



**ISLAMORADA, VILLAGE OF ISLANDS
REGULAR VILLAGE COUNCIL MEETING MINUTES**

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, February 13, 2014
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Ted Blackburn called the meeting to order at 5:31 p.m. The following Council members were present on roll call: Mayor Ted Blackburn, Vice Mayor Deb Gillis, Councilman Mike Forster, Councilman Ken Philipson, and Councilman Dave Purdo. Also in attendance were Acting Village Manager Maria Aguilar, Village Attorneys Roget Bryan and James White, Village Clerk Synthia Lankford, Monroe County Sheriff's Office Lieutenant David Carey and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Village Attorney James White led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

Sheriff Rick Ramsay presented a check for \$75,000 for unused funds from the Monroe County Sheriff's Office contract.

Council Dave Purdo announced Irving Eyster passed away on February 6, 2014; a memorial service will be held at Island Christian Church on February 16, 2014. The Matecumbe Historical Trust will have its monthly meeting on February 17, 2014 at Island Christian Church.

Reverend Tony Hammon requested Village Council consider renaming the Indian Key Festival to the Irving Eyster Indian Key Festival and/or renaming the Indian Key Bridge to the Irving Eyster Indian Key Bridge.

Mayor Ted Blackburn recognized Rita Cotter representing Congressman Joe Garcia's office.

Vice Mayor Deb Gillis announced the Moose Lodge is holding the annual Chili Cook-off February 15th and 16th.

IV. PUBLIC COMMENT

Frank Derfler, representing the Upper Keys Rotary, announced the 19th Annual Nautical Flea market will be held on February 22nd and 23rd, 2014 at Founders Park. Last year the Rotary Club raised \$94,000 toward scholarships for students at Coral Shores and Island Christian School.

Stan Margulies indicated the need for road improvements in the Venetian Shores subdivision. Mr. Margulies stated the roads need to be properly repaired and repaved after the installation of the water and sewer projects.

Larry Barr spoke about the problems with the overlay paving in his neighborhood.

V. AGENDA: Request for Deletion / Emergency Additions

Vice Mayor Deb Gillis added an item to approve the CityView proposal presented at the Workshop to Mayor/Council communications.

Councilman Mike Forster added discussion regarding towing services in Islamorada to Mayor/Council communications.

Mayor Ted Blackburn announced the Workforce/Affordable Housing Citizens' Advisory Committee will not provide an update. David Makepeace will provide an update for the Water Quality Improvement Citizens' Advisory Committee.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Water Quality Improvement Citizens' Advisory Committee Update

Chairperson David Makepeace reported that Public Works Director John Sutter attended the last committee meeting. Mr. Sutter apprised the Committee of his plan to conduct a feasibility study for known areas of concern related to stormwater in the Village. Mr. Sutter will recommend using funds accumulated from the stormwater assessment to pay for the engineering plans and provide cost estimates for the areas identified in the study. The committee unanimously endorsed Mr. Sutter's recommendations.

VII. VILLAGE MANAGER REPORTS AND UPDATES

Acting Village Manager Maria Aguilar provided an update on the Canal Restoration project. Council approved \$100,000 for the Canal Restoration project, with direction to advise as expenditures are incurred. To date approximately \$25,000 has been spent or encumbered to pay the contractor AMEC for services including the identification of Treasure Harbor Canal 137 as the demonstration canal project. AMEC has submitted a proposal in the amount of \$17,880 to cover costs to proceed with implementation of construction of the canal restoration at Treasure Harbor Canal 137.

Public Works Director John Sutter advised Council of upcoming FDOT projects.

VIII. CONSENT AGENDA

A. Minutes:

January 23, 2014 Regular Village Council Meeting

TAB 1

February 5, 2014 Special Call Village Council Meeting
(Executive Session: Case No. 2006-CA-43-P)

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(Village Manager's Evaluation)

Councilman Ken Philipson offered a motion to approve. Vice Mayor Deb Gillis seconded the motion. Council voted all in favor. The motion passed 5-0.

IX. WASTEWATER MATTERS

A. Wastewater Project Update

Wastewater Utility Director Greg Tindle provided the update. Construction continues to complete the pipeline to Key Largo. It is anticipated in spring 2014, the Village will begin diverting its flow to the Key Largo Wastewater treatment plant and begin converting the existing Plantation Key plant to a master pump station. A pre-construction meeting is scheduled for Venetian Shores homeowners on March 12, 2014 at 6:00 p.m. in the Community Center. Paving has begun on the Old Highway on Plantation Key. Paving is expected to be complete in the area in approximately three weeks.

