further business before the Council, Chair Grifoni adjourned the special-called meeting at 1:58 P.M.

Jared Grifoni, Council Chair

ATTEST:

Joan Taylor, City Clerk

PREPARED BY:

Jim Kornas, Recording Specialist