



Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

REVISED

March 12, 2024 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL

Mayor Joseph B. Pinder III called the meeting to order at 05:35 PM

II. PLEDGE OF ALLEGIANCE

Environmental Resources Manager Pete Frezza led the Pledge of Allegiance and Mayor Pinder started the meeting with a brief prayer.

III. AGENDA: Requests for Deletion / Emergency Additions

Council Member Henry Rosenthal noted that in Consent Agenda Tab 4 the February 13, 2024 Meeting Minutes were missing a vote on Tab 11 (Great Turtle Hammock Preserve Pavillion Project) the vote was missing. He indicated that he and Vice Mayor Mahoney dissented and asked the minutes be amended.

IV. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

A. Presentation on the Final Results of the Village's Vulnerability Analysis by Erin Deady

Erin Deady of Clearview Geographic shared the results of the vulnerability analysis performed over the last year.

Planning Director Jennifer DeBoisbriand introduced the Village's new Sustainability & Resiliency Coordinator, Alyssa Panzer.

V. PUBLIC COMMENT

(This is general public comment. It provides an opportunity for the public to speak about matters not scheduled elsewhere on the agenda. The mayor opens public comment on agenda items throughout the meeting.)

Mayor Joseph B. Pinder III opened public comment.

Speakers included:

Don Horton
Van Cadenhead
Capt Ed Davidson
Joe Wischmeier
Fire Chief Terry Abel

There being no one else wishing to speak, Mayor Pinder closed public comment.

VI. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

- A.** Nearshore Water Regulations Citizens Advisory Committee Report - Emma Haydocy, Vice Chairperson - **TAB 1**
Emma Haydocy summarized the topics discussed by the Nearshore Water Regulations Committee at their last meeting.

VII. MAYOR / COUNCIL COMMUNICATIONS

- A.** Discussion Regarding Purchase of Church Property (Vice Mayor Mahoney)
Vice Mayor Sharon Mahoney asked for the Council's thoughts on potentially purchasing the church as a location for a new library and community center.

Planning Director Jennifer DeBoisbriand noted that the current owner had a zoning change request scheduled for April that would not permit use as a library if the request passed. It was further noted that there was an offer on the property, so the Village would have to move quickly if it was interested in exploring the option.

Council was generally in support of the idea and asked for feedback from the County.

- B.** Discussion of Backyard Chicken Regulations (Council Member Gregg) - **TAB 2**

Council Member Mark Gregg referred to a violation a family member received for keeping chickens. He noted that Monroe County prohibits the practice, and this was a section of their Code that the Village hadn't repealed. He indicated that many folks keep chickens as family pets, and he requested the Council consider a backyard chicken ordinance.

Council gave direction to staff to bring back a draft ordinance for Council to discuss.

VIII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

- A.** Report on Noise Ordinance Workshop - **TAB 3**
Planning Director Jennifer DeBoisbriand presented her report on the Noise Ordinance Workshop held on February 22, 2024 noting robust public engagement and good feedback for next steps.

Council congratulated Director DeBoisbriand for a well-run and well-attended workshop.

- B.** Village Manager Report/Updates
Interim Village Manager Kimberly Matthews noted that Council wanted updates on things they'd directed, but there need not be an agenda item for each one, so she added this to report on pending items.

Interim Manager Matthews noted the County is putting out an RFP for ride services, and she suggested the Village piggyback on the County's process.

C. Staff Reports/Updates

For the staff update Interim Village Manager Kimbelry Matthews asked IT staff member Frank Muelenberg to speak on the new direction for social media. He played he made video with Island Disposal, who shared information about their services and how the community can help with solid waste removal.

IX. CONSENT AGENDA

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Van Cadenhead

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION: Motion to approve the consent agenda as amended item IX.
by Mark Gregg second by Elizabeth Jolin;
Motion passed with a 5:0 vote

AYES: Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney,
Joseph B. Pinder III

NAYS: None

ABSTAIN: None

- A.** Meeting Minutes: Regular Village Council Meetings Held February 13, 2024, and February 15, 2024 and Executive Session Held February 15, 2024 - **TAB 4** (Marne McGrath, Village Clerk)

- B.** Resolution Approving Turf and Landscape Maintenance Agreement Renewal #1 with the Florida Department of Transportation - **TAB 5** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FIRST RENEWAL OF NEW TURF AND LANDSCAPE MAINTENANCE AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO TAKE NECESSARY ACTION; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** Resolution Approving Federal Lobbyist Agreement with Thorn Run Partners - **TAB 6** (John Quick, Interim Village Attorney)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AGREEMENT FOR PROFESSIONAL FEDERAL LOBBYING SERVICES BETWEEN THORN RUN PARTNERS AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROFESSIONAL SERVICES AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

