



Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

November 19, 2024 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL OF THE 2024 - 2026 VILLAGE COUNCIL

Mayor Pinder called the meeting to order at 05:25 PM

PRESENT: Vice Mayor Sharon Mahoney, Mayor Joseph B. Pinder III, Council Member Don Horton, Council Member Steve Friedman, Council Member Deb Gillis

ABSENT:

II. PLEDGE OF ALLEGIANCE

Dr. Harold Dalton led the Pledge of Allegiance and Mayor Pinder began the meeting with a prayer.

III. SWEARING-IN OF NEWLY ELECTED OFFICIALS- The Honorable Sharon I. Hamilton

The Honorable Sharon I. Hamilton administered the oaths of office to the Council Members.

IV. AGENDA: Requests for Deletion / Emergency Additions

It was requested to move Tab 2, Parks and Recreation Committee Chair Wightman's report, to before Tab 1.

Vice Mayor Sharon Mahoney pulled Tab 9 from Consent Agenda to the Resolutions section.

V. ELECTION OF MAYOR & VICE MAYOR

A. Nomination and Election of Mayor and Vice Mayor

Interim Village Attorney John Quick introduced the process to elect a mayor and vice mayor.

Sharon Mahoney was elected Mayor.

Don Horton was elected Vice Mayor.

A brief break called at 5:45 p.m. for Council to move to their new seats. Mayor Mahoney reconvened the meeting at 5:50 p.m.

VI. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

A. Parks and Recreation Committee Report by Chair Carolyn Wightman TAB 2

Parks and Recreation Committee Chair Carolyn Wightman reported on recent activities and goals of the Committee.

VII. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

A. FDOT Founders Park Crosswalk Study Update TAB 1

Ramon Sierra of FDOT provided an update on the Founders Park Crosswalk Study and requested Council's feedback to help determine how, or whether, to move forward.

Mayor Mahoney opened public comment.

Monroe County Sheriff Rick Ramsey cited increased traffic accidents at crosswalks and noted he did not support the request.

VIII. 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 Sharon Mahoney opened public comment.

Speakers included:

Van Cadenhead

Joe Wischmeier

Harold Dalton

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

IX. MAYOR / COUNCIL COMMUNICATIONS

Council Member Deb Gillis thanked the public for voting for her.

Vice Mayor Don Horton thanked Council Member Buddy Pinder for his leadership as mayor.

X. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Discussion to Schedule Executive Session

Interim Village Attorney John Quick announced an executive session would be held on December 10 at 4:00 p.m. in the Barley litigation.

XI. CONSENT AGENDA

Interim Village Attorney John Quick introduced the Consent Agenda, noting Tab 9 had been pulled to the Resolutions section of the agenda.

Council Member Steve Friedman pulled Tab 5 and asked it be moved to Resolutions.

Mayor Mahoney opened public comment.

Lou Ann Buschlen asked for Tab 8 to be stayed due to ongoing appeals.

Interim Village Attorney John Quick noted Ms. Buschlen's appeals were two separate items. The fence permit was to be decided by a hearing officer whom we were required to hire under the Code.

ACTION: Motion to Approve Consent Agenda items 3, 4, 6, 7, and 8 item XI.
by Joseph B. Pinder III second by Deb Gillis;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman,
Deb Gillis

NAYS: None

ABSTAIN: None

A. Meeting Minutes: TAB 3

Regular Village Council Meeting - October 8, 2024

Land Use Village Council Meeting - October 10, 2024 (Marne
McGrath, Village Clerk)

**B. Resolution Approving a Maintenance Memorandum of Agreement
with the Florida Department of Transportation Regarding Canal #147
Restoration TAB 4 (Peter Frezza, Environmental Resources
Manager)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING MEMORANDUM
OF AGREEMENT WITH FLORIDA DEPARTMENT OF
TRANSPORTATION WITH RESPECT TO VANE COMPRESSORS
AND ASSOCIATED ELECTRICAL WORK MAINTENANCE;
AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE
TERMS AND CONDITIONS OF THE MEMORANDUM OF
AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO
EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE
MANAGER TO EXECUTE THE MEMORANDUM OF AGREEMENT;
AND PROVIDING FOR AN EFFECTIVE DATE**

**C. Resolution Approving Work Authorization No. 19 with WSP USA
Environment & Infrastructure Inc. for Water Quality Monitoring and
Canal Management Database Updates TAB 6 (Peter Frezza,
Environmental Resources Manager)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK
AUTHORIZATION NO. 19 WITH WSP USA ENVIRONMENT &
INFRASTRUCTURE, INC. FOR WATER QUALITY MONITORING
AND CANAL MANAGEMENT DATABASE UPDATES;
AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE**

**TERMS AND CONDITIONS OF THE PROJECT AGREEMENT;
AUTHORIZING THE VILLAGE MANAGER TO EXPEND
BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER
TO EXECUTE WORK AUTHORIZATION NO 19; AND PROVIDING
FOR AN EFFECTIVE DATE**

