

# City of Marco Island Florida

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



## Meeting Minutes - Final

**Monday, December 6, 2021**

**5:30 PM**

**Community Meeting Room**

### **City Council**

*Chair: Erik Brechnitz  
Vice-Chair: Jared Grifoni*

*City Council: Claire Babrowski,  
Rich Blonna, Greg Folley,  
Becky Irwin, Joe Rola*

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

## 1. Call to Order

*Chair Brechnitz 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  
Tim Pinter, Public Works Director  
Jose Duran, Information Technology Director  
Martin Luna, Video/Broadcast Technician  
Jim Kornas, Recording Specialist  
Citizens and Visitors*

## 3. Invocation

*Offered by Reverend Thomas McCulley of the New Life Community Church.*

## 4. Pledge of Allegiance

*Led by Chair Brechnitz.*

## 5. Approval of the Agenda

*Chair Brechnitz noted that Agenda Item 8c. (Ten Thousand Trees in Ten Years) has been deferred to a future meeting of the City Council.*

**MOTION by Vice-Chair Grifoni, seconded by Councilor Irwin that the 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

## 6. Approval of the Minutes

- a. [ID 21-1964](#) Approval of the City Council Workshop Minutes of November 1, 2021

**MOTION by Councilor Blonna, seconded by Councilor Folley that the Workshop Minutes of November 1, 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 20-1266](#) Approval of the City Council Meeting Minutes of November 1, 2021

**MOTION by Councilor Blonna, seconded by Councilor Irwin, that the City Council Meeting Minutes of November 1, 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 Councilor Folley, seconded by Vice-Chair Grifoni, that the Consent Agenda 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

### **[Approval of Consent Agenda Passed the Routine Items Listed Below]**

- a. [ID 21-1840](#) Resolution Approving the Uniform Method for Collection of Non-Ad Valorem Assessments
- b. [ID 21-1987](#) Authorize the City Manager to Execute a Change Order #1 to Contract 2021-029, San Marco Road and Heathwood Drive Intersection Reconstruction Project, with Quality Enterprises USA in the Amount of \$115,127.84 for the Additional Work to Repair a Failed Seawall Outfall Pipe location, due to Differing Site Conditions

## **8. Proclamations and Presentations**

- a. [ID 21-1881](#) Employee Recognition of Jason Smalley (5 years of service) and Pablo Uvalle (29 years of service)

*City Manager McNees recognized and called forward City Employee Pablo Uvalle of the Water & Sewer Department whose exceptional 29 years of service to the citizens of Marco Island was applauded by all present. City Council Chair Erik Brechnitz, on behalf of the Council and the City Staff, read a Proclamation honoring Mr. Uvalle's service, and presented him with his recognition certificate and pin.*

*Mr. Jason Smalley, who was also scheduled to be recognized for his five years of service to the City, was unable to be present, and will be honored at a City departmental gathering at a more opportune time and date.*

- b. [ID 21-1978](#) Presentation - "Chair of Honor"

*Assistant City Manager Casey Lucius introduced Mr. Carl Steinhoff of Rolling Thunder Florida Chapter 5 to present the 501(c)4's proposal to provide and locate a POW/MIA Chair of Honor Memorial at Veterans' Community Park upon the completion of the park renovation and infrastructure development project currently underway.*

*Chair Brechnitz, on behalf of the Council and City Staff, conveyed the City's support for the organization's donation, and he remanded the memorial's placement and execution details to the City's Parks & Recreation Advisory Committee.*

- c. [ID 21-1980](#) Ten Thousand Trees in Ten Years - Councilor Becky Irwin

*As noted under Item 5 (Approval of the Agenda), this item was removed from the Agenda for discussion at a future meeting of the City Council.*

### **Special Recognition**

*Chair Brechnitz, in an off-Agenda action, recognized and honored current Vice-Chair Jared Grifoni for his leadership and accomplishments as Chair of the Marco Island City Council from November 9, 2020 through November 1, 2021.*

*Following his receipt of an honorary gavel wall plaque, Vice-Chair Grifoni expressed his gratitude for the outstanding spirit of teamwork and support that he received from his fellow Councilors and City Staff during his tenure as Council Chair.*

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

*Mr. William Palladino (Sea Ct.) presented his proposal for a revision to the City's existing ordinance regarding allowable coverings for boat docks and personal water pleasure craft in residential districts on the Island. Following Mr. Palladino's presentation, Chair Brechnitz asked Community Affairs Director Smith to assist Mr. Palladino in preparing and scheduling his proposal for review with the City's Planning Board.*

*Mr. Phil Kostelnik (Channel Ct.) conveyed his appreciation to all who were responsible for the emotionally-moving November 11th Veterans' Day memorial program ceremony. He also reminded all present of the country's solemn 80th Anniversary of the December 7, 1941 attack on Pearl Harbor that precipitated the United States' entry into World War II.*

