

**Summary Minutes of the:
ISLAMORADA, VILLAGE OF ISLANDS
VIRTUAL SPECIAL CALL VILLAGE COUNCIL MEETING**

Islamorada, FL 33036
Wednesday, July 1, 2020
5:00 PM

**MEETING TO OCCUR VIA
COMMUNICATIONS MEDIA TECHNOLOGY (CMT)**

Pursuant to Executive Order No. 20-69 and the Centers for Disease Control (CDC) social distancing guidelines established to contain the spread of the COVID-19 virus, the July 1, 2020 Regular Village Council Meeting will be conducted utilizing Communication Media Technology (CMT) via a Zoom video conferencing application. Additional information regarding options for viewing the meeting and participation through public comment can be found on the last page of this agenda.

CALL TO ORDER / ROLL CALL:

Mayor Mike Forster called the virtual meeting to order at 5:00 p.m. Village Clerk Kelly Toth called the role. The following Councilmembers responded on roll call: Mayor Mike Forster, Vice Mayor Ken Davis, Councilman Jim Mooney, Councilwoman Deb Gillis and Councilman Chris Sante. Also, appearing virtually were Village Manager Seth Lawless, Village Attorney Roget Bryan, Village Clerk Kelly Toth and other relevant personnel.

PLEDGE OF ALLEGIANCE:

Vice Mayor Ken Davis led the Pledge of Allegiance.

ANNOUNCEMENTS:

Virtual Meeting Procedures- Village Attorney

Village Attorney Roget Bryan provided the virtual meeting procedures and explained the public participation options.

DISCUSSION:

Discussion Regarding the Boat Ramp at Founders Park- Vice Mayor Davis

This item was heard at 5:02 p.m. Vice Mayor Ken Davis stated that for the Fourth of July holiday weekend he would like the Founders Park boat ramp closed but open to residents, long-term renters and hotel guests. He stated he would like to keep Founders Park open to residents only. Councilmembers expressed that they were not comfortable with keeping Founders Park open for the Fourth of July weekend. Council and staff discussed various issues associated with opening the boat ramp: limited parking capacity, long lines at 6 p.m. when the ramp closed, and the appropriate types of identification if the ramp was to be open to certain groups of people.

Mayor Forster opened public comment.

David Webb expressed support for closing Founders Park; and stated that if the Council was going to keep the ramp open to allow only residents to use the boat ramp. He noted that the behaviors of

visitors elevated the risk for the residents that were actually trying to stay safe and suggested the Council defer to the most conservative position.

David Natho commented about the recent mixed messaging and noted that keeping the boat ramp open contributed to the groups of people clustering at the sandbar.

Mayor Mike Forster closed public comment.

Councilwoman Deb Gillis spoke in support of closing the boat ramp. Councilman Sante and Mayor Forster expressed that they would like to open the boat ramp to residents only.

Vice Mayor Ken Davis made a motion to open the boat ramp to residents only. Councilman Chris Sante seconded the motion. Council voted and the motion passed 4-1 with Councilwoman Deb Gillis voting in opposition.

Village Attorney Roget Bryan asked if the Council agreed with allowing staff to set the capacity thresholds for boat and trailer parking. Mayor Forster asked staff to provide the parking capacity. Plantation Yacht Harbor Dock Master Lisa Watts stated that approximately 30-35 vehicles with trailers could fit in the trailer lot and that about 30 could fit behind the amphitheater depending on how the vehicles were parked. The Mayor confirmed that approximately sixty could be accommodated. Councilwoman Gillis inquired about the type of identification residents would need to launch their boat. Ms. Watts stated a driver license could be used; and that if they used a Resident ID card, they would have to have a driver license with the same name that was displayed on the Resident ID. She stated that only the resident would be allowed to use the boat ramp, not friends, other family members etc.

