

Summary Minutes of the:
ISLAMORADA, VILLAGE OF ISLANDS
VIRTUAL REGULAR VILLAGE COUNCIL MEETING

Islamorada, FL 33036
Thursday, October 1, 2020
5:30 PM

MEETING OCCURRED USING 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 October 1, 2020 Regular Village Council Meeting was 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 was provided on the last page of the agenda.

CALL TO ORDER / ROLL CALL

Mayor Mike Forster called the virtual meeting to order at 5:30 p.m. Village Clerk Kelly Toth called the role and the following Councilmembers, appearing virtually, responded on roll call: Mayor Mike Forster, Vice Mayor Deb Gillis, Councilman Jim Mooney, and Councilman Chris Sante. Also, appearing virtually were Acting Village Manager & Finance Director Maria Bassett, Village Attorney Roget Bryan, Village Clerk Kelly Toth and other relevant personnel.

PLEDGE OF ALLEGIANCE

Monroe County Sheriff's Lieutenant Derek Paul led the Pledge of Allegiance.

REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

Virtual Meeting Procedures- Village Attorney

Village Attorney Roget Bryan provided the virtual meeting procedures.

Announcement:

Mayor Mike Forster announced Monroe County Sheriff's Captain Corey Bryan had been promoted to the rank of Major. Major Bryan expressed his gratitude to Council, as he would be retiring in January, and introduced his replacement, Lieutenant, soon to be Captain, Derek Paul. Lieutenant Paul provided a brief summary of his experience and expressed his gratitude for the opportunity. Each Councilmember expressed their gratitude to Major Bryan for all he had done for the Village over the years and wished him the best in his retirement.

Pedestrian Bridge Project Update by FDOT

This item was heard at 5:40 p.m. Florida Department of Transportation (FDOT) Senior Project Manager George Hoffman introduced the pedestrian bridge construction project team. Sergis Duarte, Senior Community Outreach Specialist reported that the purpose of the pedestrian bridge was to assist Islamorada with improving pedestrian and motorist safety along the US-1 Highway at Founders Park. He provided the project's history explaining that a moveable pedestrian bridge was not possible; and that the Village Council passed two resolutions (18-12-123 and 18-02-09) approving the proposed permanent pedestrian bridge which ultimately led to the current construction phase. Mr. Duarte identified the scope of work which included design and construction of the pedestrian bridge; realigning the path along the Florida Keys Overseas Heritage Trail;

widening the shoulders and constructing concrete barrier walls; installing a sidewalk along the Old Highway from the pedestrian bridge to the Treasure Village Montessori School; adding chevron pavement markings to replace the plastic poles located on the Old Highway between East Ridge Road and South Drive; and repaving and restriping the roadway. He identified various project benefits that included enhanced: mobility, overall safety, emergency evacuation and truck movements along the Overseas highway. Mr. Duarte reported that the 90% plans were under review; the 100% plans were expected in November; that utility relocation was occurring, and that construction was expected to begin late 2020 with completion occurring in early 2022. He identified some of the potential impacts the project such as dust, noise, traffic lane shifts, and pedestrian and bicyclist detours. He provided the following contact information:

- Community Outreach Specialist Sergies Duarte, cell phone 305-216-3617, and email sergies.duarte@dot.state.fl.us
- Senior Project Engineer Jessica Miles, P.E. phone 305-916-5690.

Councilman Chris Sante requested staff add the presentation to the Village's website. Mr. Duarte stated that it was also available on the FDOT project website for Monroe County.

Mayor Mike Forster opened public comment.

Jenny Bell-Thomson reported that she had created a change.org petition to determine resident's opinion of the pedestrian bridge project. The petition was viewed more than 1,000 times but only 203 people had signed in opposition to the project. She noted that she was unable to confirm that the objectors were all Islamorada residents. She asked Mr. Duarte if there were to be a mandate by a majority of Islamorada voters to stop the project, would it be stopped, and would the taxpayers face a financial liability for the work that had been done. Mr. Duarte stated those types of questions and communications would need to be addressed with the FDOT executive team. He noted that FDOT was moving forward with the project at the request of Islamorada, Village of Islands via two resolutions that were adopted a few years ago.

Jill Miranda Baker asked how the Snake Creek Draw Bridge would be impacted by the pedestrian bridge. Tish Burgher, FDOT Communications Manager, reported the Snake Creek Bridge was entering into a project development phase; that it would be a minimum of five years before FDOT entered the construction phase of the new fixed bridge; and that all consideration for the pedestrian bridge would be taken. Mayor Forster requested clarification asking if the crosswalk would inhibit or prohibit the change of Snake Creek Draw Bridge to a fixed bridge. Ms. Burgher stated that she did not believe it would have any effect noting that the two projects were close in proximity but were two distinctly different projects.