- D. Resolution Approving Recommendation and Agreement for Splash Pad Resurfacing Project - **TAB 7** (Maria Bagiotti, Founders Park Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 24-03 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE FOUNDERS PARK SPLASH PAD RESURFACING PROJECT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

- E. Resolution Approving Recommendation and Agreement for Founders Park Solar Street Light Fixtures Replacement Project - **TAB 8** (Maria Bagiotti, Founders Park Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 24-02 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE FOUNDERS PARK SOLAR STREET LIGHT FIXTURES REPLACEMENT PROJECT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

- F. Resolution Approving Purchase of CityView Workspace - **TAB 9** (Vince Tarves, Systems Engineer)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE PROPOSAL BETWEEN CITYVIEW, A DIVISION OF HARRIS COMPUTERS SYSTEMS, AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE THE CITYVIEW WORKSPACE UPGRADE; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROPOSAL; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROPOSAL; PROVIDING FOR A WAIVER OF PURCHASING PROVISIONS; APPROVING A BUDGET AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- G.** Resolution Ratifying Increasing Authorized Purchases from F.J. Nugent through the End of FY 2023-2024 - **TAB 10** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RATIFYING INCREASING AUTHORIZED PURCHASES FROM F.J. NUGENT AND ASSOCIATES, INC., THROUGH THE END OF FY 2023-2024; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

- H.** Resolution Approving the Ranking of The RFP 23-19 Evaluation Committee for Professional Engineering Services for a Stormwater Management Master Plan - **TAB 11** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RANKING OF THE RFP 23-19 EVALUATION COMMITTEE FOR PROFESSIONAL ENGINEERING SERVICES FOR A STORMWATER MANAGEMENT MASTER PLAN; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

- I.** Resolution Approving a Statewide Mutual Aid Agreement (SMAA) with the State of Florida - **TAB 12** (Terry Abel, Fire Chief)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA ADOPTING THE STATEWIDE MUTUAL AID AGREEMENT BETWEEN THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE MUTUAL FIRE PROTECTION AND RESCUE SERVICES ASSISTANCE; AUTHORIZING VILLAGE

OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- J. Resolution Establishing Process to Create and Select Village Flag
- **TAB 14** (John Quick, Interim Village Attorney)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RECOGNIZING THE IMPORTANCE OF A VILLAGE FLAG AND INITIATING A PROCESS TO DESIGN AND ADOPT A NEW FLAG FOR THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE

- K. Resolution Approving First Budget Amendment for FY 2023-2024
- **TAB 15** (Maria Bassett, Finance Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE VILLAGE'S ADOPTED BUDGET FOR FISCAL YEAR 2023-2024; AND PROVIDING AN EFFECTIVE DATE

- L. Resolution Approving Fourth Amendment To Employee Interchange Agreement with Monroe County - **TAB 16** (John Quick, Interim Village Attorney)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AMENDMENT OF THE EMPLOYEE INTERCHANGE AGREEMENT WITH MONROE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

******END OF CONSENT AGENDA******

X. RESOLUTIONS

- A. Resolution to Approve Village Manager Contract with Robert Cole
- **TAB 13** (John Quick, Interim Village Attorney)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE APPOINTMENT OF ROBERT COLE AS VILLAGE MANAGER; APPROVING AND AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT WITH MR. COLE FOR SERVICE AS THE VILLAGE MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE

Acting Village Attorney Alison Smith summarized the provisions of the agreement, noting that Mr. Cole would be evaluated every 60 days. Human Resources would initiate that process, which was in the contract. It was noted the contract would automatically renew after one year unless the Council takes action to decline to renew.

Mayor Joseph B. Pinder III opened public comment.

There being no one wishing to speak, Mayor Pinder closed public comment.

Mr. Cole thanked the Council for their vote of approval and thanked the staff for keeping the Village running smoothly without a permanent Village Manager.

ACTION:	Motion to approve item X.A. by Mark Gregg second by Elizabeth Jolin; Motion passed with a 5:0 vote
AYES:	Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS:	None
ABSTAIN:	None

XI. ORDINANCES

A. Ordinance Amending Section 2-121, Appeals of Code Enforcement Orders - Second Reading - TAB 17 (John Quick, Interim Village Attorney)

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS,
FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING CHAPTER
2 "ADMINISTRATION," ARTICLE III "CODE COMPLIANCE," DIVISION 2
"ADMINISTRATION AND ENFORCEMENT", SECTION 2-121 "APPEALS
OF ORDER"; PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE**

Mayor Joseph B. Pinder III opened public comment.

