



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
Thursday, May 8, 2014  
5:30 PM**

**I. CALL TO ORDER / ROLL CALL**

Mayor Ted Blackburn called the meeting to order at 5:30 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**

Andy Newman led the Pledge of Allegiance.

**III. PRESENTATIONS AND ANNOUNCEMENTS**

Councilman Ken Philipson announced the Florida Senate and House approved budget included \$50 million dollars for wastewater in the Keys, of which \$7 million will go to Islamorada. Councilman Philipson acknowledged the work of Senator Hayes, Senator Bullard, Representative Raschein, Lobbyist Peebles and Smith and thanked the Governor's office.

Councilman Mike Forster reported on his attendance at the South Florida Ecosystem Task Force Meeting. Councilman Forster, along with George Neugent and Gus Rios made a presentation to request assistance to expedite the permit process for the Canal Restoration Pilot Program.

**A. Acknowledgement of Service, Anne Loveday, Workforce/Affordable Housing Citizens' Advisory Committee**

Councilman Dave Purdo acknowledged the service of Anne Loveday on the Workforce/Affordable Housing Citizens' Advisory Committee.

**B. Islamorada Chamber of Commerce Presentation on Sign Ordinance Recommendations (Joe Roth, III President)**

Joe Roth presented the recommendations from the Islamorada Chamber of Commerce workshops regarding the Sign Ordinance. The recommendations included: allowing A-Frame signs with permit and

design and use standards, prohibiting flutter style feather shaped banners, prohibiting human sign holders included but not limited to those in costume, and amending the Code of Ordinances to allow displays of outdoor merchandise. Council thanked those that attended the sign ordinance meetings and directed staff to schedule a Village Council Workshop for further discussion on the matter.

Mayor Ted Blackburn announced the Village of Islamorada has partnered with Monroe County and the FDEP to hold a Hazardous Waste, Used Oil and Electronic Waste Management and Disposal Workshop for Businesses and Homeowners on May 21, 2014 from 10 a.m. to Noon at the Founders Park Community Center.

#### **IV. PUBLIC COMMENT**

Larry Barr stated the solid waste service provider has been inconsistent in their pick-ups.

Sally Bauer advised the recommendations from the Chamber of Commerce workshops came from business owners that were also members of the community.

Van Cadenhead said a prayer and spoke about the negative health impacts of the coral dust from the multitude of construction projects currently underway.

David Guardino noted that there has been inconsistent pick up of recyclables since the delivery of the new cans and requested resurfacing of the road near Treasure Village Montessori.

Director of Public Works John Sutter advised that Advanced Disposal had three new automated trucks delivered earlier in the week and believes that will resolve the service problems being experienced by the community.

Andy Newman announced a Hurricane Preparedness Workshop for the Tourism Industry on Tuesday, May 27, 2014 at the Islander Guy Harvey Resort.

Councilman Dave Purdo expressed concern about a damaged area of pavement on the corner of DeLeon Avenue.

Director of Public Works John Sutter advised he would request FDOT enact repairs in the area of concern.

#### **V. AGENDA: Request for Deletion / Emergency Additions**

Mayor Ted Blackburn requested Item XIV. A. Discussion Regarding Tea Table and Indian Key Fills are heard under Village Manager report.

#### **VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

None.

#### **VII. VILLAGE MANAGER REPORTS AND UPDATES**

**A.** CityView Update

Village Manager Maria Aguilar advised consultant Calvin, Giordano & Associates completed a site visit last week and met with Building and Planning staff members to better understand the workflow of the development process. The completed report will be presented to Council as part of the June CityView update.

Councilman Mike Forster inquired on the progress of the amendments TRE/TDR Ordinance.

Director of Planning Cheryl Cioffari advised the item would be brought forward at the June 26, 2014 Council meeting.

