



Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

February 11, 2025 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL

Mayor Sharon Mahoney called the meeting to order at 5:30 p.m.

PRESENT: Mayor Sharon Mahoney, Vice Mayor Don Horton, Council Member Steve Friedman, Council Member Deb Gillis

ABSENT:

II. PLEDGE OF ALLEGIANCE

Ty Harris led the Pledge of Allegiance.

III. AGENDA: Requests for Deletion / Emergency Additions

Council Member Steve Friedman asked to remove the fireworks discussion.

Council Member Deb Gillis asked to pull Tab 5 - Amendment 1 to Agreement KG No. 002.

IV. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

- A. ADDED DURING THE MEETING -** Move Council Member Appointment from the March 18 agenda and appoint Anna Richards to the vacant seat.

Greg Dully approached the podium and asked to speak at the beginning of the meeting. He thanked the community for their support and withdrew his application for the Council seat vacated by Council Member Pinder.

Vice Mayor Don Horton noted that in light of Mr. Dully's withdrawal, he asked to have a discussion on how to move forward. He further asked to move discussion from the March 18 agenda and moved to appoint Anna Richards to the vacant Council Seat. Council Member Deb Gillis seconded the motion with a caveat that she would prefer to swear in Ms. Richards at the end of the meeting.

Council Member Steve Friedman noted he wanted to talk about holding a Special Election for the residents to choose.

Interim Village Attorney John Quick indicated the Village would have to have a Special Election to change the Charter, and then have a Special Election for the

vacant seat. He noted it required adoption of an ordinance after two readings to move towards that goal.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Joe Wischmeier
Van Cadenhead
Dr. Harold Dalton
Roger Young

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

Mayor Sharon Mahoney addressed the allegation that Council Member Pinder had not been an Islamorada resident at the time of the November 5, 2024 election and, therefore, was ineligible to serve. She confirmed that Mr. Pinder's residency in Islamorada had been established and was not in question.

Interim Village Attorney John Quick noted that Ms. Richards could be sworn in immediately or after the meeting. Ms. Richards indicated that she preferred waiting until the end of the meeting to be sworn in.

Council Member Deb Gillis requested to have one motion moving the discussion from March 18 and appointing Anna Richards to the vacant Council Seat. The Council concurred.

Mr. Quick told Ms. Richards that she was now subject to sunshine.

Council Member Gillis thanked Mr. Dully for his efforts and consideration of the community.

ACTION: Motion to Approve moving the discussion from 3/18 and appointing Anna Richards to the vacant Council Seat item IV.A. by Don Horton second by Deb Gillis;
Motion Passed with a 4:0 vote
AYES: Sharon Mahoney, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

V. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

A. Nearshore Water Committee Report TAB 1

Vice Chair Matt Belinger presented the report sharing recent initiatives of the committee. He noted the committee was asking for more information from staff about vessel exclusion zones and they proposed an idle zone at Starks Wheel Ditch. Mayor Sharon Mahoney noted the Village was trying to determine who owned it.

Mr. Bellinger also announced that red tide had been spotted off the coast of the Keys and encouraged residents to take the threat seriously.

Mayor Mahoney announced the upcoming Heart Like Harlie fundraiser on Sunday, February 16 from noon to 6 p.m to raise funds for a fire boat. She encouraged everyone to attend.

VI. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Holiday Lights (Mayor Mahoney)

Mayor Sharon Mahoney asked for Council's thoughts on continuing the holiday lights to decorate the park. The Council concurred that the current budget of \$105,000 per year was unsustainable. Mayor Sharon Mahoney suggested that staff research what we could get for \$50,000 and \$75,000.

Vice Mayor Don Horton suggested that as the Monroe County Sheriff's Office gives back unused funds each year, perhaps the Council could dedicate those funds to holiday lights and charitable donations. The Council concurred.

B. Discussion Regarding Village's Charitable Giving Policy (Mayor Mahoney)

Vice Mayor Don Horton suggested forming a committee to decide whether to donate tax dollars to charitable organizations. Council generally concurred, noting there should be a more comprehensive discussion of which charities and services should be eligible.

C. Discussion Regarding State Statutes Governing Mobile/Manufactured Homes (Vice Mayor Horton)

Vice Mayor Don Horton noted the Village was not collecting tax dollars for the mobile home park/modular homes at Sun Outdoors.

He indicated this was due to modular homes being considered mobile homes per Florida Statute. As such, they are not taxable as mobile home parks are designed to provide affordable housing.

He stated that the Sun Outdoors development was taking advantage of the statute and noted he spoke to various organizations and our lobbyists. He said he would like to be able to speak on behalf of the entire Council, asking to put it on the legislative agenda. Council concurred.