David Webb asked the current council to leave the new Council with flexibility to address any capital projects that are receiving pushback from the community.

Buddy Pinder expressed his opposition to the pedestrian bridge noting that he had attended the earlier meetings about the bridge; opined that the Islamorada, Chamber of Commerce board opposed the bridge; and that he did not believe it would help the flow of traffic.

Mayor Forster closed public comment.

PUBLIC COMMENT

Mayor Forster opened general public comment.

Robert Moser asked the Council to direct staff to research the idea of possibly allowing virtual community participation once the meetings returned to in-person format; and suggested the Village publish legal notices in the Keys Weekly opining that it was viewed more by the locals than the Key West Citizen and noted that he was told by the Keys Weekly that the publication meets all the legal requirements for legal notifications.

CONSENT AGENDA

TAB 1: Minutes of the: August 20, 2020 Virtual Regular Village Council Meeting, September 10, 2020 Virtual Special Call First (Tentative) Budget Hearing and the September 21, 2020 Virtual Special Call Second (Final) Budget Hearing

Councilman Chris Sante made a motion to approve the consent agenda. Councilman Jim Mooney seconded the motion. Council voted all in favor. The motion passed 4-0.

QUASI-JUDICIAL

Village Attorney Roget Bryan provided the quasi-judicial procedures explaining that the meeting was being conducted virtually and that anyone giving testimony had to be sworn in by the Village Clerk, if a person was not sworn in their statement would be considered public comment. Village Clerk Kelly Toth swore in the witnesses.

TAB 2: Application for Administrative Relief (PLAR20200142) for Teach, Miles

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY MILES TEACH FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 102 ROYAL LANE, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 6:09 p.m. Village Attorney Roget Bryan read the title of the resolution and asked the Council to disclose ex parte communications specifically to provide the name and subject matter of the communications. Each Councilmember stated that they did not have ex parte communications. Planner Megan Rumbaugh provided the staff report.

Mayor Forster invited the applicant to speak. No comment was provided.

Mayor Forster opened public comment.

Robert Moser asked how many applicants were awaiting a BPAS allocation and how many allocations remained. Ms. Rumbaugh stated there were about 60 applicants awaiting an allocation, that there were 38 allocations available through the administrative relief pool, and that there were 66 market rate allocations remaining. Mr. Moser asked if that meant there were only six allocations remaining after the 60 applicants received their allocation. Mr. Rumbaugh stated that some of the current applicants would go through administrative relief.

Mayor Forster closed public comment.

Vice Mayor Deb Gillis made a motion to grant one BPAS market rate allocation award from the administrative relief pool. Councilman Chris Sante seconded the motion. Council voted and the motion passed 4-0.

RESOLUTIONS

TAB 3: Resolution Approving the Recommendation of the RFP 20-07 Evaluation Committee for Green Turtle Hammock Operating Agreement

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RECOMMENDATION OF THE RFP 20-07 EVALUATION COMMITTEE FOR GREEN TURTLE HAMMOCK OPERATING AGREEMENT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO ENTER INTO AN AGREEMENT FOR THE REQUESTED SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 6:18 p.m. Village Attorney Roget Bryan read the title of the resolution. Environmental Resources Manager Peter Frezza presented the staff report noting the Village had only received one proposal in response to the RFP and recommended approval.

Mayor Forster inquired about the membership fee that would be charged. Mr. Frezza explained that the membership fee was for individuals that wanted to become a member of the non-profit organization, Florida Bay Forever, and had nothing to do with the Green Turtle Hammock Preserve. Councilman Jim Mooney asked if the non-profit would carry insurance coverage for the various excursions they offered such as kayak tours. Mr. Frezza stated the non-profit would be required to carry all of the necessary insurances which would be addressed in the contractual agreement.

Mayor Forster opened public comment; no comment was offered.

Councilman Jim Mooney made a motion to approve. Vice Mayor Deb Gillis seconded the motion. Council voted and the motion passed 4-0.

TAB 4: Resolution Approving Work Authorization No. 1 between Wade Trim, Inc. and Islamorada, Village of Islands to Provide General Engineering Services and Wastewater Utility-Related Engineering Services

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 1 BETWEEN WADE TRIM, INC. AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE GENERAL ENGINEERING SERVICES AND WASTEWATER UTILITY-RELATED ENGINEERING SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 1; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 6:24 p.m. Village Attorney Roget Bryan read the title of the resolution. Public Works Director A.J. Engelmeyer presented the staff report noting that the work authorization was for an amount not to exceed \$199,415.00.

Mayor Forster opened public comment; no comment was offered.

Vice Mayor Deb Gillis made a motion to approve. Councilman Chris Sante seconded the motion. Council voted and the motion passed 4-0.

