



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, May 12, 2016
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Deb Gillis called the meeting to order at 5:30 P.M. The following Councilmembers were present on roll call: Mayor Deb Gillis, Vice Mayor Jim Mooney, Councilman Mike Forster, Councilman Chris Sante and Councilman Dennis Ward. Also in attendance were Village Manager Maria Aguilar, Village Attorney Roget Bryan, Village Clerk Kelly Toth, and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

John Cooper led the pledge of allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Proclamation: Motorcycle Safety Awareness Month

Monroe County Sheriff's Captain Corey Bryan presented the proclamation to American Bikers Aimed Toward Education (ABATE) Southernmost Chapter Safety Director Rupert Staundner. Mr. Staundner thanked the Village for the proclamation and explained the purpose of the ABATE organization. He offered to present ABATE information to other organizations that may be interested and provided the following contact phone number: 305-333-1348.

B. Presentation Regarding the Zika Virus by Florida Department of Health Public Information Officer Alison Morales-Kerr and Florida Keys Mosquito Control Public Information Officer Beth Ranson

This item was heard at 5:38 PM.

Florida Department of Health Officer Allison Morales Kerr explained: what the Zika virus was and how it originated; that transmission occurs through blood and sexual contact; the virus could remain in the blood up to ten days and much longer in semen; local transmission means mosquitos had been infected by the Zika virus and could spread the virus to humans; and that to date, there were no locally transmitted cases in the continental United States. She stated there were 112 travel related cases in the state of Florida of which 44 were in Miami. Ms. Kerr stated that to date, there were no cases in Monroe County Florida. She explained that a vaccine was not available, but that one may be available in the next one to two years; that one in five people exhibit symptoms such as fever, rash, headaches and joint pain; the incubation period is two to fourteen days; that if a mosquito bit an infected person, the mosquito could then pass the virus to another person; and that the Centers for Disease Control (CDC) had confirmed a link to microcephaly from the Zika virus.

Florida Keys Mosquito Control Public Information Officer Beth Ranson provided an overview of what the Florida Keys Mosquito Control (FKMC) was doing to prevent the presence of Zika carrying mosquitos in the Florida Keys. She explained: the different types of mosquitos found in the Florida Keys; that Zika was transferred through the Aedes species mosquitos; the Aedes Aegypti mosquito represented only one percent of the mosquito population in the Florida Keys and twenty percent of the mosquito population in Key West; the Aedes Aegypti breeds in clean water and the Aedes Albopictus breeds in dirty water. Ms. Ranson explained: the purpose of inspections of private property, how larvicide is applied and that it did not affect other insects; mosquito surveillance; the application of adulticide by trucks and planes; adulticide was harmful to bee hives and that owners of bee hives should notify FKMC by calling 305-292-7190 so that FKMC could notify the bee hive owner when spraying in their area. Ms. Ranson explained FKMC's emergency action plan.

Councilman Mike Forster asked what the travel distance was for the genetically modified mosquitos contemplated to be released on Key Haven. Ms. Ranson replied that the travel distance was 100 to 200 yards.

Mayor Deb Gillis opened public comment.

David Purdo asked if the spraying had any effect on the honey bees in Islamorada. Ms. Ranson replied that the adulticide did have an effect on non-target organisms.

John Cooper expressed concern regarding the Guillain-Barre syndrome. Ms. Allison Morales Kerr explained that the CDC and Department of Health were researching possible links between the Zika virus and Guillain-Barre but had not found any.

Mayor Deb Gillis closed public comment.

C. Presentation by United Data Technologies – Miguel San Martin & Justin Clary

TAB 1

(This item was moved to the June 9, 2016 Regular Village Council Meeting)

Mayor Deb Gillis announced that a public meeting would occur on June 21st with representatives from the Army Corp of Engineers, Department of Environmental Protection and the South Florida Water Management District to discuss the Florida Bay seagrass die-off. Mayor Gillis stated additional details would be provided at a future date.

IV. PUBLIC COMMENT

Mayor Deb Gillis opened public comment.

