



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

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

I. CALL TO ORDER / ROLL CALL

Mayor Mike Forster called the meeting to order at 5:33 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

Wyland led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Proclamation Supporting the Wyland Foundation's National Mayor's Challenge for Water Conservation

Mayor Mike Forster presented the proclamation declaring April 2015 as Wyland Foundations' National Mayor's Challenge for Water Conservation. Accepting the proclamation was marine life artist, Wyland. Wyland encouraged listeners to pledge their water conservation efforts at www.mywaterpledge.com. Mayor Forster thanked Wyland for his charitable contributions to Islamorada and the rest of the Florida Keys.

Mayor Forster announced the Earth Day Water Conservation Fair to be held at Founders Park Community Center on Wednesday, April 22nd from 1:00 PM to 5:00PM.

Vice Mayor Deb Gillis announced the Islamorada Chamber of Commerce 24th Annual Island Fest to be held at Founders Park on March 28th and 29th.

IV. PUBLIC COMMENT

Mayor Mike Forster opened public comment.

Dave Purdo expressed concern about the FDOT US 1 highway construction project.

Lynn and Mike Moore spoke on behalf of former tennis coach Gary Clermont. Mr. and Ms. Moore reported on Mr. Clermont's experience, charitable contributions and future projects.

Mayor Mike Forster closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

Mayor Mike Forster added discussion regarding Village Center under XIV. Mayor / Council Communications.

Councilman Dennis Ward added discussion regarding the Village's Noise Ordinance under XIV Mayor / Council Communications.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Workforce Affordable Housing Citizens Advisory Committee Update

Committee Chair Janet Wood announced the Workforce Affordable Housing Citizens Advisory Committee (WAHCAC) would be holding a workshop on April 20th beginning at 12:00 PM at the Village Administrative Building in the third floor conference room. She stated a WAHCAC meeting would immediately follow the workshop. Ms. Wood stated a representative from Gorman would be in attendance at the workshop.

Ms. Wood reported the committee voted unanimously in favor of changing the name of the committee to Achievable Housing Citizens' Advisory Committee. Committee member Jenn Weiden explained that the committee thought the words workforce and affordable had a negative connotation and explained that some residents thought that dwellings associated with workforce affordable housing were less than desirable. Ms. Weiden stated the committee desired a more forward moving name; and a name that did not give the impression that affordable housing owners were receiving handouts. Ms. Weiden stated it was the committee's intention to change the perception of the community and recipients of affordable housing benefits. Ms. Janet Wood requested Council permission to move forward with this change. Council directed staff to proceed with amending the resolution to reflect the name change.

Director of Planning Cheryl Cioffari reported the WAHCAC approved two items at the last meeting. She stated the committee approved the first time home buyers down payment assistance program and that the item would soon be before the Local Planning Agency for review. Ms. Cioffari stated the committee approved changes to the Village's webpage allowing for more information to be made available to the public. She reported on attendance issues the committee had and explained the difference between excused and unexcused absences. Ms. Cioffari identified the following future discussion items that would come before the committee: incentives, length of deed restrictions, rent control and identifying parcels for affordable housing development.

Nancy Hershoff, WAHCAC member, reported the committee would be researching potential tax credits in the hopes of obtaining property at a reduced cost.

Jenn Weiden expressed concern regarding the two committee vacancies and attendance issues affecting the committee's ability to form a quorum. Discussion ensued among Council regarding the current vacancies and quorum requirements. Ms. Weiden expressed an interest in providing a public notice that referred to a "meeting / workshop" so that in the event a quorum was not present, discussion could be conducted within the guidelines of a workshop. Village Attorney Roget Bryan stated he would advise the committee regarding quorum requirements for a workshop.

