

City of Marco Island Florida

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



Meeting Minutes - Final

Monday, October 4, 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

COMPREHENSIVE PLAN CONSULTANT TEAM:

Dr. Margaret Banyan, Professor & Project Leader, Florida Gulf Coast University (via Zoom teleconference)
Alexis Crespo, Vice President of Planning, Waldrop Engineering

CITY STAFF:

Michael McNees, City Manager (via Zoom teleconference)
Casey Lucius, Assistant City Manager
Laura Litzan, City Clerk
Alan L. Gabriel, City Attorney
Tracy Frazzano, Police Chief
Dave Batiato, Deputy Fire Chief
Daniel J. Smith, Community Affairs Director
Tim Pinter, Public Works Director
Jose Duran, Information Technology Director
Jeff Poteet, Water & Sewer General Manager
Mary Holden, Senior Planner (via Zoom teleconference)
Tonia Selmeski, Environmental Planner
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 Councilor Blonna, seconded by Councilor Rola, 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 21-1779](#) Approval of the City Council Special-Called Meeting Minutes of September 20, 2021

MOTION by Vice-Chair Folley, seconded by Councilor Irwin, that the City Council Special-Called Meeting Minutes of September 20, 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 20-1255](#) Approval of the City Council Meeting Minutes of September 20, 2021

MOTION by Vice-Chair Folley, seconded by Councilor Irwin, that the City Council Meeting Minutes of September 20, 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

Vice-Chair Folley requested that Item 7a. (Approval of Employee Insurance Plans) be removed from the Consent Agenda.

Chair Grifoni advised the Council that Item 7b. (Resolution Authorizing the Lease/Purchase of 2021 TYMCO Model 600 Street Sweeper) was corrected to reflect the application of the City's tax exempt status and could be removed for further discussion if any member of the Council wished to do so.

No Councilors requested that this item be removed from the Consent Agenda.

MOTION by Vice-Chair Folley, seconded by Councilor Blonna, that the Consent Agenda be Approved as Amended. 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 Items Listed Below.]

- b. [ID 21-1800](#) Resolution Authorizing the Lease/Purchase of 2021 TYMCO Model 600 Street Sweeper in the amount of \$ 363,232.00 under Florida Sheriffs Association Contract # FSA20-EQU18.0
- c. [ID 21-1803](#) Authorize the City Manager to Execute a Contract 2021-026 with Synagro South, LLC for Biosolids Removal, Dewatering and Hauling in an Estimated Annual Amount of \$359,409.00
- d. [ID 21-1804](#) Authorize the City Manager to Execute a Contract 2021-027 with IMR Development Corp./DBA Jennings Pipelining and Services for Sewer Manhole Rehabilitation Project in the Amount of \$119,810.00

8. Proclamations and Presentations

- a. [ID 21-1770](#) Employee Service Awards and Employee of the Quarter

Assistant City Manager Casey Lucius recognized and called forward the following City employees to receive their appreciation of service recognition certificate and pin as presented by City Council Chair

Jared Grifoni:

1) Mr. Don Davis (5 years); 2) Ms. Sonia Iszler (5 years), and; Mr. Dirk Switken (5 years).

Ms. Lucius also announced and called forward the City's selected 'Employee of the Quarter', Mr. Silvestre Rodriquez, Utility Systems Technician, for recognition and congratulations by Chair Grifoni and the entire City Council.

All of the recognized employees received a warm round of applause from all present.

b. [ID 21-1799](#) Collier County Redistricting Presentation - David Weeks, Collier County Board of County Commissioners' Redistricting Project Manager

Mr. David Weeks, Collier County Board of County Commissioners' Redistricting Project Manager, outlined the rationale and criteria governing the redistricting of Collier County's governing districts following the release of the 2020 census data on county-wide population changes since the 2010 census. He presented the timeline for the notice and solicitation of public comment, and he invited all citizens in the County to attend one or more of the upcoming Public Comment meetings.

The schedule of meetings may be found on the Collier County website at www.colliercountyfl.gov.

c. [ID 21-1805](#) Presentation and Update by Vice-Chairman of the Beach and Coastal Resources Advisory Committee - Bob Eastman

Beach & Coastal Resources Advisory Committee (B&CRAC) Vice-Chair Robert Eastman was introduced by City Environmental Planner Tonia Selmeski to provide an update to the Council on the direction and status of initiatives currently being pursued by the Committee.

