



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
August 22, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Ken Philipson called the meeting to order at 5:30 pm. The following Village Council members were present on roll call: Mayor Philipson, Vice Mayor Ted Blackburn, Councilman Mike Forster, Councilwoman Deb Gillis and Councilman Dave Purdo. Also in attendance were Village Manager Ed Koconis, Village Attorneys Nina Boniske and James White, Village Clerk Ariana Lawson, Finance Director Maria Aguilar, Wastewater Program Manager Greg Tindle, Assistant Planning Director Cheryl Cioffari, Planner Jay Berenzweig, Public Works and Parks & Recreation Director John Sutter, and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Public Works and Parks & Recreation Director John Sutter led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

- A.** Presentation of Home Rule Hero Award Plaque to Mayor Ken Philipson on behalf of the Florida League of Cities

Vice Mayor Ted Blackburn presented a plaque to Mayor Ken Philipson on behalf of the Florida League of Cities, honoring Mayor Philipson as a Home Rule Hero Award recipient.

IV. PUBLIC COMMENT

Mayor Ken Philipson opened public comment. John Cooper proposed solutions toward ending litigation in Venetian Shores. Joe Ziomek spoke regarding private road repaving and encouraged Council to exercise eminent domain to facilitate repaving/sewer connections in Venetian Shores. Van Cadenhead spoke regarding Tab 13. David Makepeace quoted prices he had received for sewer connection and grinder pump installation at his residence. Cheryl Culberson and Doug Rabe spoke in support of mediation between the Village and Venetian Shores resident James Bellizzi. Joe Robinson expressed unhappiness with the cost of wastewater connections and grinder pump installations. Larry Barr commented on factors influencing the cost of wastewater connections and grinder pump installations. John Fernandez inquired whether there would be any forewarning when repaving is to

commence in particular neighborhoods. Wastewater Program Manager Greg Tindle stated that Reynolds Water Islamorada would print a weather-dependent repaving schedule in the local newspaper. Key Largo Wastewater Treatment District Board Chairmen Robby Majeska commented regarding purported misquotes printed in the Free Press. Mayor Philipson closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

Council moved up discussion of Mayor/Council Communications Item XIV. Bike Lanes on Sunshine, Royal Poinciana and Seminole Boulevards. Councilman Mike Forster opened discussion, requesting cost estimates for engineering be brought back to Council for consideration at the next Regular Village Council Meeting. Vice Mayor Ted Blackburn suggested formation of an ongoing capital fund with a revenue source dedicated to maintenance of existing bike paths. Councilwoman Deb Gillis suggested moving forward quickly.

Mayor Ken Philipson called for public comment. Steve Jahn and Judy and Alexis Justice spoke in favor of bike paths in Plantation Key Colony. Robby Majeska spoke in favor of bike paths Village-wide and sidewalks downtown. Larry Barr spoke against a bike path but in favor of sidewalks on Sunshine Boulevard. Mayor Philipson closed public comment.

Council directed staff to present a Change Order to the Design, Build, Operate (DBO) Agreement for consideration at the next Regular Village Council Meeting.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A.** Landscape Advisory Committee Update and Presentation of Pineapple Award to La Jolla Resort – Jennifer Cappadona

Committee Member Jennifer Cappadona provided a Committee update to Council and presented the Pineapple Award to the La Jolla Resort.

- B.** Parks and Recreation Citizens' Advisory Committee Update – Chairperson Carolyn Wightman

The Parks and Recreation Citizens' Advisory Committee did not provide an update.

- C.** Near Shore Water Quality Citizens' Advisory Committee – Chairperson Bob Mitchell

Chairperson Bob Mitchell provided a Committee update to Council. Mr. Mitchell reported that the Committee recently distributed Lobster Mini Season brochures. He also updated Council on developments regarding prop scar restoration, County-wide pumpout services, missing idle speed buoys in Whale Harbor, and Florida Fish and Wildlife concerns with the Lower Matecumbe Wheel Ditch.

- D.** Local Planning Agency Update – Chairperson John Fernandez

Chairperson John Fernandez provided a Committee update to Council.

VII. VILLAGE MANAGER REPORTS AND UPDATES

No Village Manager reports or updates were presented.

VIII. CONSENT AGENDA

- A.** Resolution Approving Fourth Amendment to the Contract for Local Police Services between the Monroe County Sheriff's Office, Monroe County and Islamorada, Village of Islands, for Fiscal Year 2013-2014 **TAB 1**

Councilwoman Deb Gillis requested Tab 1 be pulled for discussion. Finance Director Maria Aguilar reminded Council of direction given to staff at the last Budget Workshop to add funds for additional marine patrol and a new vessel. She stated that staff would request the Monroe County Sheriff's Office reflect another \$37,000 for overtime and \$33,000 for the purchase of a new marine patrol vessel. Councilwoman Deb Gillis offered a motion to approve the resolution as amended. Councilman Mike Forster seconded the motion. The motion passed 5-0.

- B.** Resolution to Adopt 2012 Public Facilities Capacity Assessment Report **TAB 2**
- C.** Resolution Approving the Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation, Contract #E-6I67 **TAB 3**

Councilwoman Deb Gillis made a motion to approve Tabs 2 and 3 of the consent agenda. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

IX. ORDINANCES

- A.** First Reading – Text Amendment to Policy 1-2.4.7 “Limit Transient Rental Use of Residential Properties” of the Islamorada, Village of Islands, Comprehensive Plan **TAB 4**

6:56 Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. The motion passed 5-0.

- B.** First Reading – Text Amendment to Chapter 30 “Land Development Regulations,” Article VI “Specific Use Restrictions,” Division 6 “Vacation Rentals,” Section 30-1295(B)(2) of the Village Code **TAB 5**

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. The motion passed 5-0.

- C.** First Reading – Text Amendment to Comprehensive Plan Policy 6-1.7.7 “Restrict Clearing of Native Vegetation” **TAB 6**

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment. Larry Barr suggested Council consider amending the Village Code to require new property owners to remove invasive species upon

acquisition of title. Mayor Philipson closed public comment. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. The motion passed 5-0.

D. Second Reading - Land Development Regulations Text Amendment to Clear Sight Triangles TAB 7

Village Attorney James White read the title of the resolution. Planner Shane Laakso presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. The motion passed 5-0.

E. Second Reading - Land Development Regulations Text Amendment to Zoning Districts and Setbacks Requirements TAB 8

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Dave Purdo seconded the motion. The motion passed 5-0.

F. Second Reading – Comprehensive Plan Text Amendment Regarding Proportionate Share Mitigation for Transportation Concurrency TAB 9

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Vice Mayor Ted Blackburn offered a motion to approve the ordinance. Councilman Dave Purdo seconded the motion. The motion passed 5-0.

G. Second Reading – Land Development Regulations Text Amendment Regarding Proportionate Share Mitigation for Transportation Concurrency TAB 10

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilman Dave Purdo offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. The motion passed 5-0.

H. Second Reading – Comprehensive Plan Text Amendment for U.S. 1 Transportation Concurrency TAB 11

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Mayor Ken Philipson seconded the motion. The motion passed 5-0.

I. Second Reading – Land Development Regulations Text Amendment for U.S. 1 Transportation Concurrency TAB 12

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari presented the staff report to Council. Councilman Mike Forster offered a motion to approve the ordinance. Councilwoman Deb Gillis seconded the motion. The motion passed 5-0.

X. QUASI-JUDICIAL

- A. Dock Length Variance (VAR-12-01) by Scott Daiagi for Property Located at 89401 Old Highway, Plantation Key, Parcel Number 00092490-000000 TAB 13**

Village Attorney James White read the title of the resolution. Village Clerk Ariana Lawson administered the quasi-judicial oath and swore in the witnesses. Council disclosed all ex-parte communications. Planner Jay Berenzweig presented the staff report to Council.

Attorney Franklin Greenman and David de Haas introduced the variance application on behalf of the applicant. Mr. Berenzweig responded to statements made by Mr. Greenman and Mr. de Haas and answered Council's questions regarding the application and staff's review.

Mayor Ken Philipson called for public comment in support of the application; there was none. Mayor Philipson called for public comment in opposition. Michael Healy, Deena Joy Fairless Farrell, Debora Heald and Van Cadenhead spoke in opposition to the variance.

Mayor Philipson called for rebuttal by the applicant. David de Haas and Franklin Greenman spoke on behalf of the applicant.

Mayor Ken Philipson closed public hearing. Village Attorney James White advised Council that while considering the variance they need to apply the criteria established in the Village Code. He also advised that while the Planning Director may grant a variance if all the criteria are met, he is not required to grant the variance. Council discussion ensued.

Councilman Mike Forster made a motion to approve staff recommendations to deny the variance. Councilwoman Deb Gillis seconded the motion. The motion passed 5-0.

XI. RESOLUTIONS

- A. Annual Rate Resolution for Stormwater Management Services TAB 14**

Village Attorney James White read the title of the resolution. Finance Director Maria Aguilar presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve. Mayor Ken Philipson seconded the motion. The motion passed 4-1, with Councilman Dave Purdo dissenting.

