

# City of Marco Island Florida

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



## Meeting Minutes - Final

**Monday, October 3, 2022**

**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*

*Assistant City Manager: Casey Lucius*

*City Attorney: Alan L. Gabriel*

*City Clerk: Mike Sheffield*

## 1. Call to Order

*Chair Brechnitz called the meeting to order at 5:30 P.M. and took a few moments to convey sympathy and concern for those experiencing tremendous hardship in the aftermath of Hurricane Ian. On behalf of the entire Council, he praised the efforts by the City Staff, its leaders, first responders, volunteers, civic and faith-based organizations, and all support agencies that responded, and continue to respond, to the needs of the residents of Marco Island and its neighboring communities.*

## 2. Roll Call

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

### Also Present

*Michael McNees, City Manager  
Casey Lucius, Assistant City Manager  
Mike Sheffield, City Clerk  
Alan L. Gabriel, City Attorney  
Tracy Frazzano, Police Chief  
Chris Byrne, Fire Chief  
Daniel J. Smith, Community Affairs Director  
Justin Martin, Interim Public Works Director  
Jose Duran, Information Technology Director  
Jeff Poteet, Water & Sewer General Manager  
Lina Upham, Purchasing & Risk Manager  
Martin Luna, Video/Broadcast Technician  
Jim Kornas, Recording Specialist  
Citizens and Visitors*

## 3. Invocation

*Offered by Pastor Ken Garazin of Marco Lutheran Church.*

## 4. Pledge of Allegiance

*Led by Chair Brechnitz.*

## 5. Approval of the Agenda

**MOTION by Councilor Folley, seconded by Councilor Irwin, that the Agenda be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

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

## 6. Approval of the Minutes

- a. [ID 21-1949](#) Approval of the City Council Meeting Minutes of September 19, 2022

**MOTION by Vice-Chair Grifoni, seconded by Councilor Blonna, that the City Council Meeting Minutes of September 19, 2022 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

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

- b. [ID 22-2451](#) Approval of the Special-Called State of Emergency Meeting of September 26, 2022

**MOTION by Councilor Folley, seconded by Councilor Irwin, that the Special-Called State of Emergency Meeting Minutes of September 26, 2022 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

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

## 7. Approval of Consent Agenda

*Councilor Rola requested that Items 7c. (Authorize the City Manager to Issue a Purchase Order to Quality Enterprise USA, Inc. ... in the Amount of \$97,432.90), and 7e. (Authorize the City Council Chairman to Execute a Submerged Land Easement Agreement), be removed from the Consent Agenda. As a result, Items 7c. & 7e. are now reflected in these Minutes under Topic #13: Items Removed From the Consent Agenda.*

**MOTION by Councilor Blonna, seconded by Councilor Rola, that the Consent Agenda be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:**

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

### [Approval of the Consent Agenda Passed The Routine Items Noted Below]

- a. [ID 22-2438](#) Approval of Employee Insurance Plans - Leslie Sanford, Human Resources Manager
- b. [ID 22-2435](#) First Amendment to the City Attorney Representation Agreement - Lina Upham, Purchasing & Risk Manager
- d. [ID 22-2448](#) Authorize the City Council Chairman to Execute a Submerged Land Renewal Easement Agreement with the State of Florida Board of Trustees of the Internal Improvement Trust Fund to Continue to Allow the Caxambas Court Bridge Improvements for a Period of 50 years - Justin Martin, P.E., Interim Director, Public Works

## 8. Proclamations and Presentations

- a. [ID 22-2173](#) Employee Service Awards
- |              |          |
|--------------|----------|
| Scott Cory   | 10 Years |
| Dan Stoller  | 15 Years |
| Heather Reed | 10 Years |

*City Manager McNees recognized and called forward Fire Captain Paramedic Scott Cory and Fleet & Facilities Coordinator Heather Reed to receive their appreciation of service recognition certificate and pin as presented by City Council Chairman Erik Brechnitz. Both employees received a warm round of congratulatory applause from all present. (Editorial Note: recognition for Fire Rescue Captain Dan Stoller*

was deferred to another date and time).