The Council expressed its appreciation for the report and the efforts of the Committee.

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

Mr. Eugene Szemere (S. Joy Circle) requested that the Council provide more clarity on the construction plan and timetable for the Veterans' Community Park Project, and he asked that the City schedule one or more meetings for residents to review and comment upon the conceptual renderings during the upcoming winter season.

Mr. Anthony Tomssone (Nassau Rd.) raised concern about his observed lack of caution by westbound drivers on Yellowbird Street as they approach the recently-installed traffic circle. He asked that the City enact an effective enforcement effort to ensure vehicular and pedestrian safety at that location.

Mr. Ed Issler (S. Joy Circle) reminded the Council of the importance of the Island's deed restrictions and the legitimacy and right of the Marco Island Civic Association (M.I.C.A.) to conduct and enforce architectural reviews of projects planned for deed-restricted areas on the Island.

Ms. Kristin Aiuto (S. Joy Circle) supported Mr. Szemere's earlier request for neighborhood meetings on the Veterans' Community Park Project, and she pointed out a recent lack of landscape maintenance outside of the perimeter construction barrier surrounding the Park.

Ms. Lynn Nathason (Bluebonnet Ct.) questioned why she did not receive the email that her neighbor received regarding notification of the evening's discussion and proposed adoption approval of the 2040 Comprehensive Plan. Chair Grifoni pointed out that the email in question did not originate from the City.

10. Quasi-Judicial Public Hearing

None.

11. Ordinances

A. Public Hearings

[ID 21-1801](#) Ordinance - Second Reading - Adoption Package, 2040
Comprehensive Plan

City Clerk Laura Litzan read Ordinance 21-13 into the record by title only.

Chair Grifoni acknowledged and thanked all who were instrumental in developing and refining the Plan as drafted.

Community Affairs Director Daniel J. Smith introduced City Senior Planner Mary Holden (who participated via Zoom teleconference) to recount the public input opportunities and key meetings that were conducted to obtain input.

Dr. Margaret Banyan (also via Zoom teleconference) presented several visuals outlining: 1) the current stage in the Plan's completion timeline; 2) several key Committee and Council actions during the most-recent June through October development timeframe, and; 3) noteworthy changes, as well as several important unchanged aspects of the Plan, as compared to its 2009 iteration.

Public Comment

Mr. Ed Issler (S. Joy Circle) strongly urged the Council to remove all references in Transportation Element 1.6.1 regarding a public trolley. In his opinion, the citizens of Marco Island do not support it. He proposed that a referendum could be put before the Island's voters on this issue to provide the Council with clear, measurable public input. Mr. Issler further requested that 26 units of density still need to be removed from the Plan's density totals to reflect bonus and incentive density units that have been removed in the Plan.

Ms. Christine Dowell (Biscayne Way, via telephone) reminded the Council that the State allows 180 days for the City to resubmit its final draft of the Comprehensive Plan. She strongly urged the Council to take advantage of this time to solicit additional public comment and input. She pointed out several specific examples where she believes this Plan does not fully address the concerns that had been raised during previous reviews.

Dr. William Trotter (N. Collier Blvd., via telephone) noted that early public input sessions for the Comprehensive Plan did not provide enough detail for residents to adequately comment upon. In his opinion, much new content has been added to this Plan since the early public meetings, and he believes that most residents would not support a number of the provisions that encourage and facilitate non-residents crowding the Island.

Mr. John Slocum (Old Marco Lane) pointed out that the initiation of the Plan's development coincided with the COVID-19 pandemic and affected the ability for the full complement of Island residents to actively participate in providing their input to it. Currently, he sees the current version of the Plan as a document with a long, complex sentences that many people cannot easily understand. He urged the Council to "slow down" to allow everyone to spend more time engaging with it.

Mr. Howard Reed (Bald Eagle Dr.) commended the Council for its decision to rephrase certain sections of the Plan with less directive language. He did, however, point out several specific

provisions in the Housing Element of the Plan where directive and non-specific references to Florida statutes still exist. He urged the Council to review, address and correct those references before completing and approving the Comprehensive Plan Adoption Package.