- B. Resolution Approving Lease for Property Located Behind Fire Station 20 TAB 15**

Village Attorney James White read the title of the resolution. Village Manager Ed Koconis presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilman Dave Purdo offered a motion to approve. Vice Mayor Ted Blackburn seconded the motion. The motion passed 5-0.

XII. MOTIONS

- A. Motion Approving Agreement with AMEC Environment & Infrastructure, Inc. for Professional Services and Expenditure of \$20,000 for Canal Restoration Project Purposes** **TAB 16**

Village Manager Ed Koconis opened discussion of the proposed motion. Mayor Philipson called for public comment. Barry Wray spoke in support of the Agreement, but expressed concern over the expediency of Council's decision. Councilman Mike Forster offered a motion to approve. Councilman Dave Purdo seconded the motion. The motion passed 5-0.

XIII. WASTEWATER MATTERS

- A. Wastewater Project Update** **TAB 17**

Wastewater Program Director Greg Tindle presented the project update to Council and announced upcoming meetings on August 28, 2013 to discuss the Lower Matecumbe wastewater collection system design and construction, and on September 10, 2013 to address Upper Matecumbe Key pre-construction for the wastewater collection system.

Mayor Ken Philipson called for public comment. Hank Paurowski voiced concerns regarding road repaving, bike paths, pending litigation in Venetian Shores, and grinder pumps. Van Cadenhead inquired whether Council had a backup plan in the event of unforeseen wastewater issues on Lower Matecumbe Key. Staff responded to questions from Councilman Dave Purdo regarding the possibility of a single grinder pump located in the right of way servicing multiple residences, and the distance from a residence at which a lift station would be necessitated. Barry Wray spoke regarding the possibility of grinder pumps operating off of solar power rather than electricity. Larry Barr encouraged Council to take whatever steps are necessary to avoid utilizing grinder pumps. Mayor Philipson closed public comment.

XIV. MAYOR / COUNCIL COMMUNICATIONS

- A. Proposal for Bike Lanes on Sunshine, Royal Poinciana and Seminole Boulevards (Councilman Mike Forster)**

See section V. Agenda (discussion moved up in the agenda).

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Village Manager Ed Koconis requested Council provide direction as to whether or not local preference should be waived in the Request for Proposals (RFP) for solid waste and residential recycling services. Village Attorney Nina Boniske summarized history of the local preference requirements in Section 2-327(e) of the Village Code. Mayor Ken Philipson called for public comment. Hank Paurowski spoke in support of waiving local preference in this case. Councilwoman Deb Gillis offered a motion to waive local preference. Councilman Mike Forster seconded the motion. The motion passed 4-1, with Councilman Dave Purdo dissenting.

Ed Koconis requested Council clarify whether they would prefer in-person interviews over skyped interviews of Village Attorney candidates. Council voted all in favor to allow in-person interviews, at the interviewees'

expense, and to schedule interviews of the nine (9) recommended candidates between September 4, 2013 and September 6, 2013.

Nina Boniske requested an executive session pursuant to Chapter 286, Florida Statutes, in the following case:

James Bellizzi, Plaintiff, v. Islamorada, Village of Islands, a Florida municipal corporation, Defendant, Case No. 13-CA-334-P in the Circuit Court of the 16th Judicial Circuit in and for Monroe County, Florida.

Maria Aguilar announced that a resolution would be brought forwarded at the next Regular Village Council Meeting for the approval of a wastewater line of credit. She advised Council that the Village currently has a one million dollar balance in the Transportation Fund for pavement overlay and that once those funds are expended, pavement overlay would be financed through a six million dollar loan, to be repaid utilizing fuel sales tax funds. Ms. Aguilar advised Council that the two options available to the Village were: 1) a 10-year line of credit at 2.9% with 20-year amortization; or 2) a 15-year line of credit at 3.07% with full amortization. Council directed staff to pursue the 15- year line of credit at 3.07% with full amortization.

Mayor Ken Philipson stated that he would like Council to consider roll-back at the next Budget Meeting.

XVI. ADJOURNMENT

Councilman Dave Purdo made a motion to adjourn; Councilman Mike Forster seconded the motion. Council voted all in favor. The meeting adjourned at 9:32 pm.

Ariana S. Lawson
Village Clerk

Approved by the Village Council this 9^h day of January, 2014.



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
September 12, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Philipson called the meeting to order at 5:30 pm. The following Council members were present on roll call: Mayor Philipson, Vice Mayor Ted Blackburn, Councilman Mike Forster, Councilwoman Deb Gillis and Councilman Dave Purdo. Also in attendance were Village Manager Ed Koconis, Village Attorneys Nina Boniske and James White, Village Clerk Ariana Lawson, Finance Director Maria Aguilar, Wastewater Program Manager Greg Tindle, Assistant Planning Director Cheryl Cioffari, Public Works/Parks and Recreation Director John Sutter and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Stan Margulies led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Proclamation – In Memory of George Hommell, Jr. (Councilman Mike Forster)

Councilman Mike Forster presented the proclamation to Mariellen Hommell and George Hommell, III.

IV. PUBLIC COMMENT

Mayor Philipson opened public comment. John Pistorino spoke regarding nearshore boating along Lower Matecumbe Key. Jill Zima Borski spoke in support of bike paths along the Old Highway and Overseas Highway. Wes Brooks, President, Kahiki Harbor Property Owners Association, spoke regarding bike paths and wastewater repaving. Larry Barr spoke against bike paths on Sunshine Boulevard. Hank Paurowski spoke regarding grinder pump discussions by the Water Quality Committee. Myles Milander thanked the Village's Fire Rescue paramedics for recent medical assistance provided to him. Mr. Milander also spoke on behalf of the Coral Cove Homeowners Association, requesting the Village install and maintain wastewater grinder pumps for residents. Jim Bellizzi spoke regarding recent Village Council comments concerning pending litigation over public/private roadways and wastewater system implementation in Venetian Shores. He encouraged the Council to seek easements rather than utilize eminent domain. Doug Rabe spoke in support of the Village paying for residential grinder pump installations, and also regarding monetary penalties the Village may incur with Reynolds Water

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Islamorada should the contractor be unable to commence work in Venetian Shores on schedule due to pending litigation. Mayor Philipson closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

There were no emergency additions or deletions.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Ad Hoc Village Attorney Recommendation Committee (Chairperson James Lupino)

Committee Chairperson James Lupino, Chairperson delivered the Committee's recommendations to Council, suggesting five (5) candidates for the Council to consider interviewing and presenting a set of questions and criteria upon which Council should base their selection. Council directed staff to schedule a Village Council Workshop on September 18, 2013, to be followed by a Special Call Village Council Meeting.

VII. VILLAGE MANAGER REPORTS AND UPDATES

No Village Manager reports or updates were presented.

VIII. 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. Minutes: TAB 1**
July 11, 2013 Regular Village Council Meeting
- B. Proposed Resolution Approving a Ninety Day Extension of the Agreement for Residential and Commercial Solid Waste Collection, Disposal and Recycling Services with Advanced Disposal, Inc. TAB 2**
- C. Resolution Approving the Professional Services Agreement for Janitorial Services for Village Administrative Offices TAB 3**
- D. Resolution Approving Letter of Engagement for Code Compliance Hearing Officer TAB 4**
- E. Resolution Approving and Adopting Post-Issuance Compliance Policy for Tax-Exempt Bonds TAB 5**

Councilman Dave Purdo offered a motion to approve the Consent Agenda; Councilwoman Gillis seconded the motion. Council voted and the motion passed 5-0.

IX. ORDINANCES

- A. Second Reading – Ordinance Amending the Comprehensive Plan to Amend TAB 6**

Transfer of Development Rights (TDRS)

Village Attorney James White announced that the item had been tabled for future discussion.

X. QUASI-JUDICIAL

A. Application for Minor Conditional Use (MN-13-01) by Gary and Jeanne Zaret TAB 7

Village Attorney James White read the quasi-judicial hearing statement. Village Clerk Ariana Lawson administered the quasi-judicial oath and swore in the witnesses. Mr. White read the title of the resolution and Council disclosed all ex-parte communications. Village Manager Ed Koconis presented the staff report to Council.

Attorney Patricia Silver introduced the minor conditional use application on behalf of the applicant. Applicant Gary Zaret spoke in support of the application.

Mayor Philipson called for public comment in support of the application. Ariana Lawson swore in James Bellizzi, who spoke in support of the application.

Mayor Philipson called for public comment in opposition. Daryl Wilmoth disagreed with the applicant's assertion of 50% ownership of the canal. Mr. Wilmoth questioned whether the applicant would be required to install aerobic systems to accommodate the proposed seven (7) new bathrooms, and stated that the available 28 feet does not allow for safe passage around liveboards. Patricia Silver cross-examined Mr. Wilmoth. Ariana Lawson swore in Richard Gretzner who, along with John Jabro, also spoke in opposition.

Ariana Lawson swore in Buddy Pinder, who spoke neither in support nor opposition.

