

City of Marco Island Florida

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



Meeting Minutes - Draft

Monday, August 16, 2021

5:30 PM

Community Meeting Room

City Council

*Chair: Jared Grifoni
Vice-Chair: Greg Folley*

*City Council: Claire Babrowski,
Rich Blonna, Erik Brechnitz,
Becky Irwin, Joe Rola*

*City Manager: Mike McNees
City Attorney: Alan L. Gabriel
City Clerk: Laura Litzan*

1. Call to Order

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

2. Roll Call

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

Also Present

*Michael McNees, City Manager
Casey Lucius, Assistant to the City Manager
Laura Litzan, City Clerk
Alan L. Gabriel, City Attorney
Tracy Frazzano, Police Chief
Chris Byrne, Fire Chief
Guillermo Polanco, Finance Director
Daniel J. Smith, Community Affairs Director
Tim Pinter, Public Works Director
Miguel Carballo, Fleet & Facilities Manager
Jason Smalley, Planner II
Jason Tomassetti, Stormwater Engineer
Martin Luna, Video/Broadcast Technician
Jim Kornas, Recording Specialist
Citizens and Visitors*

3. Invocation

Offered by Reverend Tom Boeck of the Marco Lutheran Church.

4. Pledge of Allegiance

Led by Chair Grifoni.

5. Approval of the Agenda

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

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

6. Approval of the Minutes

- a. [ID 21-1542](#) Approval of the Operating Budget Workshop Minutes of July 19, 2021

MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that the Operational Budget Workshop Minutes of July 19, 2021 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

- b. [ID 21-1693](#) Approval of the Special-Called City Council Meeting Minutes of July 19, 2021

MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that the Special-Called Meeting Minutes of July 19, 2021 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

- c. [ID 20-1245](#) Approval of the City Council Meeting Minutes of July 19, 2021

MOTION by Councilor Brechnitz, seconded by Vice-Chair Folley, that the City Council Meeting Minutes of July 19, 2021 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

7. Approval of Consent Agenda

Councilor Brechnitz requested that Item 7b. (Resolution - Site Development Plan (SDP-21-000156) for a new building for restaurant use at the property located at 297 North Collier Boulevard, Marco Island, FL 34145) be removed from the Consent Agenda.

In response to Councilor Brechnitz's request, Chair Grifoni moved and re-numbered this topic as Agenda Item 10d. under 'Quasi-Judicial Public Hearing'.

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

- a. [ID 21-1661](#) Resolution of the City Council of Marco Island, Florida, approving the Fiscal Year 2021-22 Non-Ad Valorem Assessment Rolls

8. Proclamations and Presentations

- a. [ID 21-1561](#) Employee Service Awards

City Manager McNees called forward Fire & Rescue Department Captain Leo Rodriguez to receive his appreciation of service recognition and pin presented by City Council Chairman Jared Grifoni. Captain Rodriguez's 15 years of service to the City and the citizens of Marco Island was recognized by a warm round of applause from all who were present.

- b. [ID 21-1721](#) Beautification Advisory Committee Update to the City Council - Ms. Shelli Connelly, BAC Chair

Ms. Shelli Connelly, Chair of the Marco Island Beautification Advisory Committee, provided a report to the Council on the Committee's past accomplishments, recent activities and progress-to-date on two projects requested by the City Council: 1) enhanced end-of-the-year Holiday lighting at the entrance onto the Island from the Judge SS Jolley Bridge, and; 2) new, creative ideas to enhance the appearance and the functionality of the beach access walkways from and to Collier Boulevard at both the Maple Avenue and the Winterberry Avenue beach access points.

The Council endorsed the Committee's direction and progress and encouraged Ms. Connelly and her Committee to work with the City Staff in developing a detailed plan and associated cost estimate for

Council consideration and approval for implementation.

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

Mr. Rick Popoff (Century Dr.), owner of Rick's Island Salon and Day Spa, requested that the Council consider a modification to the City's existing Code which would classify and regulate permanent makeup applications and techniques apart from the broader regulated class of tatoos and similar body art applications.

