



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, January 8, 2015
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Mike Forster called the meeting to order at 5:31 P.M. The following Council members were present on roll call: Mayor Mike Forster, Vice Mayor Deb Gillis, Councilman Jim Mooney, Councilman Chris Sante and Councilman Dennis Ward. 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

Richmond Arce led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Recognition of Joe Sachs for Service on the Landscape Advisory Committee

Mayor Mike Forster acknowledged Joe Sachs' services on the Landscape Advisory Committee.

B. Parks & Recreation and Marine Resources Director John Sutter announced that long time Plantation Yacht Harbor (PYH) resident Ralph Lazaro passed away on December 26, 2014. Mr. Sutter announced that a celebration of life is tentatively scheduled at the PYH Marina for February 7th.

C. Proclamation – Florida First Responder Appreciation Week

Mayor Mike Forster presented the proclamation declaring January 5th – 9th as First Responder Appreciation Week. Accepting the proclamation were Fire Chief Terry Abel, Firefighters Ronald Jacob and Frankie Glasper and Monroe County Sheriff's Lieutenant David Carey.

D. Vice Mayor Deb Gillis announced the appointment of Donna Sprunt to the Landscape Advisory Committee and that Barry Wray had stepped down from the Workforce Affordable Housing Committee.

IV. PUBLIC COMMENT

Mayor Mike Forster opened public comment.

Dave Purdo spoke on behalf of Phil Sena, owner of Ocean Gardens. Mr. Purdo stated Mr. Sena desires to build a structure on the south side of Ocean Gardens and requested Council's assistance with particular land development regulations. Mayor Mike Forster stated that Council had to follow the Land Development Regulations (LDRs).

Dave Boerner expressed concern over Village Code 30-473. He stated that the current code does not allow for additional square footage without having to go through BPAS. He provided an example of a commercial building that needed to move a door which required an additional 15 square feet of space that was subject to BPAS. Mr. Boerner stated the current code allows for a 100 square foot storage shed, but does not allow the 15 feet of space needed for this commercial building without having to go through BPAS. He cited Monroe County code Section 138-50(6) pertaining to de minimis additions. Mr. Boerner urged Council to consider allowing 100 square feet of additional commercial square footage that would not be subject to BPAS.

Walter Revell expressed concern regarding the invasion of snorkelers, divers and bullynetters on the near shore waterfront. He stated that he provided a nine minute presentation to the Florida Fish and Wildlife Commission at the November 20th meeting at the Key Largo Hilton. He requested Council authorize the appropriate staff members to participate on behalf of the Village and to bring forth recommendations to Council as appropriate. He stated that he would be making the following recommendations at the January 15th FWC Workshop: (1) abolish mini-season (2) extend the 300 foot setbacks for the full season and (3) the inclusion of bullynetting. Mayor Mike Forster stated that staff would be in attendance.

Alina Davis stated that Mr. Revell comments were of great concern to many of her neighbors and thanked Council for taking part in the FWC workshop.

Mayor Forster closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

Vice Mayor Deb Gillis added discussion of Local Planning Agency responsibilities to section XIV. Mayor / Council Communications.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

VII. VILLAGE MANAGER REPORTS AND UPDATES

VIII. CONSENT AGENDA

A. Minutes:

December 11, 2014 Community Workshop COAST Sea Level Rise

December 18, 2014 Special Call Village Council Meeting Executive Session, Brown & Demandt P.A. And Robert Brown, Appeal No. 3D14-1166 and L.T.: 2006-CA-43-P

B. Resolution Approving Selection of Government Services Group for CDBG Program Administration

Mayor Mike Forster opened public comment; seeing none, public comment was closed.

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

IX. WASTEWATER MATTERS

A. Wastewater Project Update

Wastewater Program Manager Greg Tindle provided a salinity update. Mr. Tindle stated that all of the vacuum pits rated a three or four have been replaced in North Plantation Key and that the focus is now on laterals. He stated salinity is trending downward.