Further Council discussion ensued. Councilwoman Deb Gillis offered a motion to approve the resolution; Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

XI. RESOLUTIONS

A. Resolution – Approval of the Residential Building Permit Allocation System TAB 8 Ranking and Awards: Quarter 3 of 2013

Village Attorney James White read the title of the resolution. Assistant Director of Planning Cheryl Cioffari presented the staff report. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the resolution; Councilman Dave Purdo seconded the motion. Council voted and the motion passed 5-0.

XII. MOTIONS

No additional motions were made.

XIII. WASTEWATER MATTERS

A. Wastewater Project Update

Tom Brzezinski presented the project update. Mayor Ken Philipson called for public comment. Larry Barr inquired what the monthly user cost would be for wastewater service. Councilwoman Deb Gillis suggested Mr. Barr submit a public records request for a copy of the report Mr. Hairston had previously issued. Mayor Philipson closed public comment.

- B.** A Resolution Approving Change Order No. 4 to the Design Build and Operate (DBO) Agreement between Reynolds Water Islamorada, LLC, and Islamorada, Village of Islands, to Provide Bicycle Lane Design and Construction on Selected Village Streets **TAB 9**

Wastewater Program Manager Greg Tindle presented the staff report to Council. Councilman Mike Forster initiated Council discussion, stating that Royal Poinciana Boulevard is the only street in the Village with existing engineered plans and also lacking bus service to Plantation Key School and Coral Shores High School. Vice Mayor Ted Blackburn expressed the desire to establish a capital fund to pay for bike paths, and to develop a Bike Path Master Plan to support maintenance of existing bike paths across the fills.

Mayor Philipson opened public comment. James Bellizzi read from a letter he recently transmitted to Council concerning repaving and other wastewater issues. Larry Barr spoke in support of bike paths only along one side of Sunshine Boulevard. Mary Jo Haybro inquired whether it would be possible to view the Village's existing bike path designs. Wastewater Program Manager Greg Tindle stated that the plans are available for review by the public. Mayor Philipson closed public comment.

Councilman Mike Forster offered a motion to pave Royal Poinciana Boulevard only, along both sides of the street. Councilwoman Deb Gillis seconded the motion. The motion passed 5-0.

- C.** Discussion Regarding Residential Connection Costs

Council directed staff to schedule a Special Call Village Council Meeting on September 17, 2013 to discuss supplementing residential grinder pumps costs and to consider other areas in the Village for duplex system feasibility.

XIV. MAYOR / COUNCIL COMMUNICATIONS

- A.** Discussion Regarding Florida League of Cities Youth Council and 2013 Florida City Government Week (Mayor Ken Philipson)

Mayor Ken Philipson requested Council's consent to establish a Florida League of Cities Youth Council and to promote a 2013 Florida City Government Week. Council consented to both.

- B.** Discussion Regarding Long Dock Variances (Mayor Ken Philipson)

Council requested staff bring the discussion item back as future agenda item.

- C.** Discussion Regarding Future Proclamation for History of Diving Museum Event (Mayor Ken Philipson)

Mayor Ken Philipson requested Council's consent to proclaim November 1, 2013 as Art McKee Day. Council consented.

D. Discussion Regarding Proposed Bed & Breakfast Regulations (Vice Mayor Ted Blackburn)

Vice Mayor Ted Blackburn requested Council discuss no-motor zones instead, specifically the legality of establishing no-motor zones. Monroe County Sherriff's Office Captain Corey Bryan advised Council that he is trying to set up meeting with David Dupree of the Florida Fish and Wildlife Commission to obtain guidance in the matter.

E. Discussion Regarding Wade Trim, Inc. (Councilman Dave Purdo)

Councilman Dave Purdo initiated discussion, expressing concern that no Village staff member possesses the engineering background he feels necessary to oversee Wade Trim, Inc. and Weiler Engineering, Inc. with regard to wastewater engineering services. He compared the Village's engineering costs expended to date with projected costs outlined in a recent agreement entered into between Monroe County and the Florida Keys Aqueduct Authority (FKAA). Councilman Purdo suggested the Village consider utilizing FKAA to oversee wastewater construction. He requested the scheduling of a Village Council Workshop to further discuss the subject. Vice Mayor Ted Blackburn and Councilman Mike Forster noted that Wade Trim was selected through a competitive selection process.

Mayor Ken Philipson called for public comment. Stan Margulies suggested undertaking a project-specific audit and urged Council to thoroughly evaluate engineering services. David Giardino questioned what the industry standard is. Larry Barr expressed support for Councilman Purdo's efforts. Mayor Philipson closed public comment.

Councilwoman Deb Gillis noted that what appear to be "double charges" may be reflective of the various tasks Wade Trim and Weiler Engineering are working on concurrently. Thomas Brzezinski, Vice President, Wade Trim, Inc., stated that Wade Trim operates within industry standards and does not "double charge" costs. He explained the different tasks and functions of Wade Trim and Weiler Engineering. Mr. Brzezinski explained that all Wade Trim costs are charged according to the 2008 Rate Schedule approved by Council and that Wade Trim does not get paid for per diem, mileage, expenses and office costs.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Rescheduling of November 2013 Regular Village Council Meetings Due to Conflicts **TAB 10**

Village Manager Ed Koconis presented the discussion item. Councilman Mike Forster offered a motion to cancel the November 7, 2013 and November 21, 2013 Regular Village Council Meetings and schedule a Regular Village Council Meeting for November 14, 2013. Councilwoman Deb Gillis seconded the motion. Council voted all in favor and the motion passed 5-0.

B. Discussion Regarding Increasing Square Footage for the Non-Residential Building Permit Allocation System

Village Manager Ed Koconis opened discussion. Council discussion ensued. Village Attorney Nina Boniske advised Council that the discussion on the subject of abandonment would require a public hearing. Mayor Ken Philipson called for public comment. James Bellizzi requested an explanation of the subject. Mayor Philipson provided a brief explanation. Mr. Bellizzi opined that abandonment decisions are for a court to decide. Mayor Philipson closed public comment. Council requested staff bring the discussion item back as tab at future Village Council meeting.

XVI. ADJOURNMENT

Councilman Dave Purdo offered a motion to adjourn; Councilman Mike Forster seconded the motion. Council voted all in favor. The meeting adjourned at 9:26 pm.

Ariana S. Lawson
Village Clerk

Approved by the Village Council this 9th day of January, 2014.



**ISLAMORADA, VILLAGE OF ISLANDS
SPECIAL CALL VILLAGE COUNCIL MEETING**

**EXECUTIVE SESSION
CASE NO. 2006-CA-43-P**

**Administrative Center and Public Safety Headquarters
86800 Overseas Hwy, 3rd Floor Conference Room
Islamorada, Florida 33036**

**Thursday, September 26, 2013
4:00 PM**

Mayor Ken Philipson called the meeting to order at 4:06 p.m. The following Council members were present on roll call: Mayor Philipson, Vice Mayor Ted Blackburn; Councilman Mike Forster, Councilwoman Deb Gillis and Councilman Dave Purdo. Also in attendance were Village Attorneys Nina L. Boniske and Michael Popok, Village Manager Edward Koconis, Court Report Kathi Fegers, and Village Clerk Ariana S. Lawson.

Mayor Philipson made a request to the Village Attorney for advice on the following matter:

**INTERCOASTAL CONTRACTING CORPORATION,
A FLORIDA CORPORATION,
Plaintiff**

v.

**THE VILLAGE OF ISLAMORADA, A POLITICAL ENTITY,
BROWN & DEMANDT, PA., A FLORIDA PROFESSIONAL ASSOCIATION,
ROBERT BROWN,
AND
DONALD HODGETTS,
Defendants**

Case No. 2006-CA-43-P

**IN THE CIRCUIT COURT FOR THE 16TH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, FLORIDA**

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Special Call Village Council Meeting
Executive Session (Case No. 2006-CA-43-P)
September 26, 2013*

Mayor Philipson called for public comment; there was none. Mayor Philipson closed the open meeting at 4:05 p.m. and advised all those present that the Council was moving forward with a closed attorney/client session in accordance with Florida Statute 286.011. He estimated that the session would last approximately one hour, with the following people in attendance:

- a. Mayor Ken Philipson, Vice Mayor Ted Blackburn and Council members Mike Forster, Deb Gillis and Dave Purdo;
- b. Village Attorneys Nina L. Boniske and Michael Popok; and
- c. Village Manager Edward Koconis.

Mayor Philipson stated that the proceedings would be recorded by certified court reporter Kathi Fegers, RPR, and at the conclusion of all litigation discussed the transcript would be made part of the public record. Mayor Philipson requested all individuals not named above leave the room and the attorney/client session commenced.

The attorney/client session concluded at 4:15 p.m., at which time Mayor Philipson reopened the public meeting and invited members of the general public back into the meeting room.

Nina Boniske requested, based on closed meeting discussions, that Council direct the Village Attorneys to prepare a partial settlement offer in the amount of \$135,000 for approval at a public hearing. Council voted all in favor and directed staff accordingly.