*Captain Barbara Evans (Rose Ct.) conveyed her support of Mr. William Palladino's request, and she expressed her belief that his proposal would produce more environmentally-friendly alternatives for residents with boats here on Marco Island.*

*Mr. Rich Kohner (Partridge Ct.) reminded the Council of previous discussions before it regarding the execution of a City-wide citizen survey, and asked for an update on the status of density credits that was discussed earlier this year during the finalization of the City's Comprehensive Plan. Chair Brechnitz asked Mr. Kohner to meet with Community Affairs Director Smith for an update on both topics.*

*Ms. Christine Dowell (Biscayne Way) indicated that the topic upon which she wished to comment was removed from the Agenda.*

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

[ID 21-1993](#) Resolution - Utility Vacation Easement request (LV-21-000264) for Property Located at 1066 Goldenrod Avenue and 1049 Admiralty Court, 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 then read Resolution 21-53 into the record by title only.*

*Community Affairs Director Daniel J. Smith outlined the purpose for the proposed easement request, and he noted the City's recommendation for approval.*

*Attorney Jennifer M. Tenney of Tenney Law came forward prepared to address questions from the Council. Councilor Rola posed a question for Ms. Tenney's response.*

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

**MOTION by Vice-Chair Grifoni, seconded by Councilor Folley, that Resolution 21-53 - Utility VAcation Easement Request (LV-21-000264) for Property Located at 1066 Goldenrod Avenue and 1049 Admiralty Court, 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**

1. [ID 21-1979](#) Ordinance - Second Reading - Amending Chapter 32 "Law Enforcement," Article II "Police Officers' Pension Plan"

*City Clerk Laura Litzan read Ordinance 21-17 into the record by title only, and noted the Impact Statement contained within the Council's information packet.*

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

**MOTION by Councilor Folley, seconded by Councilor Rola, that Ordinance 21-17 - Second 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

2. [ID 21-1994](#) Ordinance - Second Reading - Change to Section 30-435 to add a Section Regarding Synthetic Turf Material and Installation Standards

*City Clerk Laura Litzan read Ordinance 21-18 into the record by title only.*

*Community Affairs Director Daniel J. Smith recalled for the Council the First Reading of this ordinance at the Council's November 1st meeting.*

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

**MOTION by Councilor Irwin, seconded by Vice-Chair Grifoni, that Ordinance 21-18 - Second Reading - Change to Section 30-435 to Add a Section Regarding Sythetic Turf Material and Installation Standards, 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. First Readings**

- [ID 21-1995](#) Ordinance - First Reading - Request to Subdivide One Lot into Three Separate Tracts for San Marco Health (SUB-21-000176) Located at 40 South Heathwood Drive, Marco Island, FL 34145

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

*Community Affairs Director Daniel J. Smith explained the purpose for the proposed subdivision of the lot at 40 South Heathwood Drive, and he came prepared to address questions from members of the Council and the public.*

*No Councilors posed a question. No members of the public came forward to offer comment.*

**MOTION by Councilor Folley, seconded by Councilor Blonna, that Ordinance - First Reading - Request to Subdivide One Lot into Three Separate Tracts for San Marco Health (SUB-21-000176) Located at 40 S. Heathwood Drive, Marco Island, FL 34145, be Approved to Advance to its Second Reading. 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

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

### **a. [ID 21-1851](#) Approval of the 2022 City Council Meeting Schedule**

*No members of the Council raised a concern regarding the 2022 City Council Meeting Schedule.*

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

**MOTION by Councilor Folley, seconded by Vice-Chair Grifoni, that the 2022 City Council Meeting Schedule 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 21-1996](#) Authorize the City Manager to Execute a Contract 2022-002 with Coastal Concrete Products, LLC for Construction of the Durnford Way Parking and Stormwater Project in the Amount of \$978,657.30**

*Public Works Director Timothy Pinter outlined the recommendations of the 2017 Ad Hoc Parking Committee regarding the area in and around Durnford Way, and he noted the proposed sources that have been identified to fund the project. He responded to, and addressed, the various questions raised by members of the Council.*

*Public Comment*

*Mr. Joseph Oliverio (Caxambas Ct.) came forward to provide his insight as a member of the 2017 Ad Hoc Parking Committee, and he recommended that the Council approve the project.*

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

**MOTION by Councilor Folley, seconded by Councilor Irwin, to Authorize the City Manager to Award the Bid for the Construction of the Durnford Way Parking and Stormwater Project, in the Amount of \$978,657.30 to Coastal Concrete Products, Inc., 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 21-1986](#) Update on the sale of Surplus Property

