



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, April 24, 2014
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Ted Blackburn called the meeting to order at 5:29 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 Village Manager Maria Aguilar, Village Attorney Roget Bryan, Village Clerk Synthia Lankford, Monroe County Sheriff's Office Captain Corey Bryan and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Larry Barr led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

Director of Planning Cheryl Cioffari encouraged members of the public to attend and give input at the Community Character Task Force meetings, held Tuesday evenings at 5:30 p.m. in the Community center.

Lars Vihlen, chairman of the Islamorada Youth Council, provided their mission statement and an update of the matters discussed since being established in January 2014.

John Sutter commended the Youth Council for the work they have done.

Councilman Mike Forster announced his attendance at an Eco-System Task Force meeting on May 7, 2014.

Mayor Ted Blackburn recognized John Sutter and Lesli Wojtecki for keeping the community updated on the ongoing FDOT work.

Councilman Dave Purdo expressed concern that Sandy Moret would be losing parking spaces to the FDOT project.

Director of Parks and Public Works John Sutter advised the engineering for the area from Jerome Avenue south to mile marker 77.5 was 30% complete and he was working with FDOT to amend the design to not impact parking spaces in that area.

IV. PUBLIC COMMENT

Larry Barr spoke about the standardization of grinder pumps for commercial properties.

V. AGENDA: Request for Deletion / Emergency Additions

None

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Annual Review of Citizens' Advisory Committees

TAB 1

Assistant to the Village Manager Mary Swaney presented the Annual Review of Citizens' Advisory Committees. Council commended the committees for the work they have done this year.

Director of Parks and Public Works John Sutter advised that the mangroves were trimmed back at the wheel ditch today as well as the signage being installed. He explained the work was accomplished at no cost to the Village.

Councilman Ken Philipson noted there are vacancies on the Water Quality and Workforce/Affordable Housing Citizens' Advisory committees and encourage citizens to serve.

Vice Mayor Deb Gillis suggested the Workforce/Affordable Housing Citizens' Advisory Committee look into amending the definition of affordable funds to facilitate using the fund for other projects than deed restricted affordable housing. Vice Mayor Gillis encouraged the Committee to work with the Monroe County Land Authority to purchase lots for affordable housing.

Councilman Ken Philipson would like the Youth Council to be included in the annual review of Citizens' Advisory Committees.

VII. VILLAGE MANAGER REPORTS AND UPDATES

None

VIII. CONSENT AGENDA

A. Minutes:

TAB 2

April 3, 2014 Village Council Workshop (Florida Sunshine Law, Ethics and Public Records Law Training)

April 4, 2014 Village Council Workshop (Strategic Planning Process)

April 10, 2014 Regular Village Council Meeting

B. Resolution Approving the Fourth Amendment to the Agreement Between Islamorada And J.B. Coxwell Contracting, Inc.

TAB 3

C. The Resolution Approving the Fourth Amendment to the Agreement with Grubbs

TAB 4

D. Resolution Approving First Amendment to Agreement with Federal Property to Agreement With Federal Property Registration Corp. to Continue to Provide Services Related to the

TAB 5

Registration of Distressed Real Property

E. Resolution Approving the Resurfacing Project for the Founder's Park Tennis Courts **TAB 6**

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

IX. WASTEWATER MATTERS

A. Wastewater Project Update **TAB 7**

Wastewater Program Manager Greg Tindle advised the target date to begin decommissioning the plant and begin pumping to the Key Largo Wastewater Treatment District is May 12, 2014.

Tom Brzezinski reported construction continues on the Middle Plantation Key pump station and paving continues. Electrical lines are being located at the South Plantation Key pump station, then excavation will begin. Windley Key construction is almost complete, a few punch list items and testing remains.

Forty five percent of vacuum main pipe is complete.

Mr. Brzezinski will be bringing change orders five and six forward in May. Deductive change order five will address various items in the contract. Change order six, the residential grinder pump program, will include residential properties of one EDU and residential properties containing more than one EDU, but no greater than four EDU's.

Mr. Brzezinski will also bring back recommendations for a grinder pump assistance program for commercial properties.

Councilman Mike Forster inquired about the status of obtaining the required easements from property owners.

Greg Tindle advised fifty-two outstanding easements are required.

Village Attorney Roget Bryan stated he will meet again with Mr. Tindle and the contractor to discuss methods of expediting the remaining easements.

Mayor Ted Blackburn opened public comment.

Ron O'Brien spoke regarding maintenance and replacement costs for grinder pumps on residential properties with four or more units.

Gretchen Luff spoke about the inequity of residents being serviced by grinder pumps on residential properties with four or more units.

Margaret Franks spoke regarding the inequity of residents being serviced by grinder pumps on residential properties with four or more units.

Mayor Ted Blackburn closed public comment.

Vice Mayor Deb Gillis urged commercial property owners to begin soliciting estimates for connection to the wastewater system.

