



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, August 20, 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, Director of Planning Cheryl Cioffari, Village Clerk Kelly Toth, and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Dante Jiovenetta led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

This item began at 5:33 PM.

A. Presentation to: Dante Jiovenetta USA Wrestling Junior Men's Greco Roman Nationals Champion

Mayor Mike Forster presented Dante Jiovenetta with a plaque and proclamation proclaiming August 20th as Dante Jiovenetta day in Islamorada.

B. Acknowledgement of Richard Baker's Service on the Local Planning Agency

Mayor Mike Forster and Vice Mayor Deb Gillis thanked Richard Baker for his service on the Local Planning Agency.

C. Acknowledgement of Meredith Tracy's Service on the Achievable Housing Citizens' Advisory Committee

Mayor Mike Forster thanked Meredith Tracy for her service on the Achievable Housing Citizens' Advisory Committee.

Mayor Mike Forster announced the Florida Keys National Marine Sanctuary (FKNMS) voted recently to allow municipalities to have a non-voting seat on the panel. Mayor Forster stated he would like to attend the October 20, 2015 meeting of the FKNMS as Islamorada's representative. Council expressed agreement. He stated the non-voting provisions would be revisited after the first year. He reported the

FKNMS was deferring to municipalities to address issues pertaining to party beaches throughout Monroe County.

IV. PUBLIC COMMENT

At 5:39 PM public comment was opened.

Mr. Jerry Wilkinson requested conceptual approval from the Council for a memorial wall, similar to the Vietnam Memorial Wall, listing the names of the individuals that perished in the 1935 Hurricane. He suggested the wall be added to the location of the existing Hurricane Monument. Councilman Chris Sante expressed interest in the memorial wall and requested the Council approve discussion on a future agenda. Mayor Mike Forster stated the Historical Preservation Committee would discuss the item prior to Council discussion. Mr. Wilkinson announced that he would be conducting a presentation on the Florida Keys Hurricane Memorial on September 2, 2015 at 5:30 PM and invited the public to attend.

Gina Boilini, President of the Florida Keys Scenic Corridor Alliance, spoke in support of Indian Key Fill as a scenic overlook or wayside recreational area and in support of maintaining water access for the public.

Mayor Mike Forster closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

Mayor Mike Forster requested that Tab 15 be moved forward to follow Tab 7.

Village Attorney Roget Bryan requested Tab 5 & 6 be moved from the Ordinance section of the Agenda to the Quasi-Judicial section of the agenda.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

Updates began at 5:49 PM.

A. Local Planning Agency Update – Chair Pete Bacheler

Pete Bacheler, Local Planning Agency (LPA) Chair, reported the LPA reviewed two items at its last meeting. He stated the LPA reviewed the possible rezoning of four site specific lots from residential to highway commercial and the committee voted five to one in favor of the rezoning. Mr. Bacheler stated the committee discussed limiting new structures to 10,000 square feet. He stated the proposed changes to the ordinance included removing the section that allowed for a majority Council vote to overrule the 10,000 square foot limitation. He stated six exemptions to the limitation were included and that the committee voted six to zero in favor of the changes.

B. Achievable Housing Citizens' Advisory Committee Update – Chair Janet Wood

Janet Wood, Committee Chair, reported on meeting attendance and a recent phone conversation she had with Rebecca Jetton, Department of Economic Opportunity Areas of Critical State Concern Administrator. Ms. Wood stated she spoke with Ms. Jetton regarding Georgina Cabrera's three and half acres located at 86550 Overseas Highway and its potential for affordable housing units. Ms. Wood requested the Council consider adding additional funds to the Affordable Housing Fund for future land acquisitions or projects.

VII. CONSENT AGENDA

Consent Agenda was addressed at 5:57 PM

A. Minutes

TAB 1

July 21, 2015 Village Council Workshop, Planning Consultants Presentation

August 6, 2015 Village Council Budget Workshop

August 6, 2015 Special Call Village Council Meeting

**B. Resolution Approving TDC FY 2016 Capital Project Grant for the Library Beach
Playground Zone Project**

TAB 2

**C. Resolution Approving Interlocal Agreement Between the Florida Keys Aqueduct Authority
and Islamorada, Village of Islands, for Wastewater Billing Services**

TAB 3

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. Council voted all in favor. The motion passed 5-0.

VIII. WASTEWATER MATTERS

A. Wastewater Project Update

TAB 4

Greg Tindle, Wastewater Program Manager, reported salinity levels during August did not exceed the maximum allowable threshold. He stated Notice to Connect letters were sent to Upper Matecumbe property owners in early August and reported the following progress related to wastewater connections:

- Middle Plantation Key- 677 letters were sent out, 181 have connected and 71 were in the process of connecting;
- South Plantation Key- 759 letters were sent out, 86 have connected and 128 were in the process; and
- Upper Matecumbe Key - 464 letters were sent out, 5 have connected and 27 were in the process

Mayor Mike Forster asked if Council had questions or comments; there were none.

Mayor Mike Forster opened public comment.

