

# City of Marco Island Florida

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



## Meeting Minutes - Final

**Monday, October 18, 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 City Manager  
Laura Litzan, City Clerk  
Alan L. Gabriel, City Attorney  
Tracy Frazzano, Police Chief  
Chris Byrne, Fire Chief  
Dave Batiato, Deputy 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  
Mary Holden, Senior 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 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

[ID 20-1258](#) Approval of the City Council Meeting Minutes of October 4, 2021

Vice-Chair Folley requested that the elimination of "island trolley" be specifically noted among the amendments summarized by Chair Grifoni prior to the Council Motion and Vote on October 4, 2021 under Item 11.A. Public Hearings: Ordinance - Second Reading - Adoption Package, 2040 Comprehensive Plan.

**MOTION by Councilor Blonna, seconded by Councilor Brechnitz, that the City Council Meeting Minutes of October 4, 2021 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

## 7. 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 Items Listed Below.]

- a. [ID 21-1807](#) Authorize the City Manager to Issue a Purchase Order to InVeris Training Solutions, Inc. for the Firearms Training System (FATS) in the Amount of \$85,849.21 under General Services Administration (GSA) Price Schedule GS-00F-113DA
- b. [ID 21-1834](#) Authorize the City Manager to Issue a Purchase Order to Alan Jay Automotive for a New 2022 Chevrolet Silverado 4500 for the Water and Sewer Department in the Amount of \$72,341.00

## 8. Proclamations and Presentations

- a. [ID 21-1825](#) Proclamation Honoring Division Chief Christopher Crossan

*Chair Grifoni, with the support of the entire Council, City Staff and citizens gathered, announced a Proclamation honoring Fire Rescue Division Chief Christopher Crossan for his 30 years of service to the citizens of Marco Island. With his family gathered around him, Division Chief Crossan expressed his honor and appreciation in being allowed to serve with the many colleagues and friends who have supported him over the years.*

- b. [ID 21-1790](#) Proclamation - Florida City Government Week

*Chair Grifoni proclaimed October 18 - 22, 2021 as Florida City Government Week, and presented City Manager Michael McNees with a Proclamation encouraging residents to learn more about the benefits derived from local government. City Manager McNees noted the information available to citizens and visitors alike on the City's website, and he invited all members of the public to participate in the special activities scheduled for the week.*

- c. [ID 21-1822](#) Presentation - Collier County Public Transit Update

*Vice-Chair Folley briefly summarized the history of the Marco Island City Council in directing an exploration of alternative transportation modes to help alleviate the seasonal traffic and parking issues along the Island's primary Collier Boulevard corridor.*

*Ms. Michelle Arnold, Collier County Director of Alternative Transportation Modes, and Mr. Bob Cholka, Chair of the formerly-active Marco Island Ad Hoc Parking Committee, each presented and discussed the proposals and recommendations that their respective teams developed for a "hop on / hop off" trolley in response to the Council's direction. Many questions were raised by members of the Council and addressed by Ms. Arnold and Mr. Cholka.*

*Public Comment*

*Ms. Diana Dohm, Executive Director of the Marco Island Chamber of Commerce, outlined the Chamber's perspective and support for a trolley and the proposed Collier County trial, and she urged the Council to support the County's plan.*

*Dr. Bill Trotter (N. Collier Blvd.) shared his belief that the trolley concept is not in the best interest of residents who wish to retain the Island's "small town feel" as described in the City's Strategic Plan. Pointing to a divergence of objectives between the desires of the County and the Island's residents, he strongly recommended that the Council reject the County's recommended December 4 - 5 trial run.*

*Mr. Ed Issler (S. Joy Circle) noted that Collier County's population is growing at a rate that is much higher than that of Marco Island. In light of this growth, he cautioned the Council to look beyond individual Councilor preferences and consider the "greater good" of the residents. He pointed out several disadvantages to traffic flow inherent with a trolley operation on narrow roads, and he reminded the Council of the option to bring a referendum before the citizens on this issue.*

