



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, December 15, 2016
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Jim Mooney called the meeting to order at 5:30 p.m. The following Councilmembers were present on roll call: Mayor Jim Mooney, Vice Mayor Chris Sante, Councilman Mike Forster, Councilwoman Deb Gillis and Councilwoman Cheryl Meads. Also in attendance were Village Manager Seth Lawless, Village Attorney Roget Bryan, Village Clerk Kelly Toth and other relevant personnel.

II. PLEDGE OF ALLEGIANCE

William Bosley led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Acknowledgement of Stephen Kurutz's Service on the Local Planning Agency- Councilwoman Gillis

Councilwoman Deb Gillis thanked Stephen Kurutz for his service on the Local Planning Agency and appointed Amy Stone as his replacement.

B. Presentation of Certificate of Appreciation to Janet Wood for her Service on the Achievable Housing Citizens' Advisory Committee – Vice Mayor Sante

Vice Mayor Chris Sante thanked Janet Wood for her service on the Achievable Housing Citizens' Advisory Committee. Ms. Wood was not in attendance.

C. Appointment to Achievable Housing Citizens' Advisory Committee – Vice Mayor Sante

Vice Mayor Chris Sante appointed Angel Borden to the Achievable Housing Citizens' Advisory Committee.

D. Presentation: Concept Master Plan for the Green Turtle Hammock Preserve and the Key Tree Cactus Preserve by Bermello Ajamil & Partners, Inc.

This presentation began at 5:32 p.m.

Environmental Resources Manager Susan Sprunt provided a brief recap of the purchase history and management plan requirements associated with the Green Turtle Hammock Preserve and the Key Tree Cactus Preserve prior to introducing Randy Hollingworth, Director of Landscape Architecture & Planning with Bermello Ajamil & Partners, Inc.

Randy Hollingworth presented the existing elements and the proposed elements that would meet the Master Plan requirements for Green Turtle Hammock Preserve and the Key Tree Cactus Preserve. The proposed master plan elements included items such as an elevated boardwalk, observation tower, small boat deck, additional parking, canoe/kayak drop off and launch, and relocating the children's playground. Mr. Hollingworth explained optional site components that could be added to the project such as an extended boardwalk that led to a look-out tower, additional parking spaces and an additional pedestrian trail. Councilman Mike Forster inquired as to whether a portion of the park could be designated for a small dog park, similar to the one at Founders Park. Ms. Sprunt stated the park was a dog friendly park, but creating an enclosed dog park would depend upon the availability of open space. Council and staff discussion ensued regarding project funding and project planning. Village Manager Seth Lawless stated project priorities would be included in the FY 2017-2018 budget proposal.

E. Presentation: 60 % Landscaping Plans for the Area Located between MM 77.47 and MM 81.44 by the Florida Department of Transportation

This presentation began at 5:52 p.m.

Bao-Ying Wang, Professional Engineer with the Florida Department of Transportation (FDOT), thanked the Council for the opportunity to present to Council and introduced Marisol Ortega, FDOT Landscape Architect, who provided the PowerPoint presentation.

Ms. Ortega presented project slides and stated the project landscaping would begin at approximately mile marker 77.47 and conclude at mile marker 81.44, a portion of which was the area known as "the Fills". She stated the project involved installing trees, palms and landscaping buffers; installing timbers in some of the open areas to prevent further shore erosion and damage to mangroves as well as to somewhat delineate parking; and removal and replacement of diseased and damaged trees. Ms. Ortega stated that it was their intent that the trees would not limit the view of the water. She stated the project was expected to begin November 2018 and would last approximately eight months. Ms. Ortega provided the remaining elements of the project schedule and stated a landscaping maintenance agreement between the Village and FDOT would need to be executed in early May. Discussion ensued among Council and FDOT staff Christine Crespo and Marisol Ortega regarding landscaping maintenance; possible parking after the project concluded; pedestrian safety; the FDOT drainage department developing an erosion study; working with the appropriate FDOT department to designate parking spaces and the Village determining exactly where they wanted parking; reducing the speed limit to 45 mph in the Fills area; and the Village developing a Master Plan for the Fills area.

