

City of Marco Island Florida

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



Meeting Minutes - Final

Monday, April 5, 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 and Acting 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
Jeff Poteet, Water & Sewer General Manager
Miguel Carballo, Fleet & Facilities Manager
Martin Luna, Video/Broadcast Technician
Jim Kornas, Recording Specialist
Citizens and Visitors*

3. Invocation

Offered by Reverend Scott Kerens 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 Brechnitz, 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 21-1477](#) Approval of the City Council Workshop Minutes of March 4, 2021

MOTION by Councilor Blonna, seconded by Vice-Chair Folley, that the City Council Workshop Minutes of March 4, 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 21-1473](#) Approval of the Special-Called Meeting Minutes of March 15, 2021

MOTION by Councilor Blonna, seconded by Councilor Irwin, that the

Special-Called Meeting Minutes of March 15, 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 20-1213](#) Approval of the City Council Meeting Minutes of March 15, 2021

Councilor Irwin noted a correction required under Item 16 (City Manager's Report) to appropriately recognize Council Member Brechnitz as 'Councilor' rather than as 'Chair'.

MOTION by Vice-Chair Folley, seconded by Councilor Brechnitz, that the Amended City Council Meeting Minutes of March 15, 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

7. Approval of Consent Agenda

MOTION by Vice-Chair Folley, seconded by Councilor Blonna, 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 Consent Agenda Passed All Routine Items Listed Below]

- a. [ID 21-1408](#)** Authorize the City Manager to Execute a Change Order to Contract 2020-001, Purchase of Standby Generators, with LJ Power, Inc. in the Amount of \$197,750.00 for the Purchase of Sixty (60) Connector Cables and Plugs for the Generators
- b. [ID 21-1462](#)** Authorize the City Manager to Execute a Contract 2021-013 with ProLime Corporation for NWTP (North Water Treatment Plant) Lime Sludge Hauling, Removal, and Disposal in an Estimated Annual Amount of \$234,877.50 (\$643.50 Per Load; 365 Loads Per Year; 27.5 Cubic Yards Per Load)
- c. [ID 21-1465](#)** Authorize the City Manager to Execute a Contract 2021-014 with Layne Christensen Company for South Water Treatment Plant (SWTP) Acidification of Two (RO-14 and RO-19) Production Wells in the Amount of \$299,475.40
- d. [ID 21-1466](#)** Authorize the City Manager to Issue a Purchase Order to Quality Enterprises USA Inc., for the Goldenrod Bridge Water Main Replacement in the Amount of \$128,700.00 under the City's Public Infrastructure Construction Services Contract #2021-006

8. Proclamations and Presentations

- a. [ID 21-1453](#)** Proclamation - Gopher Tortoise Day

With his reading of the Proclamation publicly, Council Chair Jared Grifoni declared April 10, 2021 as Gopher Tortoise Day on Marco Island. He presented the Proclamation to Audubon of the Western Everglades (AWE) Program Director Lori Beall and Field Biologist Brittany Piersma who shared some initial statistics from the AWE's ongoing land survey of the gopher tortoise population on Marco Island. All members of the Council participated in congratulating AWE and the City's Beach & Coastal Resources Advisory Committee for raising citizen awareness on the importance of protecting the Island's gopher tortoise population.

b. [ID 21-1468](#) Proclamation - Water Conservation Month

In an effort to promote the benefits of wise water conservation, Council Chair Grifoni declared the month of April, 2021 as Water Conservation Month. He, along with members of the Council, and with Marco Island Water & Sewer General Manager Jeff Poteet, presented the Proclamation to Ms. Lisa Koehler, Big Cypress Administrator at the South Florida Water Management District. Ms. Koehler thanked the Council and the citizens of Marco Island, and she reminded all present of the importance of water conservation during this exceptionally dry winter/spring season thusfar this year.

c. [ID 21-1422](#) Employee of the Quarter

City Manager McNees offered a brief introduction to the recipient of the City's Employee of the Quarter award for Q1 2021. Mr. Sergio Gomez, Customer Services Supervisor of Utilities came forward to receive his recognition from City Council Chair Jared Grifoni with the support of the entire Marco Island City Council.

d. [ID 21-1475](#) Marco in Bloom Awards

Beautification Advisory Committee Vice-Chair Maria Tobin shared a photo presentation and named the winners, runner-ups and honorable mentions for the 2021 Marco-In-Bloom property landscape competition in the Residential, Condominium and Cul-de-Sac categories. All present participated in a round of applause for the properties recognized.