*Mr. Erik Condee (Osprey Ct.) thanked the Ad Hoc Parking Committee for its work, and he encouraged all who have a point of view on this issue to bring forward alternative solutions, and not just opposition to concepts that have been proposed.*

*Ms. Joy Schrader (Edington Place) shared her experiences as long-time homeowner who uses a bicycle as her primary conveyance around the Island. Seeing the Island now "at a tipping point", she urged the Council to consider the negative impacts of encouraging even more people to visit the Island.*

*Mr. Lynn Griebahn (Collingswood Ave.) indicated that, though he came to the evening's meeting undecided about the proposed trolley, he was disappointed by the negative attitude of his fellow residents toward people who come from off the Island.*

*Mr. James Rosenberger (N. Collier Blvd.) expressed his concern that not enough advanced communication was offered to residents to learn about the proposals presented at the evening's meeting. He rhetorically inquired as to who would pay for this service, and he indicated his belief that only the Island's business owners would benefit from a trolley system.*

*Ms. Carol DiPaolo (N. Collier Blvd.) indicated that she is "100% against" the trolley. Referencing the Island's 2020 calendar year experience with many more off-Island visitors, excessive trash buildup and traffic around the beach access areas, she asked the Council to think about preserving the character of the Island rather than accelerating its change.*

*Ms. Mary Doveas-Pitzi (S. Collier Blvd.) relayed her similar experiences with a noticeable increase in trash since the 2020 influx of visitors to the Island, and she noted recent incidences of being approached by panhandlers around the public beach access walkways.*

*Mr. Joe Alger (Clyburn St.) offered several observations regarding the earlier guest presentations, as well as his thoughts on: 1) transportation funding; 2) surveying the Island's residents for their input, and; 3) his perceived motivations of those who are promoting the trolley concept.*

*Mr. John Slocum (Old Marco Lane) noted his long-time residency on the Island and how its pristine environment drew him to Marco. Wishing to maintain the Island's beauty and character, he voiced his concern that the trolley will negatively impact that environment. He graciously asked the Council to pay heed to the voice of the residents.*

*Ms. Patti LaMotte (S. Heathwood Dr.) noted that the proposed Collier Area Transit plan would have the trolley passing the front of her home twenty-two times a day. She questioned how the Ad Hoc Parking Committee's trolley concept for Collier Boulevard morphed into a circulating "hop-on / hop-off" transit route*

that includes stops at the primary shopping (and parking) areas on the Island. She strongly encouraged the Council to vote "No" on the trolley proposal.

Ms. Margaret Bramel (Bond Ct.) sees the proposed trolley as a serious safety issue for the Island, and she questioned why a trial weekend test and ridership data needs to be collected when the Council clearly hears and sees the pushback from the Island's residents. She does not believe that the trolley will solve the Island's parking and congestion issues.

Ms. Megan Greer (Blue Zones Project Worksite Lead, Naples) recognized the community interest and concern voiced by the residents who spoke, and she reiterated her organization's desire to bring meaningful solutions to address the ever-growing population impacts on the quality of life for Southwest Florida residents. She thanked everyone for becoming actively engaged in helping to direct her organization's efforts, and asked those present to be open to trying new ideas designed to alleviate the problems that accompany rapid population growth.

Ms. Deborah Heeran (Biscayne Way) 1) quoted the wording in the proposed transit route description; 2) proposed that a citizen vote on this topic be scheduled, and; 3) expressed her belief that tolls should be considered for the bridges coming onto the Island.

Mr. Howard Reed (Bald Eagle Dr.) questioned the validity of the proposed trolley trial weekend data gathering plan given that rigorous forethought, hypothesis development and controlled testing parameters had not been established in advance. He noted that, when a service is truly valuable, entrepreneurial resources usually respond to satisfy it. Noting that Uber and Lyft services are not responsive and well-developed on Marco Island suggests to him that the local market for publicly-available transit solutions is not sufficiently viable. A trolley, in his opinion, is a bad idea for Marco Island at this time.