Ms. Katya Landeiro (Peach Ct., via telephone) referenced the comments that she shared in person at the September 20th Comprehensive Plan Workshop, and she urged the Council to "slow down" and to not finalize this Plan until the 'snowbird residents' have an opportunity to fully participate in providing their input.

Ms. Linda Goslee (Treasure Ct.) questioned why the Council is working toward an arbitrary, self-imposed completion deadline. She believes that many Island residents are becoming increasingly angry and distrustful of the motivations of the Council in rushing this through, and she sees the approval of the Plan's Adoption Package to be destructive to the Island's sense of Community. In her view, there is no downside to the Council taking another 60 days to receive public input and to address the many concerns expressed by the residents.

Ms. Teri Sommerfeld (San Marco Rd.) noted that the Council's "last minute" changes at this meeting indicate that the Plan document is not ready for finalization and release. She pointed out that a community-wide survey had not been undertaken, and that many aspects of this Plan, as currently drafted, need additional explanation and clarification.

Ms. Rozine Grey (Sunflower Ct.) pointed out how difficult it was for her and others to find the Comprehensive Plan on the City's website over the recent weeks. She strongly urged the City to make important documents like this much easier to access.

Members of the Council offered a number of amendments affecting the Future Land Use Element, the Housing Element and the Transportation Element after the Motion and Second were advanced. At the conclusion of Council discussion and public feedback, Chair Grifoni summarized and confirmed the Councilors' agreed amendments as follows:

- 1) Amending the asterisk within Transportation Element Section 1.6.1 to read as "... Collier Area Transport (CAT) proposed trolley ...";
- 2) Placing a period to truncate the sentence in Section 1.6.1 immediately after the words: "... public transit services and programs ...", thereby eliminating specific reference to, and consideration of, an island trolley.
- 3) Removing Transportation Element Section 1.4.5 (Mobility) entirely;
- 4) Changing Housing Element Sections 1.7.1 & 1.7.3 to replace the directive modal verbs ("shall" and "will") with the modal verb "may", as appropriate, and;
- 5) Striking the "unit/size", "square feet" and "number of bedrooms" from the descriptive language in Future Land Use Element Section 4.2.3.

**MOTION by Councilor Blonna, seconded by Councilor Babrowski that Ordinance 21-13 - Second Reading - Adoption Package, 2040 Comprehensive Plan, be Approved as Amended and Summarized.
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 7:35 P.M. IT IS NOTED FOR THE RECORD THAT ALL COUNCILORS WERE PRESENT WHEN THE MEETING RECONVENED AT 7:40 P.M.)

B. First Readings

[ID 21-1792](#) Ordinance - First Reading - Amending Chapter 32 "Law Enforcement," Article II "Police Officers' Pension Plan"

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

No members of the public came forward to offer comment.

MOTION by Vice-Chair Folley, seconded by Councilor Brechnitz, that the Ordinance - First Reading - Amending Chapter 32 "Law Enforcement", Article II "Police Officers' Pension Plan" 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

[ID 21-1791](#) Authorize the City Manager to Execute Contract 2021-019 with Quality Enterprises, USA, Inc. for Fruit Farm Creek Restoration Culvert Installation Project in the Amount of \$1,707,271.13

Public Works Director Timothy Pinter outlined the request before the Council and noted that the funding for this project will come from the State of Florida.

No members of the public came forward to offer comment.

MOTION by Councilor Brechnitz, seconded by Councilor Irwin, to Authorize the City Manager to Execute a Contract 2021-019 with Quality Enterprises, USA, Inc. for the Fruit Farm Creek Restoration Culvert Installation Project in the Amount of \$1,707,271.13, 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

13. Items Removed from the Consent Agenda

7a. [ID 21-1735](#) Approval of Employee Insurance Plans

Ms. Leslie Sanford, City Human Resources Manager, and Ms. Athena Erchard, Benefits Consultant with The Gehring Group, Inc., provided an overview of the outcomes that were negotiated with the City's insurance providers for Fiscal Year 2022.

No members of the public came forward to offer comment.