VII. VILLAGE MANAGER REPORTS AND UPDATES

A. Report Regarding the Green Turtle Hammock Park

Village Manager Maria Aguilar reported she was awaiting a determination from Florida Communities Trust (FCT) regarding marine research activity. She stated the Village has an obligation to meet the terms of the management agreement which included opening the park to the public as well as making certain improvements to the property. Ms. Aguilar stated the majority of the construction had been completed at the Green Turtle Hammock Park (GTHP) and that she would meet with Carl Haamp of the Green Turtle Island School the week of April 6 to discuss a plan for opening the park to the public.

Ms. Aguilar stated staff would become more involved with the activities at GTHP to ensure the terms of the management agreement were being met. She further stated that she hoped to have received the FCT determination regarding the park activities prior to the April 9, 2015 Village Council Meeting.

VIII. CONSENT AGENDA

A. Minutes:

March 12, 2015 Regular Village Council Meeting

March 16, 2015 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

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

Tom Brzezinski, Wade Trim Executive Vice President reported that the Village was averaging 135,000 gallons per day of wastewater flow, from North Plantation Key (NPK) and Middle Plantation Key (MPK), with salinity levels below three. He stated 1,029 property owners had connected in NPK out of 1,149 and 34 property owners currently had pending permits to connect. Mr. Brzezinski reported the notices to connect were mailed out on March 9, 2015 to MPK property owners and since then 14 property owners had connected and 16 had pending permits. He stated property owners were to be connected within 180 days of March 9, 2015. Mr. Brzezinski explained that on April 9th the Florida Keys Aqueduct Authority would begin charging property owners for wastewater regardless of whether they were connected.

Mr. Brzezinski reported that salinity levels were above the acceptable level on two days since the last meeting and reported that inspections that were being conducted to detect salt water intrusion.

Mr. Brzezinski reported that overall the project is under budget, but that the project was over budget for fiscal year 2014 - 2015. He provided the following explanation for the overages: inspections on the NPK valve pits contributed to the budget overage by approximately \$75,000 dollars; approximately \$50,000 dollars had been spent on the grinder pump program; and approximately \$40,000 dollars had been spent on work associated with package plant owners. Mr. Brzezinski explained that the budget decreases as the project nears completion and that additions to the project had occurred since the budget was initially created.

Mayor Mike Forster opened public comment.

Larry Barr stated many coastal communities experience problems with salinity and complimented staff and Severn Trent on some of the lower salinity levels that recently occurred. He complimented staff and Council on the connection costs Village property owners were paying in comparison to the Lower Keys.

Steve Kurtz asked when Windley Key would be able to connect. Tom Brzezinski, Wade Trim Executive Vice President stated staff expected property owners would be able to connect toward the end of May 2015. Mr. Brzezinski explained the delay to connecting was due to modifications that occurred near Theater of the Sea.

Discussion ensued between Councilman Chris Sante and Mr. Brzezinski regarding salinity meters and whether or not there were meters that could be left inside a vacuum pit for a period of time.

Mayor Mike Forster closed public comment.

X. ORDINANCES

- A.** First Reading – Proposed Ordinance Establishing Chapter 30 “Land Development Regulations,” Article IV “Administrative Procedures,” Division 6 “Permit and Development Approval Cost Recovery,” Sections 30-331 through 341 of the Village Code of Ordinances

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

Vice Mayor Deb Gillis spoke in support of charging 10% of the flat fee upon submittal of the third revision and subsequent revisions thereafter.

Director of Planning Cheryl Cioffari explained that cost recovery had been repealed in 2011 and replaced with charging flat fees that were paid by the applicant upon submittal. She stated that flat fees often times do not cover the Village’s costs associated with reviewing a project.

Mayor Mike Forster inquired as to the charges assessed by Monroe County and Marathon. Director of Planning Cheryl Cioffari stated that the Village’s cost recovery charges were close, if not less expensive, than Monroe County. Ms. Cioffari explained why external review services were needed. Councilman Chris Sante stated he had pulled permits in several counties and that it was expensive no matter where you went.