D. Discussion Regarding Possible Regulation of Fireworks (Councilmember Friedman)

Council Member Steve Freidman pulled the discussion from the agenda.

E. Discussion Regarding Vacant Village Council Seat (Vice Mayor Horton)

This item was dealt with at the beginning of the meeting.

F. July Council Meeting Date Confirmation **TAB 2**

After discussing the option, the Council directed staff to amend the meeting calendar to meet on July 22 and 24 and not hold an August meeting due to the late July meeting dates.

VII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Status Report on Comprehensive Plan Update TAB 3

Planning Director Jennifer DeBoisbriand provided the update on the progress with Able City. She indicated the signed contract was received on November 14, and a kick-off meeting with staff was held December 19, and she summarized work completed to date.

She stressed the importance of public input and encouraged residents to take the survey at planislamorada.com

Ms. DeBoisbriand shared upcoming activities that Able City would be undertaking:

February 12 - Meet with Chamber Board

February 18-20 - Tour the community and hold technical meetings

February 18 - Islamorada Chamber After Hours Event at Islander

March 24-28 - Hold a week-long public Blueprint for Balance Charrette

She noted Able City would be at the community center the entire week of the Charrette, starting daily at 9 a.m., and encouraged the public to drop by to share their ideas.

Ms. DeBoisbriand asked that she be the sole contact with the consultants as the Project Manager.

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

Dr. Harold Dalton

Joe Wischmeier

Jon Wallace

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

IX. CONSENT AGENDA

Interim Village Attorney John Quick reminded the Council that the Consent Agenda Items were Tabs 4, 6, 7, and 8 and that Tab 5 had been pulled.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Van Cadenhead

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

ACTION: Motion to Approve Tabs 4, 6, 7, and 8 item IX. by Don Horton second by Deb Gillis;
Motion Passed with a 4:0 vote
AYES: Sharon Mahoney, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

A. Meeting Minutes: TAB 4

January 7, 2025 Regular Village Council Meeting

January 9, 2025 Executive Session

January 9, 2025 Land Use Village Council Meeting (Marne McGrath, Village Clerk)

B. Resolution Approving An Amendment To The Agreement With Monifi Technology Group To Include An Expansion Of The Village's Current Surveillance Camera System To Include Wastewater Stations TAB 6
(A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT WITH MONIFI TECHNOLOGY GROUP TO INCLUDE AN EXPANSION OF THE VILLAGE'S CURRENT SURVEILLANCE CAMERA SYSTEM TO INCLUDE WASTEWATER STATIONS; AUTHORIZING VILLAGE OFFICIALS TO IMPLIMENT THE TERMS AND CONDISITONS FO THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; APPROVING A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

C. Resolution for Purchase of Fire-Dex Turnout Gear from Municipal Emergency Services TAB 7 (Terry Abel, Fire Chief)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF FIRE-DEX TURNOUT GEAR FROM MUNICIPAL EMERGENCY SERVICES FOR THE VILLAGE FIRE RESCUE DEPARTMENT THROUGH PIGGYBACKING LAKE COUNTY CONTRACT #22-730G; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

D. Resolution Approving Change Orders and Contingency Fund For The Library Beach Bathroom Facility Renovation Project TAB 8 (A.J. Engelmeyer, Public Works Director)

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

ORDERS FOR THE LIBRARY BEACH BATHROOM FACILITY RENOVATION PROJECT; AUTHORIZING A CONTINGENCY FUND; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

X. **END OF CONSENT AGENDA**

XI. RESOLUTIONS

- A.** Resolution Approving Amendment No. 1 to DEP Agreement No. KG002 Between the FDEP and the Village Relating to Funding through the Florida Keys Stewardship Act for the Lower Matecumbe Canals Culvert Restoration Project **TAB 5** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AMENDMENT 1 TO AGREEMENT 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 AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Council Member Deb Gillis shared that the Village had been granted over \$4,000,000 in grant funds toward the Lower Matecumbe Canal Restoration project, a large part of the full \$5,200,000 project cost.

ACTION: Motion to Approve item IX.B. by Steve Friedman second by Deb Gillis;

Motion Passed with a 4:0 vote

AYES: Sharon Mahoney, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- B.** Resolution Approving the Ranking and Recommendation of the RFP 24-19 Evaluation Committee and Authorization to Enter into Agreement(s) with Adventure Environmental, Inc. for the Lower Matecumbe Canals Culvert Restoration Project **TAB 9** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 24-19 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE LOWER MATECUMBE CANALS CULVERT RESTORATION PROJECT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT(S) FOR THE PROJECT; AUTHORIZING THE

**VILLAGE MANAGER TO EXECUTE THE AGREEMENT(S);
AUTHORIZING THE VILLAGE MANAGER TO EXPEND
BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE**

Environmental Resources Manager Pete Frezza provided an overview of the project and noted the Village had been working on plans and funding for the past four years. We received two bids in response to the RFP - LPS and Adventure Environmental Inc. Mr. Frezza noted both were highly qualified and that the LPS bid was significantly higher than Adventure Environmental Inc. He indicated that an expert engineer estimated the project to cost ~\$5,300,000 and that AEI was just under that amount. Therefore, the Evaluation Committee recommended AEI.

