# City of Marco Island Florida

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

## Meeting Minutes - Draft

**Monday, September 20, 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*
*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*
*Jose Duran, Information Technology Director*
*Jeff Poteet, Water & Sewer General Manager (via Zoom connection)*
*Jason Tomassetti, Storm Water Engineer*
*Lina Upham, Purchasing & Risk Manager (via Zoom connection)*
*Samantha Malloy, Parks, Culture & Recreation Manager*
*Martin Luna, Video/Broadcast Technician*
*Jim Kornas, Recording Specialist*
*Citizens and Visitors*

## 3. Invocation

*Offered by Reverend Steve Schoof of the Marco Presbyterian Church.*

## 4. Pledge of Allegiance

*Led by Chair Grifoni.*

## 5. Approval of the Agenda

**MOTION by Vice-Chair Folley, 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. Public Hearing - Adoption of Final FY2021-2022 Millage Rate & Budget

**a.** ID 21-1771 Resolution Adopting the Final FY2022 Millage Rate - City of Marco Island

*City Finance Director Guillermo Polanco read Resolution 21-41 into the record by title only after announcing the following regarding the process for adopting the Final FY2022 Millage Rate:*

*Section 200.065, Florida Statutes, governs the budget adoption process. The Truth in Millage ("TRIM") statute establishes a detailed timeline and approval process that requires two public hearings held in the month of September and separate actions for establishing the tax levy and for approving the annual budget.*

*To comply with the TRIM regulations, City Council is required to take separate actions in a specified order. At each of the public hearings, the public may speak and ask questions before Council adopts any measures. Council must then adopt a millage rate before it adopts a budget. The millage rate and budget must be adopted by separate votes at the advertised hearing. The final millage rate adopted at the second hearing cannot exceed the tentatively adopted millage rate.*

*The proposed final millage rate is the rolled back rate of 1.7088 mils for City operations.*

*At the hearing, prior to adoption of the millage levy resolution, the following must be announced:*

1. *The name of the principal taxing authority is the City of Marco Island, Florida.*
2. *The current year aggregate rolled-back rate is 1.7566 mils.*
3. *The current year proposed aggregate millage rate is 1.7845 mils.*
4. *The change over the aggregate rolled-back rate is an increase of 1.59 percent.*
5. *The millage rate to be levied is 1.7088 mils for City of Marco Island.*
6. *The City has a dependent special district and the Board of Supervisors of the Hideaway Beach Special Taxing District at their June 24, 2021 meeting recommended a tax levy of 1.500 mil for district operations.*

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

**MOTION by Councilor Brechnitz, seconded by Councilor Rola, that Resolution 21-41 - Resolution Adopting the Final FY2022 Millage Rate - City of Marco Island, 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 21-1772 Resolution Adopting the Final FY2022 Budget - City of Marco Island

*Finance Director Polanco read Resolution 21-42 into the record by title only.*

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

**MOTION by Councilor Blonna, seconded by Councilor Irwin, that Resolution 21-42 - Resolution Adopting the Final FY2022 Budget - City of Marco Island, 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 21-1773 Resolution Adopting the Final FY2022 Millage Rate - Hideaway Beach Special Taxing District

*Finance Director Polanco announced that:*

*1. The name of the taxing authority is Hideaway Beach Tax District.*
*2. The current year rolled-back rate is 0.9738 mils.*
*3. The Hideaway Beach District is a dependent special district of the City, and the Board of the Hideaway Beach Special Taxing District, at its June 24, 2021 meeting, recommended a tax levy of 1.5000 mils for district operations, an increase of 54% above the rolled-back rate. The additional funds will be used for beach renourishment projects.*

*He then read Resolution 21-43 into the record by title only.*

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

**MOTION by Councilor Brechnitz, seconded by Vice-Chair Folley, that Resolution 21-43 - Resolution Adlpting the Final FY2022 Millage Rate - Hideaway Beach Special Taxing District, 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 21-1774 Resolution Adopting the Final FY2022 Budget - Hideaway Beach Special Taxing District

*Finance Director Polanco read Resolution 21-44 into the record by title only.*

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

**MOTION by Councilor Brechnitz, seconded by Councilor Irwin, that Resolution 21-44 - Resolution Adopting the Final FY2022 Budget - Hideaway Beach Special Taxing District, 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

## *7. Approval of the Minutes*

**a.** ID 21-1768 Approval of the City Council Special-Called Meeting Minutes of September 2, 2021

**MOTION by Vice-Chair Folley, seconded by Councilor Blonna, that the Meeting Minutes of the Special-Called City Council Meeting of September 2, 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 21-1769 Approval of the City Council Special-Called Meeting Minutes of September 7, 2021

**MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that the Meeting Minutes of the Special-Called City Council Meeting of September 7, 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 20-1251 Approval of the City Council Meeting Minutes of September 7, 2021

**MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that the City Council Meeting Minutes of September 7, 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

## *8. Approval of Consent Agenda*

**MOTION by Vice-Chair Folley, seconded by Councilor Rola, that the Consent 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

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

**a.** ID 21-1767 Resolution Approving the Adjustment of Fees for the Racquet Center

### *9. Proclamations and Presentations*

ID 21-1762 Proclamation - Falls Prevention Awareness Day

*Chair Grifoni, with the support of the Council, read a Proclamation announcing September 22, 2021 as Falls Prevention Awareness Day. Ms. Sue Haviland, President of Step Smart and Stay Active, accepted the Proclamation on behalf of all who educate and support caregivers and older adults in and around Collier County on methods and techniques available to reduce accidental falls.*

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

*District 1 Collier County Commissioner Rick LoCastro advised the Council of his recent meetings with concerned citizens and local business owners regarding safe and convenient water access for small watercraft at Caxambas Park. Intent on correcting misinformation appearing on social media regarding potential closure of the access point to certain businesses, Commissioner LoCastro pledged to work with the City and all parties to develop policies and procedures at Caxambas Park that will improve the monitoring, control, convenience and safety of all who utilize that access point to enjoy the waters around the Island.*

*County Commissioner LoCastro also announced that the County is in receipt of the mobility access beach mats that will provide easier beach access at the South Beach access point for those who have physical mobility issues. The County intends to deploy the mats after the current turtle nesting season (November 1st).*

*Mr. Brent Wilson (Captain Party Hard LLC, San Marco Rd.) spoke on behalf of all of the Island's sports fishing captains and guides who work tirelessly to bring enjoyment and memorable experiences to those who visit and live on Marco Island. He asked that the Council recognize and support the valuable service that these businesses and business owners contribute to enhancing the "soul of Marco Island".*

*Ms. Allie Mick (no street address provided) requested help in identifying the City Ordinance(s) and Marco Island Civic Association (M.I.C.A.) restrictions that regulate the activities at Caxambas Park. Chair Grifoni recommended that she reach out to the City Staff for assistance with her request.*

*Mr. Bill D'Antuono (Offshore Naples Charters, Vanderbilt Dr., Naples) shared his perspective on the sources for much of the congestion and overcrowding that has been experienced at Caxambas Park over the past two years.*

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

*None.*

### *12. Ordinances*

*None.*

## *13. Resolutions & City Council Items*

**a.** ID 21-1777 Marco Island Nutrient Source Evaluation Project - Final Report

*City Public Works Director Timothy Pinter introduced Dr. Harvey H. Harper, P.E., President of Environmental Research & Design, Inc., to present the results of his organization's year-long study of nutrient conditions and sources in and around Marco Island.*

*Dr, Harper conducted a detailed presentation of his firm's findings and recommendations, and he addressed the many questions raised by members of the Council.*

*Public Comment*

*Mr. Howard Reed (Bald Eagle Dr.) recalled his personal efforts to measure and understand the sources of nutrient impairment in the waterways as a former member of the City Council, and he praised the thoroughness, depth and quality of the report provided by Dr. Harper. He encouraged the Council and the City Staff to utilize the insights provided by Dr. Harper to craft effective water quality treatment policies and initiatives, and he recommended that the City pursue a 4e designation with the Florida Department of Environmental Protection to allow it the latitude to address the Island's water quality improvement effort accordingly.*

*Ms. Rozine Grey (Sunflower Ct.) referenced her understanding of recent actions in Ft.Myers and Cape Coral on the treatment and release of reuse water back into the Caloosahatchee River. She asked Dr. Harper for an explanation as to how reuse water could be treated by those cities and deemed acceptable for release back into their waterways. Dr. Harper noted that the standards for the release of reuse water only address turbidity and bacteria and not the level of nitrogen, phosphorous or other nutrients that may be present at the time of discharge.*

*Ms. Christine Dowell (Biscayne Way) questioned Dr. Harper on whether the City currently possesses the capability to treat reuse water to the point of reducing its harmful nutrient effects. Dr. Harper responded that equipment certainly exists to significantly reduce the nutrient load of reuse water, but that the likely cost could run into the multiple millions of dollars for the City to acquire and utilize such equipment in this effort.*

**MOTION by Councilor Brechnitz, seconded by Councilor Irwin that the Environmental Research & Design, Inc. report be accepted and referred to the City Committees and Staff for follow-up action, 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 7:59 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 8:05 P.M.)*

**b.** ID 21-1781 Update on Sale of Surplus Properties

*City Water & Sewer General Manager Jeff Poteet (via Zoom teleconference connection) provided a brief summary of the status of the City's solicitation to sell its identified surplus properties at 1825 & 1955*