With the support of the Council, Chair Grifoni asked City Manager McNees to quickly review the issue and return to the Council with a recommendation that can be considered and voted upon prior to Mr. Popoff's annual licensing renewal in late October, 2021.

Ms. Anne Marchetti (Milan Ct.), in follow-up to an email that she and her husband sent to members of the City Staff and the Council on July 20th, offered several specific recommendations to better control and regulate the growing number of residential, short-term vacation rental properties that she sees proliferating on her street and across the Island.

Ms. Christine Dowell (Biscayne Way) voiced her concern with the perspective, approach and comments attributed to a current, sitting member of the Marco Island Planning Board.

Ms. Lindsay Skender (Elk Circle) came forward to cede her time to Ms. Linda Goslee (Treasure Ct.).

Ms. Linda Goslee (Treasure Ct.) expressed her disappointment with the inability to find common ground on the control and regulation of residential, short-term vacation rental properties.

Mr. Howard Reed (Bald Eagle Dr.) shared a written statement attributed to the Florida State Attorney General that, he believes, underscores the need for the City Council to devote an appropriate amount of time to ensure that the final draft of the City's Comprehensive Plan truly represents the direction and intentions of the City and its citizens.

10. Quasi-Judicial Public Hearing

Given the interrelationship between Items 10a., 10b., and 10c., City Attorney Alan Gabriel swore in all parties who indicated an intention to provide witness or testimony on any of the three Re-zone Petitions. Each Council member conveyed a single, verbal ex parte disclosure applicable to all three as well.

Mr. Gabriel advised the Council to consider and vote upon each Re-zone Petition individually.

- a. [ID 21-1716](#) Ordinance - First Reading - Rezone Petition (REZN-21-000110) Request to Rezone Property from C-1 to RSF-4 located at 1346 San Marco Road, Marco Island, FL 34145**

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

Community Affairs Director Daniel J. Smith outlined the background and history surrounding the properties, and he addressed questions raised by several members of the Council.

No members of the public came forward to offer comment.

MOTION by Vice-Chair Folley, seconded by Councilor Blonna, that the Ordinance - First Reading - Re-zone Petition (REZN-21-000110) Request to Re-zone Property from C-1 to RSF- 4 Located at 1346 San Marco Road, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

- b. [ID 21-1717](#) Ordinance - First reading - Rezone Petition (REZN-21-000111) Request to Rezone Property from C-1 to RSF-4 located at 1354 San Marco Road, Marco Island, FL 34145

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

City Attorney Alan Gabriel reiterated, for the record, that ex parte disclosures had been conveyed and that individuals intending to provide witness or testimony had already been sworn in.

No members of the public came forward to offer comment.

MOTION by Vice-Chair Folley, seconded by Councilor Blonna, that the Ordinance - First Reading - Re-zone Petition (REZN-21-000111) Request to Re-zone Property from C-1 to RSF- 4 Located at 1354 San Marco Road, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

- c. [ID 21-1718](#) Ordinance - First Reading - Rezone Petition (REZN-21-000112) Request to Rezone Property from C-1 to RSF-4 located at 1362 San Marco Road, Marco Island, FL 34145

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

City Attorney Alan Gabriel reiterated, for the record, that ex parte disclosures had been conveyed and that individuals intending to provide witness or testimony had already been sworn in.

No members of the public came forward to offer comment.

MOTION by Vice-Chair Folley, seconded by Councilor Blonna, that the Ordinance - First Reading - Re-zone Petition (REZN-21-000112) Request to Re-zone Property from C-1 to RSF- 4 Located at 1362 San Marco Road, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

- d. [ID 21-1719](#) Resolution - Site Development Plan (SDP-21-000156) for a New Building for Restaurant use at Property located at 297 North Collier Boulevard, Marco Island, FL 34145

(Editorial Note: This Item was removed from the Consent Agenda as Item 7b.)

City Clerk Laura Litzan read Resolution 21-35 into the record by title only.

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 Site Development Plan Proposal.

Councilor Brechnitz outlined his reasons for requesting that this item come before the Council for review and discussion.

