



MINUTES
ISLAMORADA, VILLAGE OF ISLANDS
REGULAR VILLAGE COUNCIL MEETING

Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036
Thursday, October 6, 2022
5:30 PM

I. CALL TO ORDER

Mayor Pete Bacheler called the meeting to order at 5:30 p.m.

II. ROLL CALL

PRESENT: Councilman Mark Gregg, Councilman Joseph B. Pinder III, Councilman David Webb, Vice Mayor Henry Rosenthal, Mayor Pete Bacheler

ABSENT: None

III. PLEDGE OF ALLEGIANCE

Van Cadenhead led the Pledge of Allegiance.

IV. AGENDA: Requests for Deletion / Emergency Additions

There were no additions or deletions to the agenda.

V. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

A. Proclamation of October 21, 2022 as Be Like Mike Day

Representatives of the United Way and Village Manager Ted Yates introduced the proclamation encouraging residents to celebrate Mike Forester's legacy.

B. Florida Cooperative Liquid Assets Securities System (FLCLASS) Presentation – 5:45 p.m.
(Check time)

Matthew Tight gave a presentation on the details of the Florida Cooperative Liquid Assets Securities System.

VI. PUBLIC COMMENT – 5:59 p.m.

Speakers included Kim Bouchard, Lourdes Montagne, Joe Wischmeier, Van Cadenhead, Angel Borden, John Fernandez, Randy Kasewitz, Jesse Sipe, David Lester, Janine Jones, Barry Wray, and Fire Chief Terry Abel

Interim Attorney John Quick confirmed the State Attorney's Office investigation into former Village Attorney Roget Bryan's resignation had been closed with no action.

VII. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS – 6:48 p.m.

A. Achievable Housing Citizens Advisory Committee

Chair Don Horton provided an update of the committee's current activities and initiatives noting the committee recommended by a 5-1 vote that Council continue to fight the 300 housing allocations appeals ruling.

VIII. MAYOR / COUNCIL COMMUNICATIONS – 6:53 p.m.

A. Exceptions to Vacation Rental Program

Councilman Mark Gregg introduced the discussion noting the vacation rental ordinance failed due to a 2-2 vote and asked that the item come back at the next meeting to extend the current program for one year.

IX. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Changes to Agenda Format – 7:06 p.m.

Village Manager Ted Yates summarized changes being made to the agenda format and noted that Planning Director Dan Gulizio had requested new habitat mapping to make more accurate planning and zoning decisions.

B. Discussion on Current Legal Issues in the Village – 7:13 p.m.

TAB _1

Interim Village Attorney John Quick provided a report on current litigation noting in the case of the 300 affordable housing allocations the court has denied the appeal by both parties. Mr. Quick asked the council if it wished to continue the appeal noting that Marathon was pursuing the appeal with Attorney Smith. He recommended a Weiss Serota colleague who was board certified in appellate law if Council wished to pursue the matter. The consensus of the council was to continue to pursue the appeal.

Mr. Quick also spoke about an item concerning DeLeon and Avacado street signage and the desire of a resident to vacate the right of way. He clarified he had been notified that a vacation of the intersection was not going to be pursued. Village Manager Yates noted a surveyor had been retained and the property would be surveyed to confirm the boundaries.

X. CONSENT AGENDA – 7:40 p.m.

Village Manager Ted Yates summarized the routine items on the Consent Agenda prior to public comment.

Public comment was opened and there was no one wishing to provide commentary.

Moved by Councilman David Webb seconded by Councilman Mark Gregg to approve the Consent Agenda as presented:

- A.** Minutes of September 15, 2022 Regular Village Council Meeting **TAB_2**
- B.** Resolution Approving an Agreement with Tim Matthews Tree & Landscaping Inc. for Completion of a Right-Of-Way Planting Project on Plantation Key **TAB_3**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AGREEMENT WITH TIM MATTHEWS TREE & LANDSCAPING INC. FOR COMPLETION OF A RIGHT-OF-WAY PLANTING PROJECT ON PLANTATION KEY; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** Resolution Approving FEMA FY 2021 Assistance to Firefighters Grant Agreement #EMW-2021-FG-07729 **TAB_4**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ACCEPTING THE GRANT AWARD FROM THE DEPARTMENT OF HOMELAND SECURITY FOR EQUIPMENT FOR THE FIRE RESCUE DEPARTMENT; APPROVING THE GRANT AGREEMENT BETWEEN THE DEPARTMENT OF HOMELAND SECURITY AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE REIMBURSEMENT FUNDING FOR THE EQUIPMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; APPROVING A BUDGET AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND FUNDS; AND PROVIDING AN EFFECTIVE DATE

- D.** Resolution Approving Renewal of Property, Casualty and Workers' Compensation Insurance Policies and Pollution Liability Policy Through Public Risk Management of Florida Effective October 1, 2022 **TAB_5**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING RENEWAL OF PROPERTY, CASUALTY AND WORKER'S COMPENSATION POLICIES AND