Larry Barr expressed concern about connection letters having been mailed out with so many punch list items remaining. Wastewater Program Manager Gregg Tindle explained the wastewater system had achieved substantial completion which meant the wastewater plant would function as intended to provide service. Mr. Tindle stated Mr. Barr was correct in that there were several punch list items outstanding; but that these items did not inhibit the actual functioning of the plants ability to provide service.

Mayor Mike Forster closed public comment.

IX. ORDINANCES

TABS 5 & 6 WERE MOVED TO THE QUASI-JUDICIAL SECTION OF THE AGENDA

**A. Second Reading: Ordinance Amending Chapter 30 “Land Development Regulations,” Article
V “Schedule of District Use and Development Standards”, Division 2 “Zoning Districts” of
the Village Code to Increase the Maximum Size of Permitted and Conditional Uses within the
Village Center (VC) Zoning District**

TAB 7

Tab 7 was heard at 6:11 PM.

Village Attorney Roget Bryan read the title of the resolution. Patrick Doty, Planner, presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment; seeing none, public comment was closed. Councilman Jim Mooney made a motion to approve. Councilman Dennis Ward seconded the motion. Council voted all in favor. The motion passed 5-0.

X. QUASI-JUDICIAL

This section of the agenda was heard at 6:01 PM.

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. Village Attorney Roget Bryan read the title of the Tab 5 resolution. Mr. Bryan requested Council disclose any ex-parte communications. Council members individually stated that they had had no ex-parte communications.

A. Second Reading: Future Land Use Map (FLUM) Amendment (FLRZ-14-06) for a Portion Of a Property Located at 76180 Overseas Highway, at Approximately MM 76 TAB 5

Patrick Doty, Planner, presented the staff report recommending approval of the proposed ordinance thereby amending the FLUM designation from Residential Medium (RM) to Residential High (RH) and creating a site specific policy for the property.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none.

Mayor Mike Forster opened public comment.

Larry Barr expressed concern regarding multiple dwellings and suggested possibly reserving the BPAS units for affordable workforce housing.

Don Horton, Agent for the applicant clarified that the units were lawfully existing units and that BPAS units/ permits would not be used.

Mayor Mike Forster closed public comment.

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

B. Second Reading: Zoning Amendment (FLRZ-14-06) for a Portion of a Property Located at 76180 Overseas Highway, at Approximately MM 76 TAB 6

Village Attorney Roget Bryan read the title of the Tab 6 resolution. Mr. Bryan requested Council disclose any ex-parte communications. Council members individually stated that they had had no ex-parte communications.

Patrick Doty, Planner, presented the staff report recommending approval of the proposed ordinance thereby amending the Official Zoning Map from Residential Single-Family (R1) to Multifamily (MF).

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none.

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

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

Village Attorney Roget Bryan closed the Quasi-Judicial portion of the meeting.

XI. RESOLUTIONS

A. Annual Rate Resolution for Solid Waste Service Assessment

TAB 8

Tab 8 was heard at 6:15 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. 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.

B. Annual Rate Resolution for Stormwater Management Services

TAB 9

Tab 9 was heard at 6:18 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment.

Charlie Mather asked if everyone would be subject to the assessment. Ms. Lawson clarified that all residential properties were subject to the assessment.

Mayor Mike Forster closed public comment.

Councilman Dennis Ward made a motion to approve. Councilman Jim Mooney seconded the motion. Council voted all in favor. The motion passed 5-0.

C. Annual Rate Resolution for Woods Corner Assessment Area

TAB 10

Tab 10 was heard at 6:20 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments. Councilman Chris Sante inquired as to the length of the Woods Corner assessment. Ms. Lawson responded that the Woods Corner assessment continued until the year 2038 and that the majority of the assessment continued until the year 2035.

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.

D. Annual Rate Resolution for North Plantation Key Wastewater Assessment Area

TAB 11

Tab 11 was heard at 6:24 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment.

David Guardino asked if the replacement of vacuum pits on North Plantation Key would cause an increase to the assessments. Village Manager Maria Aguilar stated the repairs did not affect the assessment rates, but that the charges to customers Village wide could be affected.

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.

E. Annual Rate Resolution for North Plantation Key Supplemental Assessment Area **TAB 12**
Tab 12 was heard at 6:28 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment; seeing none, public comment was closed.

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

**F. Annual Rate Resolution for Phase I Wastewater Collection and Treatment Facilities/
Remaining Service Area Phase I (RSA1) Wastewater Assessment** **TAB 13**
Tab 13 was heard at 6:30 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment; seeing none, public comment was closed.

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

**G. Annual Rate Resolution for Phase II Wastewater Collection and Treatment Facilities/
Remaining Service Area Phase II (RSA2) Wastewater Assessment** **TAB 14**
Tab 14 was heard at 6:33 PM.

Village Attorney Roget Bryan read the title of the resolution and stated this was a public hearing. Interim Finance Director Ariana Lawson presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment; seeing none, public comment was closed.