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

Ms. Christine Dowell (Biscayne Way), referenced her viewing of the Council's March 15th Comprehensive Plan Workshop broadcast and feeling that, while the Council talked about maintaining a 'small town feel' for Marco Island, its interests remain largely devoted to increased on-Island development.

Mr. Ed Issler (S. Joy Circle) augmented Ms. Dowell's comments regarding the importance of the Comprehensive Plan in supporting and enabling the desired character of the Island, and he noted a distinct difference in the nature of the citizen inputs to the development of the Comprehensive Plan and the Council's discussions and inputs regarding the same topic. He indicated that there is great citizen interest in managing growth and inserting language into the Land Development Code to ensure that end, and he implored the Council to more diligently listen and respond to the voice of the citizens of Marco Island as the Comprehensive Plan moves forward toward finalization. (Editorial Note: the next opportunity for public comment and input on the Comprehensive Plan is available during the next meeting of the City's Planning Board on Friday, April 23rd beginning at 9:00 A.M.)

Ms. Rene' Ford (Bald Eagle Dr.) requested that the Council and City Staff address the increasing amount of litter and debris that she sees in the inland areas of the Island. Referencing the appearance and cleanliness of Sanibel, Captiva and Dunedin (and its unique community-wide beautification encouragement program), she also requested that the City solicit greater attention from the Island's business community in addressing this concern.

Mr. Howard Reed (Bald Eagle Dr.) raised concern with the decision by the Council at its March 15th

meeting regarding reduced water and wastewater impact fees for the Mainsail Apartments Project (Resolution 21-15). He requested that the Council recall and reconsider its vote on this Resolution.

Mr. Mario Curiale (Eubanks Ct.) expressed his frustration with the lack of City action in addressing the open land-use abuses of the City's C-5 zoning ordinance that he sees by commercial lessees of properties neighboring his business on Bald Eagle Drive. (Editorial Note: City Manager McNeese responded that no actionable code violation by the property lessees in question was observed by Marco Island Code Enforcement).

10. Quasi-Judicial Public Hearing

[ID 21-1474](#) Ordinance - Second Reading - Rezone Petition Request (REZN-20-000136) to Rezone from Commercial Professional C-1 to Planned Unit Development (PUD) for San Marco Senior Living Located at 40 South Heathwood Drive, Marco Island, FL 34145

Acting City Clerk Casey Lucius read Ordinance 21-06 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 City Council member conveyed a verbal ex parte disclosure related to the Petitioner's Rezoning and site development request.

Community Affairs Director Daniel J. Smith recalled for the Council the key concerns raised at the First Reading of the proposed Ordinance, and he outlined the results of the Staff's work and its updated recommendations, along with the input received from the Parks & Recreation Advisory Committee and the Planning Board, in preparing for the evening's Second Reading of the Ordinance.

Mr. Walt Chancey, Co-Managing Partner of Chancey Design of Tampa, Florida, shared a brief presentation and a re-introduction to the team that attended and participated in the Ordinance's First Reading before the Council on February 1, 2021. He addressed questions from the Council and provided clarification on a number of issues that were raised prior to, during and after the Public Comments that were received.

Public Comments:

Mr. Bruce Mecklinghaus (San Marco Rd.) expressed concern that the concept of an assisted living facility for Marco Island is beyond what the island can handle at this time.

Ms. Teri Sommerfeld (San Marco Rd.) conveyed her lack of confidence in: 1) the commitment by NCH Healthcare Systems, Inc. to follow through in building an urgent care facility; 2) whether the standards of 'unified control' have been met, and; 3) whether sufficient constraint on the Petitioner's ability to convert the facility to other uses and types of care without City approval have been adequately addressed.

Mr. Howard Reed (Bald Eagle Dr.), though complimentary of the quality and professionalism of the Petitioner's execution at other locations, cited the increased density that this facility adds to the Island, the inadequacy in meeting his understanding of 'unified control' for the proposed development, and the lack of NCH Board commitment to invest in a new urgent care facility for Marco Island. He requested that the City Council consider a continuance of this Ordinance until the NCH Board commits to funding a new urgent care facility for Marco Island.