There being no one wishing to speak, Mayor Pinder closed public comment.

ACTION:	Motion to approve item XI.A. by Mark Gregg second by Elizabeth Jolin; Motion passed with a 5:0 vote
AYES:	Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS:	None
ABSTAIN:	None

B. Ordinance Amending Section 2-236, Purchasing - First Reading - TAB 18 (John Quick, Interim Village Attorney)

**ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS,
FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION",
ARTICLE 2-IV "FINANCE", DIVISION 2-IV-2 "PURCHASING",
AMENDING SECTION 2-236 "AUTHORITY OF VILLAGE
MANAGER" TO UPDATE THE SIGNING AUTHORITY OF
CHECKS; AMENDING SECTION 2-237 "GUIDELINES" TO
PROVIDE FOR INCREASED AMOUNTS IN PURCHASING
AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE; AND PROVIDING FOR AN
EFFECTIVE DATE**

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Van Cadenhead
Joe Wischmeier

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION:	Motion to approve raising the village manager's purchasing threshold from \$25,000 to \$50,000 item XI.B. by Mark Gregg second by Elizabeth Jolin; Motion passed with a 3:2 vote
AYES:	Mark Gregg, Elizabeth Jolin, Joseph B. Pinder III
NAYS:	Henry Rosenthal, Sharon Mahoney
ABSTAIN:	None

- C. Ordinance Calling for a Referendum to Revise Term Limits -
Second Reading - TAB 19 (John Quick, Interim Village Attorney)

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS,
FLORIDA, CALLING FOR A REFERENDUM VOTE TO BE HELD
WITH THE REGULAR VILLAGE ELECTION ON NOVEMBER 5,
2024; PROVIDING FOR SUBMISSION TO THE ELECTORS OF
PROPOSED AMENDMENTS TO THE VILLAGE CHARTER
PERTAINING TO TERM LIMITS; PROVIDING FOR PLACEMENT
ON THE BALLOT; PROVIDING FOR REQUISITE BALLOT
LANGUAGE; PROVIDING FOR NOTICE OF ELECTION;
PROVIDING FOR AUTHORIZATION OF VILLAGE CLERK AND
FOR VILLAGE CANVASSING BOARD; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION IN THE
CHARTER/CONFORMITY OF AMENDMENT; REPEALING
ORDINANCE NO. 24-02; AND PROVIDING FOR AN EFFECTIVE
DATE**

Attorney Alison Smith read the ordinance on second reading noting if it passed the question would go before the voters on November 5, 2024. She clarified the ordinance removes the word 'consecutive' from the Charter and further clarifies the active date to be after the November 4, 2024 election.

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Van Cadenhead

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION: Motion to approve item XI.C. by Elizabeth Jolin second by Mark Gregg;
Motion passed with a 5:0 vote
AYES: Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS: None
ABSTAIN: None

- D. Ordinance Calling for a Referendum to Establish 4-year Staggered Councilmember Terms - **First Reading - TAB 20** (John Quick, Interim Village Attorney)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CALLING FOR A REFERENDUM VOTE TO BE HELD WITH THE GENERAL ELECTION ON TUESDAY, NOVEMBER 5, 2024; PROVIDING FOR SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO THE VILLAGE CHARTER PERTAINING TO TERMS OF OFFICE, LENGTH OF TERMS, AND STAGGERING OF TERMS; PROVIDING FOR PLACEMENT ON THE BALLOT; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR AUTHORIZATION OF VILLAGE CLERK AND FOR VILLAGE CANVASSING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER/CONFORMITY OF AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Attorney Alison Smith noted the first reading for a referendum to establish staggered four-year Village Council terms - 3 would serve for four years and 2 would serve 2 years to implement the initial staggering.

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Van Cadenhead

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION: Motion to approve item XI.D. by Mark Gregg second by Elizabeth Jolin;
Motion passed with a 3:2 vote
AYES: Mark Gregg, Elizabeth Jolin, Joseph B. Pinder III
NAYS: Henry Rosenthal, Sharon Mahoney

ABSTAIN: None

XII. SUPPLEMENTARY REPORTS

A. After-Action Report

Council Member Elizabeth Jolin expressed concern that Council direction to direct the staff to issue an RFP for a master plan for Founders Park for park specific planners to bring forward a process that would prioritize community engagement through multiple public sessions had not been clearly articulated. She asked Council if they agreed that what she just stated was what they had asked for.

Interim Village Manager Kimberly Matthews indicated she had directed staff to put out an RFP and Attorney Alison Smith noted it was currently undergoing legal review so the action was underway.

XIII. ADJOURNMENT

Council Member Henry Rosenthal moved to adjourn the meeting at 7:59 p.m.