Discussion Regarding Weekend Park and Beach Closures Thru Labor Day- Vice Mayor Davis

This item was heard at 5:30 p.m. Vice Mayor Ken Davis began discussion regarding closing the park beaches and the Fills. He explained that starting Friday, he would like the parks and beaches closed every Friday through Sunday through the Labor Day weekend. He noted the Village would need to receive FDOT approval to close the Fills pursuant to the lease agreement. Councilwoman Deb Gillis agreed with the Vice Mayor's suggestion noting that the Council could amend the closure if the need arose. Councilman Jim Mooney, with support from Councilman Sante, suggested that instead of closure the parking could be reduced by fifty percent so as not to jeopardize the FDOT lease. Mayor Forster stated he supported either idea but did not want to jeopardize the lease agreement and noted that DEP also owned part of the Fills area. The Mayor stated he was willing to move forward with the Vice Mayor's suggestion and would mitigate to fifty percent if the closure was not an option with FDOT.

Village Attorney Roget Bryan stated under the terms of the lease agreement the Village had the authority to limit the parking; that staff was working on a formal management plan to submit to FDOT; that the Fills was staffed Thursday through Sunday; and that closing on weekends may not be necessary because it was controlled by staff. Vice Mayor Davis noted that the Fills would not be closed completely as it would remain open Monday through Thursday. He explained that leaving the Fills open required staff to interact with the people the Village was trying to keep them away from. He stated he did not understand why the Village would run the risk when the goal was to slow the spread of the virus. Councilman Mooney opined that the visitors would pack the Fills Monday thru Thursday because it was summer and suggested cutting the capacity by fifty percent seven

days a week and noted that the parking could be cut again if needed. Councilwoman Gillis expressed agreement with Councilman Mooney.

Mayor Forster commented about his conversation with Eric Draper, the Director of FDEP's Division of Recreation and Parks. He reported that Mr. Draper informed him that the bridges would remain open, and that the Bahia State Park and Long Key State Park would most likely remain open for the Fourth of July. He stated that FDOT may align themselves with FDEP which would make it difficult to close the Fills.

Village Manager Seth Lawless suggested that the oceanside of the Fills be closed off entirely as this would potentially eliminate people walking across the highway. Councilman Jim Mooney inquired about the parking capacity at the Fills. Public Works Director A.J. Engelmeyer stated there were approximately 80 parking spots which included the boat ramp parking area that was designated for trailer parking. Councilman Mooney expressed his support for reducing the parking spaces and his concern for potentially jeopardizing the FDOT lease agreement with longer closures.

Vice Mayor Ken Davis stated the Fills could be shut down for the Fourth of July weekend without jeopardizing the lease agreement and that staff could seek FDOT approval for further closures. Councilman Mooney stated he was not in favor of the additional closures.

The Public Works Director explained that during the week the Fills were between 75%-85% full; by 9 a.m. on the weekends it was 100% full; and that whether the Fills remained open or closed it would remain fully staffed to control parking. Vice Mayor Davis stated he would support reducing parking by 50% as it was a step in the right direction.

Mayor Mike Forster opened public comment.

David Natho encouraged the Council to consider the Vice Mayor's suggestion and opined that the reduction in capacity may not do what the Council needed it to do.

Eric Carlson commented regarding hotel capacity that was higher on the weekend and spoke in support of Vice Mayor Davis' suggestions.

Mayor Mike Forster closed public comment.

Councilwoman Gillis confirmed, for the benefit of the public, that the Fills would be closed for the Fourth of July weekend.

Councilwoman Deb Gillis made a motion that the Village move forward, with FDOT approval, with reducing the parking at the Fills by fifty to sixty percent seven days a week. The Village Attorney opined that under the current terms of the lease the Village could reduce the parking and that if staff determined that it was not within the Village's purview then the motion was for staff to reach out to FDOT. Councilwoman Gillis stated yes. Councilman Jim Mooney seconded the motion. Council voted and the motion passed 5-0.

Councilwoman Gillis inquired about additional regulations at the Fills such as barbeque pits and tent structures in the boat ramp area. Mayor Forster asked if the discussion could wait until the next

Council meeting as it was not noted on the agenda. Councilman Mooney stated he agreed with waiting until the next meeting but asked staff for a “hardscape” that addressed fencing and delineated parking spaces that could be implemented immediately.