Van Cadenhead asked if the public would ever have ocean access from the Old Rd. via De Leon Avenue or the Fountain property as was promised by former Planning Director Ed Koconis in 2008 at a Regular Village Council meeting.

John Cooper expressed concern regarding the excessive number of iguanas in Venetian Shores and the Keys. He expressed concern about the degradation of canal water from the iguanas defecating in them and from yard crews blowing leaves into the canals.

Dave Purdo announced the Matecumbe Historical Trust would hold its annual Memorial Day service on May 30, 2016 at 9:00 am at the Islamorada Hurricane Monument located at mile marker 81.8. He stated additional information could be obtained by calling Barbara Edgar at 305-393-0940 or by visiting www.matecumbehistoricaltrust.com

Judy Starr read an email into the record that she had emailed to Councilmembers on May 12, 2016. Ms. Starr expressed concern regarding the Village Manager's recent evaluation, the difficulty in obtaining and retaining good, qualified staff and the fact that Ms. Aguilar was a "known quantity" when she was promoted. She stated she wondered if Ms. Aguilar's good performance did not outweigh the bad and stated she had not heard anything that was unfavorable about Ms. Aguilar and had only read good things about her.

Robert Moser, President of the Lower Matecumbe Beach Property Owner's Association (LMBPOA), stated that he would like the Council to consider the following after they had had an opportunity to discuss agenda tab nine: If FDOT had additional funds for push button projects or additional plantings, the LMBPOA would be willing and grateful to receive them and would be willing to maintain them in an effort to beautify the entrances of the subdivisions. He stated this was in accordance with their bylaws and was a general consensus of the LMBPOA membership. Mr. Moser stated the Village's assistance would be needed with watering until the plants were established.

Stan Marguiles requested the Council move up the discussion regarding the Village Manager's evaluation to occur earlier in the meeting as it was an item several people were interested in hearing the discussion.

Bruce Horn expressed concern regarding being charged by the Florida Keys Aqueduct Authority for wastewater charges when he was not yet connected to the system. He stated he was participating in the CDBG program, but had not yet connected. Village Manager Maria Aguilar stated she would follow up with Mr. Horn regarding his wastewater connection.

V. AGENDA: Request for Deletion / Emergency Additions

Councilman Chris Sante added discussion regarding the enforcement of sewer hookups under VIII. Wastewater.

Councilman Mike Forster stated he was willing to move up agenda item tab 7 regarding the discussion of the Village Manager's contract; Councilman Dennis Ward expressed agreement for moving the item forward. This item was moved to the beginning of XI. Resolutions.

Mayor Deb Gillis added an announcement under XIII. Mayor/Council Communications.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Local Planning Agency – Chair Pete Bacheler

This item was heard at 6:31 PM.

Pete Bacheler, Chair of the Local Planning Agency (LPA), informed the Council that at the last Local Planning Agency meeting, the committee voted three to two against transferring development rights from class one habitat to class two habitat or class three habitat. He stated the Committee voted four to one in favor of allowing density to be placed upon a parcel where the development rights had been transferred off the parcel.

B. Landscape Advisory Committee – Chair Phyllis Mitchell

This item was heard at 6:32 PM.

Chair Phyllis Mitchell reported the Landscape Advisory Committee had grown over 250 native plants all of which were planted at the Key Tree Cactus Preserve (KTCP) along with over 100 plants that Environmental Resources Manager Susan Sprunt was able to rescue from disposal by the FDOT. She thanked the Florida Keys Electric Cooperative (FKEC) for providing workers and equipment for an entire week to install the plants and mulch the area at KTCP. Ms. Mitchell stated the committee was concerned about the FDOT's recent plantings along US 1. She cited the following concerns: visibility of site, utility maintenance,

potential interference with garbage pickup, the density of the plantings and potential die off, future maintenance costs of the plantings, and thorns produced by the Bougainvillea plants and the potential damage to bicycle tires. Discussion ensued among Council, Ms. Mitchell and staff regarding vehicles being able to pull off the road and the fact that FDOT was addressing this issue; and future FDOT landscaping projects.

