

City of Marco Island Florida

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



Meeting Minutes - Draft

Monday, April 6, 2020

5:30 PM

Community Meeting Room

City Council

Chair: Erik Brechnitz

Vice-Chair: Jared Grifoni

City Council: Larry Honig, Howard Reed, Victor Rios and Charlette Roman

City Manager: Mike McNees

City Attorney: Alan L. Gabriel

City Clerk: Laura Litzen

1. Call to Order

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

2. Roll Call

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

(Note: Councilor Roman attended and participated telephonically as per the Council's action at its 3/31/20 meeting to temporarily suspend the rules of in-person attendance during the COVID-19 declared State of Emergency)

Also Present

*Michael McNees, City Manager
Laura Litzan, City Clerk
Casey Lucius, Assistant to the City Manager
Chris Byrne, Incident Commander, COVID-19
Dave Batiato, Deputy Fire Chief
Tracy Frazzano, Police Chief
Guillermo Polanco, Finance Director
Jose Duran, Information Technology Manager*

3. Invocation

Offered by Pastor Scott Kerens of the Marco Presbyterian Church.

4. Pledge of Allegiance

Led by Chair Brechnitz.

5. Approval of the Agenda

**MOTION by Councilor Rios, seconded by Councilor Reed, to Approve the Agenda.
MOTION CARRIED BY THE FOLLOWING VOTE:**

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

6. Approval of the Minutes

- a. [ID 19-610](#) Approval of the City Council Meeting Minutes of March 16, 2020

MOTION by Councilor Rios, seconded by Councilor Reed, that the Minutes of March 16, 2020 be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

- b. [ID 20-803](#) Approval of the Special-Called City Council Meeting Minutes of March 20, 2020

MOTION by Councilor Rios, seconded by Councilor Honig, that the Minutes of the Special-Called City Council Meeting of March 20, 2020 be Approved. NO VOTE TAKEN ON THIS MOTION. APPROVAL OF THE MINUTES ARE BEING DEFERRED

TO THE NEXT COUNCIL MEETING PENDING VERIFICATION BY THE CITY CLERK
THAT ALL PUBLIC COMMENTS RECEIVED AT THE MARCH 20, 2020 MEETING
WERE RECOGNIZED IN THE MINUTES FOR THAT MEETING.

7. Approval of Consent Agenda

Chair Brechnitz requested that Item 7b. (Resolution Approving the Appointments to the Hideaway Beach District Board) be removed from the Consent Agenda.

**MOTION by Councilor Rios, seconded by Councilor Young, to Approve the
Consent Agenda as Amended. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

Approval of Consent Agenda passes all routine items listed below.

- a. [18-573](#) Authorize the City Manager to Execute a Consultant Agreement for the Construction Engineering and Inspection Services Replacement and Improvement of Utilities within the Yellowbird Street Corridor, in the amount not to exceed \$116,735
- c. [ID 20-799](#) Authorize the City Manager to Execute a Consultant Contract with Black and Veatch for the Source Water Facility Emergency Backup Power Generator and Associated Electrical Switchgear Design, Bidding, and Engineering Services During Construction in the amount of \$238,631
- d. [ID 20-805](#) Resolution Approving the 2020 Collier County Multi-Jurisdictional Local Mitigation Strategy

8. Proclamations and Presentations - None

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

No members of the public came forward in person to offer comment or suggestions to the Council during this portion of the meeting, and one email (from Mr. Tom Graves) was received and read aloud by City Manager McNees.

10. Quasi-Judicial Public Hearing

None.

11. Ordinances

A. Public Hearings

- [ID 20-802](#) Ordinance - Second Reading - Amending the Code of Ordinances to Provide for Staggered Terms for the Hideaway Beach District Board

City Clerk Laura Litzan read the Ordinance into the Record by title only.

No questions or comments were brought forward by the Council or by members of the public.