- D.** Resolution Approving Work Authorization No. 20 with WSP USA Environment & Infrastructure, Inc. for Canal #145 Lower Matecumbe Key Backfilling Restoration Project **TAB 7** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 20 WITH WSP USA ENVIRONMENT & INFRASTRUCTURE, INC. FOR PROFESSIONAL SERVICES FOR CANAL #145 LOWER MATECUMBE KEY BACKFILLING RESTORATION PROJECT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 20; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT FOR WORK AUTHORIZATION NO. 20; AND PROVIDING FOR AN EFFECTIVE DATE

- E.** Resolution Approving Appointment of Charles Kramer as Hearing Officer in Accordance with Section 6-35 of Village Code **TAB 8** (Sheila Denoncourt, Chief Building Official)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE APPOINTMENT OF CHARLES M. KRAMER AS THE HEARING OFFICER PURSUANT TO SECTION 6-35 OF THE VILLAGE CODE; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE RETAINER AGREEMENT; PROVIDING AUTHORIZATION TO IMPLEMENT THE PURPOSE OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

XII. RESOLUTIONS

- A.** Resolution Approving Work Authorization No. 18 with WSP USA Environment & Infrastructure, Inc. for Canal 132 Construction Engineering Inspections and Administration Services **TAB 5** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 18 WITH WSP USA ENVIRONMENT & INFRASTRUCTURE INC. FOR CANAL 132 RESTORATION PROJECT CONSTRUCTION ENGINEERING INSPECTIONS SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT

THE TERMS AND CONDITIONS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE WORK AUTHORIZATION NO 18; AND PROVIDING FOR AN EFFECTIVE DATE

Council Member Steve Friedman noted he was on the board of the HOA in the affected neighborhood and asked whether he needed to recuse himself for this item.

Interim Village Attorney John Quick stated that he was not obligated to, but could if he preferred.

Council Member Friedman indicated he would be voting.

Mayor Sharon Mahoney opened public comment.

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

ACTION: Motion to Approve item XI.C. by Deb Gillis second by Joseph B. Pinder III;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- B.** Resolution Approving Amendment to FDOT Public Transit Service Development Program Grant Agreement **TAB 9** (Robert Cole, Village Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AMENDMENT TO GRANT AGREEMENT G2M67 BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE REIMBURSEMENT FUNDING FOR PUBLIC TRANSPORTATION DEVELOPMENT THROUGH EXPANSION OF THE FREEBEE PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

Mayor Sharon Mahoney indicated that she was requesting a motion to turn the Freebee operation over to Monroe County Transit and not vote on this at all. She commented that it was her understanding that Monroe County Transit Executive Director Clark would be able to take it over January 1, 2025.

Village Manager Rob Cole noted that he had spoken to Mr. Clark the previous week, but had not understood that to be the case. He noted, however, that if we accepted the grant, we could still turn over the operation to the County at any

time.

Discussion ensued with a focus on not losing out on grant funds. It was decided to approve the grant, but ask Director Clark to present at the December 10 Council Meeting.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Joe Wischmeier

Mark (on Zoom)

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

ACTION: Motion to Approve the grant and request a presentation by Monroe County Transit Clark on December 10 item XI.G. by Sharon Mahoney second by Deb Gillis;
Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- C. Resolution Approving a Professional Services Agreement Between ICONN Technology Group and Islamorada Village Of Islands **TAB 10** (Ramon Navarro, Network Engineer)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING FISCAL YEAR 2024-2025 FOR PROFESSIONAL SERVICES BETWEEN ICONN TECHNOLOGY GROUP 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

Network Engineer Ramon Navarro introduced the request to help migrate our emails in-house for improved security.

During Council discussion, it was determined that it would helpful to include soft costs, such as time spent to implement the system, in the Council Communication.

Mayor Sharon Mahoney opened public comment.

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

ACTION: Motion to Approve item XII.C. by Joseph B. Pinder III second by Deb Gillis;
Motion Passed with a 5:0 vote
AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

- D. Resolution Electing to Use the Uniform Method of Collecting Non-Ad Valorem Special Assessments Levied within the Village toward Canal 147 Restoration Costs **TAB 11** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE VILLAGE BEGINNING WITH THE TAX BILL ISSUED IN NOVEMBER 2025 FOR THE CANAL 147 RESTORATION PROJECT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

Environmental Resources Manager Pete Frezza introduced noting this agenda item was a public hearing as required to implement a special assessment.

Mr. Frezza noted that staff had asked property owners to vote on the assessment and whether they wanted to move forward with the project. He indicated that a majority of residents voted yes.

He noted that Council had to adopt a resolution of intent to use the uniform method of collecting non-ad valorem, adding the resolution was non-binding and in the future may reduce the cost, area covered, or project.

Vice Mayor Don Horton expressed concern at the cost of \$22,500 per homeowner.

Mr. Frezza noted the cost was determined through guidance from the vendor and Monroe County, and verified by Anser Advisory. He indicated that costs included maintenance, components, and electricity to power the bubbler.

Mayor Mahoney opened public comment.