Growth Management Department Planner Jason Smalley summarized the key elements of the Plan and addressed questions from members of the Council.

Public Comment

Mr. Joe Oliverio (Caxambas Ct.), Applicant and Owner of the proposed restaurant property, complimented the City Staff for its helpfulness in bringing this Plan forward, and he recommended that the City seek ways to shorten and streamline its Variance Petition process.

MOTION by Councilor Brechnitz, seconded by Vice-Chair Folley, that Resolution 21-35 - Site Development Plan (SDP-21-000156) for a New Building for Restaurant Use at the Property Located at 297 North Collier Boulevard, Marco Island, FL 34145, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

11. Ordinances

A. Public Hearings

[ID 21-1710](#) Ordinance - Second Reading - Noise Control Amendments

City Clerk Laura Litzan read the second reading of the Ordinance into the record by title only.

Police Chief Tracy Frazzano presented several recommended modifications to the existing Noise Ordinance and addressed questions from members of the Council. Councilor Blonna followed Chief Frazzano's presentation with his own recommendations for the Noise Ordinance and other procedural considerations to help address the concerns raised by local residents relative to the management and regulation of residential, short-term vacation rental properties on the Island.

Public Comment

Ms. Christine Dowell (Biscayne Way) commented on her understanding of what is and is not allowed under State law regarding the local management and regulation of rental properties, and she quoted the State requirements for County, municipal and other local public officers to file Form 8b (Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers) when a potential conflict of interest topic comes before a Committee, Board or Council for a vote.

Ms. Linda Goslee (Treasure Ct.) questioned why proposed revisions to the measurement standards and the applicable time frames outlined in the existing Noise Ordinance are coming forward at this time, and she strongly urged the Council to "kick this can down the road" and address this issue at a later time.

Mr. Michael Welty (Conover Ct.) shared his opposition to revising the time for the 'plainly audible' noise standard as proposed in Chief Frazzano's presentation.

Mr. William Gorski (by telephone) asked that the 'plainly audible' point of measurement as proposed in Chief Frazzano's presentation be further clarified in on-going discussions of the Noise Ordinance.

Mr. Hayden Dubois (W. Elkcam Circle) encouraged the Council to thoughtfully consider any proposed changes to the Noise Ordinance with the perspective of taking the time necessary

to "do it right". He presented some proposed actions that, he feels, offer a more comprehensive and reasonable approach to addressing the issue.

Ms. Amelia Magnus (Dana Ct.) asked the Council to consider the inconvenience that individual homeowners like her endure from problem properties as the Council moves toward a decision on the Noise Ordinance.

Mr. Howard Reed (Bald Eagle Dr.) used an audio demonstration to urge the Council to retain the existing decibel standard and hours of application for the 'plainly audible' criteria, and to not advance this proposed Ordinance at this time.

Ms. Lindsay Skender (Elk Circle) implored the Council to listen to its residents and to be open to doing more to control the inconsiderateness of the tenants at certain residential short-term rental properties.

Ms. Teri Sommerfeld (San Marco Rd.) believes that the Noise Ordinance is only part of the issue. She believes that the credibility of the members of the Council is at risk with the residents of the Island if they fail to heed and address the concerns raised regarding residential, short-term vacation rental properties.

At the conclusion of the Public Comments, City Attorney Alan Gabriel was asked to provide comment on the topics of: 1) the ability for individual property owners to take up legal action to enforce restrictive covenants against other property owners, and; 2) whether a conflict exists under State Law that would require a Councilor who owns a residential rental property to recuse him/her self from voting on this proposed Ordinance revision. Mr. Gabriel indicated that no such conflict exists for any current member of the Council.

MOTION by Councilor Rola to Defer the Council Vote on Ordinance - Second Reading - Noise Control Amendments Until After January 1, 2022. MOTION FAILED FOR LACK OF A SECOND.

MOTION by Councilor Babrowski, seconded by Councilor Brechnitz that the Ordinance - Second Reading - Noise Control Amendments be Deferred Until City Staff Can Return to the Council With a Comprehensive Package of Recommendations for: a) a Residential Rental Property Registration Process; b) Modifications to the Existing Noise Ordinance, and; c) a Process for Setting and Collecting Fines That is Appropriately Punitive and Enforceable, be Approved. MOTION SUBSEQUENTLY AMENDED BY THE ORIGINATORS.

