



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, February 26, 2015
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Mike Forster called the meeting to order at 5:30 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

Sheriff Rick Ramsay led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. COAST Sea Level Rise Update – Erin Deady

Sr. Planner Shane Laakso provided a brief overview of the past project activities and how the project was initiated. Ms. Erin Deady, P.A. reported on the three community sea level rise workshops that had occurred; provided a vulnerability analysis, reviewed the long term damage predictions and adaptation strategies and stated the benefits of the project. Ms. Deady also reported that Islamorada had been invited to be part of a NOAA grant that would provide improved elevation data.

B. Presentation of Community Hero Awards to LaRonda Oloizia, Aaron Reed and Chasity Turner

Mayor Mike Forster presented Community Hero Awards to LaRonda Oloizia, Aaron Reed and Chasity Turner. Mayor Forster stated the Village was recognizing these individuals for their heroic actions in saving a human life. He reported that they had performed CPR on a man who had collapsed to floor while at the Lazy Days restaurant. Mayor Forster stated that the gentleman did not have a heartbeat at the time CPR was performed, but that he later regained consciousness and was transported by EMS crews to Mariners Hospital.

C. Presentation of “Excess Payment Check” to Village Council by Monroe County Sheriff Rick Ramsay

Sheriff Rick Ramsay presented Mayor Mike Forster with a check in the amount of \$111,416.77 dollars for the reimbursement of excess payments paid by Islamorada Village of Islands for law enforcement services provided by the Monroe County Sheriff’s Office during Fiscal Year 2013-2014.

Environmental Resources Manager Susan Sprunt announced Monroe County would be hosting public outreach seminars regarding the canal management master plan and canal restoration. Ms. Sprunt stated these seminars would occur in: Key Largo at the Murray Nelson Government Center on Tuesday, March 10th beginning at 5:30 PM; Marathon at the Marathon Government Center on Thursday March 12th at 5:00 PM; and at the Sugarloaf Volunteer Fire Department on Tuesday, March 24th at 5:30 PM. Ms. Sprunt provided an overview of the information that would be covered at the seminars and encouraged residents to attend.

Fire Chief Terry Abel announced the next Village sponsored free CPR class to occur at Fire Station 20 81900 Overseas Highway on Wednesday, April 15th from 8:30 a.m. to 12 p.m.

Mayor Mike Forster announced that the Monroe County Board of County Commissioners (BOCC) had awarded Islamorada Village of Islands \$100,000 dollars for the Village's Canal Demonstration Restoration project. Mayor Forster stated that the BOCC met on February 18th to determine how to allocate the \$1.1 million dollars of local RESTORE Act funds awarded. He reported that the BOCC agreed with the recommendations of the local RESTORE Act Advisory Committee. He stated the committee's recommendation was to split the funds between the top two ranked projects: Coral Reef Restoration for Environmental and Economic Enhancement and Canal Water Quality Improvements and Restoration in unincorporated Monroe County. Mayor Forster reported that he and Environmental Resources Manager Susan Sprunt attended the meeting and spoke on behalf of Islamorada Village of Islands. As a result, the BOCC agreed to award \$100,000 dollars to the Village for their Canal Demonstration Restoration project because the Village was ready to commence work immediately and because the Village had already committed their own funds to canal restoration and successfully completed their first canal restoration demonstration project within Treasure Harbor Village.

Mayor Mike Forster thanked Andy Putetti for his service on the Near Shore Water Regulation Citizen's Advisory Committee and appointed Diane Harbaugh as his replacement on the committee.

IV. PUBLIC COMMENT

Mayor Mike Forster opened public comment.

Dave Purdo thanked the Rotary and volunteers that assisted with the recent Nautical Flea Market.

Ted Blackburn thanked Mayor Forster for his efforts with the Monroe County Board of County Commissioners (BOCC) regarding obtaining funding from the BOCC for canal restoration.

Jim Bellizzi inquired as to why the Village was buying roads from developers.

Mayor Forster closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

Vice Mayor Deb Gillis added discussion on the Mayor's Water Conservation Challenge to XIV. Mayor / Council communication.

Councilman Chris Sante added discussion regarding the Venetian Shores right-of-way to XIV. Mayor / Council Communications.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

VII. VILLAGE MANAGER REPORTS AND UPDATES

VIII. CONSENT AGENDA

A. Minutes:

February 12, 2015 Regular Village Council Meeting Minutes

Vice Mayor Deb Gillis made a motion to approve. Councilman Chris Sante 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 stated that individuals that have not paid or completed paperwork for the residential grinder pump program should by the deadline of April 1, 2015. He stated the testing of Middle Plantation Key is almost complete and that staff expects to send out the first set of wastewater connection letters on March 9, 2015.