Ms. Natalie Kirstein (Rialto Way, Naples) shared her experience as a realtor serving clients on Marco Island and offered her perspective on the difficult decisions that her elderly clients face in leaving friends and support groups behind when they no longer can manage living independently. She sees the development of an assisted living facility on the Island as being very beneficial to the citizens of Marco Island.

Ms. Elizabeth Geis (via telephone) questioned the status of the existing helipad in the revised site plan for the proposed property.

Ms. Kathleen Hearn (via telephone) reiterated support for Ms. Natalie Kirstein's comments and relayed her experience as a real estate agent in seeing an elderly client having to leave her established network of support on Marco Island when she could no longer manage her residence. Ms. Hearn voiced support for the approval of the Petitioner's request.

Mr. William Flasche (via telephone) recommended that the City Council stipulate that Marco Island residents be given priority for placement in the new assisted living facility, should it be approved.

Ms. Maria Tobin (S. Inlet Dr.) shared her personal experience in managing the care of her elderly mother-in-law, and she noted the extra convenience that an on-Island assisted living facility could provide for its the residents.

Mr. Robert Cusack (Riverside Circle, Naples, via telephone) noted the presence of an assisted living facility approximately nine miles away from Marco Island that is not fully utilized, and he recommended that the City require the Applicant to install a new seawall as a condition for approval.

Mr. Mario Curiale (Eubanks Ct.) voiced his support for the proposed facility and site plan, but insisted that the Council require the Applicant to give preference to existing Marco Island residents in accepting new assisted living clients.

Mr. Jack Patterson (Panama Ct.) indicated that, as an Island resident and a trustee of the current Marco healthcare facility, he feels very confident in NCH Healthcare Systems, Inc.'s commitment to erect a new urgent care facility on the Island. He noted that the existing facility already offers cardio, pulmonary and physical rehabilitation services, and he is confident that those services will continue. He recommended that the Council approve the Ordinance as presented.

MOTION by Councilor Brechnitz, seconded by Councilor Blonna, that the Ordinance - Second Reading - Rezone Petition Request (REZN-20-000136) to Rezone from Commercial Professional C-1 to Planned Unit Development (PUD) for San Marco Senior Living Located at 40 South Heathwood Drive, Marco Island, FL 34145 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

(THE MEETING WENT INTO RECESS AT 7:16 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RESUMED AT 7:26 P.M.)

11. Ordinances

None.

12. Resolutions & City Council Items

None.

13. Items Removed from the Consent Agenda

None.

14. Council Communications & Future Agenda

Councilor Blonna, in light of the concerns raised during the evening and at the Council's most recent Comprehensive Plan Workshop, asked his fellow Councilors if an upper limit to the City's numerical density exists. Chair Grifoni and Councilor Brechnitz provided Councilor Blonna (and all of the newer members of the Council) with a response and an overview of the key deliberations and decisions that previous City Councils reached relative to this topic.

Councilor Blonna later in the Council Communications portion of the meeting, reminded his fellow Councilors (and the public) of the Water Quality Information and Education Workshop scheduled for April 8th beginning at 5:30 P.M.

Vice-Chair Folley, in consideration of citizen comments offered earlier in the evening, asked City Attorney Gabriel to provide his understanding regarding mixed-use property developments and the existing restrictive covenants that are in effect on the Island. City Attorney Gabriel responded. Vice-Chair Folley also recognized and complimented the City Staff for its implementation and execution of the Spring Jubilee Event on April 3rd, and the most recent COVID vaccination activity held at Mackle Park.

Chair Grifoni inquired of the City Staff when the Council's review and discussion of re-instating the Independence Day fireworks display and potentially implementing specialized, assistive beach mats for mobility-challenged residents and visitors might be scheduled. City Manager McNees and the Staff indicated that a May 3rd review of the fireworks, and a May 17th review of the beach mat topic is currently scheduled.

Echoing Vice-Chair Folley's observations regarding the April 3rd Spring Jubilee Event, Chair Grifoni thanked the Parks & Recreation team for its efforts and successes in bringing Marco Islanders together through its various concerts and community-wide special events.

Councilor Rola, as a member voting in the majority at the March 15th City Council Meeting on the alternative water and wastewater impact fee calculation for the Mainsail Apartments Project (Resolution 21-15), made a Motion to reconsider the vote on that Resolution. A significant amount of discussion ensued between members of the Council and the City Staff, and Chair Grifoni also invited public comment.