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

**H. Resolution of the Village Council of Islamorada, Village of Islands, Florida, Nominating
Property for Purchase by the Monroe County Comprehensive Plan Land Authority as
Conservation Land** **TAB 15**
This tab was heard at 6:14 PM.

Village Attorney Roget Bryan read the title of the resolution. Susan Sprunt, Environmental Resources Manager, presented the staff report recommending approval.

Mayor Mike Forster inquired as to whether Council had questions or comments; there were none. Mayor Mike Forster opened public comment; seeing none, public comment was closed.

Councilman Dennis Ward made a motion to approve. Councilman Chris Sante seconded the motion. Council voted all in favor. The motion passed 5-0.

XII. MOTIONS

XIII. MAYOR / COUNCIL COMMUNICATIONS

Vice Mayor Deb Gillis asked whether or not Council could discuss the Regular Village Council Meeting schedule or if it had to be noticed. Village Manager Maria Aguilar responded that she understood that an item the Council wished to consider did not have to be on the agenda or publicly noticed. Mayor Forster requested the item be discussed at a future meeting. Village Attorney Roget Bryan stated the discussion was on the September 10th agenda.

XIV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

This discussion item was heard at 6:36 PM.

A. Information on the Florida Department of Transportation “Fills” Project

Village Manager Maria Aguilar stated she had contacted the Florida Department of Transportation (FDOT) as requested by Council at the July 30th Regular Village Council Meeting. She stated the Project Manager, Nathaniel Pulido, and Project Engineer Consultants would be available to meet with Council to discuss the roadway improvement project from mile marker 77.5 to mile marker 81.4 and improvements to the Fills. Ms. Aguilar recommended a Special Call Village Council Meeting, rather than the September 10th Regular Village Council Meeting.

Village Manager Maria Aguilar explained FDOT’s planning process stating the following: FDOT works from a five-year work program; they establish priorities based on input from Metropolitan Planning Organizations (MPO) and Boards of County Commissioners; FDOT funds the highest priority programs based on the availability of State and Federal funding; each year FDOT adopts the five-year work program that is adopted by the Florida Legislature; and each July new projects are added. Ms. Aguilar explained that their process included four steps: (1) Engineering and Environmental Studies, (2) Design, (3) Right-of-Way, and (4) Construction. Ms. Aguilar explained that the project being discussed had already been through the first three steps and that FDOT was putting the project out for bid in November, which begins the fourth and final step, construction. Ms. Aguilar stated that it is usually during the second year that FDOT identifies their funding sources.

Village Manager Maria Aguilar briefly explained the timeline for the current project and stated in 2013 Assistant Public Works Director Lesli Wojtecki provided input to FDOT regarding suggestions for the roadway improvement plan which included parking in the paved approach areas. Ms. Aguilar stated this occurred during the phase of the project when FDOT solicited input from municipalities and through public meetings. She stated that by 2014 FDOT had completed approximately 90 percent of the project plans. Ms. Aguilar stated that in June 2014 she reached out to FDOT Project Administrator, Patricia Ivey to learn more about FDOT processes and to find out what was needed from Islamorada. She stated that it was at this time that the recommendation for a “Fills Master Plan” was suggested. Ms. Aguilar stated that in July she, Lesli Wojtecki, Chamber of Commerce Director Judy Hull and FDOT Project Administrator Patricia Ivey met to discuss the Fills. She stated in the following months, several workshops were held to collect input from the public. Ms. Aguilar stated that she had anticipated the recommendations regarding

the Fills would occur sometime after the roadway improvement project had been completed. She stated that she contacted Nathaniel Pulido, Project Manager, and asked if FDOT ever considered installing kayak launches, swimming access areas, restrooms or picnic tables. Mr. Pulido responded stating FDOT did not usually get involved with the construction of these types of facilities. Mr. Pulido stated FDOT considers those items that tie into the roadway system.

Ms. Aguilar asked if the Council wished to proceed with the current roadway and parking plans as they currently exist or did the Council wish to cease the proposed changes. Councilman Chris Sante asked if there was a master plan that he could review. Ms. Aguilar stated that there was not a conceptual drawing of the Fills Master Plan. Ms. Aguilar stated the only drawings that she was aware of were the roadway construction drawings that were presented at the last Regular Village Council Meeting. She stated that she requested that FDOT bring a drawing indicating the scope of their project as it pertains to Islamorada.

Mayor Mike Forster opened public comment.

Kara Lundgren, President of Islamorada Chamber of Commerce spoke in support of another meeting with FDOT to obtain answers to several questions regarding the Fills and in support of ceasing the proposed plans submitted by Islamorada.


Larry Barr spoke in support of adding more rip rap to prevent further environmental damage and to prevent people from creating new water access points.

Mayor Mike Forster closed public comment.

Council and staff discussion ensued regarding the current roadway project, boat ramps, shoreline stabilization, water access, parking, overcrowding, funding sources and limited space for improvements to the Fills. Council agreed to a Special Call Village Council Meeting.

XV. ADJOURNMENT

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



Kelly S. Toth,
Village Clerk

Approved by the Village Council this 1st day of October, 2015.