Mayor Deb Gillis opened public comment.

Van Cadenhead expressed concern regarding the maintenance costs of the additional plantings.

Larry Barr stated he agreed with Mr. Cadenhead; and expressed his concerns regarding the Village's future maintenance costs for these new plantings.

Judy Starr expressed concern for trees that fell down during a hurricane.

Mayor Deb Gillis closed public comment.

Councilman Mike Forster confirmed that the FDOT had to spend a specific amount of money for beautification projects. Public Works Director A.J. Engelmeyer explained the current maintenance contract was based on unit costs. He stated as the FDOT lower unit mowing costs were reduced, the FDOT was increasing the higher unit cost items such as maintaining the hedges and trees. Mr. Engelmeyer explained that an adjustment of the unit based quantities needed to occur and the Village could renegotiate the contract. He explained that if the FDOT did not wish to negotiate the contract the Village could choose not to enter into another annual contract with the FDOT at which point the FDOT would be responsible for the maintenance.

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. Resolution Approving Renewal of Professional Federal Lobbying Services Agreement with Alcalde & Fay, Ltd.

TAB 2

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL FEDERAL LOBBYING SERVICES BETWEEN ALCALDE & FAY LTD. AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

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

VIII. WASTEWATER MATTERS

- A. Wastewater Update

This item was heard at 6:53 PM.

Wastewater Program Manager Greg Tindle reported on a salinity issue that occurred in Venetian shores the week ending May 7, 2016. He stated the issue was isolated to two pits that were excavated and repaired. Mr. Tindle explained the issue caused salinity to exceed the acceptable levels per the contract; but that once repaired, the salinity levels were once again in compliance. Mr. Tindle explained that there was a contract provision for Reynolds Water Islamorada (RWI) to pay the salinity surcharge, under certain conditions, and that Village staff had informed RWI that the Village would be pursuing this contractual obligation. Mr. Tindle proceeded to provide a wastewater connection update.

Councilman Dennis Ward praised Severn Trent for their quick response.

Mayor Deb Gillis opened public comment; seeing none, public comment was closed.

B. Discussion Regarding the Enforcement of Wastewater Connections (This item was added to the agenda by Councilman Sante).

This item was hard at 6:55 PM.

Councilman Chris Sante expressed concern regarding the plumbing contractors' backlogs and the length of time it was taking for property owners to connect to the wastewater system. He asked the Council if they would give direction to staff for Code Enforcement to refrain from placing liens on properties. Village Manager Maria Aguilar provided information and a handout to Council that detailed the connection availability, the 180-day deadline, total parcels, parcels connected and not connected, open code cases, cases accruing fines and closed cases. She explained that the Notice of Violation letters sent to property owners had to be somewhat forceful in order to encourage the property owner to connect. Ms. Aguilar explained that the Code Enforcement Officers were working with property owners that had contacted them and that were making an effort to connect. She stated the cases going before the Special Magistrate were cases where staff had not been contacted by the property owner and were not informed of any effort the property owner had made to get connected. Ms. Aguilar stated that code enforcement fines would not start accruing until the Special Magistrate's compliance date began. She explained that South Plantation Key property owners would most likely not receive Notices of Violation until July; and that due to the late receipt of the notice this provided an additional six months for the property owner to connect.

Councilman Chris Sante suggested a one-year connection deadline. He expressed concern for the stress being placed on the property owners as well as the costs associated with noticing the property owners. Councilman Sante stated plumbers were getting top dollar due to the demand. Village Attorney Rogert Bryan explained his involvement with the Code Enforcement department and stated that generally within 30 days of receiving a Notice of Violation and scheduling a hearing, property owners contacted staff and asked what they should do. He stated that within a 30-day period, 40 to 50 percent of these property owners produced a contract with a plumber. Mr. Bryan stated that once code staff received contact from the property owner and the property owner explained that they were trying to connect to the wastewater system, the code staff ceased moving forward to a hearing. He explained that the code staff extend the deadline and followed up with contact with the property owner in 30 days to determine whether progress was made. Mr. Bryan proceeded to explain the code hearing process and the leniency granted by the Special Magistrate. He stated that of the 40 cases that were scheduled for the next code hearing, only 12 were actually going before the Special Magistrate as the others had made progress toward connection. Council and staff discussion ensued with the majority of Council expressing that they did not wish to change the current connection deadline requirement.