Councilman Mike Forster stated he would encourage Gus Rios, FDEP, to make a statement advising commercial property of the deadline for scheduling inspections in order to meet the mandated deadline.

X. ORDINANCES

None

XI. QUASI-JUDICIAL

None

XII. RESOLUTIONS

None

XIII. MOTIONS

None

XIV. MAYOR / COUNCIL COMMUNICATIONS

Mayor Ted Blackburn acknowledged the training sessions on Sunshine Law and Ethics and Strategic Planning that staff and Council had attended.

Councilman Mike Forster suggested conducting further training sessions after Council elections.

Councilman Ken Philipson encouraged Council to develop a two, five, fifteen and twenty year Strategic Plan.

A. Transfer of TRE/TDR's

Councilman Ken Philipson recommended the Village allow TRE's to be transferred from one property to another and to be sold at the same price paid for the TRE.

Director of Planning Cheryl Cioffari advised the TDR ordinance is in the process of being amended and will be brought forward for second reading in the near future. The Comprehensive Plan would need to be amended to allow movement of TRE's. Ms. Cioffari recommended Council allow the second reading of the TDR ordinance to go forward, in the meantime staff can begin working on ordinance to include the ability to move TRE's.

Staff was given direction to move forward on amendments to allow transfer of TRE's.

B. Update on Cost of Special Elections for Charter Amendments

Councilman Dave Purdo requested Charter Amendments be placed on the August primary ballot to address four year terms, staggered terms and at large elections.

Vice Mayor Deb Gillis stated the August primary will take place after the candidate qualifying period, and no amendments could be effective before the next Council election.

Mayor Ted Blackburn opened public comment.

Stan Margulies spoke in support of Council serving four year terms.

Larry Barr concurred with Mr. Margulies' comments.

Mayor Ted Blackburn closed public comment.

Councilman Mike Forster stated there is no consensus from the public for a four year term.

Mayor Ted Blackburn spoke against Charter Amendments on the ballot and advised citizens can submit, through the petition process, Charter Amendments to be placed on the ballot.

Councilman Ken Philipson requested addition of an item to discuss the regulation of e-cigarettes. Councilman Philipson advised the Islamorada Youth Council has recommended the Village enact legislation to prohibit the sale of e-cigarettes to minors.

Village Attorney Roget Bryan advised of a recent House bill that passed prohibiting the sale of e-cigarettes to minors.

Vice Mayor Deb Gillis voice support for an ordinance banning the sale of e-cigarettes to minor.

Staff was given direction to research what has been enacted by other municipalities and compile an ordinance for consideration by Council.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Recommendations for Improving Code Enforcement

Village Manager Maria Aguilar reported a separate department has been created for Code Enforcement that reports directly to her. The department has been restructured with one officer now working in a supervisory capacity. Priority areas for enforcement are being identified as well as opportunities for continuing education. A page on the website is being created to allow complaints to be submitted on line.

Village Attorney Roget Bryan advised staff is working to improve efficiencies in operation and reporting and the importance of receiving feedback from the community.

Vice Mayor Deb Gillis stated one code enforcement officer was hired specifically to enforce illegal vacation rentals.

Councilman Mike Forster stated that the funds for vacation rental code enforcement should not be used for general code enforcement.

B. Sustainability and Climate Change Initiatives

TAB 8

Planner Shane Laakso presented the staff report on Sea Level Rise and Planning Rise and Options. Mr. Laakso advised Monroe County is conducting Sustainability Action Plan and the Village can "piggy back" a scope of work on their existing contract. The cost would likely range from \$40,000 to \$60,000 depending on the scope of work desired by Council.

Councilman Mike Forster stated he would support moving forward with a study and partnering with Monroe County.

Rhonda Haag, Monroe County Sustainability Manager, explained the scope of work detailed in the proposal presented to Council.

Monroe County's Consultant Erin Deady explained the scope of work presented to Council was for sea level rise and did not address sustainability.

Village Manager Maria Aguilar advised staff would look for grants to pay for the study, or use funds from the general fund.

Councilman Ken Philipson elucidated the scope of work presented only addressed sea level rise and inquired of the cost of adding a scope of work for sustainability.

Village Attorney Roget Bryan clarified the direction to staff was to bring back a Resolution and contract to for the scope of work presented for sea level rise not to exceed \$60,000 and to bring back a cost for a scope of work for sustainability.

C. Update on FDOT Projects

The update was discussed during presentations and announcements.

Village Attorney Roget Bryan requested, pursuant to Chapter 286, Florida Statutes, an executive session in the case of Theater of the Sea vs. Islamorada Village of Islands and the Florida Department of Environmental Protection, case #14-0038 State of Florida, Division of Administrative Hearings.

XVI. ADJOURNMENT

Councilman Dave Purdo offered a motion to adjourn; Councilman Mike Forster seconded the motion. The meeting adjourned at 7:53 p.m.



Synthia Lankford
Village Clerk

Approved by the Village Council this 8th day of May, 2014.