Mayor Sharon Mahoney opened public comment.

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

ACTION: Motion to Approve item XI.B. by Steve Friedman second by Don Horton;
Motion Passed with a 4:0 vote
AYES: Sharon Mahoney, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

- C. Approval of 4th Quarter 2024 Nonresidential Building Permit Allocations **TAB 10** (Jennifer DeBoisbriand , Planning Director)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING NONRESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM (“BPAS”) RANKINGS AND AWARDED NONRESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 4 OF 2024; AND PROVIDING FOR AN EFFECTIVE DATE

Planning Director Jennifer DeBoisbriand recommended that the Village Council approve the nonresidential building permit allocation ranking and award nonresidential allocations for Quarter 4 of 2024.

Mayor Sharon Mahoney opened public comment.

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

ACTION: Motion to Approve item XI.C. by Deb Gillis second by Don Horton;
Motion Passed with a 4:0 vote
AYES: Sharon Mahoney, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

- D. Resolution to Approve Agreement with Alan Cohen to Serve as Interim Village Manager **TAB 11** (John Quick, Interim Village Attorney)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE APPOINTMENT OF ALAN COHEN AS INTERIM VILLAGE

MANAGER; APPROVING AND AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT WITH MR. COHEN FOR SERVICE AS THE INTERIM VILLAGE MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE

Interim Village Attorney John Quick introduced, noting the proposed interim village manager agreement was presented for Council consideration.

The Council discussed the matter, expressing concern over some of the provisions of the contract. Ultimately, the Council moved to continue this item to the March 18, 2025, agenda.

Attorney Quick noted that public comment was not required for the continuation.

ACTION: Motion to Continue the item to the March 18, 2025 Regular Village Council Meeting item XI.D. by Don Horton second by Deb Gillis;
Motion Passed with a 3:1 vote
AYES: Sharon Mahoney, Don Horton, Deb Gillis
NAYS: Steve Friedman
ABSTAIN: None

XII. ORDINANCES

- A.** Ordinance Relating to Animals and Animal Owners **TAB 12** (John Quick, Interim Village Attorney)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CREATING CHAPTER 4, "ANIMALS," OF THE VILLAGE CODE TO ADOPT REGULATIONS RELATING TO ANIMALS AND ANIMAL OWNERS; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

Interim Village Attorney John Quick introduced Village does not have animal control ordinance, so Monroe County's ordinance that was in place when the Village incorporated was applicable. He noted that a recent court ruling clarified that the Monroe County ordinance - and its enforcement - stands.

He noted the Defendant was appealing; if they are successful, the Village would not have any ordinance on any type of animal. The Village would also lose enforcement by Monroe County's Animal Control. Mr. Quick noted that there would be wide-ranging impacts as the Village would have no way to deal with neglected animals if we didn't have an ordinance in place.

Discussion ensued and Mr. Quick was asked to work with the County on a carve-out for Islamorada before the second reading.

Mayor Sharon Mahoney opened public comment.

Speakers included:
Ty Harris

Van Cadenhead
Cheryl McBay
Jon Wallace
Alina Davis
Craig McBay
Robert Moser

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

ACTION: Motion to Approve on first reading with caveat to work on local carve out for chickens item XII.A. by Deb Gillis second by Sharon Mahoney;
Motion Passed with a 4:0 vote
AYES: Sharon Mahoney, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

XIII. QUASI-JUDICIAL

- A.** Ordinance Amendment to the Zoning Map for Parcel Numbers 00437590-000000, 00437610-000000 and 00437640-000000 - **Second Reading TAB 13** (Jennifer DeBoisbriand , Planning Director)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH CREEKSIDE LLC, TO AMEND THE OFFICIAL ZONING MAP FROM VILLAGE CENTER (VC) TO NEIGHBORHOOD COMMERCIAL (NC) FOR THE SUBJECT PROPERTY, LOCATED ON PLANTATION KEY, WITH REAL ESTATE NUMBERS 00437590-000000, 00437610-000000 AND 00437640-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

Council was asked to disclose any ex parte communications:
Mayor Sharon Mahoney - Bart Smith
Vice Mayor Don Horton - Bart Smith
Council Member Steve Freidman - None
Council Member Deb Gillis - Bart Smith

Planning Director Jennifer DeBoisbriand introduced the item noting this item was passed on first reading at the Council's meeting on December 12, 2024.