MOTION by Councilor Rios, seconded by Vice-Chair Grifoni, that the Ordinance - Second Reading - Amending the Code of Ordinances to Provide for Staggered Terms for the Hideaway Beach District Board be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

B. First Readings

None.

12. Resolutions & City Council Items

None.

13. Items Removed from the Consent Agenda

- (7b.) [ID 20-800](#) Resolution Approving the Appointments to the Hideaway Beach District Board

Chair Brechnitz noted that the proposed resolution failed to specify the terms for the individuals appointed to the Hideaway Beach District Board. In consultation with the current and most recent past Chairpeople for that Board, he proposed modifying language to clarify this oversight.

MOTION by Councilor Rios, seconded by Vice-Chair Grifoni, that the Resolution Approving the Appointments for the Hideaway Beach District Board be Amended to read: "... that Steven Zinkan and Paul Fernstrum will serve two year terms, and John Barto, Richard Delawder and Linda Ryan will serve three year terms ...", be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

14. Council Communications & Future Agenda

Council Communications:

Councilor Honig opened by urging all who have been affected by layoffs or job losses as a result of the coronavirus pandemic to apply for unemployment insurance benefits. He then complimented City Manager McNees for his efforts in responding to recent individual citizen questions and concerns, and he praised Council Chair Brechnitz and City Finance Director Polanco for their exceptional effort and success in procuring the refinancing of \$60 million of the City's water / sewer debt at highly favorable rates which will result in approximately \$6 million in savings to the citizens of Marco Island over the life of the loan. He noted the opportunity for the Council to consider future water / sewer ratepayer relief as the City's debt service obligation is mitigated in future years, and he indicated his intention to bring forward a discussion with the Council on this topic at a future Council meeting. Councilor Honig concluded his remarks by providing updated statistics on the structure and leadership of the 412 cities and municipalities in the State of Florida, and by pointing out that only 3 Florida cities (notably including Marco Island) do not have an elected or designated mayor. From his experience as City Council Chair during the post Hurricane Irma emergency period, he believes that the City is being disadvantaged in terms of representation and influence in state and Federal government matters of various kinds by not having an elected mayor.

Councilor Rios, as Marco Island's representative on the Collier County Tourist Development Council, shared information indicating that the reduction in sales tax revenues at the County level resulting from the COVID-19 outbreak are likely to significantly impact the amount of money that the City can expect in the coming year for planned municipal projects and hurricane season emergency response activities. He recommended that the City Manager review existing and planned projects for opportunities to reduce or eliminate expenditures. Councilor Rios next referenced news media reports indicating examples of municipal sewer system damage from citizens utilizing paper towels and other alternatives to toilet paper, and he asked City Manager McNees if incidents of this nature have been observed on Marco Island. Mr. McNees referenced a recent conversation on this topic with Water & Sewer General Manager Jeff Poteet, and he reported that no incidents or damages have been experienced to date.

Vice-Chair Grifoni commended Councilor Rios for his warning to the Council regarding future sales tax revenues, and he noted that the citizens of the Island will be looking to the Council to respond responsibly during the next budget development cycle. He next cited reports of developing state and federal plans to fund valuable infrastructure projects to help re-start the economy, and he urged City Staff to be fully prepared to take advantage of any such infrastructure funding opportunities. Vice-Chair Grifoni concluded by complimenting the citizens and business leaders of the Island for their overwhelming support and cooperation in complying with the emergency actions and guidelines issued during this COVID-19 emergency, and he invited members of the public to seek out accurate information and reports on the City's COVID-19 emergency response by regularly consulting the City's website or by reaching out to the City Manager or a member of the Council.