IV. PUBLIC COMMENT

Mayor Jim Mooney opened public comment.

The following members of the public addressed the Council: Van Cadenhead, Dave Purdo, Cheryl Culbertson, Angel Borden and AJ Engelmeyer. The comments provided pertained to the proposed landscaping at the Fills, staggered terms for Council and "at large" elections, support for the Tab 2 ordinance and a reminder of the Hazardous Waste drop-off at Founders Park.

V. AGENDA: Request for Deletion / Emergency Additions

Mayor Jim Mooney asked if there were any additions or deletions. Director of Planning Cheryl Cioffari requested discussion regarding increases to Floor Area Ratio (FAR) in specific zoning districts be added to XII. Mayor / Council Communications.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Local Planning Agency- Chair Pete Bacheler
(This item was removed from the agenda.)

VII. CONSENT AGENDA

(All items on the Consent Agenda are considered routine by the Village Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event, the item will be moved to the Main Agenda.)

A. Approval of Appointments to the Islamorada Youth Council TAB 1

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

VIII. ORDINANCES

A. First Reading: Ordinance Amending Chapter 22 “Housing”; Article I “In General” and Article II “Fair Housing” and Establishing Sections 22-12 Through 22-60 Therein: Creating Article III “First Time Homebuyer Down Payment Assistance Program” and Establishing Sections 22-61 Through 22-70 TAB 2

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 22 “HOUSING”; ARTICLE I “IN GENERAL” AND ARTICLE II “FAIR HOUSING” AND ESTABLISHING SECTIONS 22-12 THROUGH 22-60 THEREIN: CREATING ARTICLE III “FIRST TIME HOMEBUYER DOWN PAYMENT ASSISTANCE PROGRAM”; SECTIONS 22-61 THROUGH 22-70; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

This item was heard at 6:37 p.m.

Village Attorney Roget Bryan read the title of the ordinance and stated this was first reading. Director of Planning Cheryl Cioffari presented the staff report recommending approval.

Mayor Jim Mooney opened public comment.

Cheryl Culbertson spoke in support of approving the ordinance as written and suggested the administration component be handled by a third party as opposed to staff. (*This comment was made at section IV. Public Comment.*)

Mayor Jim Mooney closed public comment.

Council discussion ensued with the majority of Council expressing agreement for the following changes:

1. Sec. 22-61. Amending the definition of first-time homebuyer to not having owned a home for at least three (3) years as opposed to the existing five-year requirement; and
2. Sec. 22-63. (8). Reinstating the prior language that required the applicant to provide at least 3.5% of the purchase price for the property.

The majority of Council spoke in support of the proposed change made to Sec. 22-64(d) which required the applicant to repay 10% of the original loan upon sale of the property.

Vice Mayor Chris Sante made a motion to approve as amended. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

IX. QUASI-JUDICIAL

- A. Application for Site Plan Approval (SP-16-01) by Currie Sowards Aguilar Architects, Inc. **TAB 3**
On Behalf of the Monroe County Board of County Commissioners

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS FOR SITE PLAN APPROVAL OF A NEW 35,697-SQUARE-FOOT COURTHOUSE AND DETENTION FACILITY AND FOR THE RENOVATION AND REPURPOSING OF THE EXISTING COURTHOUSE AND DETENTION FACILITY BUILDING ON PROPERTY LOCATED AT 88770 OVERSEAS HIGHWAY, RANDALL ADAMS AND KEY HEIGHTS SECTION 2 SUBDIVISIONS ON PLANTATION KEY, WITHIN THE PUBLIC AND SEMI-PUBLIC SERVICES (PS) ZONING DISTRICT, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 6:43 p.m.