**B. Discussion Regarding Tea Table and Indian Key Fills**

Director of Public Works John Sutter advised of the negative environmental impacts and damage occurring in the areas commonly called “the Fills” located from approximately mile markers 79.5 to 77.5. The Fills properties are owned by FDOT, but there is no management or infrastructure for the areas. Large crowds are recreating in the Fills area since the recent closing of water access on Card Sound Road and other areas. Mr. Sutter requested Council’s support for a two phased plan; to begin with better delineation of parking areas and the bike path and installation of signage that clearly indicates where visitors are not allowed to go. Phase one would accomplish reducing the size of the crowds to protect the natural resources. Phase two would encompass working with FDOT to create a type of scenic overlook in the area with landscaping, benches and picnic tables.

Mayor Ted Blackburn agreed staff should work with FDOT to install the appropriate signage, delineate parking spaces and no parking areas. Mayor Blackburn indicated FDOT has been much more responsive since the recent news articles regarding the situation at the Fills and recommended Council move forward with authorizing Mr. Sutter to work with FDOT on a temporary plan to address the problems.

Councilman Mike Forster suggested budgeting an off duty police officer to help with enforcement at the Fills.

Captain Corey Bryan advised the Sheriff’s office has scheduled an extra officer for the Fills, Sea Oats Beach and Anne’s Beach.

Vice Mayor Deb Gillis requested to have a more detailed plan for signage and parking before moving forward.

Mayor Ted Blackburn opened public comment.

Larry Barr encouraged Council to take action to protect the Fills area.

Van Cadenhead suggested staff request FDOT to abandon Indian Key Fill area so the Village can make the area a public park.

Andy Newman spoke in support of providing public access areas in the Fills.

Robby Silk inquired of the percentage of parking that would be impacted by the changes recommended by Mr. Sutter.

Director of Public Works John Sutter advised parking would be reduced by two-thirds in the fills and encouraged a public announcement of the new management practices being initiated in the area.

David Guardino suggested contacting Representative Holly Raschein to assist in resolving the problem at the Fills.

Joe Roth offered the assistance of the Chamber of Commerce and advised hoteliers without water access depend on the use of the Fills for their guests.

Mayor Ted Blackburn closed public comment.

Councilman Mike Forster expressed concern about giving a department head authority to negotiate a plan with FDOT and recommended any plan come before Council for approval.

Councilman Ken Philipson suggesting drafting a letter to FDOT acknowledging their cooperation working with the Village to resolve the situation at the Fills and would support installation of signs to clarify where parking is allowed.

Councilman Dave Purdo recommended Council direct Mr. Sutter to work with FDOT on a temporary plan to install signage and delineate parking spaces in the Fills.

Buddy Pinder suggested directing staff to move forward with FDOT.

Director of Public Works John Sutter requested Council authorize staff to work with FDOT to implement short term signage so that law enforcement can enforce no parking and vehicles causing damage. Mr. Sutter stated this would be a first step subject to modification as time progresses. The scenic overlook concept for the fills discussed earlier in the meeting is a long term project and was presented as a proposed conceptualization of area.

Councilman Ken Philipson made a motion to control the parking in the Fills with clarified signs; Councilman Dave Purdo seconded the motion. The motion passed 3-2 with Vice Mayor Deb Gillis and Councilman Mike Forster voting against.

## **VIII. CONSENT AGENDA**

(All items on the Consent Agenda are considered routine by the Village Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event, the item will be moved to the Main Agenda.)

### **A. Minutes:**

**TAB 1**

April 23, 2014 Village Council Workshop

April 24, 2014 Regular Village Council Meeting

Councilman Ken Philipson made a motion to approve; Councilman Dave Purdo 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 advised flow to the Key Largo Wastewater Treatment District will begin after final testing and DEP approval.

### **B. Discussion Regarding Grinder Pump Program Change Order Language**

**TAB 2**

Tom Brzezinski presented a draft of Change Order No. 6 addressing the residential grinder pump program. The process will be as follows: Reynolds will mail out easement requests and a lateral locate sheet to homeowners that qualify for the program; if no response is received after thirty days Reynolds will begin calling and send a certified letter. Reynolds will wait another fifteen days, after which they will visit the property, knock on the door and leave a door hanger. If Reynolds does not receive any response after an additional fifteen days the property will be considered as opted out of the grinder pump program.