MOTION by Councilor Brechnitz, seconded by Vice-Chair Folley, that the City

Manager be Approved and Authorized to execute the contracts for employee health, dental, vision, life and disability insurance as proposed for Fiscal Year 2022. 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. Council Communications & Future Agenda

Councilor Blonna requested that the Chair and the City Manager review the Agenda for the October 18th Council Meeting to ensure that adequate time is available to review and discuss the City's recommendations related to: 1) the application of a rental registration program; 2) proposed amendments to the current Noise Ordinance, and; 3) the City's process and system for assessing and collecting fines. Councilor Blonna also took a few moments to read aloud a very disappointing and disparaging email that he and other Councilors received from a Marco Island resident on October 2, 2021.

Vice-Chair Folley noted recent developments by NCH Health Systems in the advancement of its plans to replace the current NCH Marco Healthcare Center at the intersection of Bald Eagle and San Marco Roads. He recognized and complimented Councilor Brechnitz's efforts to keep this effort moving in a positive direction for the citizens of Marco Island.

Councilor Babrowski reminded the City Staff of Councilor Folley's request earlier in 2021 to have the City conduct a complete review, rationalization and streamlining of City ordinances with the completion of the Comprehensive Plan. Following comments and recommendations offered by other Councilors, Assistant City Manager Casey Lucius proposed that the City Staff develop and return to the Council with a proposal on how to organize this effort with appropriate citizen input.

Councilor Babrowski also reminded all present to be respectful of others' choices regarding mask wearing to minimize the spreading of the COVID virus.

Councilor Rola advised the Council of his intention to bring forward a whitepaper addressing the prioritization of tasks relative to improving the water quality in the Island's waterways.

Chair Grifoni recalled the direction provided to the Chair of the Beautification Advisory Committee (BAC) at the Council's August 16th meeting, and he asked for a status of the two Council-directed priorities that the Committee is pursuing. Public Works Director Timothy Pinter, as Staff Liaison to the BAC, responded by advising the Council of the Committee's forthcoming October 6, 2021 meeting as the next opportunity to receive the Committee's project status report.

Chair Grifoni shared an update on the discussions that he and the City Manager have had with concerned homeowners regarding the mitigation of construction and post-construction noise at Veterans' Community Park. Councilor Brechnitz proposed that the City reserve some of its final landscaping budget to address whatever neighborhood concerns might arise after construction is complete.

a. [ID 20-1256](#) Future Agenda Items

Vice-Chair Folley requested that a City Staff proposal on a process to review, streamline and amend the City's ordinances consistent with the newly-approved Comprehensive Plan and resulting Land Development Code be placed on a Future Agenda of the Council.

Councilor Rola requested that his whitepaper on Water Quality Improvement Actions be placed on a Future Agenda of the Council.

15. Council Reports - Chickee Huts / Accessory Elements - Councilor Brechnitz

Councilor Brechnitz proposed that the City Staff identify potential ways to improve the approval process

and reduce the cost and the development time required for property owners to add certain low-cost auxiliary structures, such as chickee huts, onto their properties. Community Affairs Director Daniel J. Smith agreed to undertake this effort and return to the Council with a Staff recommendation at a future date.

16. City Manager's Report

Assistant City Manager Casey Lucius reminded the Council that the week of October 17th is designated as 'Government Week', and that this year's effort will highlight the importance and role of the City's citizen volunteers.

17. City Attorney's Report

[ID 21-1802](#) City Attorney's Report

City Attorney Alan Gabriel updated the Council on the progress of the City's discussions with the developer that expressed an interest in the City's surplus Marco Shores properties.

Mr. Gabriel also advised the Council of its need to schedule time before the end of the calendar year for State-mandated ethics training as well as an Applicant's appeal on the Boat Dock Extension Request (BD-21-000177) that came before the Planning Board on September 3, 2021. The Council provided direction to the City Attorney and the City Clerk to facilitate scheduling both items for the Council.

18. Departmental Reports

[ID 20-1257](#) Monthly Departmental Reports

There were no comments or questions on the Department Reports.

19. Citizens' Comments

No members of the public came forward during this portion of the meeting.

20. Adjournment

There being no further business before the Council, the meeting adjourned at 8:38 P.M.

Jared Grifoni, Council Chair

ATTEST:

Laura Litzan, City Clerk

PREPARED BY:

Jim Kornas, Recording Specialist