MOTIONS

TAB 5: Request for Letter for Islamorada Working Waterfronts, Inc.

This item was heard at 6:27 p.m. Acting Village Manager / Finance Director Maria Bassett reported that the non-profit organization, Islamorada Working Waterfront, Inc. (IWW) was applying to the Florida Department of Environmental Protection (FDEP), Florida Communities Trust-Division of Lands (FCT) for a 2020-2021 Stan Mayfield Working Waterfront Grant to purchase property to operate a working waterfront enterprise, specifically for trap storage space. She explained that the grant application required a pledge by a local government to act as a backup manager to assume responsibility for management of the project site in the event the nonprofit organization was unable to continue managing the project site. She stated that based on information received from the applicants that formed IWW, Christina and Scott Vaeth, staff felt that should the Village have to act on the obligations to manage the site that the management would be minimal and that there would be minimal costs to the Village. She reviewed the draft pledge letter stating FCT would maintain an ownership interest; the letter was not tied to a specific property as the applicant was considering various properties; if the Village could not act as the backup manager the property would revert to FCT; and that there would be no expectation on the part of the Village to repay any funds. Ms. Bassett stated staff was recommending approval of the letter for the Mayor's signature.

Mayor Mike Forster invited Christina and Scott Vaeth to speak. Ms. Vaeth thanked the Council for their consideration. Mr. Vaeth stated he was a commercial fisherman and that he was running out of places to store his traps and that he felt this was a good opportunity. Mayor Forster spoke in support of the request. Remaining Councilmembers expressed their agreement.

Richard Russell expressed his support for the request noting that the working waterfront lots were slowly being eliminated and that there was an acute shortage. He stated there was very little "skin in the game" for the Village with regard to the applicant's request.

Robert Moser asked if the applicant was purchasing State Lands or private lands on Matecumbe Key. Mayor Forster replied no to both questions.

Vice Mayor Deb Gillis made a motion approving the letter with the Mayor's signature. Councilman Jim Mooney seconded the motion. Council voted and the motion passed 4-0.

VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Update Regarding the Fills Master Plan Project

This item was heard at 6:36 p.m. Acting Village Manager / Finance Director Maria Bassett provided an update on the Fills Master Plan. She reported that since the plan was presented at a previous Council meeting, staff had developed and entered into 17 continuing services agreements with engineering, architectural and surveying firms to create the Village's library of service providers. She stated the next step would be to engage an engineer from the library to help develop a schematic/plan for presentation to the FDOT which would include preliminary information on the cable barrier system that the Village was proposing. Ms. Bassett explained that once the FDOT approved the master plan the Village could go out to bid for construction of the cable barrier

system. She stated the cost of the new cable barrier system would go to the new Council for approval of the expenditure and that staff would continue to work at the Fills on the weekends and busy holidays.

Councilman Sante asked if the FDOT shoreline restoration project included all of the Fills or just certain areas. Public Works Director A.J. Engelmeyer stated the project included Sea Oats Beach and all of the Fills, specifically the areas that were damaged or that were missing riprap or needed restoration. He explained that staff was keeping certain areas of the Fills closed because it was a construction zone which would be shifted as FDOT progressed through their project.

Mayor Mike Forster opened public comment.

Robert Moser asked if there was a time estimate for when the plan would be submitted to the FDOT. The Public Works Director stated it would probably be completed and submitted by the end of the year.

David Webb asked if the Village had a plan for the number of parking spaces that would be available and if pay-for-parking had been discussed. The Public Works Director stated there were approximately 50 parking spaces which included vehicle and boat-trailer parking and that the exact number would be determined in the master plan. He stated pay-for-parking was presented to Council and would be included in the master plan and subject to FDOT approval. Vice Mayor Deb Gillis stated the Council had considered doing pay-for-parking at Anne's Beach as well. She stated the Village wanted to do the pay-for-parking at both locations at the same time.

Mr. Webb asked for details about the pay-for-parking program. The Mayor provided some of the program details and asked staff to send him the information Council had discussed at a previous meeting.

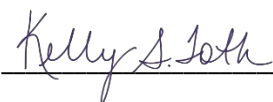
Sue Miller inquired about the status of the ordinance amendment that would increase the fines for illegal parking; and stated that she hoped the public would get an opportunity to comment on the master plan before it was sent to the FDOT. Mayor Forster stated the master plan would definitely come back before the Council for approval. Village Attorney stated the ordinance amendment would be before the Council by the end of the year, most likely in December.

Mayor Forster closed public comment.

ADJOURNMENT

Councilman Chris Sante made a motion to adjourn. Vice Mayor Deb Gillis seconded the motion. The meeting adjourned at 6:46 p.m.

Approved by the Village Council November 19, 2020.



Kelly S. Toth, CMC
Village Clerk