Mayor Deb Gillis opened public comment.

Van Cadenhead stated the taxation without participation was grossly unfair. He stated the Village was several years past the original wastewater connection deadline.

Larry Barr stated property owners have known this was coming. He stated he was sorry people were having to pay for a service they were not receiving; however, they could have connected to the wastewater system sooner.

Mayor Deb Gillis closed public comment.

IX. ORDINANCES

- A. First Reading: Land Development Regulations Text Amendment for Required Minimum Number of Parking Spaces for Multifamily Dwelling Units

TAB 3

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS," ARTICLE V "SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS," DIVISION 7 "OFF-STREET PARKING, LOADING AND DRIVEWAY STANDARDS" OF THE VILLAGE CODE OF ORDINANCES TO AMEND THE MINIMUM NUMBER OF REQUIRED PARKING SPACES FOR MULTIFAMILY UNITS AND TO AMEND THE REQUIRED SETBACKS FOR PARKING SPACES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

This item was heard at 7:26 PM.

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

Vice Mayor Jim Mooney opened public comment; seeing none, public comment was closed. Mayor Deb Gillis reopened public comment.

Robert Moser asked for clarification regarding the term multi-family dwelling unit and what that included. Director of Planning Cheryl Cioffari confirmed that it was for any structure more than a single family residence and confirmed that a townhome was considered a multi-family dwelling unit.

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

X. QUASI-JUDICIAL

XI. RESOLUTIONS

- A. Resolution Approving RFQ-16-01 Evaluation Committee Recommendations and Authorizing Negotiation and Execution of Non-Exclusive Continuing Services Agreements for the Requested Services

TAB 4

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE RECOMMENDATIONS OF THE RFQ-16-01 EVALUATION COMMITTEE FOR PROFESSIONAL CONTRACTOR SERVICES; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE NON-EXCLUSIVE CONTINUING SERVICES

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AGREEMENTS FOR THE REQUESTED SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:45 PM.

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

Mayor Deb Gillis opened public comment; seeing none, public comment was closed.

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

- B. Resolution Approving Selection of General Support Services for the Building Services and Code Enforcement Departments** **TAB 5**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FINAL RANKING AND RECOMMENDATIONS OF THE RFP 16-06 REVIEW COMMITTEE FOR GENERAL SUPPORT SERVICES FOR THE BUILDING SERVICES AND CODE ENFORCEMENT DEPARTMENTS; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE NON-EXCLUSIVE CONTINUING SERVICES AGREEMENTS FOR THE REQUESTED SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:48 PM.

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

Mayor Deb Gillis opened public comment; seeing none, public comment was closed.

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

- C. Resolution Approving Selection of General Support Services for the Planning and Development Services Department** **TAB 6**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FINAL RANKING AND RECOMMENDATIONS OF THE RFP 16-07 REVIEW COMMITTEE FOR GENERAL SUPPORT SERVICES FOR THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE NON-EXCLUSIVE CONTINUING SERVICES AGREEMENTS FOR THE REQUESTED SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:53 PM.

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

Mayor Deb Gillis opened public comment; seeing none, public comment was closed.

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

D. Resolution Approving Amended Village Manager Contract

TAB 7

This item was heard at 7:29 PM

Village Attorney Roget Bryan read the title of the resolution and presented the staff report.

Vice Mayor Jim Mooney stated that in his negotiations of the proposed amendment he worked toward ensuring the current Village Manager was equally compensated as the managers that had served in the past. He stated that he negotiated a rate of pay for the combination Finance Director/Deputy Village Manager position that was equal to the rate of pay of Cindy Lawson, who formally held the same position which was \$120,000 dollars. Vice Mayor Mooney stated he added an additional year to the contract.