Mr. Tindle provided an update on vacuum pit replacement. He stated that 160 vacuum pits have been replaced and that of the remaining 350 approximately 45 are categorized as a two. He stated that Severn Trent has been asked to provide maintenance data on the remaining vacuum pits. Mr. Tindle stated that those in need of excess maintenance will be replaced and that money will be budgeted annually for pit replacement.

Mr. Tindle stated that the deadline for turning in grinder pump program paperwork and payment for residential properties with four equivalent dwelling units (EDUs) and under was December 31, 2014. He stated many people have not submitted complete grinder pump program packages. He encouraged property owners to ensure they have turned in all of their paperwork as well as their payment.

Mr. Tindle stated that they are looking into alternate ways of servicing the properties on Key Honey Lane.

Mr. Tindle stated the current plan for Venetian Boulevard, in conjunction with Reynolds Water Islamorada, is to dig out the sunken areas, apply a new sub-base and additional asphalt resulting in a greatly improved road. He stated that in order to remove and replace Venetian Boulevard the cost would be approximately 1.2 million dollars, not including stormwater needs.

Mayor Mike Forster opened public comment.

Stan Marguiles thanked Council and staff for their plans to repair Venetian Blvd and announced a Boil Water Notice issued by the Florida Keys Aqueduct Authority for the Venetian Shores neighborhood located at mile marker 86 to be in effect until 10:00 a.m. Saturday, January 10th.

Larry Barr expressed concern over the SCADA system callouts in the Islamorada, Monthly Wastewater Report. He expressed specific concern about 329 Woods Ave.

Wade Trim Executive Vice President, Tom Brzezinski stated that before any of the pits are put into operation they are inspected. He stated the only time debris could enter the pit after it was installed would be to enter from the home. Mr. Brzezinski stated they are tracking, via SCADA a computerized maintenance management system, how often the vacuum pits are being serviced. He stated that this information enables them to identify the most problematic vacuum pits.

Tom Brzezinski provided an explanation of the wastewater budget included in the monthly report.

Mayor Forster closed public comment.

Vice Mayor Deb Gillis reported on the Key Largo Wastewater Treatment District (KLWTD) meeting on January 6, 2015. Vice Mayor Gillis stated the KLWTD held a discussion regarding billing Islamorada for

salinity intrusion. She stated the Commission delayed their action until the February 3, 2015 meeting as more information was needed by the Commission. Vice Mayor Gillis stated the Commission was sympathetic toward Islamorada's salinity issues.

Councilman Dennis Ward stated that the KLWTD was very receptive to Islamorada. He stated KLWTD did a good job with their inquiries of Islamorada. Councilman Ward stated they tabled the item so that they could speak with their interlocal agreement attorney regarding how to charge for fines.

X. ORDINANCES

A. Second Reading – Ordinance Amending Chapter 30 “Land Development Regulations,” Article II “Rules of Construction and Definitions”, and Amending Article VI “Specific Use Restrictions,” Division 10 “Signs” of the Village Code

Village Attorney Roget Bryan read the title of the ordinance and stated this is second reading and a public hearing. Director of Planning Cheryl Cioffari provided the staff report explaining the changes to the ordinance.

Councilman Chris Sante initiated discussion about the registration of election signs. He stated he did not think it was necessary to register the signs. Discussion ensued amongst Council and staff regarding registering, enforcement and whether or not to charge a registration fee. Council agreed the election signs should be registered and to a registration fee of \$62 dollars.

Vice Mayor Deb Gillis suggested that instead of individuals obtaining a permit for A-frame signs, that they should register the signs with the Building Department. She stated that when they register the A-frame sign, they should pay a registration fee and be provided a copy of the regulations pertaining to A-frame signs. Discussion ensued and Council agreed to the registration of A-frame signs, charging a registration fee and a renewal fee. Discussion continued regarding the placement of A-frame signs, abandoned signs and a sign inventory. Council directed staff to make changes to the language pertaining to the placement of A-frame signs.