Ms. Linda Goslee (Treasure Ct.) indicated "a passion" for data and statistics. Agreeing with Mr. Reed, she sees the proposed trolley trial as inadequately defined and planned. In her opinion, those who have spoken favorably about their trolley experiences in other locations as tourists are inappropriately assuming that similar positive benefits accrue to local residents. She urged the Council to abandon the trolley idea for Marco Island.

Mr. Dan McCausland (Yellowbird Rd., via telephone) thanked the Council for dropping specific references to a trolley in the recently completed 2040 Comprehensive Plan. He sees the trolley as a concept to benefit the business community, and a detriment of those make Marco Island their home. In his opinion, encouraging more visitors is not what the Island needs at this time in its history.

Ms. Anita Coke (unknown location, via telephone) expressed her doubt that the proposed two-day trolley trial will help determine its ultimate affect on traffic and parking congestion. She cannot see many residents walking to the designated trolley stops to take advantage of it and, as a result, she questioned its value for the residents of the Island.

Ms. Kathy McAdams (unknown location, via telephone) noted that the beaches are what draw visitors to Marco Island. Though she initially felt that the trolley might be a good idea, upon hearing the concerns raised by others, she is now in opposition to it. She urged the Council to reject the trolley concept.

**MOTION by Councilor Brechnitz, seconded by Vice-Chair Folley, that Collier County Area Transit (CAT) be asked to cancel its proposed December 4 - 5, 2021 Marco Island Trolley Test, and to suspend its plans for a 'hop-on / hop-off' trolley service for Marco Island for the foreseeable future. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 4 - Councilor Brechnitz, Vice-Chair Folley, Councilor Rola and Councilor Babrowski

**No:** 3 - Councilor Blonna, Councilor Irwin and Chair Grifoni

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

*Mr. Ed Issler (S. Joy Circle) reminded the Council and all present that the approval and construction of parking garages is not a permitted use in commercial or residential districts under the Island's existing property deed restrictions.*

## 10. Quasi-Judicial Public Hearing

[ID 21-1810](#) Resolution - Coastal Construction Control Line Variance Setback request (CCCL-21-000194)) for the property located at 594 Spinnaker Drive, Marco Island, FL 34145

*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 Appeal.*

*City Clerk Laura Litzan read Resolution 21-48 into the record by title only.*

*City Senior Planner Mary Holden outlined the Planning Board recommendation regarding the request and, along with Mr. Matthew Goddard, P.E. on behalf of the Applicant, responded to questions raised by members of the Council.*

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

**MOTION by Councilor Brechnitz, seconded by Councilor Rola, that Resolution 21-48 - Coastal Construction Control Line Variance Setback Request (CCCL-21-000194) for the Property Located at 594 Spinnaker Drive, 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

*None.*

*(THE MEETING WENT INTO RECESS AT 8:15 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 21-1811](#) Ordinance - First Reading - Change to Section 30-526 (g) regarding Signs for Commercial, Public Use and Community Facility Districts

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

Community Affairs Director Daniel J. Smith provided the Council with visuals and the rationale for the proposed change. Together with Ms. Kim Binkley Seyer, Founder of the Seyer Group representing the Marco Island McDonald's franchisee, he addressed questions from members of the Council.

*Public Comment*

Mr. Howard Reed (Bald Eagle Dr.) relayed his experiences in the drive-thru lane at McDonalds as a regular customer, and he heartily supported the proposed sign technology upgrade.

Following the discussion and inputs provided, the Council requested that the proposed Ordinance be revised to specify up to two digital menu signs, totaling no more than 30 square feet, with one single sign not to exceed 24 square feet.

**MOTION by Vice-Chair Folley, seconded by Councilor Brechnitz, that the Ordinance - First Reading - Change to Section 30-526 (G) Regarding Signs for Commercial, Public Use and Community Facility Districts be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

2. [ID 21-1812](#) Ordinance - First Reading - Land Development Code (LDC) Amendment to Sec. 30-222, of the Commercial Intermediate (C-3) District, adding Use Code 812199 - Other Personal Care Services which includes Permanent Makeup, but excludes Massage and Tattoo Parlors

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

Community Affairs Director Daniel J. Smith provided background and detail of the Planning Board's deliberations regarding proposed amendment, and he noted the corrections required in the titling of the Ordinance to be updated for its second reading.