Councilman Chris Sante inquired about the eleven days with high salinity levels. Wastewater Program Manager Greg Tindle explained that there were days when the levels peaked much higher, but that it was an improvement over past salinity levels in that the system is now experiencing longer stretches of time with low salinity levels. Councilman Sante asked for an update on the leak detection efforts. Mr. Tindle stated that additional leaks had been discovered and were being repaired and that they continue to search for more leaks. He stated the last of the vacuum pits rated three and four have been replaced. Councilman Sante stated that the salinity levels should be diluted in a few weeks.

Vice Mayor Deb Gillis asked if staff would be able to distinguish between the salinity levels of North Plantation Key and the levels of Middle Plantation Key once Middle Plantation Key was online. Mr. Tindle stated yes that there was a way to distinguish between the two.

Councilman Sante inquired about the actual budget verses the planned budget on page three of the report. Mr. Tindle explained the increase was due to an inspector position that could not be eliminated as early as thought due to the vacuum pit replacements that had occurred, which were not budgeted. Mr. Tindle explained the history of the project as having been under budget.

Mayor Mike Forster opened public comment.

Robby Majeska stated that the salinity levels needed to be controlled and encouraged people to hook up to the wastewater system as soon as possible.

Mayor Forster closed public comment.

X. ORDINANCES

XI. QUASI-JUDICIAL

XII. RESOLUTIONS

A. Resolution Adopting 2013 Public Facilities Capacity Assessment Report

Village Attorney Roget Bryan read the title of the resolution. Senior Planner Shane Laakso presented the staff report recommending approval.

Councilman Dennis Ward inquired as to whether or not the Snake Creek Drawbridge openings were included in the report. Senior Planner Shane Laakso provided a brief explanation of the data gathering process.

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 and the motion passed 5-0.

XIII. MOTIONS

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Hardship Request by Monte Green – Councilman Sante

Mayor Mike Forster opened public comment at the request of Councilman Sante.

Dave Purdo spoke in support of Monte Green's hardship request.

Randall Baad spoke on behalf of Monte Green. He stated that when Mr. Green agreed to install a fire hydrant, he was not aware of the complexities involved with getting water to the hydrant. He stated the bid they received from La Rocco to install the hydrant was approximately \$94,000 dollars. Mr. Baad elaborated on how Mr. Green had reduced the fire load in the structure. He stated the Village did not have a hydrant to serve the eight businesses in the vicinity and suggested the following alternatives: Mr. Green installs the hydrant when the structure is completed; or Mr. Green pays a proportionate share of installing the hydrant along with the other businesses in the location.

Councilman Chris Sante suggested allowing a temporary Certificate of Occupancy (C/O) for one year and at the end of the year Mr. Green would be required to install the fire hydrant. Mayor Mike Forster inquired if Mr. Green would then lose his CO if the hydrant was not installed.

Village Attorney Roget Bryan stated the Building Official would need to provide input regarding the issuance of a temporary C/O. He stated Council may wish to consider the idea after additional input was obtained from the Fire Chief and Building Official.

Mayor Mike Forster inquired as to whether current litigation had any impact on this decision. Village Attorney Roget Bryan stated every case was different and that the Fire Chief had done a good job with complying with the NFPA and Village regulations.

Fire Chief Terry Abel stated issuing a temporary C/O was an excellent idea that had been used in other developments. Chief Abel stated that he had met with the applicant on April 29, 2011 and discussed the installation of the well and hydrant. He stated the idea of a temporary C/O was offered to the applicant at that time, assuming all other requirements were met to include a date certain for completion of the hydrant's installation. Chief Abel explained to Council that the building permit still had to be approved by the Building Department, Planning Department and Fire Department.

Mayor Mike Forster suggested Mr. Green place money in escrow for the hydrant. Council discussion ensued.

Councilman Chris Sante clarified that Council was considering a temporary C/O and would like to see the money for the installation of the hydrant placed into escrow.

Mr. Monte Green stated he would prefer to put the money into escrow and have the Village install the hydrant.

B. Discussion Regarding Use of Vacant Commercial Lots – Councilman Sante

Councilman Chris Sante suggested the Local Planning Agency (LPA) identify limited low impact uses and guidelines for commercial lots due to limited storage within the Village. Councilman Jim Mooney spoke in support of the idea. Councilman Ward stated standards would need to be established so that the use would not be unappealing. Director of Planning Cheryl Cioffari stated this use was associated with outdoor storage and display and that currently this type of use is permitted. She suggested the LPA identify lower level uses within certain zoning districts. Discussion ensued among Council with staff input regarding the cost associated with major conditional use applications and costs associated with site plan approval.