Village Attorney Roget Bryan read the quasi-judicial statement. Village Clerk Kelly Toth swore in the witnesses. Village Attorney Roget Bryan read the title of the resolution and requested that the Council disclose ex-parte communications. Each Councilmember disclosed that he or she had had no ex-parte communications regarding the matter before them. Senior Planner Karl Bursa presented the staff report recommending approval.

Mayor Jim Mooney invited the applicant to speak.

Kevin Wilson, Monroe County Assistant County Administrator for Public Works, introduced Jose Aguila with Currie Sowards Aguila Architects who made the presentation. Mr. Aguila identified the existing structures that would remain on the property and the structures that would be added. He provided an overview of the first and second floor plans of the proposed courthouse and detention facility as well as the anticipated project schedule. Mr. Aguilar stated the project was anticipated to be complete by the end of 2019. Kevin Wilson stated the existing courthouse would be repurposed and that it was unknown, at this time, how it would be used in the future.

Council discussion ensued regarding potential uses for the existing courthouse; and that the net square footage gained was 25,871 as a result of new construction and the removal of some of the existing structures.

Mayor Jim Mooney invited those in favor to speak; there were none.

Mayor Jim Mooney invited those opposed to speak.

The following individuals addressed the Council, but were neither for or against the project: Denise Downing, Janice Rush, Tom Maida and Angel Borden. The comments pertained to the location of the detention facility courtyard, the wall height and the landscaping buffers, the outdoor lighting, noise levels, vehicular access on Key Heights Drive and concern as to where the new senior citizen center would be relocated.

Doug Sposito, Monroe County Director of Project Management, stated the Senior Citizen Center would be relocated to the first floor of the Ellis building into the current Property Appraiser's location and social services would be relocated to the second floor. He stated the offices currently on the second floor of the Ellis building would be moved to the new courthouse facility.

Mayor Jim Mooney closed public comment.

Councilman Mike Forster made a motion to approve. Vice Mayor Chris Sante seconded the motion. Council voted and the motion passed 5-0.

X. RESOLUTIONS

- A.** Proposed Resolution Approving Affordable Housing Agreement Between Islamorada, Village of Islands and Monroe County Board of County Commissioners (“Plantation Key Courthouse and Detention Facility”)

TAB 4

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING AN AFFORDABLE HOUSING AGREEMENT WITH THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE AFFORDABLE HOUSING AGREEMENT AND ANY ADDITIONAL DOCUMENTS RELATING THERETO TO THE AFFORDABLE HOUSING AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AFFORDABLE HOUSING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:28 PM.

Village Attorney Roget Bryan read the title of the Resolution. Senior Planner Karl Bursa presented the staff report recommending approval.

Discussion ensued among Council, staff and the applicant regarding alternatives to the in-lieu-of payment such as donating land and the possibility of building affordable housing beyond Islamorada’s boundaries in Tavernier or Key Largo. Director of Planning Cheryl Cioffari stated that the affordable housing agreement had to be approved prior to the issuance of the building permit and that if the Council desired to build affordable housing outside of the Village’s boundaries, it would require a code amendment which might affect Monroe Counties schedule. Council discussion ensued regarding tabling the item.

Mayor Jim Mooney opened public comment.

Angel Borden addressed the Council regarding the need for public housing.

Mayor Jim Mooney closed public comment.

Vice Mayor Chris Sante made a motion to table the item to the January 26, 2017 Regular Village Council Meeting. Councilman Mike Forster seconded the motion. Council voted and the motion passed 4-1 with Mayor Jim Mooney voting in opposition.

- B.** Resolution-Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 4 of 2016

TAB 5

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDED RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 4 OF 2016; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:55 PM.

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

Mayor Jim Mooney opened public comment; seeing none, public comment was closed.

Vice Mayor Chris Sante made a motion to approve. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

- C. A Resolution Approving an Agreement with AMEC Forster Wheeler Environment & Infrastructure, Inc. for Professional Services and Expenditure of \$50,000 for Canal Restoration Project Purposes **TAB 6**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AGREEMENT WITH AMEC FORSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC. FOR PROFESSIONAL SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING VILLAGE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:56 PM.