Councilman Purdo offered a motion to adjourn; Councilman Forster seconded the motion. The meeting adjourned at 4:16 p.m.

Ariana S. Lawson
Village Clerk

Approved by the Village Council this 9th day of January, 2014.



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, September 26, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Philipson called the meeting to order at 5:30 pm. The following Council members were present on roll call: Mayor Philipson, Vice Mayor Ted Blackburn, Councilman Mike Forster, Councilwoman Deb Gillis and Councilman Dave Purdo. Also in attendance were Village Manager Ed Koconis, Village Attorneys Nina Boniske and James White, Village Clerk Ariana Lawson, Finance Director Maria Aguilar, Wastewater Program Manager Greg Tindle, Assistant Planning Director Cheryl Cioffari, Public Works/Parks and Recreation Director John Sutter, and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Sue Miller led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Proclamation – Fire Safety Week (Chief Terry Abel)

Mayor Ken Philipson read the proclamation and presented it to Fire Chief Terry Abel who spoke regarding the importance of fire safety in residential households.

IV. PUBLIC COMMENT

Mayor Philipson opened public comment. Van Cadenhead spoke regarding cable programming and requested the public be provided copies of Village Council Meeting agendas free of charge. Terry Peters spoke regarding repaving. Councilman Mike Forster requested repaving be discussed at the October 9, 2013 Workshop. Kristy Ross spoke in support of bike paths on Sunshine Boulevard from US-1 to Coral Avenue. Larry Barr also spoke regarding bike paths on Sunshine Boulevard.

V. AGENDA: Request for Deletion / Emergency Additions

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

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Regular Village Council Meeting
September 26, 2013*

A. Local Planning Agency Update (Chairperson John Fernandez)

Chairperson John Fernandez presented the Local Planning Agency update to Council.

**B. Water Quality Improvement Citizens' Advisory Committee Update
(Chairperson David Makepeace)**

Chairperson David Makepeace presented the Committee update to Council.

**C. Workforce/Affordable Housing Citizens' Advisory Committee Update
(Chairperson Barry Wray)**

Chairperson Barry Wray reported on recent discussion with Hana Eskra, Gorman and Company, Inc., who indicated that construction of Wet Net Villas is approximately one month behind schedule, with a grand opening anticipated in January 2014. Mr. Wray also spoke regarding increased demand for affordable housing permits, recent sales of affordable housing properties, and rental properties in the Village. Mr. Wray stated that the Committee recommends staff hire Government Services Group to apply for Community Development Block Grant (CDBG) funding. Councilwoman Deb Gillis requested staff research CDBG funding and bring information back for consideration at a future Council meeting.

VII. VILLAGE MANAGER REPORTS AND UPDATES

VIII. 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. Proposed Resolution Approving First Amendment to the Agreement between Professional Emergency Services, Inc. and Islamorada, Village of Islands for Medical Director Services **TAB 1**

B. Approving 2013 Environmental Sustainability Plan **TAB 2**

Councilman Dave Purdo made a motion to approve the consent agenda. Councilwoman Deb Gillis seconded the motion. Council voted all in favor. The motion passed 5-0.

IX. ORDINANCES

A. First Reading – Comprehensive Plan Text Amendment for Bulkheads, Seawalls or Other Hardened Vertical Shoreline Structures and Stabilization Canals and Shorelines **TAB 3**

Village Attorney James White read the title of the ordinance. Environmental Planner Susan Sprunt delivered the staff report to Council. Mayor Ken Philipson called for public comment. James Bellizzi inquired whether the ordinance impacts natural or man-made shorelines. Ms. Sprunt directed Mr. Bellizzi to the staff report and ordinance for clarification. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

- B. First Reading – Land Development Regulation Text Amendment for Bulkheads, Seawalls or Riprap** **TAB 4**

Village Attorney James White read the title of the ordinance. Environmental Planner Susan Sprunt delivered the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

- C. First Reading – Ordinance Amending the Comprehensive Plan to Amend Policy Regarding Enlargement or Extensions to Nonconforming Structures** **TAB 5**

Village Attorney James White read the title of the ordinance. Planning Director/Village Manager Ed Koconis delivered the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve the ordinance. Vice Mayor Ted Blackburn seconded the motion. Council voted and the motion passed 5-0.

- D. First Reading – Ordinance Amending the Land Development Regulations Related to Nonconformities** **TAB 6**

Village Attorney James White read the title of the ordinance. Planning Director/Village Manager Ed Koconis delivered the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Gillis offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

- E. Second Reading - Ordinance Amending the Comprehensive Plan to Amend Transfer of Development Rights (TDRs)** **TAB 7**

Village Attorney James White read the title of the ordinance. Assistant Planning Director Cheryl Cioffari delivered the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilman Dave Purdo offered a motion to approve the ordinance. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

X. QUASI-JUDICIAL

See item XI.A Resolutions (Tab 8).

XI. RESOLUTIONS

- A. Resolution Considering a Request by Ocean Dawn LLC dba Ocean House for a 2COP Alcoholic Beverage Permit** **TAB 8**

Village Attorney James White read the title of the resolution, noting that the item is actually quasi-judicial. Village Clerk Ariana Lawson administered the quasi-judicial oath and swore in the witnesses. Council was asked to disclose all ex-part communications; there were none. Assistant Planning Director Cheryl Cioffari delivered the staff report to Council. Mayor Ken Philipson called for public comment. Van Cadenhead noted a correction to Attachment “A” of the agenda package. Councilman Mike Forster offered a motion to approve. Councilman Dave Purdo seconded the motion. Council voted and the motion passed 5-0.

B. Resolution Approving Amendment to State Wastewater Funding Distribution Agreement for Year Two of Four

TAB 9

Village Attorney James White read the title of the resolution. Village Manager Ed Koconis delivered the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Vice Mayor Ted Blackburn and Councilwoman Deb Gillis commended Mayor Philipson for his efforts with regard to this item. Councilwoman Deb Gillis offered a motion to approve the resolution. Councilman Dave Purdo seconded the motion. Council voted and the motion passed 5-0.

C. Consideration of Six (6) Separate Temporary Use Permits Associated with One (1) Three Day Special Music Event held at number venue locations throughout the Village.

TAB 10

Village Attorney James White read the title of the resolution. Assistant Planning Director Cheryl Cioffari delivered the staff report to Council. Councilman Dave Purdo expressed concern over parking safety hazards. Vice Mayor Ted Blackburn called for public comment. Diane Burke, Phyllis Mitchell, Cheryl Culberson, Stan Margulies, David Makepeace, Van Cadenhead and John Pistorino expressed concern regarding the proposed application. Councilman Mike Forster inquired whether the applicant or any representatives were present to answer questions. None were present. Councilwoman Deb Gillis offered a motion to deny the permit application. Vice Mayor Ted Blackburn seconded the motion. Council voted and the motion passed 5-0.

XII. MOTIONS

A. Discussion and Direction Regarding Stratton's Right-of-Way Abandonment

TAB 11

Village Manager Ed Koconis delivered the staff report to Council. Mayor Ken Philipson called for public comment. James Bellizzi spoke regarding the item. Council decided to table the item for future discussion. Sue Miller spoke regarding her own residential right-of-way issues in Stratton's Subdivision and encouraged Council to make a decision. Village Attorney Nina Boniske stated that the subject is not time-sensitive but that it is a long-running issue that abandonment would resolve. She stated that it was unclear what implications resolution of the lawsuit would have for the Bellizzi lawsuit, but that it may impact wastewater construction.

XIII. WASTEWATER MATTERS

A. Wastewater Project Update

TAB 12

Wastewater Program Manager Greg Tindle delivered the project update to Council. Council expressed dissatisfaction with progress made to date in the areas of permitting and land acquisition. Village Attorney Nina Boniske summarized the circumstances surrounding the demand letter issued to the Village by Layne/Reynolds Water Islamorada, citing Layne/Reynolds Water Islamorada's delay in securing legal counsel to handle the title work as a significant hurdle. Village Manager Ed Koconis summarized a subsequent meeting he participated in with Wesley Self.

Mayor Ken Philipson called for public comment. Buddy Pinder and Richard Crow spoke regarding the demand letter. Hank Paurowski stated that his local homeowners association is hesitant to proceed with granting easements without knowing the status of repaving. James Bellizzi spoke regarding Fontaine Lakes Estates. John Cooper spoke regarding Venetian Shores and requested that wastewater issues be addressed earlier in agenda.

Larry Barr spoke regarding eminent domain and opined that it would be most economical to stick with the current grinder pump design. Van Cadenhead inquired regarding that status of the replacement of defective sewer pits in North Plantation Key. Sue Miller requested the Village pay for the installation of residential grinder pumps, citing replacement rates for grinder pumps in other communities including High Springs, Florida. Joe Robinson complained about how disjunctive the meeting has been. David Makepeace requested the Village obtain bids on duplex systems. Sally Bauer and Bob Carpenter commented that it is for grinder pump costs to be passed on to rest of taxpayers. Hank Paurowski suggested utilizing an open step system instead of grinder pumps. Mayor Philipson closed public comment.