Mayor Mike Forster opened public comment; seeing none, public comment was closed.

Vice Mayor Deb Gillis made a motion to approve with the stated changes. Councilman Chris Sante seconded the motion. Council voted all in favor. The motion passed 5-0.

B. First Reading- Ordinance Amending Chapter 30 “Land Development Regulations,” Article VI “Specific Use Restrictions,” Division 11 “Alcoholic Beverage Use Permit,” of the Village Code

Village Attorney Roget Bryan read the title of the Ordinance and stated this is first reading. Director of Planning Cheryl Cioffari provided the staff report.

Councilman Chris Sante began discussion regarding a buffer requirement of 300 feet without a variance. Discussion ensued amongst Council with staff input resulting in direction to staff to amend the proximity buffer to 300 feet with a variance procedure.

Mayor Mike Forster opened public comment.

Larry Barr spoke in support of a variance procedure.

Mayor Mike Forster closed public comment.

Vice Mayor Deb Gillis made a motion to approve. Councilman Jim Mooney seconded the motion. Council voted and the motion passed 4-1 with Mayor Mike Forster opposing.

XI. QUASI-JUDICIAL

A. Application for Site Plan Approval (SP-14-02) 103 Mastic Street

Village Attorney Roget Bryan read the quasi-judicial statement and requested that anyone not having been sworn in raise their hand. Village Clerk Kelly Toth swore in the witnesses. Mr. Bryan read the title of the resolution and requested Council disclose ex-parte communications. Councilman Chris Sante disclosed he had spoken with Jim Lupino. Vice Mayor Deb Gillis stated she had spoken with Jim Lupino, Elizabeth “Betsy” Jacocks and Richmond Arce. Mayor Mike Forster disclosed he had spoken with Jim Lupino and Richmond Arce. Councilman Dennis Ward disclosed he had spoken with Jim Lupino. Councilman Jim Mooney announced he had spoken with Jim Lupino, Richmond Arce, his son Michael James Mooney and former wife Elizabeth “Betsy” Jacocks. Councilman Jim Mooney read a statement and abstained from voting on the item. Village Planner Thomas Skidmore presented the staff report.

Zee Hopman, agent for the owner/applicant, addressed the denial conditional check list provided to Council by Jim Lupino, attorney for the opposition.

Mayor Mike Forster opened public comment for those in favor.

Buddy Pinder, Dave Purdo, Liz Huddleston, and Dick Hagood spoke in support of the application.

Mayor Mike Forster opened public comment for those opposed.

Jim Lupino, Attorney for the opposition Jeff and Diane Regan, addressed the concerns of his clients and referenced the binder provided to Council. He stated his clients are not asking Council to deny the application; but rather approve the application with conditions.

Discussion ensued amongst Zee Hopman, Jim Lupino and Council regarding the concerns brought forward by Mr. Lupino. The discussion resulted in the applicant proffering an eight foot tall opaque fence to replace the existing chain link fence on the property line between lots three and four.

Mayor Mike Forster closed public comment.

Mayor Mike Forster asked if there was any additional Council discussion; there was none.

Director of Planning Cheryl Cioffari read into the record the additional condition and stated the applicant shall proffer an eight foot solid or opaque fence on the property line between lots three and four.

Vice Mayor Deb Gillis made a motion to approve. Councilman Chris Sante seconded the motion. The Council voted all in favor and the motion passed 4-0, with Councilman Jim Mooney abstaining.

XII. RESOLUTIONS

A. Proposed Resolution Approving Affordable Housing Agreement Between Islamorada and Jacocks Mastic, LLC

Village Attorney Roget Bryan read the title of the Resolution. Village Planner Thomas Skidmore presented the staff report.

Councilman Chris Sante asked if the market rate allocation for this property would be lost when the applicant applied for an affordable housing allocation. Director of Planning Cheryl Cioffari stated the market rate allocation would not be lost and that the market rate allocation would stay with the property, unless a transfer of development rights occurred.