Mayor Deb Gillis opened public comment.

Stanley Margulies stated Ms. Aguilar had done an outstanding job as Village Manager and stated that there had not been adequate discussion as to why she was being demoted. He requested a full discussion as to how the Village Manager had performed and urged the Council to keep the Village Manager in her current position.

Roget Bryan stated the purpose of the resolution being considered by the Council was to either approve or deny an amendment to the agreement. He stressed this was the only motion currently before the Council.

Dave Purdo explained that newspaper articles reported some of the Council members had spoken with potential future Village Manager candidates. He expressed concern that this would have taken place prior to approval by all of the Council. He expressed concern regarding the Councils' motives for demoting the current Village Manager.

Larry Barr spoke in support of Village Manger Maria Aguilar and urged the Council to retain her in her current position stating that from what he had seen, she had done an outstanding job.

Van Cadenhead stated that he had been in the Village since before it was incorporated and was familiar with every Village Manager. He stated that Ms. Aguilar was the best Village Manager the Village had ever had. He spoke in support of a village-wide discussion regarding the matter. He stated she was a great chief financial officer, but was also a great manager and that she had been fair and "by the book".

Councilman Dennis Ward stated that he felt the same as the individuals that provided public comment and thanked those that spoke on the Village Manager's behalf.

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

XII. MOTIONS

A. Annual Appointments to Citizens' Advisory Committees, the Historic Preservation Commission and the Local Planning Agency **TAB 8**

Village Clerk Kelly Toth presented the staff report requesting annual appointments for the Citizens' Advisory Committees, the Local Planning Agency (LPA) and the Historic Preservation Commission and explained that certain appointments to the LPA required a super-majority approval of the Village Council.

Vice Mayor Jim Mooney made a motion to reappoint Cheryl Culberson to the Local Planning Agency. Councilman Mike Forster seconded the motion. Council voted all in favor and the motion passed 5-0.

Councilman Mike Forster made a motion to reappoint Pete Bachelor and Amy Knowles to the Local Planning Agency. Councilman Chris Sante seconded the motion. Council voted all in favor and the motion passed 5-0.

Mayor Deb Gillis announced that she was reappointing all of her committee members including her Historic Preservation Commission member.

Councilman Dennis Ward announced that he was reappointing all of his committee members.

Councilman Chris Sante announced that he was reappointing all of his committee members.

Councilman Mike Forster announced that he was reappointing all of his committee members.

Vice Mayor Jim Mooney announced that he was reappointing all of his committee members.

Vice Mayor Jim Mooney announced he was making the following new committee appointments:

- Irene Alfonso to the Achievable Housing Citizens' Advisory Committee
- Anne Lucey to the Landscape Advisory Committee
- Gary Bynum to the Historic Preservation Commission

Councilman Chris Sante stated that there were vacancies on the various committees and urged the public to contact the Village Clerk if they were interested in serving.

XIII. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Noise Reduction Measures for Iroquois Drive and Sunset Drive – Mayor Gillis

TAB 9

This item was heard at 8:03 PM.

Mayor Deb Gillis explained she was contacted by Eric Rizzo regarding planting shrubs or trees along highway US 1 to aid in noise reduction. Mayor Gillis stated the requested plantings would be located under the power lines. Village Manager Maria Aguilar explained staff's conclusion regarding the plantings after conversations with FDOT. She stated additional plants would not help the perceived problem regarding noise. Ms. Aguilar stated Mr. Rizzo suggested because the area was wet, that the fill be added prior to planting the Buttonwoods. Public Works Director Andrew "AJ" Engelmeyer provided a staff report. He explained the noise measurements he took in front of Mr. Rizzo's residence dropped significantly from the decibel level at the edge of the highway; that there were Mangrove roots in the area that had water along the highway; and that the existing Mangroves were dense at 45 feet to 65 feet along the shoreline.