Chair Brechnitz echoed Vice-Chair Grifoni's expectation regarding Federal and state-funded infrastructure spending project opportunities that are likely to emerge once the COVID-19 emergency measures are lifted, and he urged the City Staff to be fully prepared to take advantage of these opportunities as soon as they become available. Chair Brechnitz also noted the condition of certain roadways on the Island that are exhibiting dips and waviness soon after being resurfaced, and he requested that City Manager McNees investigate and bring before the Council an analysis and estimate for compaction testing and enhanced roadway underlayment improvements on future road surface repair / replacement projects. Chair Brechnitz concluded his remarks by supporting the comments by Councilor Honig on the subject of amending the City Charter to allow for the election of a mayor for the City.

The other Councilors in attendance did not offer comment during this portion of the meeting.

ID 19-611 Future Agenda Items

Councilor Honig reconfirmed his desire to bring forward a discussion regarding water / sewer rate payer relief as a future agenda topic for the Council.

Vice-Chair Grifoni requested that a discussion and decision to amend the Charter to allow for Councilor participation via telephone and the modification of the requirements to recognize a quorum during periods of City-wide emergency be placed onto a future agenda.

Chair Brechnitz requested that the City Staff bring forward a proposal for compaction testing and enhanced roadway repair standards as a future agenda topic for Council discussion and decision.

15. Council Reports

None.

16. City Manager's Report

COVID-19 Update

City Manager McNees introduced Ms. Stephanie Vick, Administrator of the Florida

Department of Health for Collier County, who provided, via telephone, a status on the County's fight against the COVID-19 pandemic. Ms. Vick also received and responded to questions from the Council.

[ID 20-808](#)

Discussion on Public Beach Closure

City Manager McNees initiated the discussion on this topic by referencing the Council's direction from the special March 31, 2020 meeting requesting additional data related to incoming traffic, visitors and compliance with the Governor's Executive Orders by individuals and businesses on the Island. He then turned the meeting over to Police Chief Tracy Frazzano who provided the Council with updated information on these items as well as the Department's ongoing efforts to educate businesses and members of the public on the guidelines and directives designed to combat the pandemic. Though Chief Frazzano noted the excellent compliance with the guidelines and directives from all parties, she specifically recognized the potential for social media posts to propagate misinformation and rumors. Chief Frazzano encouraged all members of the public to reach out to the Marco Island Police Department anytime day or night to respond to questions or concerns before contributing to the spread of misinformation by publically posting or passing along unverified comments and observations online.

Chief Frazzano, City Attorney Gabriel and City Manager McNees subsequently responded to questions raised by members of the Council.

MOTION by Councilor Honig, seconded by Vice-Chair Grifoni, to request that the City Manager share the recent Riviera Condominium Association guidelines for its owners and residents with the Board Presidents and Condominium Managers of all of the beach condominiums on Marco Island for their consideration and voluntary implementation, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

Public Comments:

In-person public comments were offered by Ms. Linda Oakman, Dan River Ct, and Mr. Andrew Kirlin, Marco Island resident.

Emailed Public Comments were received from the following individuals and read at the meeting by City Manager McNees:

(Listed alphabetically by first name, if known)

*Mr. Alan Myers
Mr. Andrew Lyng
Ms. Anne Vanic
Ms. Bill Tilton
Ms. Christine Quinlan
Ms. Claudia Phoenix
Dr. Cristina Leske
Ms. Dania Emir
Mr. Daniel Bogaczyk
Ms. Debbie Waidanz
Ms. Denise Templeton
Mr. Dick Larson*