B. Direction Regarding Wastewater Collection System Design Alternatives

Tom Brzezinski, President, Wade Trim, Inc., opened discussion of wastewater collection system design alternatives. Mayor Ken Philipson called for public comment. Laurie Bell, David Makepeace, Barry Wray, and Joe Robinson each commented on the subject. Mayor Philipson closed public comment.

C. Discussion and Direction Regarding Potential Bike Lane Construction on Sunshine Blvd.

Councilman Mike Forster initiated discussion on bike paths. Vice Mayor Ted Blackburn expressed the desire to set up a capital fund dedicated solely to bike paths. Finance Director Maria Aguilar stated that the Village already has a Capital Projects Fund but that it is committed in its entirety to wastewater. Vice Mayor Blackburn stated that he would like to set up fund subcategory with its own revenue stream. Village Attorney Nina Boniske advised Council that the Village has sovereign immunity with regard to the bike path design but not maintenance of bike paths.

Council agreed upon installation of a one-sided bike lane along the entire length of Sunshine Boulevard, as long as the Village Attorney can provide a legal opinion in the next week advising of any illegalities or issues otherwise arising out the project. Council directed staff to have an engineer recommend which side of the street to place the path on and what to do about the dangerous intersection of Sunshine Boulevard and U.S. 1.

Mayor Ken Philipson called for public comment. Jim Bellizzi suggested assessing households to fund bike paths. Mayor Philipson responded that unimproved private lots do not receive water bills so they cannot be assessed and that it was too late for increases to the FY 13/14 assessments. David Makepeace, Barry Wray, Larry Barr and David Giardino also commented on safety and funding related issues. Mayor Philipson closed public comment.

XIV. MAYOR / COUNCIL COMMUNICATIONS

Councilwoman Deb Gillis offered a motion to extend the Regular Village Council Meeting for one-half hour, until 10:30 pm. Council voted all in favor and the motion passed 5-0.

A. Co-Designation of Dogwood Lane / George Hommell Lane (Councilman Forster)

Councilman Mike Forster offered a motion to locally designate Goerge Hommell Way. Council voted all in favor and the motion passed 5-0.

**B. Discussion and Direction Regarding Activities for Florida City Government
Week October 20-16, 2013 (Mayor Philipson)**

TAB 13

Mayor Ken Philipson announced plans for upcoming Florida City Government Week Open House, essay contest and poster contest activities.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Discussion Regarding No-Motor Zones

Monroe County Sherriff's Office (MCSO) Captain Corey stated that the MCSO is doing everything they and the Village can under the purview of the law but that not much could be done to discourage nearshore boating, other than increased patrolling on weekends and zero tolerance for noise violations. Captain Bryan introduced FWC Captain David Dupre who stated that FWC is willing to assist the Village in finding a solution, but advised Council that while FWC does not normally enforce municipal ordinances it does enforce Florida Statutes and can work with MCSO to enforce County ordinances. Captain Dupre cautioned against excessive enforcement actions. Vice Mayor Blackburn requested FWC reach out to the homeowners associations on Lower Matecumbe Key, and that additional funds be added to Village's budget for marine patrol enforcement. Captain Bryan stated that the pumpout boat can dock at Robby's Marina. Councilman Mike Forster echoed Vice Mayor Blackburn's comments and requested additional enforcement at Sunset Drive and at the Wheel Ditch. Village Attorney Nina Boniske advised Council that State Law grants the Village jurisdiction up to 1,200 feet to remedy nuisances. Mayor Philipson called for public comment. Jim Bellizzi suggested Council implement some of the Near Shore Water Quality Committee's recommendations. Mayor Philipson closed public comment.

Nina Boniske requested an executive session pursuant to Chapter 286, Florida Statutes, in the following case:

Intercoastal Contracting Corporation, a Florida corporation, Plaintiff, v. the Village of Islamorada, a political entity, Brown & Demandt, P.A., a Florida professional association, Robert Brown and Donald Hodgetts, Defendants, Case No. 2006-CA-43-P in the Circuit Court of the 16th Judicial Circuit in and for Monroe County, Florida.

XVI. ADJOURNMENT

Councilman Dave Purdo offered a motion to adjourn; Councilman Mike Forster seconded the motion. Council voted all in favor. The meeting adjourned at 10:01 pm.

Ariana S. Lawson
Village Clerk

Approved by the Village Council this 9th day of January, 2014.



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, December 12, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Blackburn called the meeting to order at 5:31 p.m. The following Council members were present on roll call: Mayor Ted Blackburn, Vice Mayor Deb Gillis, Councilman Mike Forster, Councilman Ken Philipson, and Councilman Dave Purdo. Also in attendance were Village Manager Ed Koconis, Village Attorneys Roget Bryan and James White, Village Clerk Synthia Lankford, Monroe County Sheriff's Office Captain Corey Bryan and all other appropriate personnel.

Mayor Blackburn read a letter from Jonathon Elwing, pastor at the First Baptist Church, thanking the community for its support of the Food Bank.

II. PLEDGE OF ALLEGIANCE

Skip Bradeen led the Pledge of Allegiance.

III. ELECTION OF MAYOR AND VICE MAYOR

Councilman Ken Philipson made a motion to elect Ted Blackburn as Mayor. Vice Mayor Deb Gillis seconded the motion. Council voted all in favor. The motion passed 5-0.

Councilman Ken Philipson made a motion to elect Deb Gillis as Vice-Mayor. Councilman Mike Forster seconded the motion. Council voted all in favor. The motion passed 5-0.

IV. PRESENTATIONS AND ANNOUNCEMENTS

Mayor Blackburn introduced new Village Clerk Syndi Lankford and new Village Attorney Roget Bryan.

A. Presentation of 5- and 15-Year Service Pins to Village Employees

Village Manager Ed Koconis presented pins for Village employees Debbie Naiser for 15 years of service; and Greg Goebel, Anthony Barrios and Jason Press for 5 years of service.

B. Presentation by Florida Fish & Wildlife Conservation Commission, Regarding Wheel Ditch South of Robbie's of Islamorada (Captain David Dipre, FWC)

Captain David Dipre, FWC, spoke about the Wheel Ditch north of Robbie's Marina. Captain Dipre will make a recommendation to the Near Shore Water Regulation Citizens' Advisory Committee at their January 21, 2014 meeting to make the area a slow speed/no wake zone in the interest of public safety.

Mayor Blackburn expressed gratitude for FWC's diligence on the safety concerns of the Wheel Ditch. Councilman Forster inquired on which entity would address any challenges to the area being made a slow speed or no wake zone. Captain Dipre indicated it would be the responsibility of FWC in conjunction with the Park Service.

C. Presentation of the Certificate of Completion from the Advanced Institute for Elected Municipal Officials to Councilman Ken Philipson

Mayor Blackburn presented Councilman Ken Philipson with the Certificate of Completion from the Advanced Institute for Elected Municipal Officials.

D. Announcement of Santa Parade

Assistant Fire Chief Jason Lyman announced the Santa Parade on Sunday, December 15, 2013.

V. PUBLIC COMMENT

Stan Marguiles encouraged Council to authorize Reynolds' Water to begin the installation of sewers in Venetian Shores. Mr. Marguiles also supports Publix in Islamorada.

Bruce Williams, Advanced Disposal, advised carts for trash and recycling are being delivered, he expects to be finished by December 20th. Mr. Williams provided his contact information for any questions; office (305) 853-3433 and cellular (305) 797-1333.

Don Horton asked Council to reconsider the proposed changes to long dock variances. Mr. Horton indicated if the proposed ordinance is adopted there would be no procedures available to receive permission to construct a long dock. Mr. Horton request Council, in consideration of approving the ordinance, exempt anyone that has begun the application process from the proposed changes.

David Makepeace encouraged the Near Shore Water Regulation Citizens' Advisory Committee to meet in the Founders' Park Community Center on January 21, 2014, to allow attendance by the public.

Barry Wray inquired if Council would consider allowing a local business to have fireworks and a band playing until 1:00 a.m. on New Year's Eve.

Harry Delashmut stated the Village Code governing long docks needs reform.

Zee Hopman expressed his agreement that construction of long docks continue to be allowed in the Village.

David Dubriel encouraged Council to continue to allow administrative variances for long docks in the Village.

VI. AGENDA: Request for Deletion / Emergency Additions

Councilman Ken Philipson made a motion to move Tab's 7, 8 and 9 ahead, following the Consent Agenda items. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

Councilman Purdo pulled his item on TDRs from Mayor/Council Communications.

VII. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Proposal Evaluation, Rankings and Recommendations of the Audit Committee for Professional Auditing Services

Mayor Blackburn commended the hard work of the Audit Committee members and presented Proclamations to Jim Grainger, Joe Catarineau and Dick Hagood. The evaluations and rankings of the Committee will be provided by Finance Director Maria Aguilar as Tab 10.