Public Comment

Ms. Teri Sommerfeld (San Marco Rd.) recognized the Council's confusion on certain elements of how the alternative water and wastewater impact fee was calculated and recommended that a re-consideration of the previous decision be endorsed.

Mr. Howard Reed (Bald Eagle Dr.) thanked the Council for entertaining the opportunity to reconsider its decision, and he suggested that the City Staff investigate and compare Marco Island's alternative rate calculation method with that of other municipalities in Florida.

Councilor Rola

MOTION by Councilor Rola, seconded by Councilor Brechnitz, that Resolution 21-15 - Approving the Alternative Water and Wastewater Impact Fee for the Mainsail Apartments Project be Re-Considered. MOTION FAILED BY THE FOLLOWING VOTE:

Yes: 2 - Councilor Brechnitz and Councilor Rola

No: 5 - Councilor Blonna, Councilor Irwin, Vice-Chair Folley, Councilor Babrowski and Chair Grifoni

[ID 20-1212](#) Future Agenda Items

Chair Grifoni requested that the Isles of Capri Utility Service Area / Marco Island Utilities infrastructure Lifecycle Analysis be placed on a Future Agenda of the Council. (Editorial Note: This direction emanated from the discussion under Item 15b. (Council Reports)).

15. Council Reports

a. [ID 21-1463](#) Discussion - Resolution to Create an Ad Hoc Business Development and Redevelopment Advisory Committee - Councilor Richard Blonna

Councilor Blonna outlined his rationale for the Resolution establishing an Ad Hoc Development and Redevelopment Advisory Committee, and the Council engaged in dialogue on the proposal.

Public Comment

Mr. Howard Reed (Bald Eagle Dr.) recounted his experience as a City Councilor when an earlier Ad Hoc Parking Advisory Committee was formed, and he recommended that the Council strongly endorse appointing seven members (one nominated by each sitting Councilor) to this Ad Hoc Committee, should the Council wish to establish one.

Ms. Teri Sommerfeld (San Marco Rd.) cited previous Council discussions regarding the interpretation and execution of "small town feel" in the City's development plans for the future, and she suggested that City residents (as well as business owners) be included to ensure 'balance' in its ultimate recommendations.

MOTION by Councilor Irwin, seconded by Councilor Blonna, that the draft Resolution creating an Ad Hoc Business Development and Redevelopment Advisory Committee be advanced for consideration at a future meeting of the Marco Island City Council, be Approved. MOTION FAILED BY THE FOLLOWING VOTE:

Yes: 3 - Councilor Blonna, Councilor Irwin and Chair Grifoni

No: 4 - Councilor Brechnitz, Vice-Chair Folley, Councilor Rola and Councilor Babrowski

b. [ID 21-1482](#) Discussion - Isles of Capri Utility Service Area - Councilor Claire Babrowski

Councilor Babrowski opened the discussion by outlining her rationale for bringing this topic forward. City Manager McNees walked the Council through the related decision tree diagram.

After some discussion, and in recognition of the important asset lifecycle considerations that were raised in the course of the dialogue, Chair Grifoni received consensus support to move this item forward for in-depth review at a future meeting of the Council.

16. City Manager's Report

City Manager McNees advised the Council of upcoming daytime rehabilitation work beginning later in April on the Judge SS Jolley bridge that will result in periodic lane closures and crossing delays over the next seven (7) months.

[ID 21-1481](#) American Rescue Plan Act (ARP)

City Manager McNees reported that the American Rescue Plan Act fund estimates for states, counties and cities are still just 'estimates', and that the discussion of potential applications for those funds will come forward to the Council at a future date once actual allocations have been confirmed.

17. City Attorney's Report

None.

18. Departmental Reports

[ID 20-1211](#) Monthly Departmental Reports

Councilor Irwin addressed a question to Police Chief Frazzano regarding the Police Department's February Activity Report. Chief Frazzano responded to Councilor Irwin's satisfaction.

19. Citizens' Comments

No citizens came forward to comment during this portion of the meeting.

20. Adjournment

There being no further business before the Council, the meeting adjourned at 9:00 P.M.

Jared Grifoni, Council Chair

ATTEST:

*Casey Lucius, Assistant to the City Manager
And Acting City Clerk*

PREPARED BY:

Jim Kornas, Recording Specialist