No members of the public came forward to offer comment.

**MOTION by Councilor Blonna, seconded by Councilor Irwin, that the Ordinance - First Reading - Land Development Code (LDC) Amendment to Sec. 30-222, of the Commercial Intermediate (C-3) District, Adding Use Code 812199 - Other Personal Care Services Which Includes Permanent Makeup, be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

3. [ID 21-1821](#) Ordinance - First Reading - Noise Control Amendments

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

Police Chief Tracy Frazzano recapped the recent history and development of the Ordinance and explained the reasons for the proposed amendments.

*Public Comment*

*Mr. Hayden Dubois (W. Elkcam Circle) expressed his opinion that the proposed modifications represent an appropriate balance and compromise, and he recommended that the City undertake a robust educational campaign to ensure that property owners and renters alike fully understand and appreciate the provisions of the Ordinance.*

*Mr. Howard Reed (Bald Eagle Dr.) offered his following thoughts for consideration: 1) that the 9 PM - 7 AM period should be fully synchronized across all elements of the Ordinance; 2) that the measurement of 'plainly audible' standard of 50 feet from the property line should be removed, and; 3) that the proposed increase to the 68 dBA threshold is too high.*

*Mr. Brian Quinn (unknown address) requested clarification of the decibel threshold that would be in effect in residential areas at 11:00 P.M. Chair Grifoni provided Mr. Quinn with a response.*

**MOTION by Councilor Irwin, seconded by Vice-Chair Folley, that Ordinance - First Reading - Noise Control Amendments, 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

### ***Motion to Extend the Meeting***

**MOTION by Councilor Brechnitz that the City Council Meeting be extended to conclude no later than 10:30 P.M. 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

## **12. Resolutions & City Council Items**

### **a. [ID 21-1838](#) Process for Assessing and Collecting Fines**

*City Finance Director Guillermo Polanco presented a review of the public accounting standards for how and when fines may be recognized in the City's financial system, and he outlined the existing procedures for collecting and mitigating amounts owed. Several policy options were presented for Council consideration, and Mr. Polanco addressed a number of questions from members of the Council.*

#### *Public Comment*

*Mr. Hayden Dubois (W. Elkcam Circle) offered his comments regarding the policy options presented, and he recommended that the Council also consider implementing an ongoing interest accrual rate on outstanding sums owed to further encourage payment by citizens and contractors who might be in arrears.*

**MOTION by Councilor Brechnitz, seconded by Chair Grifoni, that the City Manager & Staff be authorized to investigate and bring back for Council action the estimated provisions, costs and resource allocations required to implement proposed Policy Option #2 (seeking Court judgments) and Policy Option #3 (withholding City permits), 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 21-1823](#) Discussion - Vacation Rental Registration Program**

Assistant City Manager Casey Lucius presented a brief summary of the Staff's investigation into the development of a registration ordinance, highlighting the nine identified required elements and the nine optional provisions that the Council could consider in directing the development of such an ordinance. She also addressed a number of questions from members of the Council.

*Public Comment*

Mr. Hayden Dubois (W. Elkcam Circle) recommended that the Council consider establishing an ad hoc citizen committee to examine the issue, investigate and examine what other municipalities have enacted on this topic, and provide recommendations for Council consideration.

Ms. Christine Dowell (Biscayne Way) shared an occupant safety condition reported to her by a tenant in a long-term rental property that remains, in her opinion, an important consideration for the Council and the City to address relative to residential rental properties.

Chair Grifoni, in the course of Council's discussion, reminded the Council and those present of the City's 2022 legislative priority regarding local municipality access to Florida Department of Business & Professional Regulation (DBPR) records as well as the likelihood of additional action by the Florida State Legislature on the subject of short-term vacation rentals during the Spring, 2022 legislative session.