**b. [ID - 2383](#) Employee of the Quarter**

*City Manager McNeese announced that, given the recent focus on responding to Hurricane Ian, the recognition and announcement of the City's Employee of the Quarter will be deferred to an upcoming meeting of the City Council.*

**c. [ID 22-2324](#) Proclamation - National Fire Prevention Week**

*Council Chair Brechnitz, with the full support of the Council, read a Proclamation announcing National Fire Prevention Week from October 9 - 15, 2022 for the City of Marco Island. Under the theme "Fire Won't Wait, Plan Your Escape", Fire Chief Byrne and the members of the Marco Island Fire Rescue team urge residents take the time to assess their surroundings, communicate with family members, and establish a fire evacuation plan in the event of an incendiary event in their home or business location.*

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

*Mr. Hayden Dublois (Collier Ct.) offered his support of earlier comments by members of the Council regarding the City Staff and citizen volunteers who rose to the occasion in the aftermath of Hurricane Ian. He also urged the Council to act quickly in rescheduling of the Workforce Housing Workshop that was delayed due to the storm.*

*Ms. Christine Dowell (Biscayne Way) recalled her experiences coordinating medical care with other volunteers from all over the United States when Hurricane Katrina devastated the Mississippi Gulf coast. She shared her most recent actions in initiating home welfare checks and medical attention visits with elderly Marco Island residents after Hurricane Ian passed. She noted the gratitude that many expressed for this outreach, and she conveyed her belief that this type of need and first-responder responsiveness is highly valued by Marco Island residents.*

*Ms. Deb Henry (Tulip Ct.) brought the Council's attention to the actions of many owners of short-term vacation rental homes who provided places to clean up, eat, and sleep for residents of Marco Island and Isles of Capri who were displaced by Hurricane Ian. She shared two online sources that were recently made available to provide a pathway to obtain help for those needing this type of assistance. As a recommendation to the City and the Council in its forthcoming effort to craft a local short-term residential vacation rental registration program, she noted that: 1) telephone landlines are still not back in operation several days after the storm, and; 2) a catastrophe plan should be an element of consideration in the proposed registration ordinance.*

**10. Quasi-Judicial Public Hearing**

**[ID 22-2455](#) Resolution - Utility Easement Vacation Request (LV-21-000234) to Vacate the Six-Foot Utility and Drainage Easements Along Each Side of the Common Lot Line of 976 & 984 Birch Court, Marco Island, FL 34145 - Mary P. Holden, Senior Planner, Growth Management**

*City Clerk Mike Sheffield read Resolution 22-36 into the record by title only.*

*Each Council member conveyed a verbal ex parte disclosure relative to the Applicant's Appeal, and City Attorney Alan Gabriel swore in all parties who indicated an intention to provide witness or testimony.*

*Community Affairs Director Daniel Smith outlined the elements required to obtain utility easements, and he addressed questions from members of the Council.*

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

**MOTION by Councilor Folley, seconded by Vice-Chair Grifoni, that Resolution 22-36 - Utility Easement Vacation Request (LV-21-000234) to Vacate the Six-Foot Utility and Drainage Easements Along Each Side of the Common Lot Line of 976 & 984 Birch Court, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

## 11. Ordinances

### A. Public Hearings

*None.*

### B. First Readings

[ID 22-2454](#) Ordinance - First Reading - Change to Section 30-1002 Regarding Setbacks of Pool and Screen Enclosures on Waterfront Lots - Daniel J. Smith, AICP, Director, Community Services

*City Clerk Mike Sheffield read the Ordinance into the record by title only.*

*Community Affairs Director Daniel Smith briefly described the error and inconsistency that occurred in 2019 with the passage of Ordinance 19-07, and the attempt via this proposed ordinance to bring property setback requirements back into alignment under the City's Land Development Code. Considerable Council discussion followed regarding the City's specification of setback requirements and the Council's understanding of corresponding setback language in the deed restrictions overseen by the Marco Island Civic Association (M.I.C.A.).*

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

**MOTION by Vice-Chair Grifoni, seconded by Councilor Folley, that Ordinance - First Reading - Change to Section 30-1002 Regarding Setbacks of Pool and Screen Enclosures on Waterfront, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

