Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

October 8, 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 05:32 PM

PRESENT: Council Member Mark Gregg, Council Member Elizabeth Jolin, Council Member Henry Rosenthal, Vice Mayor Sharon Mahoney, Mayor Joseph B. Pinder III

ABSENT:

II. PLEDGE OF ALLEGIANCE

SRC Coordinator Alyssa Panzer led the Pledge of Alliegiance and Mayor Pinder began the meeting with a prayer.

III. AGENDA: Requests for Deletion / Emergency Additions

Council Member Elizabeth Jolin pulled Tab 10
Council Member Mark Gregg asked to give a PSA under Discussion
Council Member Henry Rosenthal pulled Tab 5, Tab 11, and Tab 13

Interim Village Attorney John Quick confirmed that Tabs 5, 10, 11, and 13 were pulled from the Consent Agenda for consideration during the Resolutions section of the agenda.

IV. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

A. FDOT Monroe County Freight Plan Presentation **TAB 1**

FDOT Consultant Jack Schnettler presented the Monroe County Freight Improvement Plan.

Village Manager Rob Cole noted that FDOT was beginning their process by making the presentation and that the Village would encourage robust public engagement before any decisions were made.

Council Member Elizabeth Jolin asked to waive the limitation on public comment on this section of the agenda. A majority of Council concurred and Mayor Joseph B. Pinder III opened public comment.

Speakers included:

Van Cadenhead
Sue Miller
Joe Wischmeier

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

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:
Van Cadenhead
Joe Wischmeier

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

VI. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

A. Motion to Consider Appointment of Nicholas Kross to the Nearshore Waters Citizens' Advisory Committee **TAB 2**

Mayor Joseph B. Pinder III opened public comment.

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

ACTION:	Motion to Approve the appointment of Nicholas Kross to the Nearshore Water Citizens' Advisory Committee item VI.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

VII. MAYOR / COUNCIL COMMUNICATIONS

Council Member Henry Rosenthal asked for an update on the discussion with the Key Largo Wastewater District.

Village Manager Rob Cole noted that the KLWWD wanted the North Plantation Key situation corrected before further discussions and noted an independent engineer might be required to resolve the impasse.

Council Member Mark Gregg shared a public service announcement noting if someone has a building permit, whenever there is a disaster the time to meet the requirements is suspended during a Governor's Emergency Declaration. He noted the law is favorable to permit holders and that it can last up to several years. Interim Village Attorney John Quick noted the law applied to building permits and development orders and noted interested residents could review F.S. 252.363 for timelines and exclusions.

VIII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Village Manager Rob Cole shared the Village's 5:00 p.m. communication concerning Hurricane Milton, noting that Village Offices would be closed on October 9 out of an abundance of caution during the Tropical Storm Warning for the Keys, and according to the National Weather Service, maximum storm surge was expected to reach the Upper Keys on Thursday.

IX. CONSENT AGENDA

Mayor Joseph B. Pinder III opened public comment.

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

Interim Village Attorney John Quick introduced the Consent Agenda, noting that Tabs 5, 10, 11, and 13 had been removed from the Consent Agenda.

ACTION:	Motion to Approve the Consent Agenda with the removal of Tabs 5, 10, 11, and 13 item IX. by Mark Gregg second by Sharon Mahoney; 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. Approval of Meeting Minutes: **TAB 3**
Budget Hearing #1 - September 5, 2024
Regular Village Council Meeting - September 10, 2024
Land Use Village Council Meeting - September 12, 2024
Special Village Council Meeting - September 17, 2024
Budget Hearing #2 - September 17, 2024 (Marne McGrath, Village Clerk)

B. Resolution Approving Agreement with Aqua Waste Repairs, Inc., for Canal 132 Gravity Infiltration Well Installation Services **TAB 4** (Peter Frezza, Environmental Resources Manager)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RECOMMENDATION OF THE RFP 24-14 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE CANAL 132 INFILTRATION WELL RESTORATION PROJECT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT FOR THE PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