C. Discussion Regarding Commercial Square Footage for Package Plants – Vice Mayor Gillis

Vice Mayor Deb Gillis provided a brief history of the prior Council discussions regarding package plants. She stated package plants have two ways of being abandoned: removal or abandoning on site. Vice Mayor Gillis spoke in support of removal of the package plants. She suggested Council consider giving the commercial square footage of the removed package plant back to the owner for development purposes as an incentive to remove the package plant as opposed to abandoning the package plant. She stated there were approximately 63 package plants in the Village. Mayor Mike Forster asked if the space for the package plant had already been allocated by Monroe County. Director of Planning Cheryl Cioffari stated that the package plants were not necessarily considered nonresidential square footage when they were developed. She stated that currently if someone was to come in and need to erect a package plant it would not count against the commercial square footage of the business. Ms. Cioffari stated it would provide an incentive to work with the Department of Environmental Protection to remove the tanks and that it would give the property owner an added advantage by having the additional square footage.

Councilman Jim Mooney stated he would support the item if the square footage was deducted from the annual allocation of commercial square footage as established in the Comprehensive Plan and Land Development Regulations.

D. Mayor's Challenge for Water Conservation – Vice Mayor Gillis

Vice Mayor Deb Gillis requested Council support a resolution supporting the Mayor's Challenge for Water Conservation. Council agreed.

E. Venetian Shores Right-of-Way – Councilman Sante

Councilman Chris Sante stated he had spoken with Jim Bellizzi regarding abandoning the additional ten square feet of roadway along Venetian Way in Venetian Shores. Councilman Sante explained that this particular road is the only road in the subdivision that is 60 feet wide. All other roads are 50 feet wide.

Director of Planning Cheryl Cioffari explained that the lots along this road are platted as 100 feet in depth which is consistent with the subdivision. She stated there would be costs associated with the abandonment and that a survey would be needed. Vice Mayor Deb Gillis spoke against abandoning the additional ten feet of roadway.

Jim Bellizzi stated the plat reflects 100 feet in depth but the lots are actually 95 feet in depth due to the canal being dug wider. Mr. Bellizzi stated he had just had his property surveyed and that as a result of the 95 feet in depth and current setback requirements, the property owners are losing development rights. He

pointed out that by abandoning the additional square footage the Village would save money with the amount of sewer pipe that would be installed.

Councilman Jim Mooney stated that there could be additional revenue from property taxes as a result of the additional square footage and future construction.

Mayor Mike Forster stated he would support the request if there was cost recovery.

Director of Planning Cheryl Cioffari stated the road abandonment application has a \$1700 fee and that the applicant would need to provide a signed and sealed survey of the right-of-way to be abandoned adjacent to all adjoining properties prepared by a Florida registered surveyor which would include the legal description of that area.

Jim Bellizzi asked if one road abandonment application could be filed representing the affected property owners. Director of Planning Cheryl Cioffari stated the subdivision would need to secure letters of no objection from the utility companies and all affected property owners and that it could be processed as one application.

Village Attorney Roget Bryan stated staff would conduct the necessary research and place the item on a future agenda for Council discussion.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Update Regarding Venetian Boulevard Median Landscaping and Maintenance

Village Manager Maria Aguilar reported that staff had met with Venetian Shores Home Owners Association (VSHOA) President David Gross and that they agreed the next step was for the Village to engage the services of a landscape architect to provide a conceptual drawing based upon the Village's Environmental Sustainability Plan. Ms. Aguilar stated that they hoped to present the drawing to VSHOA on April 1st. She stated that once the association reviews the drawing, staff hoped to have a determination from the HOA as to whether or not they are in agreement with the proposed landscaping; or if the association preferred to have landscaping requiring irrigation.

B. Discussion Regarding Village Attorney Evaluation

Village Attorney Roget Bryan stated that there was a discussion item scheduled for the March 12th Regular Village Council Meeting pertaining to the Village Attorney evaluation, Mr. Bryan stated that no particular evaluation format was specified in his contract and an example format was provided to Council. Discussion ensued with Vice Mayor Deb Gillis confirming that Council agreed to use the format provided by the Village Attorney.

XVI. ADJOURNMENT

Vice Mayor Deb Gillis made a motion to adjourn. Councilman Chris Sante seconded the motion. The meeting adjourned at 7:26 P.M.



Kelly S. Toth
Village Clerk

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