**Yes:** 5 - Councilor Babrowski, Councilor Folley, Vice-Chair Grifoni, Councilor Irwin and Chair Brechnitz

**No:** 2 - Councilor Blonna and Councilor Rola

## 12. Resolutions & City Council Items

[ID 22-2446](#) Authorize the City Manager to Issue a Purchase Order to Trebilcock Consulting Solutions, P. A. for the Intelligent Traffic System Design in the Amount of \$173,878.23 using the City's Professional Services Contract #19-012 - Justin Martin, P.E., Interim Director, Public Works

*Interim Public Works Director Justin Martin outlined the plan for the proposed intelligent traffic system design and, with the assistance of Mr. Norman J. Trebilcock, President of Trebilcock Consulting Solutions, P.A., responded to several questions from members of the Council.*

*In addition to the study of the traffic patterns and bottlenecks at controlled intersections where traffic lights are already in place, Mr. Trebilcock confirmed the willingness of his organization to expand the proposed project's scope to monitor, assess and provide recommendations to improve traffic flow at certain intersections where traffic lights are not currently in place on the Island. The Public Works team will provide Trebilcock Consulting Solutions with the location of those additional 'bottleneck' intersections and stretches of roadway.*

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

**MOTION by Councilor Irwin, seconded by Councilor Folley, that the City Manager be Authorized to Issue a Purchase Order to Trebilcock Consulting Solutions, P.A. for the Intelligent Traffic System Design in the Amount of \$173,878.23 Using the City's Professional Services Contract #19-012, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

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

- 7c.**     [ID 22-2447](#)     Authorize the City Manager to Issue a Purchase Order to Quality Enterprise USA, Inc. for an Emergency Repair in the Amount of \$97,423.90 using the City's Public Infrastructure Construction Contract #2021-006 - Jeffrey E. Poteet, General Manager Water & Sewer

*Water & Sewer General Manager Jeff Poteet briefly outlined the reason for the emergency repair, and he confirmed: 1) the projected lifespan for the implemented repair, and; 2) the favorable completion of the project.*

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

**MOTION by Councilor Irwin, seconded by Councilor Blonna, that the City Manager be Authorized to Issue a Purchase Order to Quality Enterprise USA, Inc. for an Emergency Repair in the Amount of \$97,432.90 Using the City's Public Infrastructure Construction Contract #2021-006, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

- 7e.**     [ID 22-2456](#)     Authorize the City Council Chairman to Execute a Submerged Land Easement Agreement with the State of Florida Board of Trustees of the Internal Improvement Trust Fund for Purposes of Restoring the Gulf-Fronting Shoreline of Sand Dollar Island for a Period of 15 years - Lina Upham, Purchasing and Risk Manager, Executive Department

*Councilor Rola raised question regarding the City's long-term financial responsibility in supporting the Tigertail Lagoon / Sand Dollar Island Project, and he engaged the Council in dialogue on the understanding of the proposed easement agreement.*

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

**MOTION by Councilor Blonna, seconded by Councilor Irwin, that the City Council Chairman be Authorized to Execute a Submerged Land Easement Agreement with the State of Florida Board of Trustees of the Internal Improvement Trust**

**Fund for the Purposes of Restoring the Gulf-Fronting Shoreline of Sand Dollar Island for a Period of 15 Years, be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:**

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

#### **14. Council Communications & Future Agenda**

Vice-Chair Grifoni noted that the Council's meeting on this date was coincident with the Council's first regular meeting after Hurricane Irma in 2017. He thanked the City Staff for its "amazing" work prior, during, and after Hurricane Ian's arrival on September 28, 2022, and he pointed to three particularly noteworthy examples: 1) the Mackle Park cellphone charging and cooling stations set up by the Parks & Recreation team for residents needing a phone charge or respite from the heat; 2) the Police and Code Enforcement Department moratorium on citing parking violations during and after the storm and; 3) the implementation of well-designed, proactive resiliency efforts by the Water & Sewer Utility team that resulted in no disruption to service and no 'boil water' advisories in spite of the potentially-contaminating storm surge from the Gulf.

Vice-Chair Grifoni also lauded the actions of The Marco Patriots in supplementing the City's communication efforts, and he recognized the generosity of short-term vacation rental property owners who opened up their rental homes without charge for Marco Island, Isles of Capri and Goodland residents displaced by the hurricane.