Mayor Mike Forster opened public comment. Seeing none public comment was closed.

Village Attorney Roget Bryan stated that it was not necessary for Councilman Jim Mooney to abstain from voting on this item.

Vice Mayor Deb Gillis made a motion to approve. Councilman Dennis Ward seconded the motion. Council voted all in favor and the motion passed 5-0.

XIII. MOTIONS

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Parking in the Art District – Councilman Ward

Councilman Dennis Ward requested a progress report on the parking in the art district. Director of Public Works Lesli Wojtecki stated that FDOT construction is expected to begin toward the end of 2016. Councilman Ward inquired about the \$73,000 dollars recently approved by Council. Ms. Wojtecki stated that these funds were approved for engineering and construction costs to move the bike trail which would allow the Village to create additional parking after the FDOT project is completed. She stated that staff is waiting for a joint project agreement (JPA) from FDOT and expects to have the JPA before Council at the January 22, 2015 Regular Village Council Meeting.

Councilman Ward asked if staff had any conversations with individuals from the art district. Ms. Wojtecki explained that staff was not far enough along in the project to begin discussions on parking. She stated that currently a parking plan did not exist and that once staff had the bike trail relocation drawings they would seek direction from Council to move forward with an engineer.

Discussion ensued regarding eliminating some of the cut throughs in the art district to allow for additional parking. Councilman Ward inquired as to whether or not there was a survey delineating FDOT property from Village property. Director of Public Works Lesli Wojtecki stated that FDOT has the actual drawings with their plans and that information was included in those drawings.

Mayor Mike Forster opened public comment.

Dave Boerner, Board President of Morada Way Arts & Cultural District stated that the board would like to participate in the planning of the parking area in the art district. He addressed existing parking issues within the art district and encouraged Council to create a parking district. Mr. Boerner stated that the Morada Way Arts & Cultural District board is willing to assist in paying some of the costs associated with additional parking.

Mayor Mike Forster opened public comment; seeing none, public comment was closed.

Councilman Ward spoke in support of the Village partnering with the Arts & Cultural District board regarding the planning of the parking in the art district.

Council directed staff to include Dave Boerner in future discussions regarding the planning of parking in the art district.

Councilman Chris Sante requested a discussion item on the next agenda regarding de minimis commercial square footage.

B. Discussion Item Added: Regarding Local Planning Agency and their Role – Vice Mayor Gillis

Vice Mayor Deb Gillis stated she would like the Local Planning Agency (LPA) to begin working on some of the items recommended by the 2013 Ad Hoc Planning Committee. Discussion ensued amongst Council, with staff input as needed, regarding LPA participation and possible contributions to assist the planning staff with amendments to land development regulations. Village Manager Maria Aguilar and Director of Planning Cheryl Cioffari suggested advertising an RFQ for planning services to more quickly address requested amendments to land development regulations. Council agreed to continue this discussion at a future meeting.

Mayor Mike Forster opened public comment.

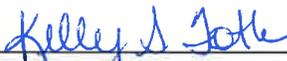
Dave Boerner spoke in support of the LPA being tasked with addressing the Ad Hoc Planning Committee's recommendations.

Mayor Mike Forster closed public comment.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

XVI. ADJOURNMENT

Councilman Chris Sante made a motion to adjourn. Mayor Mike Forster seconded the motion. The meeting adjourned at 8:26 P.M.



Kelly S. Toth
Village Clerk

Approved by the Village Council this 12th day of February, 2015.

Councilman Ward spoke in support of the Village partnering with the Arts & Cultural District board regarding the planning of the parking in the art district.

Council directed staff to include Dave Boerner in future discussions regarding the planning of parking in the art district.

Councilman Chris Sante requested a discussion item on the next agenda regarding de minimis commercial square footage.

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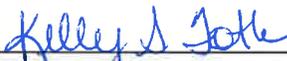
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