AMENDED MOTION by Councilor Babrowski, seconded by Councilor Brechnitz that the Ordinance - Second Reading - Noise Control Amendments be Deferred Until City Staff Can Return to the Council with Individual Recommendations for: a) a Residential Rental Property Registration Process; b) Modifications to the Existing Noise Ordinance, and; c) a Process for Setting and Collecting Fines That is Appropriately Punitive and Enforceable, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

(THE MEETING WENT INTO RECESS AT 8:13 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 8:20 P.M.)

B. First Readings

1. [ID 21-1714](#) Ordinance - First Reading - Various Changes to Article IX - Site Development Plan and Amendments (SDP and SDPA), Site Improvement Plan (SIP) Approval Process, Contents of the Application, and Approval Standards, etc.

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

Community Affairs Director Daniel J. Smith reminded the Council of its direction to the Planning Board to review the content and approval process under Article IX - Site Development Code (LDC) regarding Site Development, Site Improvement and Site Amendment Plans. The recommended changes from the Planning Board reflect a 6 - 1 vote in favor of bringing forward those changes for City Council review and action.

Public Comment

Mr. Douglas Janowicz (Caxambas Ct.) expressed his belief that, as elected officials, the City Council has a responsibility to oversee all Site Development and Improvement Plans on behalf of the citizens of Marco Island. He expressed opposition to the changes proposed.

MOTION by Vice-Chair Folley, seconded by Councilor Brechnitz, that Ordinance - First Reading - Various Changes to Article IX - Site Development Plan and Amendments (SDP and SDPA), Site Improvement Plan (SIP) Approval Process, Contents of the Application, and Approval Standard, etc., be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

No: 1 - Councilor Rola

2. [ID 21-1715](#) Ordinance - First Reading - Land Development Code (LDC) Amendment to Sec. 30-793, Providing for an Exemption to the Requirements for a Construction Temporary Use Permit for Staging Lots and Exemption for a Fence Permit if Fence is approved in Conjunction with the Construction Temporary Use Permit

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

Community Affairs Director Daniel J. Smith outlined the rationale for the proposed Ordinance and addressed questions from members of the Council.

No members of the public came forward to offer comment.

MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that Ordinance - First Reading - Land Development Code (LDC) Amendment to Sec. 30-793, Providing for an Exemption to the Requirements for a Construction Temporary Use Permit for Staging Lots and Exemption for a Fence Permit if Fence is Approved in Conjunction with the Construction Temporary Use Permit, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

No: 1 - Councilor Brechnitz

3. [ID 21-1720](#) Ordinance - First Reading - Amendment to Sec. 450 in Coordination with Community Rating System Program (CRS)

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

Flood Plain Coordinator Kelly DeFedericis explained the Community Rating System (CRS) scoring system, the recent modifications to it, and its impact on the flood insurance premiums paid by residents and business owners on Marco Island. Together, with the support of Marco Island Stormwater Engineer Jason Tomassetti, she addressed questions raised by members of the Council.

No members of the public came forward to offer comment.

MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that Ordinance - First Reading - Amendment to Sec. 450 in Coordination with the Community Rating System (CRS), be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

12. Resolutions & City Council Items

a. [ID 21-1724](#) Resolutions - Fire Station 50 and Veterans Community Park Public Improvement Revenue Bond, Series 2021; Authorizing Competitive Bid and Approving the Form of the Official Notice of Sale Pertaining to such Bonds

City Clerk Laura Litzan read Resolutions 21-31 and 21-32 into the record by title only.