*Mainsail Drive. He, along with City Attorney Alan Gabriel and Assistant to the City Manager Casey Lucius, responded to questions and concerns raised by members of the Council.*

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

*Following the discussion and in recognition of more information being required, Council Chair Grifoni asked the City Manager to bring forward a specific recommendation for Council consideration and action at a future meeting of the Council.*

**c.** ID 21-1780 Renewal of the Policy for FY2022 Property, Liability, and Excess Worker's Compensation Insurance Coverage with Public Risk Insurance Agency ("PRIA") in the amount of $1,100,266.00

*City Purchasing and Risk Management Manager Lina Upham (via Zoom teleconference connection) outlined key elements of the City's property, liability and excess worker's compensation insurance coverage for the 2022 fiscal year.*

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

**MOTION by Councilor Brechnitz, seconded by Councilor Rola, that the Renewal of the Policy for FY2022 Property, Liability, and Excess Worker's Compensation Insurance Coverage with Public Risk Insurance Agency ("PRIA") in the Amount of $1,100,266.00 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

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

*No items were removed from the Consent Agenda.*

## *15. Council Communications & Future Agenda*

ID 20-1252 Future Agenda Items

*Councilor Blonna reported that all three Marco Island properties proposed for potential acquisition by Conservation Collier at its September 13th meeting advanced to the next level of review and consideration. He indicated his intention to attend Conservation Collier's next meeting and to continue to advocate on behalf of Marco Island's candidate properties. Chair Grifoni, on behalf of the Council, thanked Councilor Blonna for his continue diligence in championing this effort.*

*Vice-Chair Folley noted his attendance at the most recent Collier Metropolitan Planning Organization (MPO) meeting and requested that Ms. Michelle Arnold, Director of Public Transit and Neighborhood Enhancement, be invited to address the Council on Collier Area Transit's public transit proposals for Marco Island.*

*Vice-Chair Folley next referenced the public comment offered by a member of the City's Planning Board at the Council's earlier-in-the-day Special-Called Meeting regarding having "aspirational goals" in the Comprehensive Plan. He explained his reasoning as to why this may not be appropriate for a governmental body (like the City of Marco Island).*

*Vice-Chair Folley concluded by noting Florida's standing among the 26 states that oppose COVID vaccine mandates. He asked that the City Manager rebuff all efforts to force City employees to be vaccinated to maintain their employment with the City.*

*Councilor Brechnitz responded to citizen emails received earlier in the day regarding the cause of his obvious bruising around one eye. He also summarized a recent telephone conversation with an on-Island condominium property manager regarding the expense and process to obtain a permit to increase the number of thatched tiki huts on the condominium's grounds. He asked the City Manager to look into ways to streamline the process for approving the plans for these types of structures.*

*Councilor Brechnitz concluded by requesting that citizens be allowed to voice their comments on all future Consent Agenda items that result in additional fees or added expense for City personnel, if implemented.*

*Councilor Irwin asked City Staff for insight on how to advise a homeowner to proceed on addressing standing water in a swale 72 hours after a heavy rainfall.*

## *16. Council Reports*

*None.*

## *17. City Manager's Report*

*City Manager McNees recalled the unanimous support that the selection of Environmental Research & Design Inc. received from citizens, Committee members and Councilors when the project was initially awarded to Dr. Harper and his team. He expressed his intention to encourage all who supported that selection at that time to "keep this on a positive track" as the implementation of ERD's recommendations are considered and implemented.*

*Responding to an earlier comment on the City's zoning codes, City Manager McNees assured the Council that there is no "fine print" in any of the City's Codes and Ordinances.*

*Referencing the earlier-in-the-day discussion on the Comprehensive Plan, Mr. McNees pledged to continue to aspire to build a City government organization that the citizens of Marco Island can be proud of.*

## *18. City Attorney's Report*

ID 20-1254 City Attorney's Report

*City Attorney Alan Gabriel had no comments to share.*

## *19. Departmental Reports*

ID 20-1253 Monthly Departmental Reports

*No members of the Council or the public raised a question regarding the Monthly Department Reports.*

## *20. Citizens' Comments*

*Ms. Christine Dowell (Biscayne Way) inquired as to the source of the proposal to implement a trolley service on the Island. She highlighted a concern that such a service would turn the parking lots of the Marco Town Center and the Shops of Marco into a free parking haven for off-Island beachgoers who take advantage of the service.*

## *21. Adjournment*

*There being no further business before the Council, the meeting adjourned at 8:51 P.M.*

_____

*Jared Grifoni, Council Chair*

*ATTEST:*

_____

*Laura Litzan, City Clerk*

*PREPARED BY:*

_____

*Jim Kornas, Recording Specialist*