*City Attorney Alan Gabriel updated the Council on the four properties previously identified as 'surplus', and requested authorization for the City Manager to proceed with the sale of the property at 239 Tahiti Road.*

*Later, following the Council's authorization of the Tahiti Road sale and further Council discussion on the status of the Marco Shores surplus properties, Mr. John Kassolis, President of SK Holdings, provided an update of his firm's negotiation to obtain density credits for the two Marco Shores parcels.*

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

**MOTION by Vice-Chair Grifoni, seconded by Councilor Rola, that the authorization for the City Manager to proceed with the sale of the City's property at 239 Tahiti Road 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**

*No items were removed from the Consent Agenda.*

**14. Council Communications & Future Agenda**

*Councilor Blonna advised the Council of Conservation Collier's upcoming meeting to rank its candidate pool of properties for purchase in 2022. He noted that four parcels on Marco Island are among those properties under consideration by Conservation Collier.*

*Councilor Blonna also shared his recent awareness of a newly-announced grant opportunity offered by the Southwest Florida Water Management District designed to identify and fund worthy alternative water supply and conservation projects. Noting that Marco Island meets several of the key criteria for consideration, he asked that the City Staff participate in one of the two informational webinars scheduled during January, 2022, and to assess how Marco Island might best position itself to approach this opportunity.*

*Vice-Chair Grifoni thanked the members of the Beautification Advisory Committee and the City's Public Works Department for the impressive, newly-installed array of Holiday lights and decorations that greet visitors upon their arrival onto the Island from the Judge SS Jolley Bridge.*

*Councilor Folley updated the Council on the conversation that he and City Manager McNeas recently engaged in with Ms. Donna McGinnis, President & CEO of Naples Botanical Garden, regarding her organization's willingness to advise and provide insight to the City in optimizing its landscaping and vegetation plan for Veterans' Community Park.*

*Councilor Brechnitz reminded City Manager McNeas that regular progress updates on the status of the Veterans' Community Park Project, the Fire Station 50 rebuild and the City Hall Annex modification be provided to the Council. City Manager McNeas noted that regular updates on all three projects are slated to be viewable on the City's website very soon.*

[ID 20-1265](#) Future Agenda Items

*Councilor Blonna requested that the City Clerk obtain and attach a copy of Collier County's recently-approved short-term rental registration ordinance to his white paper regarding a proposed property registration ordinance for Marco Island.*

*Councilor Folley requested that, in follow-up to the recently-adopted Comprehensive Plan, that the City Staff work toward bringing forward recommendations from the Planning Board and the City Staff on*

*potential changes to the City's Ordinances and Land Development Code to the February 22, 2022 meeting of the City Council.*

## **15. Council Reports**

*None.*

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

*City Manager McNees reported on the legality of underwater green fishing lights and red LED dock lighting that many residents have installed on their docks along the Island's canal system. Recognizing that the City's ordinance regulating these lighting types requires updating, City Manager McNees requested Council support to remand this issue to the Waterways Advisory Committee for recommendations that would amend and modernize the City's ordinance. The Council endorsed Mr. McNees' request.*

*Referencing the Water & Sewer Impact Fee Study included among the Department Reports, Mr. McNees alerted the Council that it will be seeing the City's output from its vendor selection process soon.*

*Mr. McNees also advised the Council of his discussion with the Marco Island Planning Board on that Board's role in addressing modifications to the City's Land Development Code and City Ordinances in line with the recently-adopted Marco Island Comprehensive Plan. He was pleased to advise the Council that the Planning Board embraced its role in this matter, and it decided to expand its meeting schedule to two meetings monthly to address this challenge.*

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

### [ID 20-1264](#) City Attorney's Report

*City Attorney Alan Gabriel indicated his intention to streamline future monthly written reports to minimize descriptions on pending litigation matters that have not progressed significantly since his previous report. He also invited the Council to reach out to him on any pending matters for which they wish additional detail or insight.*

## **18. Departmental Reports**

### [ID 20-1241](#) Monthly Departmental Reports

*Councilor Blonna pointed to the accomplishments noted in the Community Rating System Floodplain Management 2021 Annual Report, and he complimented Police Chief Tracy Frazzano on all that she and her team is doing to improve the capabilities and productivity of the Police Department.*

*Councilor Blonna urged all citizens to take the time to become familiar with, and read, the Monthly Department Reports.*

*Additionally, Councilor Babrowski and Chair Brechnitz raised questions regarding certain items noted in the Department Reports.*

## **19. Citizens' Comments**

*No members of the public came forward to offer comment during this portion of the meeting.*

## **20. Adjournment**

*There being no further business before the Council, the meeting adjourned at 7:05 P.M.*



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*Erik Brechnitz, Council Chair*

ATTEST:

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*Laura Litzan, City Clerk*

PREPARED BY:

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