Marco Island Finance Director Guillermo Polanco requested the Council's authority to go to market for a public bond offering in an amount not to exceed \$13,000,000 to fund the Veterans' Community Park Project and the reconstruction of Fire Station 50. With a par value of approximately \$11,500,000, the bond will be issued at a premium. The all-in true interest cost will be approximately 2%, and one bond is being issued for both projects to economize on issuance costs. Given an expected inflation rate well in excess of 2% over the next few years, under qualitative and quantitative factors, a positive return on investment is expected. No additional leverage is expected for the duration of the bond term, and the bonds will be callable after 10 years from the date of issuance. Inclusive of the projected principal and interest for this bond, the City will remain well below its spending cap.

Director Polanco also noted for the Council that, under Ordinance 19-10, passage of these Resolutions requires a super-majority vote of the Council. Therefore, five members must vote in the affirmative to authorize this issuance.

Also in attendance were also Mr. Duane Draper, Co-Chair, Public Finance Group, Bryant, Miller, Olive P.A. and Mr. Jay Glover, Managing Director, PFM Asset Management LLC who assisted Finance Director Polanco in addressing questions from members of the Council.

Mr. Glover also announced that Fitch Ratings is in the process of assigning the City of Marco Island a 'AAA' Long-Term Issuer Default Rating (IDR) reflecting the City's consistent maintenance of healthy

general fund reserves and a low, long-term liability rating.

Members of the Council recognized Finance Director Polanco for his steady leadership and financial stewardship in helping to make the forthcoming Fitch Ratings assignment possible for the City and the citizens of Marco Island.

No members of the public came forward to offer comment.

MOTION by Councilor Brechnitz, seconded by Councilor Irwin, that Resolution 21-31 Fire Station 50 and Veterans' Community Park Public Improvement Revenue Bond Series 2021, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOTION by Councilor Brechnitz, seconded by Councilor Irwin, that Resolution 21-32 - Official Notice of Sale Pertaining to Bonds for Fire Station 50 and Veterans' Community Park Public Improvement Revenue Bond Series 2021, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

- b.** [ID 21-1723](#) Resolution - Approving an Interfund Loan in an Amount of \$700,000 from the City to the Hideaway Beach District for a Term not to Exceed 12 Months at a Rate of 2.5%

City Clerk Laura Litzan read Resolution 21-33 into the record by title only.

City Finance Director Guillermo Polanco summarized the reason for the request and addressed questions from members of the Council.

No members of the public came forward to offer comment.

MOTION by Councilor Brechnitz, seconded by Councilor Irwin, that Resolution 21-33 - Approving an Interfund Loan in an Amount of \$700,000 from the City of Marco Island to the Hideaway Beach Tax District for a Term not to Exceed 12 Months at a Rate of 2.5%, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

- c.** [ID 21-1711](#) Resolution - Ratifying the Three-Year Police Union Collective Bargaining Agreement

City Clerk Laura Litzan read Resolution 21-34 into the record by title only.

Police Chief Tracy Frazzano briefly outlined her assessment of the proposed Agreement and its favorable provisions for both the City and the Police Department personnel covered under the Agreement.

Members of the Council recognized and thanked Vice-Chair Folley for his engagement and contributions in helping to craft the Agreement.

No members of the public came forward to offer comment.

MOTION by Vice-Chair Folley, seconded by Councilor Rola, that Resolution 21-34

- Ratifying the Three-Year Police Union Collective Bargaining Unit Agreement, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

d. [ID 21-1722](#) Award of the Bid for the Construction of the San Marco Road and Heathwood Drive Intersection Reconstruction Project

Public Works Director Timothy Pinter summarized the results of the bid solicitation and decision process and recommended that the Council approve the selected construction contractor and authorize the execution of a contract.

No members of the public came forward to offer comment.

MOTION by Councilor Irwin, seconded by Councilor Brechnitz, that the City Manager be authorized to accept the bid and enter into an agreement in the amount of \$1,454,626.54 with Quality Enterprises, Inc. for the construction of the San Marco Road and Heathwood Drive Intersection Reconstruction Project.

MOTION CARRIED BY THE FOLLOWING VOTE:

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

e. [ID 21-1725](#) City Manager's Performance Evaluation

Several members of the Council provided their perspective on the performance and evaluation of City Manager McNees, and Chair Grifoni brought forward a Motion to increase the City Manager's annual compensation.