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

Mayor Jim Mooney opened public comment; seeing none, public comment was closed.

Councilwoman Cheryl Meads made a motion to approve. Vice Mayor Chris Sante seconded the motion. Council voted and the motion passed 5-0.

- D. Resolution Approving Modification Number 1 to CDBG Subgrant Agreement, DEO Contract Number 15DB-01-11-54-02-H19, Between Islamorada, Village of Islands and The Department of Economic Opportunity for Community Development Block Grant (CDBG) Housing Rehabilitation Assistance **TAB 7**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING MODIFICATION NUMBER 1 TO THE FFY 2013 FEDERALLY-FUNDED SUBGRANT AGREEMENT, DEO CONTRACT NUMBER 15DB-01-11-54-02-H 19, BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOUSING REHABILITATION ASSISTANCE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE MODIFICATION NUMBER 1; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:58 PM.

Village Attorney Roget Bryan read the title of the resolution. Deputy Village Manager and Finance Director Maria Aguilar presented the staff report recommending approval.

Mayor Jim Mooney opened public comment; seeing none, public comment was closed.

Vice Mayor Chris Sante made a motion to approve. Councilwoman Cheryl Meads seconded the motion. Council voted and the motion passed 5-0.

- E. Resolution Approving Second Amendment to Agreement Between Islamorada, Village of Islands and Government Services Group, Inc. for Community Development Block Grant (CDBG) Program Administration Services **TAB 8**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND GOVERNMENT SERVICES GROUP, INC., FOR CDBG PROGRAM ADMINISTRATION SERVICES; AUTHORIZING THE VILLAGE MANAGER TO

EXECUTE THE SECOND AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; APPROVING A BUDGET AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 8:00 PM.

Village Attorney Roget Bryan read the title of the resolution. Deputy Village Manager and Finance Director Maria Aguilar presented the staff report recommending approval.

Mayor Jim Mooney opened public comment; seeing none, public comment was closed.

Councilman Mike Forster made a motion to approve. Vice Mayor Chris Sante seconded the motion. Council voted and the motion passed 5-0.

XI. MOTIONS

XII. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Legislative Aide- Councilman Forster

This item was head at 8:01 PM.

Councilman Mike Forster recommended to the Council that instead of hiring a new employee as a Legislative Aide, that the duties be assigned to Village Attorney Roget Bryan for a one-year trial period. He provided several reasons for his recommendation and explained that the Village Attorney could outsource some of the legal issues if the need arose. Council unanimously expressed agreement for the recommendation. Village Attorney Roget Bryan provided a brief summary of the discussions that led to the recommendation and thanked the Council for their confidence in his abilities.

Added Discussion Item:

B. Discussion Regarding an Increase in Floor Area Ration (FAR) in Certain Zoning Districts – Cheryl Cioffari

This item was heard at 8:08 PM.

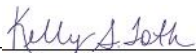
Director of Planning Cheryl Cioffari stated staff had previously received direction from Council to make Floor Area Ratio (FAR) changes to specific zoning districts. She asked if it was still the Council's desire that the Local Planning Agency and staff move forward with the changes. Ms. Cioffari cited previous Council direction that resulted in code amendments to the annual allocation of commercial square footage as the reason for her inquiry. Ms. Cioffari provided a summary of the FLUM and Zoning request that prompted Council's direction to make the change. Council discussion ensued regarding the amount of available commercial square footage which was approximately 54,000 and the additional flexibility that would be provided to the property owner if the FAR were increased in certain zoning districts.

XIII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Councilman Mike Forster requested the Village Manager provide an update to Council at the next meeting regarding the status of the elevated pedestrian crosswalk.

XIV. ADJOURNMENT

Vice Mayor Chris Sante made a motion to adjourn. Councilman Mike Forster seconded the motion. The meeting adjourned at 8:13 PM.



Kelly S. Toth
Village Clerk

Approved by the Village Council this 26th day of January, 2017.