Noting that many of the pre-hurricane preparations and resiliency efforts employed on the Island were the result of the recommendations from the citizen-led Ad Hoc Hurricane Solutions Committee that came together after Hurricane Irma in 2017, Vice-Chair Grifoni encouraged the Council and the City Staff to consider resurrecting a similar post-hurricane advisory body to formulate recommendations that could improve the City's preparations for the next extreme weather event.

Vice-Chair Grifoni concluded by recommending that the Council and the City consider several citizen-helpful initiatives now (e.g. temporary waiver of permit fees) and in the future (e.g. blocks of pre-arranged, City-sponsored hotel rooms held for displaced residents and requiring emergency generators for fueling stations) so that life can return back to normal as quickly as possible.

Councilor Blonna echoed Vice-Chair Grifoni's praise of the City Staff, and shared his personal experiences in seeing numerous acts of kindness and heartfelt sensitivity in assisting and consoling residents and visitors who were affected by Hurricane Ian. Councilor Blonna also made a point of thanking Fire Rescue Chief Byrne and the City Staff for wisely soliciting and utilizing FEMA funds received after Hurricane Irma to obtain equipment that allowed the City's infrastructure to continue to operate effectively during and after the storm.

Councilor Folley added his personal thanks to Chief Frazzano and her Police Department team who were well-prepared and conducted systematic door-to-door home checks to ensure that Marco Island's most vulnerable citizens were not forgotten and attended to. Noting that tolls were temporarily suspended along Interstate 75 toward Ft. Lauderdale in anticipation of the storm, Councilor Folley suggested that the City consider implementing temporary payment relief for the City's water and sewer customers to help ease their cost of cleaning up after the storm.

Councilor Irwin concurred with the positive comments that her colleague Councilors offered. She similarly recognized The Marco Patriots for all that they continued to do after the hurricane, and she encouraged all of Marco Island's able-bodied residents to participate in the many volunteer opportunities that are currently available. She noted that just under 3,000 residents were still without power, and she promoted the State's 511 website (FL511.com) and mobile device app as excellent resources for continuously-updated, live traffic condition reports across the State.

*Councilor Irwin concluded her remarks by noting that the devastation that was wrought by Hurricane Ian on Ft. Myers Beach and Sanibel Island will likely result in a greater seasonal demand for winter accommodations on Marco Island than what was experienced during the 2021 - 2022 season.*

[ID 21-1950](#)     Future Agenda Items

*No Future Agenda items were proposed by members of the Council at this meeting.*

**15. Council Reports**

*None.*

**16. City Manager's Report**

*City Manager McNees thanked the Councilors for their accessibility and visibility in the community immediately following Hurricane Ian, and he expressed his appreciation for all of them being present at this evening's meeting in spite of ongoing difficult personal situations that several of them experienced as a result of the storm.*

*City Manager McNees noted the overwhelming generosity of the Marco Island community in responding to the needs of residents and guests on Marco and its neighboring communities who were most affected by Hurricane Ian, and he advised the Council of his sharing of this observation and message with members of the media. Citing the Council's "small government" governance philosophy for Marco Island, he highlighted the City Staff's success in ensuring that key connections were, and continued to be, made across the many relief and resource providers that are assisting in bringing life back to normal on Marco Island.*

**17. City Attorney's Report**

*City Attorney Gabriel referenced his written report for the Council and offered no other comment.*

**18. Departmental Reports**

[ID 21-1951](#)     Monthly Departmental Reports

*At the request of Councilor Folley, Police Chief Tracy Frazzano shared insight on a recently-identified coding error in the department's reports for June, July and August, and she quantified the impact of that error in the department's reports for that period.*

**19. Citizens' Comments**

*Ms. Christine Dowell (Biscayne Way) noted the many upended 'porta-johns' at the various residential construction sites around the Island as a result of Hurricane Ian, and she asked the City to review the applicable ordinances and responsibilities of construction site owners regarding these units prior to, and after, a significant weather event like Hurricane Ian.*

**20. Adjournment**

*There being no further business before the Council, the meeting adjourned at 6:59 P.M.*

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*Erik Brechnitz, Council Chair*



ATTEST:

\_\_\_\_\_  
*Michael J. Sheffield, City Clerk*

PREPARED BY:

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