B. Workforce/Affordable Housing Citizens' Advisory Committee Update

Chairperson Barry Wray provided the Workforce/Affordable Housing Citizens' Advisory Council update. The Wet Net development will see its first residents move in next week and an official Grand Opening for the public will be held in February. The Committee has selected members for a task force to discuss use of funds received from the CDBG grant. The Committee continues to work on the language in the Workforce/Affordable Housing Trust fund to allow assistance with down payments for Affordable Housing Units.

C. Local Planning Agency Update

Director of Planning and Development Services Ed Koconis provided the update. The LPA approved the Comprehensive Plan Amendment to eliminate the provision of long docks, by a vote of 4-0, with one abstention. The Text Amendment to the Definition of Hotel and Motel Rooms was discussed in detail, but died for a lack of second after a motion to approve.

VIII. VILLAGE MANAGER REPORTS AND UPDATES

A. Mandatory Connections to the Wastewater System

Ed Koconis reported in January 2014 courtesy letters will be sent out Phase I and Phase II property owners as a Notice to Connect within 90 days to the Village Wastewater system. Property owners that do not begin the connection process will be turned over for Code Enforcement action.

IX. 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. Minutes:

TAB 1

March 28, 2013 Regular Village Council Meeting

April 25, 2013 Regular Village Council Meeting

May 9, 2013 Regular Village Council Meeting

May 23, 2013 Regular Village Council Meeting

June 27, 2013 Regular Village Council Meeting

July 25, 2013 Regular Village Council Meeting

August 8, 2013 Regular Village Council Meeting

November 18, 2013 Town Hall Meeting

Councilman Mike Forster offered a motion to approve. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

Councilman Forster requested an item be added to Mayor/Council Communications; regarding a scheduling a Workshop in January regarding IT related programs in the Village.

X. QUASI-JUDICIAL

A. Resolution - Application for Major Conditional Use by Equity Development Group LLC **TAB 7**

Village Attorney James White read the quasi-judicial statement. Village Clerk Synthia Lankford swore in the witnesses. Village Attorney James White read the title of the resolution. Council members disclosed all ex parte communications. Village Clerk Synthia Lankford entered into the Official Record the ex-parte e-mail communications received both for and against the development application. Mr. White briefly explained the quasi-judicial hearing procedures to Council. Assistant Director of Planning Cheryl Cioffari presented the staff report to Council, recommending Council approve the application with the conditions listed in the Resolution.

For the applicant; Tim Maloney, District Manager of Publix Supermarkets and former Island Christian School graduate, spoke about Publix's commitment to community involvement and United Way fundraising. Bridget O'Connor, Publix Real Estate Manager, believes the appropriate commercial location has been located in Islamorada for the Publix development. Barnard Danzansky, Managing Member of Equity Development Group introduced the design team members; Land Use Attorney Andy Tobin, Architects Bob Weber, Civil Engineer George Camaro, Landscape Architect Dave Bodker, Traffic Engineer George Galan, and Environmental Studies Harry Delashmut. Mr. Delashmut advised Council that one hundred percent native vegetation was planned for the development. Mr. Danzansky presented a power point presentation (Applicant's Exhibit A) illustrating the evolving iterations to the development to address the Village Planning staff concerns and receive their recommendation for approval. Mr. Danzansky explained to Council that Publix will be beneficial to the community, create one hundred year round jobs and increase the tax base. George Galland provided Council a synopsis of the traffic study.

Mayor Blackburn opened public comment for those in favor.

Hobie Kostyk spoke in favor of allowing Publix in Islamorada.

John Curd expressed support of Publix and believes it is a good location for the project.

Bernie Kay stated Islamorada needs a grocery store, and the jobs created would be beneficial to unemployed residents and young people.

Frank Kulisky supports approving the Publix application.

Clay Crockett believes the Village should take the opportunity to revitalize vacant commercial buildings and indicated his family would appreciate shopping at Publix in Islamorada.

Stephen Pearse advised that it is a major inconvenience for the citizens not to have a local grocery store and that he whole heartedly supports a Publix in Islamorada.

Walter Mason, resident of South Hammock Road, believes Publix has done their jobs in complying with Village regulations and indicated neighbors he spoke to are in support of the project.

Mayor Blackburn closed public comment for those in favor.

Mayor Blackburn opened public comment for those opposed.

Tucker Gibbs, representing K.I.P.P.S. (Keep Islamorada Prosperous, Peaceful and Safe) and neighboring property owners Laurie and Meg Blair, Jerry Lear, Dan and Nancy Phair, Juanita Russell Knudsen, Richard and Mary Russell spoke against the development. Mr. Gibbs states his clients object to the Major Conditional Use project for three reasons (1) the application is not complete, critical aspects of the proposed site plan are not in the application for Council for consideration, (2) the proposal is not consistent with applicable provisions of the Village's Comprehensive Plan and (3) the proposal is not compliant with the Village's Land Development Regulations, in particular the parking requirements. Mr. Gibbs testified his calculations of gross floor indicated an additional forty parking spaces are required for the proposed development to be in compliance with the Village's Land Development Regulations. Neighbor's Exhibit 1 and Exhibit 2 were entered into the record, drawings illustrating Mr. Gibbs calculation of gross floor area. Mr. Gibbs requested the definitions section from the Florida Building Code, regarding gross floor area, be entered into the record as well. In summation Mr. Gibbs stated the project is out of scale, too big and too intense, that is inconsistent with the City's Comprehensive Plan and requested Council vote to deny the application for Major Conditional Use.

Mark Alvarez, Professional Planner, presented a power point presentation, Neighbor's Exhibit 3, entitled, "Publix, Overseas Highway North of Russell Street, Major Conditional Use Application, Review Consistency and Compatibility." Mr. Alvarez agreed with Mr. Gibbs parking assessment, in his interpretation of the Village code forty additional spaces are required to be in compliance. Mr. Alvarez believes the noise, smoke and odors associated with a high intensity commercial use is incompatible with the residential neighborhood.

Beth Kaminstein encouraged Council to maintain the charming small town character of the Village and reject behemoth commercial developments. Ms. Kaminstein stated historically 10,000 square foot was the maximum allowable for commercial developments.

Chris Zishka expressed concern over the noise and traffic that would be generated behind Publix and the negative impact to the surrounding residents.

Ann Wittwer advised Council that the developer had initially offered to purchase her property but never offered a contract and has ceased communications. Ms. Wittwer is worried about the location of the proposed wastewater treatment facility and the noise that will be generated by delivery trucks.

Dave Feder appealed to Council to maintain the small town feel of Islamorada and stated the proposed development does not comport with our community.

Robert McClung stated commercial development does not attract tourism and Publix would not bring arts or culture to our town.

Gerry Lear spoke about the noise that would be generated by trucks at night and worries the proposed temporary sanitation facility becoming permanent.

Suzy Feder voiced concern over retail chain stores overrunning small businesses, and believes commercial development should not be located in residential areas.

Linda Makepeace stated she is afraid of the traffic problems that will occur as motorists navigate the center lane to merge into northbound traffic.

Chris Calderwood spoke about the negative effects of the proposed development including noise, trash, light pollution, traffic and decreased property values.

Meg Blair communicated her desire to maintain Islamorada's small town charm and does not believe a large supermarket enhances the character of the Village.

Tony Hammon stated he believes Publix would be a good neighbor to the Island Christian School and community at large, but is concerned over the safety of his students.

George Geisler expressed concerns over the traffic hazards and the safety of the students at Island Christian School.

David Makepeace commented about the potential for increased accidents caused by commercial traffic entering the highway.

Mayor Blackburn closed public for those opposed.

Mayor Blackburn opened general public comment.

Deborah Heald advised Council the properties proposed for the Publix development have always been commercial. Ms Heald believes Publix would be a good neighbor.

Janine Spaulding spoke in support of Publix.

Mayor Blackburn closed general public comment.

Mayor Blackburn inquired if staff had any rebuttal comments.

Assistant Director of Planning Cheryl Cioffari clarified the Village Land Development Regulations Section 30-32 contain a definition of floor area non-residential which was used to calculate the required parking spaces. Ms. Cioffari affirmed the Village Comprehensive Plan limits, but not prohibit, high intensity uses and the proposed development is within the Highway Commercial zoning district which is the most permissive land use zoning district.

Director of Planning and Development Services Ed Koconis concurred with the interpretation of staff on the definitions in Section 30.

Councilman Purdo inquired about the litigation regarding formula retail.

Village Attorney James White provided clarification of the formula retail ordinance struck down in federal court and advised the Comprehensive Plans and Land Development Regulations were not affected by this ruling.

Council Forster requested staff address the opposition presentation by Mark Alvarez that the development is non-compliant.

Assistant Director of Cheryl Cioffari does not agree with Mr. Alvarez's opinion. The Staff report provided to Council states the proposed development is in compliance with the Comprehensive Plan and Land Development Regulations. Village Attorney Roget Bryan stated legal is in support of the Staff Report.

Vice Mayor Gillis inquired if written approval from the owners of the Fish Bowl is required.

Assistant Director of Planning Cheryl Cioffari advised no written approval from the Fish Bowl is required, as they are not part of the application, but a cross access easement agreement is required as a condition of the approval prior to issuance of any building permit.

