



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

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

I. CALL TO ORDER / ROLL CALL

Mayor Ted Blackburn called the meeting to order at 5:35 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 Kelly Toth, Director of Planning Cheryl Cioffari and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Monroe County Sheriff Rick Ramsey led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

Councilman Dave Purdo announced the appointment of Meredith Tracy to the Affordable Housing Committee.

A. Proclamation – Fire Prevention Week, Oct. 5th-11th - Presented to Chief Abel

Councilman Dave Purdo read the proclamation and presented it to Fire Chief Terry Abel who spoke of the Fire Departments fire safety education efforts over the past week.

B. Proclamation – National Code Compliance Month –Presented to Jerry Sanders & Will Reyes

Mayor Ted Blackburn read the proclamation and presented it to Code Enforcement Officer Will Reyes and Senior. Code Enforcement Officer Jerry Sanders.

Vice Mayor Deb Gillis clarified a news paper article that suggested the Village was negotiating a contract for the purchase or lease of the Fills. She clarified staff was given instructions to bring back information regarding purchasing or leasing the Fills and that no decisions had been made regarding leasing or purchasing the Fills. She announced the next FDOT meeting would occur on November 6, 2014 at 9:30 AM in the Founders Park Community Center.

IV. PUBLIC COMMENT

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

V. AGENDA: Request for Deletion / Emergency Additions

Councilman Ken Philipson added a discussion item pertaining to Mayor/Council communications.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

Director of Parks and Recreation and Marine Resources John Sutter presented on behalf of the Nearshore Water Citizens Advisory Committee. He stated the last meeting was held on September 30, 2014 and that Chairman Mitchell requested the following items be brought up during the update to Council: A request that the committee received asking Mr. Mitchell to speak with Florida Fish and Wildlife Conservation Commission (FWC) regarding making the Ocean side of Whale Harbor and Snake Creek Channels, all the way out to the Headpins, a no wake zone. Mr. Sutter stated that Chairman Mitchell reported to the committee that the response from FWC was that it was not practical nor advisable and that FWC was not willing to undertake such a change.

Mr. Sutter reported on other items brought before the committee: a request to examine the lobster laws, restrictions within the 300 foot zone and bully netting.

Mr. Sutter stated the conclusion of the bully netting discussion was that bully netting fell under state fisheries jurisdiction and the committee felt that it should be examined at the state level.

Mr. John Sutter stated the committee discussed concerns brought forward by waterfront homeowners regarding trespassing, people lobstering in their boat basins and bully netting. Mr. Sutter stated the committee recognized this as an item for law enforcement and that local law enforcement was present and agreed.

Mr. Sutter reported that there was a request to restrict lobstering out to 300 feet year-round. He stated the committee considered a motion to leave the lobstering regulations as they exist now and that the motion was passed with a 7-1 vote. The recommendation of the committee is to leave the lobstering regulations as they currently exist.

VII. VILLAGE MANAGER REPORTS AND UPDATES

Village Manager Maria Aguilar provided an update on Code Enforcement activities and presented the new Code Enforcement brochure. Ms. Aguilar reported Code Enforcement had gained 100% compliance with business owners regarding the removal of sail flags. She stated no citations were issued in order to achieve this compliance. Ms. Aguilar announced that the Code Enforcement department was in the process of hiring a part time person to work on Fridays, Saturdays, and Sundays with a concentration on vacation rentals. Ms. Aguilar stated that Harris Computers had been working with staff on the CityView code enforcement module and that it was expected to go live at the same time the other modules go live.

Senior Code Enforcement Officer Jerry Sanders stated that there would be a call-in number for complaints and the officer would have a cell phone.

Vice Mayor Deb Gillis thanked Village Manager Maria Aguilar and Senior Code Enforcement Officer Jerry Sanders for doing a great job.

VIII. CONSENT AGENDA

A. Minutes:

September 8, 2014 Special Call Village Council Meeting – 1st Budget Hearing
September 15, 2014 Special Call Village Council Meeting – 2nd Budget Hearing
September 23, 2014 Regular Village Council Meeting
September 23, 2014 Special Call Village Council Meeting, Executive Session Case No. 14-1634; 14-3101

B. Resolution Revising the Village Fee Schedule for Emergency Medical Services

**C. Resolution Approving Tourist Development Council Grant for Playground Equipment
At Founders Park Project**

Councilman Ken Philipson made a motion to approve. Vice Mayor Deb Gillis seconded the motion. Council voted all in favor.

IX. WASTEWATER MATTERS

A. Wastewater Project Update

Wade Trim Executive Vice President Tom Brzezinski summarized the portions of the wastewater project that had been completed to date and what remains to be completed.

Councilman Dave Purdo inquired about the schedule for vacuum pit replacement in North Plantation Key. Mr. Brzezinski stated there is a meeting scheduled to address increasing the number of crews up to three crews a day which would allow them to replace three to four vacuum pits a day and that they are hoping to finish the replacements in one to two months.

Councilman Dave Purdo requested the target date for the re-pump station in North Plantation Key. Mr. Brzezinski stated the re-pump station is expected to go online in two to four weeks.

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

**B. Discussion Regarding Grinder Pump Program for Residential with Greater than Four EDU's
And Commercial Properties**

Wade Trim Executive Vice President Tom Brzezinski presented a PowerPoint presentation on the Commercial Grinder Pump Program. He stated the commercial property owner would furnish and install the grinder pump station at their cost which allows for the most cost-effective system for each specific property.