C. Resolution Approving Agreement No. KG002 Between the FDEP and the Village Relating to Funding through the Florida Keys Stewardship Act **TAB 6** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING DEP AGREEMENT NO. KG002 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE VILLAGE RELATED TO FLORIDA KEYS STEWARDSHIP ACT FUNDING; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

D. Resolution Ratifying the Purchase of a Wireless Microphone System with Mixer from BISDigital for Council Chambers **TAB 7** (Vince Tarves, Systems Engineer)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RATIFYING THE PURCHASE OF A WIRELESS MICROPHONE SYSTEM WITH MIXER FROM BISDIGITAL FOR THE COUNCIL CHAMBERS TO PROVIDE AUDIO FOR VILLAGE MEETINGS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

E. Resolution Approving Recommendation of TGM Medical Corp/ Dr. Thomas Morrison and Agreement for Medical Director Services **TAB 8** (Terry Abel, Fire Chief)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RECOMMENDATIONS OF THE RFP 24-16 EVALUATION COMMITTEE FOR MEDICAL DIRECTOR SERVICES TO THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO ENTER INTO AND AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVING FOR AN EFFECTIVE DATE

F. Request for Authorization to Dispose of Surplus Vehicle - 2008 Freightliner **TAB 9** (Terry Abel, Fire Chief)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, DECLARING THE 2008 FREIGHTLINER M2 AS SURPLUS PROPERTY; AUTHORIZING DISPOSAL OF THE ASSET; AND PROVIDING AN EFFECTIVE DATE

G. Resolution Approving Work Authorization No. 5 with MT Causley LLC and the Village of Islamorada **TAB 12** (Sheila Denoncourt, Chief Building Official)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK

AUTHORIZATION NO. 5 BETWEEN M. T. CAUSLEY, LLC, AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE GENERAL SUPPORT SERVICES TO THE BUILDING SERVICES DEPARTMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 5; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

H. Resolution Increasing Building Department Inspections Services from All Aspects Inspection Services, LLC for FY 23/24 **TAB 14** (Sheila Denoncourt, Chief Building Official)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RATIFYING INCREASING AUTHORIZED BUILDING DEPARTMENT INSPECTION SERVICES FROM ALL ASPECTS INSPECTION SERVICES, LLC THROUGH THE END OF FY 2023-2024; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

I. Resolution Approving Auditing Services for Fiscal Year End September 30, 2024 **TAB 15** (Lisa Lynch, Finance Director)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; APPROVING THE ENGAGEMENT FOR PROFESSIONAL AUDITING SERVICES WITH CHRISTOPHER, SMITH, LEONARD, AND STANELL PA, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE ENGAGEMENT AGREEMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROFESSIONAL AUDITING SERVICES ENGAGEMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

X. RESOLUTIONS

A. Resolution Approving Work Authorization No. 1 with RES Florida Consulting, LLC. for Initiating Breakwater/Artificial Reef Feasibility Study for Sea Oats Beach and Upper Matecumbe Beach **TAB 5** (Alyssa Panzer, SRC Coordinator)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 1 WITH RES FLORIDA CONSULTING LLC FOR BREAKWATER/ARTIFICIAL REEF FEASIBILITY STUDY AT SEA OATS BEACH AND UPPER MATECUMBE BEACH; 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 THE WORK AUTHORIZATION NO 1; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Van Cadenhead
Sue Miller

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

Council Member Henry Rosenthal stated that he didn't think the public understood that it could eventually involve their property.

SRC Coordinator Alyssa Panzer stated that this was a feasibility review to look at the potential opportunities. She noted breakwaters were recommended at several locations, but these are two of the more crucial.

Planning Director Jennifer DeBoisbriand noted the department would issue quarterly updates on the project. She further announced they were planning community workshops to educate the public.