COVERAGE AND POLLUTION LIABILITY FROM WORLD RISK MANAGEMENT THROUGH PUBLIC RISK MANAGEMENT OF FLORIDA EFFECTIVE OCTOBER 1, 2022; AUTHORIZING PAYMENT OF THE ASSOCIATED RENEWAL PREMIUMS FOR FISCAL YEAR 2022-2023; AUTHORIZING VILLAGE OFFICIALS TO EXECUTE REQUIRED DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

AYES: Councilman David Webb, Councilman Mark Gregg, Councilman Joseph B. Pinder III, Vice Mayor Henry Rosenthal, Mayor Pete Bacheler

NAYS: None

Motion passes 5 – 0.

X. ORDINANCES

A. 2nd Reading – Vessel Exclusion Zone – 7:44 p.m.

TAB _6

Public comment was opened at 7:47 p.m.
Van Cadenhead and Angel Borden provided commentary.
Public comment was closed.

Moved by Councilman Joseph B. Pinder III, seconded by Councilman David Webb to adopt:

AN ORDINANCE AMENDING CHAPTER 66 “OPERATION OF VESSELS IN RESTRICTED AREAS” OF THE VILLAGE CODE TO MODIFY THE VESSEL EXCLUSION ZONE/SWIM AREA GENERALLY LOCATED OFF OF PORT ANTIGUA AND WHITE MARLIN BEACH ON LOWER MATECUMBE KEY

AYES: Councilman Joseph B. Pinder III, Councilman David Webb, Councilman Mark Gregg, Vice Mayor Henry Rosenthal, Mayor Pete Bacheler

NAYS: None

Motion passes 5 – 0.

B. 2nd Reading – Prohibit Smoking in Village Parks and Beaches

TAB _7

Public comment was opened at 7:52 p.m.

Speakers included Van Cadenhead, Whitney Wemmett, Emma Haydocy, Barry Wray, and Angel Borden.

Public comment was closed at 8:02 p.m.

Moved by Councilman Mark Gregg seconded by Councilman Joseph B. Pinder III to adopt:

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 50 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" OF THE VILLAGE CODE, TO CREATE SECTION 50-2 "SMOKING PROHIBITED" TO PROHIBIT SMOKING IN VILLAGE PARKS AND BEACHES, AND TO PROHIBIT SMOKING IN COUNTY PARKS AND BEACHES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

AYES: Councilman Mark Gregg, Councilman Joseph B. Pinder III, Councilman David Webb, Vice Mayor Henry Rosenthal, Mayor Pete Bacheler

NAYS: None

Motion passes 5 – 0.

XI. RESOLUTIONS – 8:09 p.m.

- A.** Resolution Approving an Agreement with McFarland Johnson to Provide Design and Engineering Services for the Floodproofing of Fire Station 20, new Safe Room and Generator Enclosure

TAB_8

Public comment was opened at 8:15 p.m.
Van Cadenhead spoke on the item.
Public comment was closed.

Moved by Councilman David Webb seconded by Mayor Pete Bacheler to adopt:

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AGREEMENT WITH MCFARLAND JOHNSON TO COMPLETE THE DESIGN AND ENGINEERING FOR FLOODPROOFING FOR FIRE STATION 20, NEW SAFE ROOM AND GENERATOR ENCLOSURE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

AYES: Councilman David Webb, Mayor Pete Bacheler, Councilman Mark Gregg, Councilman Joseph B. Pinder III, Vice Mayor Henry Rosenthal

NAYS: None

Motion passes 5 – 0.

B. Resolution Approving an Interlocal Agreement for Florida Cooperative Liquid Assets Securities System (FLCLASS) – 8:17 p.m.

TAB_9

Public comment was opened at 8:21 p.m.
Angel Borden spoke on the item.
Public comment was closed.

Moved by Councilman David Webb seconded by Mayor Pete Bacheler to adopt:

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE ENTRANCE INTO AN INTERLOCAL AGREEMENT WITH OTHER GOVERNMENTAL PARTICIPANTS FOR THE PURPOSE OF EXERCISING INVESTMENT POWER JOINTLY TO INVEST FUNDS IN CONCERT WITH OTHER PARTICIPANTS; PROVIDING FOR AN EFFECTIVE DATE.

AYES: Councilman David Webb, Mayor Pete Bacheler, Councilman Mark Gregg, Councilman Joseph B. Pinder III, Vice Mayor Henry Rosenthal

NAYS: None

Motion passes 5 – 0.

8:24 p.m. Councilman David Webb asked for a point of personal privilege and addressed claims concerning the vessel exclusion zone at White Marlin Beach.

XI. ADJOURNMENT 8:28 p.m.

Moved by Councilman David Webb to adjourn the meeting.



Marne McGrath, Village Clerk

Meeting Video: <https://view.earthchannel.com/PlayerController.aspx?&PGD=ismrada&eID=491>