Councilwoman Gillis reminded the Council that they had not addressed the other parks such as Anne’s Beach. She asked if the Council wanted to reduce the parking at the other parks and beaches. Village Manager Seth Lawless stated park staff had previously capped the number of visitors to Founders Park at 200 which was manageable for park staff. Mayor Forster suggested a consistent message to avoid confusion and expressed support for the 50% to 60% reduction in parking. Councilman Mooney and Councilman Sante expressed support for the Mayor’s suggestion.

Mayor Forster stated he could support no alcohol at all Village parks and beaches. Councilmembers expressed the difficulty in enforcing that type of regulation.

Discussion Regarding Sending a Letter to the Monroe County BOCC and Governor DeSantis Requesting the Cancellation of Lobster Mini Season During the COVID-19 Pandemic- Vice Mayor Davis

This item was heard at 6:12 p.m. Vice Mayor Ken Davis reported Key West Mayor Terri Johnston informed him that six of the commissioners expressed support for the City of Key West contacting the Governor and the Monroe County BOCC to request that the upcoming Mini Season be cancelled. He sought Council support to send a letter to the Governor urging him to cancel the upcoming lobster Mini Season; and to write a letter to the Monroe County BOCC urging them to write the Governor and request that Mini Season be cancelled. Vice Mayor Davis reported that an online newspaper had conducted a survey that reported 82% of the respondents wanted Mini Season cancelled. Councilmembers expressed support for the Vice Mayor’s request. The Village Attorney confirmed that the Council was directing him to send a letter to the FWC and the Monroe County BOCC requesting Mini Season be cancelled.

Councilman Mooney asked if the diving restrictions could be increased from 300 feet to 1200 feet. Councilwoman Gillis stated the 300-foot restriction was not a lobster regulation that it was a “no snorkeling / diving” regulation. The Village Attorney agreed with Councilwoman Gillis.

Mayor Mike Forster opened public comment.

David Webb opined that a formal cancellation of mini season would be favorable to residents.

Mayor Mike Forster closed public comment.

Village Attorney Roget Bryan asked if the Council wanted to discuss diving regulations at the July 18th meeting. Council agreed.

Discussion Regarding Zero Tolerance for Face Mask Violators- Vice Mayor Davis

This item was heard at 6:25. Vice Mayor Ken Davis asked for Council support to direct Code Enforcement to focus on mask violators with a position of zero-tolerance. Councilwoman Gillis stated social distancing also needed enforcement. Councilman Chris Sante suggested code enforcement stress to the business owners that masks were required and put the onus on the business owner to enforce the requirement because code enforcement staff was limited. The Village

Manager stated the code enforcement challenge was that the issues often occurred in the evenings, but that he could work on adjusting code enforcements schedule. Discussion ensued regarding the efforts the local business were making to enforce the requirements; and code enforcement addressing the violations with backup from the Monroe County Sheriff's Office when needed.

PUBLIC COMMENT:

Nathan Green, a resident to Texas, asked if a private party of twenty-five at the Puerta Vallarta restaurant would be limited. Mayor Forster stated restaurants could seat ten people to a table, but not twenty-five. Mr. Green asked if the mask rule would be applicable to a private party in a private room. The Planning Director stated masks had to be worn while under a roof the exception being when people were seated dining at a table.

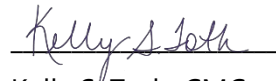
Mark Gregg asked if a barricade with a closure sign could be placed at the East Ridge Road public ramp to help avoid confusion. The Mayor stated that Mark Gregg's request should be applied to all Village owned boat ramps. The Council agreed with the Mayor.

Councilman Jim Mooney asked if staff could contact FDOT about the Snake Creek Bridge breaking. The Mayor asked the Village Manager to contact FDOT regarding the issue.

ADJOURNMENT:

Councilman Chris Sante made a motion to adjourn. Vice Mayor Deb Gillis seconded the motion. The meeting adjourned at 6:42 p.m.

Approved by the Village Council July 30, 2020.

A handwritten signature in cursive script, reading "Kelly S. Toth", written in dark ink over a horizontal line.

Kelly S. Toth, CMC
Village Clerk