X. PUBLIC HEARINGS

A. Florida Small Cities Community Development Block Grant Program Second Public Hearing **TAB 2**

Mayor Ted Blackburn opened the public hearing. Village Attorney Roget Bryan read the title of the Resolution. Senior Planner Jay Berenzweig presented the staff report and presented Calvin Knowles from Government Services Group.

Mr. Knowles advised the grant funds could be used for all eligible property owners in the incorporated areas of the Village of Islamorada; determination of funding the grant is expected in spring 2014.

Mayor Ted Blackburn opened public comment; no public comment was offered.

Councilman Ken Philipson offered a motion to approve. Vice Mayor Deb Gillis seconded the motion. Council voted all in favor. The motion passed 5-0.

B. Florida Small Cities Community Development Block Grant \$125,000 Fund Match **TAB 3**

Village Attorney Roget Bryan read the title of the Resolution. Senior Planner Jay Berenzweig presented the staff report recommending approval.

Vice Mayor Deb Gillis offered a motion to approve. Councilman Mike Forster seconded the motion. Council voted all in favor. The motion passed 5-0.

XI. ORDINANCES

XII. QUASI-JUDICIAL

A. Application for Major Conditional Use (MJ-13-01) by 81001 Overseas Highway, LLC **TAB 4**

Mayor Ted Blackburn requested individuals wishing to make public comment sign up with the Village Clerk. Village Attorney James White read the Quasi-Judicial statement. Village Clerk Synthia Lankford swore in the witnesses. Council disclosed their ex-parte communications. Director of Planning Cheryl Cioffari presented the staff report. Ms. Cioffari reported the applicant submitted a

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signed and executed cross access and parking agreement that sufficiently addressed staff's concerns with the parking issues, therefore staff is recommending approval of the Major Conditional Use with the conditions listed in the resolution.

Councilman Dave Purdo expressed concern that the Village Attorney has not had sufficient time to review the cross access and parking agreement.

Village Attorney Roget Bryan clarified that he was familiar with the proposed language advised the conditions within the resolution provide him the necessary time to review the agreement.

Councilman Ken Philipson indicated his belief that the project would be good for Islamorada and suggested supplementary conditions be added to the development approval.

Staff was directed to add conditions to resolution stating the generator would be located on the north side of the building and prohibition of a drive thru on the main parcel.

Vice Mayor Deb Gillis requested the conditions be read into the record; Director of Planning Cheryl Cioffari read the conditions into the record.

Village Attorney James White advised on the process for the applicant to enter into the B.P.A.S. and obtain the building permit.

Director of Planning Cheryl Cioffari advised the applicant would be required to re-apply for their square footage application through the B.P.A.S.; the allocation received from their previous site plan approval could not be transferred.

Mayor Ted Blackburn inquired regarding the entity that would occupy the building.

Patti Silver advised the occupant would be a national supermarket chain.

Mayor Ted Blackburn expressed concern that in approving the conditional use application Council is not aware of the company coming to Islamorada.

Village Attorney James White elucidated the conditional use application is for commercial retail square footage and re-zoning of the property. Mr. White indicated it was not unusual or uncommon to not know the tenant.

Councilman Dave Purdo stated the application and supporting documentation consistently refer to Winn-Dixie and he could no longer support the conditional use approval.

Owen Ewing advised Council that recently the Winn Dixie Corporation has gone through many changes, and he is continuing to negotiate with them and other high end markets. Mr. Ewing believes they will be a good neighbor and indicated that he had executed agreements with neighboring Coral Cove and Mr. Bob Johnson that he intends to honor.

Bruce Carlson advised the application was for the Market at Islamorada and they have complied with all aspects of the Village Code. Mr. Carlson requested condition six of the Resolution be removed or amended as they are unable to gain FDOT approval for a pedestrian crosswalk prior to the completion of the development.

Village Attorney James White recommended the language in condition six be amended and a condition added to state the applicant shall apply to FDOT for a striped pedestrian crossing with raised pavement marking around the center island as depicted on the approved site plan.

Mayor Ted Blackburn opened public comment; no public comment was offered.

Councilman Ken Philipson offered a motion to approve subject to the conditions imposed. Councilman Mike Forster seconded the motion. Vice Mayor Deb Gillis, Councilman Ken Philipson and Councilman Mike Forster voted in favor; Councilman Dave Purdo and Mayor Ted Blackburn voted opposed. The motion passed 3-2.

XIII. RESOLUTIONS

- A. Resolution Approving Nonresidential Building Permit Allocation System Rankings and Awards Quarter 1 of 2014 (Closed Noon on January 31, 2014) **TAB 5****

Village Attorney Roget Bryan read the title of the Resolution. Director of Planning Cheryl Cioffari presented the staff report recommending approval.

Mayor Ted Blackburn opened public comment; no public comment was offered.