Speakers included:
Sue Miller

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

ACTION: Motion to Approve item XII.D. by Don Horton second by Steve Friedman;
Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

- E. Resolution Approving Annual Distribution of Building Permit Allocation System (BPAS) Allocations **TAB 12** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING THE TOTAL AMOUNT OF NONRESIDENTIAL FLOOR AREA AND RESIDENTIAL DWELLING UNITS, QUARTERLY ALLOCATIONS, AND THE DISTRIBUTION OF ALLOCATIONS BETWEEN CATEGORIES OF THE BUILDING PERMIT ALLOCATION SYSTEM FOR 2025; AND PROVIDING FOR AN EFFECTIVE DATE

Planning Director Jennifer DeBoisbriand noted this was the annual distribution as required by our Code.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Joe Wischmeier

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

ACTION: Motion to Approve item XII.E. by Joseph B. Pinder III second by Don Horton;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- F. Resolution Approving Agreement with Anser Advisory, LLC, for FY 25-26 Assessment Consulting Services **TAB 13** (Lisa Lynch, Finance Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND ANSER ADVISORY FOR SPECIALIZED PROFESSIONAL SERVICES RELATED TO THE MAINTENANCE OF NON-AD VALOREM ASSESSMENT PROGRAMS FOR WASTEWATER, STORMWATER, AND SOLID WASTE COLLECTION SERVICES FOR THE FISCAL YEAR 2025–2026; APPROVING THE WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Lisa Lynch introduced noting this is an annual project for maintenance of the wastewater, stormwater, and solid waste assessment programs. Ms. Lynch noted they have not raised the rates in several years.

Mayor Sharon Mahoney opened public comment.

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

ACTION: Motion to Approve item XII.F. by Deb Gillis second by Joseph B. Pinder III;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- G.** Resolution Considering Guidance to Monroe County Board of County Commissioners Regarding any Future BPAS Allocations **TAB 14**
(Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING A RECOMMENDATION TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE NUMBER OF ADDITIONAL RESIDENTIAL BUILDING PERMIT ALLOCATIONS THE VILLAGE WOULD LIKE TO RECEIVE IN POTENTIAL FUTURE ALLOCATIONS; REPEALING RESOLUTION NO. 24-10-122; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO CERTAIN PEOPLE WITH THE COUNTY

Interim Village Attorney John Quick noted that Resolution 24-10-122 was passed on October 8, 2024 to request an additional 104.75 BPAS allocations. He indicated that the Council must move for a waiver of the current council procedures if they wish to reopen the item.

He reiterated Council Meeting Rules section II G concerning Renewal. Once action was taken on a Resolution, neither the same matter nor its repeal or decision nor a substantially similar matter may be brought before the Council again during the six-month period following the action unless a majority of the Council agrees to waive the rule.

Council Member Deb Gillis made a motion to Approve waiving Meeting Procedure II G for concerning Renewal of the item. Vice Mayor Don Horton seconded.

The vote passed four to one, with Council Member Steve Freidman casting the no vote.

Mayor Sharon Mahoney opened public comment:

Van Cadenhead

Stuart Schaffer, representing Sugarloaf Shares POA

Dottie Moses, representing Key Largo Federation of Homeowners Association

Anne Olsen, representing Last Stand

Joe Wischmeier

Sue Miller

SANCS256 (Zoom participant indicated they wished to speak on the previous item)

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

Discussion ensued, and the Council suggested postponing the item. Planning Director Jennifer DeBoisbriand indicated that if the Council was looking for the County to make a directive, they needed it done by December 11.

ACTION: Motion to Approve to continue to December 10 Council Meeting item XII.G. by Joseph B. Pinder III second by Steve Friedman;

Motion Passed with a 4:1 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman

NAYS: Deb Gillis

ABSTAIN: None

H. Resolution Approving Update to Council Meeting Procedures TAB 15 (John Quick, Interim Village Attorney)

A RESOLUTION OF THE VILLAGE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, UPDATING THE VILLAGE COUNCIL PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE

Interim Village Attorney John Quick noted there recently had been a legal change to the public comment law and noted the update would bring the Village into compliance.

He noted that historically the law directed comments to the mayor and had restrictions on profane, obscene language. The revised language adds a footnote that these terms were defined via the common dictionary definition under prevailing law.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Van Caddenhead

Joe Wishchmeier

Sue Miller

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

Vice Mayor Don Horton noted the citizen input rules on comments he had provided were from the School Board rules, which he felt were well-run meetings and may be helpful to Council.

Interim Village Attorney John Quick noted the resolution had been drafted to

approve the public comment law addition to the Meeting Procedures. If Council wanted to approve the citizen input document, they would need to amend the resolution.

Mayor Sharon Mahoney asked about having public comment after discussion of items rather than better. Interim Village Attorney John Quick noted that if public comment came at the end of the item, then the Council wouldn't get the benefit of public opinion.

Discussion ensued, and it was agreed to amend the resolution to move general public comment to after the Mayor/Council and Manager/Attorney communications.

ACTION: Motion to Approve with an amendment to move Public Comment to after VM/VA Communications item XII.H. by Deb Gillis second by Don Horton;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

XIII. ADJOURNMENT

It was confirmed that there was no meeting on Thursday, November 21.

Mayor Sharon Mahoney moved to adjourn the meeting at 9:13 p.m.