Mr. Brzezinski stated the best way to provide operations and maintenance would be to subsidize the commercial property owner's annual wastewater bill with a rate commensurate with the Duplex Grinder Pump Operations and Maintenance costs in the residential program, which is about \$378 annually. He stated their recommendation was to provide a rate reduction to the commercial property owners.

Mr. Brzezinski suggested that the Village could provide grinder pump stations to residential properties with greater than four Equivalent Dwelling Units (EDUs) up to a Duplex System and reported this would include approximately nine properties. Mr. Brzezinski provided details.

Mr. Brzezinski suggest that residential properties requiring a grinder pump station larger than a Duplex System could receive the same benefits as the commercial properties under this program.

Mr. Brzezinski provided the estimated costs for residential properties with greater than four EDUs up to a Duplex System. He stated the capital cost would be approximately \$195,000 and the O&M cost would be about \$3,500 per year.

Mr. Brzezinski stated the estimated costs for the commercial properties would be \$52,000 per year reduction in rate revenue and no capital costs.

Vice Mayor Deb Gillis, Councilman Ken Philipson, Councilman Mike Forster and Mayor Ted Blackburn spoke in support of the proposed program.

Mayor Ted Blackburn opened public comment.

Mr. Joe Luft thanked Council and stated that he thought this was very fair.

Mayor Ted Blackburn closed public comment.

Council gave staff direction to move forward with the program as it was presented.

X. ORDINANCES

A. First Reading – An Ordinance of Islamorada, Village of Islands, Florida, Repealing Resolution No. 06-04-30 and Portions of Ordinance No. 06-13 Pertaining to the Village’s Wastewater Utility Policy for the Village-Wide Centralized Wastewater System

Village Attorney Roget Bryan read the title of the Ordinance. Wastewater Program Manager Greg Tindle provided the staff report recommending approval.

Councilman Ken Philipson requested that Council be notified when service is discontinued.

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

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

B. Second Reading – Proposed Text Amendment to the Comprehensive Plan Policy 9-1.3.1

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

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

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

XII. RESOLUTIONS

A. Resolution Approving the Fifth Amendment to Agreement for Professional State Lobbying Consulting Services

Village Attorney Roget Bryan read the title of the Resolution. Village Manager Maria Aguilar presented the staff report recommending approval at an annual rate of \$75,000.

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

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

B. Resolution Approving Proposed First Amendment to Professional State Lobbying Services Agreement with Capitol Insight, LLC

Village Attorney Roget Bryan read the title of the Resolution Village Manager Maria Aguilar presented the staff report recommending approval at an annual rate of \$24,000.

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

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

C. Resolution Approving Proposed Settlement Agreement in the Case of Theater of The Sea, Inc. v. Islamorada, Village of Islands and Department of Environmental Protection, Case Nos. 14-1634, 14-3101, State of Florida Division of Administrative Hearings

Village Attorney Roget Bryan read the title of the Resolution and presented the staff report recommending approval.

Mayor Ted Blackburn opened public comment; seeing none, public comment was closed.

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

XIII. MOTIONS

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Southeast Florida Climate Change Summit

Councilman Ken Philipson provided reported on his and Mayor Blackburn's participation in the Southeast Regional Climate Leadership Summit.

Mayor Ted Blackburn provided reported on the Village's first Sea Level Rise study and spoke of the issues surrounding Sea Oats Beach.

Vice Mayor Deb Gillis announced the COAST Sea Level Rise Community Workshop meetings for Nov. 10th and Dec. 10th at 5:30 PM at the Founders Park Community Center.

Councilman Ken Philipson reported that he was part of a phone conference involving the President of the United States, various Governors and city officials to address the measures that are in place pertaining to the Ebola virus.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Explanation of Election Certification Process

Village Manager Maria Aguilar reported that if the election is certified by the Supervisor of Elections prior to the November 20, 2014 Regular Village Council Meeting, the new Councilmember(s) would be sworn in at that meeting. She stated that if the election is certified after November 20, the new member(s) would be sworn in at the December 6, 2014 Regular Village Council Meeting.

Ms. Aguilar provided information on the selection of Mayor and Vice Mayor.

Councilman Mike Forster inquired about the canvassing board. Village Attorney Roget Bryan explained Section 8, subsection (7) of the Village Charter pertaining to canvassing boards. Mr. Bryan interpreted this to mean the canvassing board would consist of Mayor Ted Blackburn, Councilman Mike Forster and the Village Clerk.

B. Changed to Christmas Holiday Village Hall Closures

Village Manager Maria Aguilar requested to change the Village Hall holiday closures to December 25th and December 26th, 2014. Council agreed.

Director of Planning Cheryl Cioffari announced the next Local Planning Agency meeting would occur on Monday, October 13, 2014 at 5:30 PM and that they would be addressing the sign ordinance and Community Character Task Force recommendations.

XVI. ADJOURNMENT

Councilman Dave Purdo made a motion to adjourn. Councilman Mike Forster seconded the motion. The meeting adjourned at 7:12 PM.



Kelly S. Toth
Village Clerk

Approved by the Village Council this 6th day of November, 2014.