Councilman Chris Sante stated that practically anywhere a person lived in the Village there would be road noise. He stated the Mangroves would fill in over time naturally and would be maintained by the local electric company. Vice Mayor Jim Mooney suggested it would be difficult to obtain a permit to fill in the wetland portion where the plantings were requested.

Vice Mayor Jim Mooney asked if there was anything the Village could do regarding trimming the Mangroves that grew into canals that created a navigational hazard. Village Manager Maria Aguilar stated that when staff was notified by a concerned citizen, code enforcement staff would send a letter to the property owner notifying them that the Mangroves needed to be trimmed.

Councilman Mike Forster explained a Mangrove trimming and seaweed removal presentation he saw at a recent canal restoration meeting. He stated that if the Florida Department of Transportation was willing to plant the trees, then it should be a public / private partnership. Councilman Forster explained the Village could assist initially with the maintenance of the plantings, but that the subdivision would have to take

over the maintenance much like the Village arranged with Venetian Shores. He expressed concern that every neighborhood would want additional noise buffering landscape.

Mayor Deb Gillis opened public comment.

Robert Moser, President of the Lower Matecumbe Beach Property Owner's Association (LMBPOA), stated that the LMBPOA would be willing to approach FDOT and copy the Village on their request for any plants FDOT may have for dry areas. He stated that if the Council was going to vote in favor of this item, he would ask that the Council represent the entire subdivision and provide landscaping from entrance to entrance. Mr. Moser stated the 45 feet to 65 feet of Mangroves on FDOT right-of-way were protruding into the canal. He suggested planting Red Mangrove if FDOT were to add additional plantings in the wet area.

Van Cadenhead stated he agreed with Councilman Sante and that the discussion was a waste of time; and with Vice Mayor Mooney regarding the Mangroves growing in the wet area. He expressed concern regarding how much staff time and FDOT staff time had been spent on the subject. Mr. Cadenhead stated he did not think any more discussion should occur regarding the item. He stated the noise goes with the territory and that it was ridiculous that it got this far.

Larry Barr stated according to the pictures he had seen there was already considerable growth in the area and spoke in support of letting FDOT plant and maintain additional plantings. He suggested the Council forget about the item.

Mayor Deb Gillis made a motion to not plant in the area being requested. Councilman Chris Sante seconded with clarification to the motion that the area between Sunset Drive and Iroquois Drive would not be planted; but that he would support any materials furnished by FDOT for the dry area the LMBPOA suggested. Mayor Deb Gillis stated she approved the clarification. Council voted all in favor. The motion passed 5-0.

B. Discussion Regarding Mobile Pedestrian Overpass -Councilman Forster

TAB 10

This item was heard at 8:21 PM.

Councilman Mike Forster provided a brief report regarding the initial roundtable discussion regarding the use of a mobile pedestrian overpass in Monroe County. He suggested the Village determine and recommend their top three events due to the fact the overpass would be shared throughout Monroe County. Vice Mayor Jim Mooney expressed concern regarding crossing the highway at US 1 and Woods Avenue. He stated one overpass for Monroe County, which is 120 miles long, was not enough. Village Manager Maria Aguilar stressed that this was a pilot project and suggested that the Village provide all of the prioritized events that would benefit from a mobile overpass. She stated an underground tunnel was also suggested at the meeting as a possibility for Founders Park. Mayor Deb Gillis spoke in support of sending the entire prioritized list. Council discussion ensued regarding the possibilities of the overpass; potential costs for the overpass; limited landmass in some areas which would not accommodate the overpass; and other municipalities that utilize mobile overpasses. The majority of Council expressed support for the prioritized list.

Mayor Deb Gillis opened public comment.

Van Cadenhead suggested a permanent, concrete overpass that arched over the traffic to include elevators on both sides. He stated this type of structure would accommodate bicycles and would allow very large trucks to pass underneath. He suggested events, such as the Full Moon Party, that utilized the mobile overpass, should be paid for by the sponsor of the private event. Mr. Cadenhead suggested the Village consider a more permanent solution.

Mayor Deb Gillis closed public comment.