After first reading staff and the applicant discussed the following proposed conditions based on the Council's concerns at the last hearing:

1. No commercial fishing is permitted.
2. Docking facilities for recreational vessels shall be permitted. The mooring of recreational vessels shall be limited to vessels owned by the occupants of the

affordable housing dwelling units or guests of the occupants. Guests of the occupants of the affordable housing dwelling units shall be permitted to moor vessels at the docking facilities for up to, but not to exceed, two (2) consecutive days (whether or not consecutively moored).

3. No commercial uses, except for the existing restaurant, are permitted. In the event the lawfully existing restaurant is substantially damaged or destroyed, it is permitted to be rebuilt pursuant to all requirements and development standards of the underlying zoning district.

Staff have reviewed the request for Zoning Map Amendment from Village Center to Neighborhood Commercial and determined that the request meets the criteria. Therefore, staff recommended approval of the map amendment with the stated conditions.

Bart Smith represented the applicant and stated they were comfortable with the proposed conditions.

Mayor Mahoney called for testimony first from speakers in favor of the requests and then from those opposed:

In favor:
None

Neutral:
Van Cadenhead

Opposed:
Joe Wischmeier

There being no one else wishing to provide testimony, Mayor Mahoney closed public testimony.

It was noted they can't get the C of O for the main property until they finish the affordable units. The Council agreed that there was a great dearth of affordable housing in Islamorada, and it was hoped that this redevelopment may help alleviate some of the need.

ACTION: Motion to Approve item XIII.A. by Don Horton second by Deb Gillis;

Motion Passed with a 3:1 vote

AYES: Sharon Mahoney, Don Horton, Deb Gillis

NAYS: Steve Friedman

ABSTAIN: None

- B.** Administrative Relief - 165 Sunset Drive **TAB 14** (Jennifer DeBoisbriand , Planning Director)

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE
REQUEST BY KRISTINA BOHNSTEDT FOR ADMINISTRATIVE
RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION**

SYSTEM (BPAS) FOR PROPERTY LOCATED AT 165 SUNSET DRIVE, LOWER MATECUMBE, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE

Council was asked to disclose any ex parte communications:

Mayor Sharon Mahoney - None

Vice Mayor Don Horton - None

Council Member Steve Freidman - None

Council Member Deb Gillis - None

Planning Director Jennifer DeBoisbriand noted the application was entered into the BPAS on September 16, 2020. The application had been considered in four consecutive annual allocation periods and had failed to receive an allocation award. At the close of Quarter 4 of 2024, the Application was ranked 46th with fourteen points. Under the requirements outlined in Code Section 30-477(a), the applicant was eligible to apply for Administrative Relief between 12:01 PM on September 30, 2024, and 12:00 PM on January 28, 2025. The applicant applied for administrative relief on November 25, 2024.

The proposed development is one single-family, two-bedroom, two-bathroom home, approximately 1,632 square feet.

Remedies offered under Code Section 30-477(f): After the public hearing, the Village Council may take any or a combination of the following actions:

- (1) Grant the applicant an allocation award for all or part of the allocation requested in the next succeeding allocation period or extended pro rata over several succeeding allocation periods.
- (2) Offer to purchase the property at its fair market value.
- (3) Suggest such other relief as may be necessary and appropriate.

The Village currently has nineteen allocations available for administrative relief.

During the review of this Administrative Relief application, it was discovered that a portion of Lot 19 had been subdivided without proper approval from the Village pursuant to Village Code section 30-432 (f). The building permit approval was granted in 2020, and the application entered BPAS with the expectation of receiving an allocation. Based on this information, staff recommended awarding the administrative relief with the condition that the applicant applies for and receives approval of a lot split from the Village before issuance of the building permit.

Mayor Mahoney called for testimony first from speakers in favor of the requests and then from those opposed:

In favor:

None

Neutral:

Van Cadenhead

Opposed:
Joe Wischmeier

There being no one else wishing to provide testimony, Mayor Mahoney closed public testimony.

ACTION: Motion to Approve with contingency that the lot split needs to be approved before issuance of a building permit item XIII.B. by Deb Gillis second by Don Horton;
Motion Passed with a 3:1 vote
AYES: Sharon Mahoney, Don Horton, Deb Gillis
NAYS: Steve Friedman
ABSTAIN: None

XIV. MOTIONS

There were none.

XV. ADJOURNMENT

The Village Clerk administered the oath of office to Incoming Council Member Anna Richards. Council Member Richards then moved to adjourn the meeting at 8:35 p.m.



Marne McGrath, Village Clerk