Vice Mayor Deb Gillis offered a motion to approve. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

- B. Resolution Approving Transfer of Properties from of Monroe County Land Authority and Authorizing a Conservation Easement **TAB 6****

Village Attorney Roget Bryan read the title of the Resolution. Environmental Planner Susan Sprunt presented the staff report recommending approval.

Mayor Ted Blackburn opened public comment; no public comment was offered.

Councilman Ken Philipson offered a motion to approve. Councilman Mike Forster seconded the motion. Council voted all in favor. The motion passed 5-0.

- C. Resolution Approving Engagement Letter with Mauldin & Jenkins, LLC, for Professional Auditing Services for the Fiscal Year Ending September 30, 2013 **TAB 7****

Village Attorney Roget Bryan read the title of the Resolution. Acting Village Manager/Finance Director Maria Aguilar presented the staff report recommending approval and advising Council the field work for the audit has been rescheduled to April, 2014.

Mayor Ted Blackburn opened public comment; no public comment was offered.

Vice Mayor Deb Gillis offered a motion to approve. Councilman Ken Philipson seconded the motion. Council voted all in favor. The motion passed 5-0.

XIV. MOTIONS

No motions were made.

XV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Proposed Charter Amendments

TAB 8

Councilman Dave Purdo opened the discussion on proposed Charter Amendments and requested a referendum on the ballot providing for staggered terms for Council members.

Mayor Blackburn stated he would support a referendum for staggered terms.

Vice Mayor Deb Gillis indicated she would support the referendum only if Council is elected to a term of four years.

Direction was given to Village Attorney Roget Bryan to prepare language for election of Council members to four year terms and providing language for staggered terms.

Councilman Dave Purdo requested a referendum on the ballot eliminating seats and providing for an at large election.

Direction was given to Village Attorney Roget Bryan to prepare language for eliminating seats and providing for an election at large.

Councilman Dave Purdo requested a referendum on the ballot eliminating term limits.

Mayor Ted Blackburn stated he would not support a referendum to eliminate term limits; Vice Mayor Deb Gillis, Councilman Mike Forster and Councilman Ken Philipson agreed.

Councilman Dave Purdo requested a referendum on the ballot to increase Council Members' salary to \$25,000/per year.

There was no support from other members of Council for a for a salary increase.

Councilman Ken Philipson requested a referendum on the ballot to provide for the election of the Mayor, but not a change to Strong Mayor.

Direction was given to Village Attorney Roget Bryan to prepare language for election of the Mayor.

Mayor Ted Blackburn opened public comment.

John Fernandez inquired why Council is revisiting issues that voters had already decided on and recommended forming a Charter Review Committee to make recommendations.

Mayor Ted Blackburn closed public comment.

Village Attorney Roget Bryan clarified that he will investigate the appropriate language and bring back the three Charter amendments as directed by Council and the timeframe for including the referenda on the next election for more discussion before drafting the ordinance.

B. Discussion Regarding Sign Ordinance

Mayor Ted Blackburn advised the Chamber of Commerce is holding a sign workshop and recommended Council review their recommendations before taking further action on the sign ordinance.

C. Discussion Regarding Salary Increase for the Acting Village Manager

Councilman Ken Philipson proposed a base salary for Acting Village Manager Maria Aguilar in the amount of \$125,000 effective from the date of accepting the position. Ms. Aguilar would return to her previous salary if she goes back to her Finance Director position.

Councilman Dave Purdo expressed concern regarding Ms. Aguilar's workload as both the Village Manager and Finance Director.

Ms. Aguilar advised delaying the start of the audit field work has provided a reprieve and she plans to give supervisory signing authority to Senior Accounting Assistant Borodel Visco to lessen the amount of finance documents requiring her review.

Councilman Ken Philipson commended Ms. Aguilar for promoting Cheryl Cioffari to the Director of Planning and Development Services.

D. CityView Proposal

Vice Mayor Deb Gillis recommended Council approve the CityView Additional Services proposal presented at the workshop at the cost of \$24,000.

Vice Mayor Deb Gillis offered a motion to approve. Councilman Ken Philipson seconded the motion. Council voted all in favor. The motion passed 5-0.

E. Towing Services Contract

Councilman Mike Forster requested Council review the towing ordinance at the next Village Council meeting. Staff was given direction to put the item on the agenda.


Councilman Dave Purdo requested staff investigate the process to name the Indian Key Bridge in honor of Irving Eyster

XVI. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

The Village Attorney/Village Manager had no further communications.

XVII. ADJOURNMENT

Councilman Dave Purdo made a motion to adjourn. Councilman Ken Philipson seconded the motion. The meeting adjourned at 9:08 p.m.


Synthia Lankford
Village Clerk

Approved by the Village Council this 27th day of February, 2014.

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