This item was heard at 8:33 PM.

Mayor Deb Gillis stated she received questions regarding why site plans were needed for some items. Councilman Chris Sante stated he did not understand why a site plan was needed for interior remodeling; and that a site plan was generally required for work done on the outside of the property. Director of Planning Cheryl Cioffari stated the reason a site plan would be required is that Florida Building Code required a plan to depict the area being remodeled. Ms. Cioffari provided, as an example, the remodeling of kitchen cabinets which would require depiction of the G.F.C.I breakers. Discussion ensued between Councilman Sante, Ms. Cioffari and Building Official Gerry Albertson regarding whether it should be called a site plan or floor plan. Council gave direction to staff to have one column for site plans and another column for floor plans.

Councilman Chris Sante stated he did not understand why a site plan was needed to change the copy of a sign. Director of Planning Cheryl Cioffari explained it was combined with replacement of signs to condense the form. Discussion ensued among Council and staff. Councilman Sante suggested that if the idea was to simplify the process for the consumer, then change of copy should not be on the form. Councilman Dennis Ward spoke in support of the document and its usefulness to the public and suggested that the kinks be worked out. Councilman Sante agreed. Village Manager Maria Aguilar stated that there were so many different scenarios that not all of them could be captured on a single page. She suggested placing the word “possible” before the words “required submittals” at the top of the page.

Susan McLaughlin, Assistant to the Village Manager for Community Development, asked if the Council agreed to the language at the bottom of the page regarding the form being a “general guideline”. Councilman Sante suggested that language be placed at the top of the page.

D. Public Meeting Announcement (This item was added at the beginning of the meeting)

This item was heard at 8:50 PM.

Mayor Deb Gillis announced a public meeting of the Florida Department of Transportation (FDOT) on Monday, May 16, 2016 at 3:00 PM to gather historical information regarding shoreline erosion at Mile Markers 74-75 and 77.5- 80. She stated a public notice would be issued so that more than one Council member could attend. Councilman Chris Sante stated FKEC should be notified because of their powerlines in the area. Village Attorney Roget Bryan stated the meeting was originally a staff level meeting and that there would be no decision makers in attendance and that the purpose of the meeting was to gather information.

This discussion was heard at 8:58 PM.

Councilman Chris Sante stated there had been no discussion regarding a Village Manger search. Village Attorney Roget Bryan stated a conversation could occur now. Councilman Mike Forster asked if a Special Call Village Council Meeting should occur or should the discussion occur at the June 9, 2016 Regular Village Council Meeting. Ms. Aguilar stated to facilitate the discussion she would confirm that she plans to submit a request to step down and return to her former position as Finance Director/Deputy Village Manager. Village Attorney Roget Bryan confirmed that this was Ms. Aguilar’s employment position prior to becoming the Village Manager. Village Manager Maria Aguilar asked if it was the Council’s desire that she continue as the Village Manager until a new manager was hired; or did they want to choose someone else to be the Acting Village Manager. The majority of Council agreed that they wanted her to stay as the Village Manager until such time a replacement was hired. Council agreed to have the Village Manager search discussion at a Special Call Village Council meeting.

XIV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Consideration of Draft Impact Fee Study and Request for Direction Regarding Preferred Methodology

TAB 12

This item was heard at 9:10 PM.

Assistant to the Village Manager Mary Swaney stated this discussion was a follow-up requested by the Village Council following presentation of the draft Impact Fee Study report on May 12, 2016. Mayor Deb Gillis stated the purpose of the discussion was so that the Council could give direction so the study could be finalized. She stated direction was needed regarding the Government Impact Fee and asked which methodology the Council preferred: Cost Recovery or Incremental Expansion. The Council expressed that they were in favor of the Incremental Expansion methodology anticipating the need for a future building.

XV. ADJOURNMENT

Councilman Chris Sante made a motion to adjourn. Councilman Mike Forster seconded the motion. The meeting adjourned at 9:14 PM.



Kelly S. Toth
Village Clerk

Approved by the Village Council this 9th day of June, 2016.