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

Councilman Chris Sante made a motion to approve. Mayor Mike Forster seconded the motion. The motion passed 5-0.

XI. QUASI-JUDICIAL

XII. RESOLUTIONS

- A.** Resolution Approving A Locally Funded Agreement with the Florida Department of Transportation for the Realignment of a Portion of the Florida Keys Overseas Heritage Trail

Village Attorney Roget Bryan read the title of the resolution. Director of Public Works Lesli Wojtecki presented the staff report and explained the agreement was for the relocation of a portion of the bike trail and did not include the creation of additional parking.

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

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.

XIII. MOTIONS

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Village Center (added by Mayor Forster)

Mayor Forster stated it was not his intent to discuss Village Center specifically, but rather to have these types of discussion items added to the agenda by staff sooner rather than later. He expressed concern regarding the light agenda. Discussion ensued among Council regarding the length of council meetings and the opportunity to discuss various items in a timely manner.

B. Discussion Regarding the Noise Ordinance (added by Councilman Ward)

Councilman Dennis Ward expressed concern regarding the Village's noise ordinance and stated the City of Key West had passed an effective noise ordinance within the past twelve months.

Councilman Chris Sante stated since 2002 the Village had not found a way to effectively enforce the noise ordinance. He stated that he understood the citizens' concerns but part of the issue in Islamorada was that there was not substantial land mass to act as a noise barrier.

Discussion ensued among Council regarding the measurement of sound using decibel meters, education and enforcement, noise issues at White Marlin Beach, and current enforcement methods by the Monroe County Sheriffs' Office.

Mayor Mike Forster asked if Council agreed to additional enforcement during peak periods. Councilman Ward stated he thought an additional boat would help. Monroe County Sheriffs' Captain Corey Bryan stated that Islamorada has a boat at White Marlin Beach every weekend and that the homeowners association also has a boat at this location. He stated an additional officer could be placed on the roadways, but obtaining an additional boat would be very difficult due to availability. Captain Bryan explained a complaint was needed for officers to address a noise related issue and added that he believed the noise ordinance adopted by Key West is similar to the one in effect in Islamorada.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Discussion Regarding the Transfer of Development Rights (TDRs) Pertaining to the Prohibition of Transferring TDRs from Dry Lots to Wet Lots

Director of Planning Cheryl Cioffari stated Village Code prohibits transferring of development rights from lots that do not contain shoreline to lots containing shoreline. She stated the previous Council was in favor of changing this portion of the code to allow for the transfer of development rights from lots without shoreline to lots with shoreline. Ms. Cioffari asked if the current Council had a desire to see this item move forward. Councilman Chris Sante, Councilman Dennis Ward and Councilman Jim Mooney spoke against amending the current code for this purpose. Vice Mayor Deb Gillis spoke in support of the item.

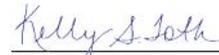
Mayor Mike Forster opened public comment; seeing none, public comment was closed.

B. Discussion Regarding FDOT District Six Planning Listening Session

Village Manager Maria Aguilar announced that FDOT was conducting a planning and listening session on April 28, 2015 to seek input regarding recommended improvements to address problem areas, congestion points, safety issues and any other proposed projects. Ms. Aguilar stated that she and Director of Public Works Lesli Wojtecki would be attending and offered Council the opportunity to provide their list of concerns and or priorities. Discussion ensued among Council regarding possible suggestions such as: the Fills, pedestrian safe zones, additional storm drains, additional lighting and delineators, discouraging the use of the center lane for passing and a fixed bridge at Snake Creek. Council directed staff to provide a list of projects already planned and additional suggestions for Council discussion at the April 9, 2015 Regular Village Council Meeting.

XVI. ADJOURNMENT

Councilman Chris Sante made a motion to approve. Mayor Mike Forster seconded the motion. The meeting adjourned at 7:36 PM.



Kelly S. Toth
Village Clerk

Approved by the Village Council this 9th day of April, 2015.