Change Order No. 6 will address the capital piece of the program; a separate change order will be presented to Council in June that will address the operations and maintenance piece.

Mr. Brzezinski advised he will bring forward, for Council's consideration, options for a program to assist residential units greater than four EDUs and commercial properties.

Mayor Ted Blackburn opened public comment.

Gretchen Luff inquired regarding vacuum line installations and septic tank abandonment.

Mayor Ted Blackburn closed public comment.

## **X. ORDINANCES**

### **A. Second Reading – Land Development Regulation Amendments Regarding Nonconforming Structures TAB 3**

Village Attorney Roget Bryan read the title of the Ordinance. Director of Planning Cheryl Cioffari presented the staff report recommending approval on second reading.

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

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

### **B. Second Reading – Amendment to Land Development Regulations Concerning Bulkheads, Seawalls or Riprap TAB 4**

Village Attorney Roget Bryan read the title of the Ordinance. Environmental Planner Susan Sprunt presented the staff report recommending approval on second reading.

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

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

## **XI. QUASI-JUDICIAL**

None

## **XII. RESOLUTIONS**

### **A. Approval of Agreement with Erin L. Deady, P.A. for Sea Level Rise/Sustainability Action Plan**

**TAB 5**

Village Attorney Roget Bryan read the title of the Resolution. Planner Shane Laakso provided the staff report and discussed the different tasks involved for completing a report on Sea Level Rise and Sustainability. The cost of the Sea Level Rise scope of work is \$59,433. The cost of Sustainability and Sea Level Rise scope of work is \$81,103. Planner Laakso recommended Council approve an agreement with Erin L. Deady, P.A. and provide direction on the scope of work.

Councilman Ken Philipson expressed concern about expending funds for community meetings that would have little attendance and inquired of the staff costs involved to complete the project.

Councilman Mike Forster stressed the importance of a Sea Level Rise Study, but does not support the Sustainability scope of work.

Mayor Ted Blackburn opened public comment.

Van Cadenhead spoke in support of a Sea Level Rise Study.

Mayor Ted Blackburn closed public comment.

Councilman Mike Forster made a motion to approve the Sea Level Rise scope of work at a cost of \$59,433; Vice Mayor Deb Gillis seconded the motion. Council voted all in favor. The motion passed 5-0.

## **XIII. MOTIONS**

None

## **XIV. MAYOR / COUNCIL COMMUNICATIONS**

Councilman Ken Philipson advised he requested Village Attorney Roget Bryan to bring back tentative language on restricting the areas in which medical marijuana can be dispensed.

Mayor Ted Blackburn advised a Charter amendment petition limiting commercial square footage was being circulated for a referendum on the November ballot.

## **XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**

Director of Planning Cheryl Cioffari invited members of the public to attend the Community Character Task Force meetings held Tuesday evenings at 5:30 in the Founders' Park Community center.

Village Manager Maria Aguilar advised State Lobbyist's Peebles and Smith have confirmed the Florida Senate and House have approved the naming the Indian Key Irving R. Eyster Bridge and will present a Resolution to Council once the bill is signed into law by the Governor.

Village Manager Maria Aguilar recognized departing Village Clerk Synthia Lankford and introduced Kelly Toth as the new Village Clerk.

Councilman Ken Philipson requested new Village resident Julian and Lisa Siegel come to the podium and introduce themselves.

Councilman Mike Forster requested an update on litigation.

Village Attorney Roget Bryan advised he anticipated presenting a litigation update before the next meeting.

#### **XVI. ADJOURNMENT**

Councilman Dave Purdo offered a motion to adjourn; Councilman Ken Philipson seconded the motion. The meeting adjourned at 8:35 p.m.

  
\_\_\_\_\_  
Kelly Toth  
Village Clerk

Approved by the Village Council this 22nd day of May, 2014.