*Ms. Donna Gemborys
Ms. Doshie Grey
Mr. Frank Tedesco
Mr. / Ms. G.A. Comerford
Mr. Glenn Walton
Mr. Greg Folley
Ms. Haley Templeton
Mr. James Kimberlin
Ms. Jerilyn Mapes
Mr. Joe Grusling
Ms. Judy Houston
Ms. Judy Weill
Ms. Kathy Bassick
Ms. Kathy McAdam
Mr. / Ms. LG (first name unknown)
Ms. Lana Wahl
Mr. / Mrs. Leonard Kuhr
Ms. Linda Ferguson
Ms. Linda Goodspeed
Ms. Lori Hausfeld
Ms. Margaret Basic
Ms. Margo Folley
Ms. Maria Savettiere
Ms. Marianne Mulligan
Mr. / Mrs. Mark Geis
Ms. Mary Ann Reinert
Ms. Melissa Wagner
Ms. Michelle Hurtle
Mr. Mike Tschida
Ms. Nancy Thibeault
Ms. Patricia Fajardo
Mr. Paul Goodspeed
Mr. Phares Heindl
Mr. Ray Jean
Dr. Rich Blonna
Mr. Robert Eastman
Mr. Ronald Saffin
Mr. / Mrs. Scott Hill
Mr. Steve Garske
Mr. Tom Graves
Mr. Travis Conkey
Mr. Victor Miller
Ms. Victoria Myers
Mr. Webb Bassick*

MOTION by Councilor Rios that the beach on Marco Island be open to any individual(s) with property that provides legal access to the beach, including those with an up-to-date M.I.C.A. Resident Beach access pass. NO SECOND TO THIS MOTION.

MOTION by Councilor Honig to Approve the City of Marco Island Proposed Emergency Order April 6, 2020 as drafted. NO SECOND TO THIS MOTION.

MOTION by Councilor Reed, seconded by Chair Brechnitz, to request that the City Manager return to the next City Council meeting with a

practical plan to expand beach access consistent with CDC guidelines for social distancing. MOTION WITHDRAWN.

City Manager McNees reminded the Council that the current situation relative to the beach closure resulted from incremental actions and orders designed to initially discourage outside visitors from congregating on and crowding the beaches during the typical high-tourist season. The recent traffic, hotel occupancy and social distancing compliance reports from the Marco Island Police Department indicate that those policy actions have succeeded in their intent. Given that the beach is not, in itself, a contributor to the spread of the COVID-19 virus, he recommended that the Council consider taking action at this meeting to provide for some level of pedestrian access to the beach after Easter Sunday with limited hours and continued enforcement of social distancing guidelines.

MOTION by Councilor Reed, seconded by Councilor Rios, to authorize the City Manager and Staff to open two pedestrian access points to the beach - one for beach ingress and one for beach egress - beginning April 13, 2020 with signage at both points to clearly indicate: 1) one-way directional pedestrian flow; 2) open from dawn to dusk, and; 3) discouraging beachgoer gear, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 4 - Chair Brechnitz, Vice-Chair Grifoni, Councilor Reed and Councilor Rios

No: 3 - Councilor Honig, Councilor Roman and Councilor Young

(Editorial Note: On April 8, 2020, City Manager McNees, under the authority granted by the Marco Island City Council in declaring a State of Emergency on March 16, 2020, and under Section 10-6 of the City's Civil Emergency Code, in consultation with City Council Chairman Erik Brechnitz, announced that the public pedestrian beach access points at Maple and Collier Boulevard and Winterberry Drive and Collier Boulevard would not reopen on April 13, and would remain closed through at least April 30, 2020 pending further City Council action)

17. City Attorney's Report

None.

18. Departmental Reports

[ID 19-612](#) Monthly Departmental Reports

No questions or comments were raised by members of the Council or the public on the monthly department reports.

19. Citizens' Comments

Mr. Andrew Kirlin, Marco Island resident, and Ms. Linda Oakman, Dan River Ct. offered brief comments.

Additional emailed public comments were received from the following individuals and read by City Manager McNees:

(Listed alphabetically by first name)

*Mr. Jim Scarpa
Ms. Joanna Metzger
Ms. Margaret Basic
Ms. Marilyn Dahl
Ms. Nancy Thibeault
Mr. Tom Graves*

20. Adjournment

There being no further business, the meeting adjourned at 8:46 P.M.

Erik Brechnitz, Council Chair

ATTEST:

Laura Litzan, City Clerk

PREPARED BY:

Jim Kornas, Recording Specialist