**MOTION by Vice-Chair Folley, initially seconded but subsequently withdrawn by Councilor Brechnitz, that consideration of a vacation rental registration program be deferred for Council review until January, 2022. MOTION FAILED FOR LACK OF A STANDING SECOND.**

**13. Items Removed from the Consent Agenda**

No items were removed from the Consent Agenda at this meeting.

**Motion to Extend the Meeting**

**MOTION by Councilor Brechnitz, seconded by Vice-Chair Folley, that the City Council meeting be extended to conclude no later than 10:45 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

**14. Council Communications & Future Agenda**

Councilor Irwin offered her apologies to the few citizens who did not receive email responses from her on the earlier Collier Area Transit trolley discussion as she had initially indicated. She also proposed an item for the Council's Future Agenda.

Councilor Babrowski advised the Council of her discussion with the City Manager regarding the need to undertake a full review of the Land Development Code in line with the recently adopted 2040 Comprehensive Plan. Recognizing that the City has just under one year to complete such a review, she recommended that a small sub-group of the Planning Board be tasked with the responsibility to complete the assessment and propose corresponding changes to the Land Development Code.

Councilor Babrowski also took a moment to share a quote from an original Mackle Brothers brochure description for Marco Island that read: [Marco Island is] "... paradise found, with the haunting allure of the South Seas and a pulse-tingling excitement of island living ...".

Councilor Brechnitz requested that the City Staff provide the Council with periodic progress updates on the major projects currently underway on the Island. City Manager McNees responded by noting his intention to have updates posted and updated regularly for the public to view on the City's website on: 1) Veterans' Community Park; 2) the Fire Station 50 reconstruction; 3) the City Staff office renovation and move, and; 4) planned City actions in response to the Environmental Research & Design, Inc. water quality report to Marco Island.

Councilor Blonna reported on his recent participation in the Southwest Florida Regional Resiliency Compact meeting, and he noted the Compact's plan to seek insight from similar successful governmental compacts on Florida's east coast.

Vice-Chair Folley reported on plans by the Collier Metropolitan Planning Organization (MPO) to pull forward by four years (from 2025) a major renovation and reconstruction transportation roadway project at Interstate 75 and S.R. 951 (Collier Boulevard) in response to infrastructure stimulus funds expected to be received from the Federal government.

Chair Grifoni shared photographs of the recently-installed shade structures around the children's play area at Mackle Park. He thanked Parks & Recreation Advisory Committee member Adrian Conner for spearheading the effort, as well as broadly recognizing all those who had a hand in making this improvement happen.

#### [ID 20-1259](#) Future Agenda Items

Vice-Chair Folley requested that the review and consideration of a property rental registration process be placed on a Future Agenda of the City Council.

Councilor Irwin proposed that a program to tree-line the City's streets with "10,000 Trees in 10 Years" be added as a Future Agenda item for the City Council.

### **15. Council Reports**

#### [ID 21-1841](#) FY 2022 City Manager Goals - Vice-Chair Folley

Vice-Chair Folley highlighted the key changes and weightings associated with the proposed revisions to the City Manager's fiscal year 2022 goals, and several Council members offered recommendations to further improve them.

City Manager McNees volunteered to update the document with the Council's input, and to bring his proposed re-draft to Vice-Chair Folley and the Council for final review and approval.

### **16. City Manager's Report**

None.

### **17. City Attorney's Report**

#### [ID 20-1260](#) City Attorney's Report

City Attorney Alan Gabriel reminded the Council of its ethics training session on Monday, November 1st at 12:00 noon, as well as the scheduling of an Applicant's boat dock appeal at 9:30 A.M. on Monday, December 6th.

### **18. Departmental Reports**

[ID 20-1261](#) Monthly Departmental Reports

*No comments or questions were raised on the Department Reports.*

**19. Citizens' Comments**

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

**20. Adjournment**

*There being no further business before the Council, the meeting adjourned at 10:45 P.M.*

\_\_\_\_\_  
*Jared Grifoni, Council Chair*

ATTEST:

\_\_\_\_\_  
*Laura Litzan, City Clerk*

PREPARED BY:

\_\_\_\_\_  
*Jim Kornas, Recording Specialist*