Vice Mayor Gillis requested clarification on the status of the temporary wastewater treatment plant, lighting and privacy wall proposed at the development.

Assistant Director of Planning Cheryl Cioffari advised the plans provide for a new temporary wastewater treatment plant, but anticipates it never being built because of the timing of construction and the availability of the Village central wastewater system. The lighting meets all requirements of the Village code and an eight foot wall runs along the property line and follows the crown.

Applicant Bernard Danzansky was invited to the dais to address concerns over the noise delivery trucks generate when backing up. Mr. Danzansky advised the truck's beeping noise while traveling in reverse would be turned off in the early morning hours and the trucks are turned off while unloading.

Councilman Philipson inquired if the developers had met with property owners behind the proposed development. Mr. Danzansky indicated two of the properties behind the development are under contract. An offer was made to the third property owner, Ms. Wittwer, but negotiations were unsuccessful. Mr. Danzansky indicated they still have an interest in purchasing Ms. Wittwer's property at what they would deem as a fair value.

Mr. Danzansky addressed questions brought forward in public comment. The construction period for the project is anticipated to be twelve months, the site wall and all perimeter enhancements will be done before any other work on site, except for demolition, Russell Street improvements will be done at the same time. The proposed sewer plant is temporary, if constructed at all and an eight foot wall with a twenty foot buffer on each side will run along the back property line of the development.

Vice Mayor Gillis inquired if Ms. Wittwer's property is not purchased by the developers what type of boundary would be put between that property and the two residential properties currently under contract.

Mr. Danzansky indicated they would install a chain link fence.

Village Attorney Roget Bryan asked for a motion to extend the meeting. Councilman Ken Philipson made a motion to extend the meeting for one hour. Vice Mayor Deb Gillis seconded the motion. All voted in favor.

Councilman Philipson asked what will happen to the residential properties currently under contract.

Mr. Danzansky replied there are no plans for those properties at this time, the lots will remain residential.

Vice Mayor Gillis queried where the trucks would enter to fill the generator tanks.

Mr. Danzansky proposed the trucks would enter on Russell Street and back into the area to fill the tanks; this is the same process that will be used to fill the propane tanks.

Mayor Blackburn requested Chief Abel address the safety concerns of the tanks. Chief Abel indicated the developer addressed all their safety concerns and everything being proposed is to code.

Vice Mayor Gillis inquired on what type of trash compactor is planned and how often it would be picked up.

Mr. Danzansky advised the compactor is a sealed container installed clean, pick up customarily occurs seven to ten days.

Councilman Purdo expressed his concern over early morning traffic and indicated he would like a flashing light installed by D.O.T. for a school zone.

Councilman Purdo inquired if the proposed development satisfies the Village parking requirements.

Assistant Director of Planning Cheryl Cioffari confirmed the development meets the parking requirement

Councilman Philipson expressed concern over beer and wine sales on a property adjacent to a school.

Mr. Danzansky responded that on premise consumption of alcohol is illegal and their application conforms to all state and local laws.

Councilman Forster believes a “No Through Street” street sign should be erected on Russell Street to advise customers there is no side entrance. Councilman Forster echoed concerns that a flashing light should be installed for a school zone.

John Zeger, Kittleson and Associates, stated he would open communications with the D.O.T. for installation of a flashing light for the school zone.

Councilman Philipson requested the developer explore the possibility of moving the propane tanks to the location of the temporary treatment plant.

Vice Mayor Gillis inquired if the fourteen foot wall surrounding the propane tanks were reinforced.

Mr. Danzansky responded that it is a filled core concrete block wall.

Councilman Philipson inquired why there wasn't a pharmacy in this store.

Mr. Danzansky indicated the final decision on a pharmacy had not yet been made.

Councilman Forster stated he was unaware the trucks to service the propane and diesel would utilize Russell Street for access; previously he believed Russell Street would only be utilized for pickup of the trash compactor.

Mr. Danzansky assured Council the effects on Russell Street would be minimal. The trucks servicing the propane tanks are no larger than those servicing residential households. Propane tanks are filled once every two weeks and diesel tanks filled quarterly.

Vice Mayor Gillis requested the compactor be dumped once per week.

Staff will add a condition to the Major Conditional Use stipulating the collection of the trash compactor shall occur no less than once every seven days.

Village Attorney Roget Bryan asked for a motion to extend the meeting. Councilman Mike Forster made a motion to extend the meeting for one hour. Vice Mayor Deb Gillis seconded the motion. All voted in favor.

Mayor Blackburn asked for final comments from the applicants and the opposition.

Andy Tobin stated the Planning Director and Planning staff determined the application meets the standards of both the Comprehensive Plan and Land Development Regulations. As no competent or substantial evidence has been provided by the opposition to support its conclusions Mr. Tobin requested Council approve the application.

Tucker Gibbs indicated the Village code requires five parking spaces per one thousand square feet of gross floor area. Village staff made a determination to apply a standard for “floor area, residential” to measure parking requirements. Mr. Gibbs declared forty additional parking spaces are required to meet Village code and the application does not meet the essential requirements of the law.

Mr. Tobin provided a brief rebuttal stating the Planning staff used the definitions in the code to calculate the parking requirements; the Florida Building code definition of gross floor area has no relevance in this calculation.

Planning Director Ed Koconis clarified the definitions used by the Planning Department are the definitions as defined in the Village code.

Mayor Blackburn concluded the public hearing.

Councilman Forster inquired if the Village Attorney agreed with the Planning Department’s applicability of the definition.

Village Attorneys James White and Roget Bryan concurred with the Planning Department.

Vice Mayor Gillis requested clarification of the conditions of the Major Conditional Use.

Assistant Director of Planning Cheryl Cioffari read the list of conditions to Council.

Vice Mayor Gillis requested a condition added stating the applicant will erect a fence between Lots 13 and 14 if no agreement is reached to purchase the property.

Assistant Director of Planning Cheryl Cioffari will add an additional condition for installation of a chainlink fence, constructed to the maximum height permissible by Code but not to exceed eight feet between Block Lot 14 and Block Lot 13 of Coral View, Plat Book 3 Page 105, at the Applicant’s expense.

Mr. Danzansky inquired if language could be inserted in the cross access agreement that would offer any other suitable arrangement to accomplish the same goal and if the language regarding BPAS could be amended.

Village Attorney Roget Bryan advised the language would be amended to read “a fully executed and effective cross access agreement or other similar or comparable legal instrument.”

Village Attorney James White recommended the language regarding BPAS be amended to read “the applicant shall obtain 2,831 square feet of non-residential floor area from the Building Permit Allocation System or TDRs prior to the issuance of any building permit.”

Vice Mayor Deb Gillis made a motion to approve the Major Conditional Use. Councilman Dave Purdo seconded the motion. The motion passed 4-1, with Councilman Philipson voting no.

B. Resolution - Application for Alcoholic Beverage Use Permit (AB-13-01) by Equity Development Group LLC TAB 8

Village Attorney James White read the title of the resolution. Assistant Director of Planning Cheryl Cioffari presented the staff report, indicating the application is in compliance with the criteria for evaluating a request for an alcoholic beverage use permit and recommends approval for the proposed resolution and approval for the alcoholic beverage use permit.

Mayor Blackburn opened public comment for those in favor.

Barnard Danzansky thanked Council for their deliberations this evening.

Mayor Blackburn opened public comment for those opposed; no public comment was offered.

Councilman Forster commented Council should address issuance of alcoholic beverage permits on properties in close proximity to churches at some future date.

Councilman Mike Forster made a motion to approve the Alcoholic Beverage Permit. Vice Mayor Deb Gillis seconded the motion. The motion passed 4-1, with Councilman Philipson voting no.

C. Proposed Resolution Approving Affordable Housing Agreement between Islamorada, Village of Islands and Equity Development Group LLC TAB 9

Village Attorney James White read the title of the resolution. Assistant Director of Planning Cheryl Cioffari presented the staff report.

Mayor Blackburn opened public comment; no public comment was offered.

Vice Mayor Deb Gillis made a motion to approve the Affordable Housing Agreement. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

Village Attorney James White announced the Quasi-Judicial section of the Agenda is concluded.

XI. ORDINANCES

A. First Reading –Ordinance Amending the Comprehensive Plan Policy 5-1.2.13:10(D) to Remove Special Approval Allowing a Variance to Extend Docks Beyond the Size Limitations TAB 2

Village Attorney Roget Bryan read the title of the ordinance. Principal Planner Jeff Stuncard presented the staff report. The Local Planning Agency recommended approval of the ordinance 4-0 at their meeting on December 9, 2013. Staff recommends Council approve the Ordinance on its first reading.

Mayor Blackburn opened public comment.

Jim Belizzi requested the Ordinance be sent back for further review and requested any further business be tabled due to the late hour.

Mayor Blackburn closed public comment.

Councilman Mike Forster stated he believes the Ordinance is too broad stroke and further clarification is required.

Councilman Purdo expressed concern about restricting citizens from building on their own property when they own the bay bottom.