Mr. McNees thanked the Council and conveyed his appreciation for each member's continued personal engagement and support in the interest of serving the best interests of the City and its residents.

No members of the public came forward to offer comment.

MOTION by Chair Grifoni, seconded by Councilor Brechnitz, that City Manager McNees's annual compensation be increased by \$12,000 annually in the form of a monthly housing allowance of \$1,000 per month, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

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

Motion to Extend The Meeting

MOTION by Councilor Brechnitz to extend the City Council Meeting to conclude no later than 9:45 P.M., be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

13. Items Removed from the Consent Agenda

Item 7b. (Resolution 21-35 - Site Development Plan (SDP-21-000156) for a New Building for Restaurant Use at the Property Located at 297 North Collier Boulevard, Marco Island, FL 34145) was removed from the Consent Agenda by Councilor Brechnitz and addressed by the Council as Item 10d. under 'Quasi-Judicial Public Hearing'.

14. Council Communications & Future Agenda

Councilor Blonna indicated his intention to bring forward a white paper on the need for a Rental Property Registration Ordinance and Process. However, in light of the direction given to the City Manager and Staff during the Council's deliberations on Item 11A. (Ordinance - Second Reading - Noise Control Amendments), he communicated his plan to provide his thoughts directly to the City Manager.

Councilor Babrowski noted that the Council's Future Agenda for September 20, 2021 indicates an intention to bring a Second Reading of the Comprehensive Plan back before the Council. Recognizing the complexity of the document and the forthcoming comments from the State on the initial submission of that Plan, Councilor Babrowski requested an understanding of how the Council will properly address this effort. Chair Grifoni indicated his expectation that a City Council Workshop will be scheduled prior to September 20th to allow sufficient time for the Council to review and edit that document.

Vice-Chair Folley requested that: 1) City Manager McNees draft his proposed goals for the upcoming year, and; 2) that the Council re-address the sourcing of its legal needs and services. He also referenced certain statistics regarding the recent COVID surge in the State of Florida, and he commented on the state of the U.S. withdrawal from Afghanistan at this time.

ID 20-1246 Future Agenda Items

Vice-Chair Folley requested that a sourcing review of future legal services for the City be brought forward to the October 18 or November 4, 2021 meeting of the Council.

Chair Grifoni requested that a review and assessment of the City's ordinances relative to the regulation of permanent makeup (see Mr. Rick Popoff's comment under Item 9 - Citizen Comments) be placed on a near-term Future Agenda for the Council.

Chair Grifoni also requested that a review of the 2015 Resolution regarding the application of artificial turf for residential and commercial uses be placed on a near-term agenda for the Planning Board and a Future Agenda of the City Council.

15. Council Reports

None.

16. City Manager's Report

City Manager McNees communicated the following upcoming events:

- 1) Veterans' Community Park Ground-Breaking Ceremony - Wednesday, August 18th at 10:00 A.M.;*
- 2) Council Workshop on Legislative Priorities with Mr. Ron Book - Thursday, September 2nd at 9:30 A.M.;*
- 3) Fire Station 50 Demolition Ceremony - Tuesday, September 7th at 10:00 A.M.*

17. City Attorney's Report

ID 20-1247 City Attorney's Report

City Attorney Alan Gabriel briefly updated the Council on the timeline of events on the Delcor Development, LLC & Southdale, Inc. litigation case.

18. Departmental Reports

[ID 20-1239](#) Monthly Departmental Reports

Councilor Babrowski thanked the City Staff for the recent improvements to the Dog Park at Mackle Park. No other comments or questions were raised by members of the Council regarding the Monthly Department Reports.

19. Citizens' Comments

Mr. Hayden Dubois, (W. Elkcarn Circle) suggested that an Ad Hoc Committee of citizens to recommend solutions to help manage residential short-term vacation rental properties on Marco Island might be a worthwhile future endeavor.

20. Adjournment

There being no further business before the Council, the meeting adjourned at 9:44 P.M.

Jared Grifoni, Council Chair

ATTEST:

Laura Litzan, City Clerk

PREPARED BY:

Jim Kornas, Recording Specialist