ACTION:	Motion to Approve item X.A. 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

B. Resolution Approving Work Authorization No. 5 Between Wade Trim, Inc., and the Village for FY 2024-2025 Services **TAB 10** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RATIFYING AND APPROVING WORK AUTHORIZATION NO. 5 BETWEEN WADE TRIM, INC., AND ISLAMORADA, VILLAGE OD 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. 5; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Joe Wischmeier

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

ACTION:	Motion to Approve item X.B. 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

C. Resolution Approving Work Authorization No. 2 Between Page Excavating and the Village for FY 2024-2025 Services **TAB 11** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RATIFYING AND APPROVING WORK AUTHORIZATION NO. 2 BETWEEN PAGE EXCAVATING, INC. AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE WASTEWATER SUPPORT SERVICES AS NEEDED; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 2; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Sue Miller

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

ACTION:	Motion to Approve item X.C. 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

D. Resolution Approving First Amendment to Cooperative Professional Services Agreement with All Aspects Inspection Services, LLC, for Building Support Services **TAB 13** (Sheila Denoncourt, Chief Building Official)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN ALL ASPECTS INSPECTION SERVICES, LLC, AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE BUILDING

PERMIT PLANS REVIEW AND INSPECTION SERVICES TO THE BUILDING SERVICES DEPARTMENT; APPROVING THE WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

Building Official Sheila Denoncourt noted this contract was a piggyback with Key West.

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 X.D. 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

E. Resolution Approving Second Budget Amendment FY23-24 **TAB 16** (Lisa Lynch, 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 FOR AN EFFECTIVE DATE

Finance Director Lisa Lynch noted that in the future budget amendments will be made quarterly.

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 X.E. by Mark Gregg second by Sharon Mahoney; Motion Passed with a 4:1 vote
AYES:	Mark Gregg, Elizabeth Jolin, Sharon Mahoney, Joseph B. Pinder III
NAYS:	Henry Rosenthal
ABSTAIN:	None

F. Resolution Approving Award of RFP 24-15 for Two Storage Buildings for Emergency Backup Generators **TAB 17** (Terry Abel, Fire Chief, A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RECOMMENDATION OF THE RFP 24-15 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE GENERATOR STORAGE BUILDINGS CONSTRUCTION PROJECT; AUTHORIZING THE VILLAGE MANAGER AND

VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; APPROVING A BUDGET AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING 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 X.F. by Henry Rosenthal second by Sharon Mahoney; Motion Passed with a 5:0 vote
AYES:	Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS:	None
ABSTAIN:	None

G. Amendment to Village Personnel Policy Manual **TAB 18** (Robert Cole, Village Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA ADOPTING AN AMENDMENT TO THE VILLAGE PERSONNEL POLICY MANUAL, SECTION 10 – EMPLOYEE BENEFITS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PERSONNEL POLICY MANUAL; AND PROVIDING FOR AN EFFECTIVE DATE

Village Manager Rob Cole requested Council direction on the employee opt-out of the Village's health benefits, professional development incentives for Fire personnel, and supplemental cancer coverage for Fire personnel. He noted that if these benefits were to be continued they need to be incorporated into the personnel policy manual.

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Joe Wischmeier
Sue Miller
Harold Dalton

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

After continued discussion, public comment was reopened.

Speakers included:
Deb Gillis

Mayor Pinder closed public comment.

ACTION:	Motion to Approve amending Sec. 10 of the Personnel Manual as discussed, to be done during the budget process item X.G. 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

H. Resolution Approving the Second Amendment to the Contractual Services Agreement for Solid Waste Services to Allow a Rate Increase for Commercial and Residential Rates for FY2024-2025 **TAB 19** (Lisa Lynch, Finance Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING SECOND AMENDMENT TO CONTRACTUAL SERVICES AGREEMENT FOR SOLID WASTE, YARD WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES WITH ISLAND DISPOSAL COMPANY; AUTHORIZING VILLAGE MANAGER AND VILLAGE ATTORNEY TO ENTER INTO THE SECOND AMENDMENT TO AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SECOND AMENDMENT; 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 X.H. 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. ADJOURNMENT

Council Member Henry Rosenthal moved to adjourn the meeting at 9:19 p.m.