Councilman Philipson indicated he believes the current rules for long docks should be revised.

Vice Mayor Gillis requested clarification of water depth requirements from the D.E.P. and the Village.

Mayor Blackburn suggested the item be tabled to allow staff to consider the concerns brought forward this evening.

Ed Koconis indicated he would meet with the concerned parties and bring back the item at a later date for further direction from Council.

Vice Mayor Gillis inquired if Council could set a hard date to stop accepting applications.

Village Attorney Roget Bryan advised that would not be possible at this time.

Councilman Dave Purdo made a motion to table TAB 2. Councilman Ken Philipson seconded the motion. Council voted all in favor. The motion passed 5-0.

B. First Reading –Land Development Regulation Amendment Regarding Long Dock Variances TAB 3

Village Attorney Roget Bryan read the title of the ordinance.

Councilman Ken Philipson made a motion to table TAB 3. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

C. First Reading –Ordinance Amending the Comprehensive Plan Policy 1-3.1.1 Establish a Building Permit Allocation System (BPAS) by Increasing the Non-Residential Square Footage Allocation TAB 4

Village Attorney Roget Bryan read the title of the ordinance.

Councilman Dave Purdo made a motion to extend the meeting for one hour. Vice Mayor Deb Gillis seconded the motion. All voted in favor.

Assistant Director of Planning Cheryl Cioffari presented the staff report. The Local Planning Agency recommended approval the ordinance 4-0 at their meeting on November 4, 2013 with the modification of approving an increase of the non-residential square footage allocation to 10,000 square feet. Staff is recommending Council approve the Ordinance, with an increased non-residential square footage allocation of 15,000 square feet on its first reading.

Councilman Forster inquired if a single applicant could receive the entire 15,000 square footage allocation.

Assistant Director of Planning Cheryl Cioffari responded, yes, if the application scored high enough in BPAS it could receive the entire allocation.

Vice Mayor Gillis would like to find a method to distribute the increased square footage allocation to multiple smaller projects.

Director Ed Koconis indicated the Land Development regulations could be amended to include a limitation on the square footage allocation to a single applicant.

Assistant Director of Planning Cheryl Cioffari advised the increase in the BPAS non-residential square footage is to help applicants that have been waiting in the queue, while staff continues to work on how the BPAS functions.

Mayor Blackburn opened public comment.

Jim Belizzi requested Council hear TAB 15 next.

Mayor Blackburn closed public comment.

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

D. First Reading – Ordinance Amending Chapter 30 “Land Development Regulations,” Article IV “Administrative Procedures,” Division 11 “Building Permit Allocation System,” Section 30-474 “Building Permit Allocation” of the Village Code **TAB 5**

Village Attorney Roget Bryan read the title of the Ordinance. Assistant Director of Planning Cheryl Cioffari presented the staff report and recommended Council approve the Ordinance on its first reading.

Mayor Blackburn opened public comment; no public comment was offered.

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

Councilman Ken Philipson made a motion to hear TAB 15 as the next item. Councilman Dave Purdo seconded the motion. Council voted all in favor. The motion passed 5-0.

WASTEWATER MATTERS

C. Resolution Approving Loan Agreement with STI Institutional & Government, Inc., in an Amount Not to Exceed \$6 Million for the Paving Project **TAB 15**

Village Attorney Roget Bryan read the title of the Resolution. Finance Director Maria Aguilar presented the Staff Report.

Mayor Blackburn opened public comment.

Jim Bellizzi recommended use of ad valorem assessments for the paving project in-lieu of borrowing \$6 million dollars.

Mayor Blackburn closed public comment.

Finance Manager Maria Aguilar advised if the obligation of debt service was tapping out the gas tax funds could be transferred in from discretionary sales tax from the capital projects fund.

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

E. First Reading – Text Amendment to the Definition of Hotel and Motel Room **TAB 6**

Village Attorney Roget Bryan read the title of the Resolution. Director of Planning Ed Koconis presented the Staff Report. Staff recommends Council approve the Ordinance on its first reading.

Vice Mayor Deb Gillis inquired if Steve Kurtz was aware of the proposed changes in the Ordinance.

Director of Planning Ed Koconis indicated Mr. Kurtz was pleased with the progress and understands this is the first step in an ongoing process.

Mayor Blackburn opened public comment; no public comment was offered.

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

XII. RESOLUTIONS

- A. Resolution Approving the Final Ranking and Recommendation of the Audit Committee and Authorizing the Village Manager to Negotiate a Professional Audit Services Contract for Subsequent Consideration to the Village Council** **TAB 10**

Village Attorney Roget Bryan read the title of the Resolution. Finance Director Maria Aguilar presented the Staff Report.

Vice Mayor Deb Gillis requested clarification on the term of the agreement.

Finance Director Maria Aguilar indicated the agreement was for one year with up to four yearly renewals.

Mayor Blackburn open public comment; no public comment was offered.

Councilman Dave Purdo made a motion to approve. Councilman Ken Philipson seconded the motion. Council voted all in favor. The motion passed 5-0.

- B. Resolution- Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 4 of 2013** **TAB 11**

Village Attorney Roget Bryan read the title of the Resolution. Director of Planning Ed Koconis presented the Staff Report, recommending allocations for the top six market rate applicants.

Mayor Blackburn opened public comment; no public comment was offered.

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

- C. Resolution - Florida Small Cities Community Development Block Grant Program Establishment of a Citizen's Advisory Task Force** **TAB 12**

Village Attorney Roget Bryan read the title of the Resolution. Planner Jay Berenzweig presented the Staff report recommending Council establish a Citizen's Advisory Task Force.

Vice Mayor Deb Gillis requested Staff confirm the date that Applicants may begin applying for grant funds.

Mayor Blackburn opened public comment; no public comment was offered.

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

XIII. MOTIONS

There were no motions on the Agenda.

XIV. WASTEWATER MATTERS

A. Wastewater Project Update

TAB 13

Tom Brezinski provided the Wastewater Project updated. Testing continues on the force main to Key Largo, the area between Tavernier Creek and MM 100 is expected to be one hundred percent complete by January, from Tavernier Creek to NPK the re-pump station is installed and is being tested, from the NPK re-pump to MPK is eighty five percent complete. At the MPK vacuum pipe station north the process has begun to dig pipe to connect to the Key Largo Wastewater Treatment Plant. Construction of the SPK force main continues on Windley Key. Construction in Venetian Shores is expected to begin at the end of the first quarter, 2014. The Snake Creek crossing is complete. Paving is progressing on schedule. The permit for the force main for the LMK force main has been applied for from FDOT.

Mayor Blackburn inquired when pumping to Key Largo would begin.

Mr. Brezinski responded June, 2014.

Councilman Dave Purdo requested to see time sheets for the construction inspectors.

B. Resolution Approving Amendment #2 to State Revolving Fund Loan Agreement #WW882020

TAB 14

Village Attorney Roget Bryan read the title of the Resolution. Finance Director Maria Aguilar presented the Staff Report.

Finance Director Maria Aguilar reported to Council that staff from D.E.P. came to the Keys in November to conduct inspections and site visits on projects being funded with S.R.F. funds and Mayfield Grant funds. Mr. Banks from the D.E.P. was very impressed by the record keeping and documentation available. Mr. Banks indicated the documentation provided was the most organized and complete he had ever experienced and credited Gene Hoffman, Ariana Lawson and Greg Tindle.

Mayor Blackburn opened public comment; no public comment was offered.

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

XV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Amending the TDR Ordinance providing that TDRs arising out of the re-development of those projects exempt from the moratorium against conversion of existing transient dwelling units/uses into non-transient dwelling units/uses (Tropic Air Resort, Golden Key Motel/Shoreline Motel, Tropical Reef Resort, and Star of the Sea of Islamorada) may be transferred as either transient TDRs or non-transient TDRs (Councilman Purdo)

Councilman Purdo withdrew his item.

- B. Discussion of a Session on Ethics and Sunshine Law for all Committee Members (Councilman Philipson)
- C. Discussion on a Session for Strategic Planning (Councilman Philipson)

Councilman Philipson recommended the Village hire a moderator to conduct a training session for Committee members on Ethics and the Sunshine Law and a separate session to address Strategic Planning in the Village

Vice Mayor Blackburn agreed an instruction session is a good idea and directed staff to bring back options to conduct a training sessions for the Sunshine Law and options for the Strategic Planning Session.

- D. Workshop for IT Related Programs in the Village (Councilman Forster)

Councilman Forster requested a Workshop in January to address all IT programs that are being activated in the Village and get an update.

The Workshop is scheduled for Thursday, January 9, 2014 at 3:00 p.m.

Vice Mayor Deb Gillis requested to be advised where media releases are sent. Village Manager Ed Koconis will provide the information.

XVI. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Village Attorney Roget Bryan thanked the Council, staff and public for the warm welcome he has received.

XVII. ADJOURNMENT

Councilman Dave Purdo made a motion to adjourn. Councilman Ken Philipson seconded the motion. The meeting adjourned at 12:52 a.m.

Synthia Lankford
Village Clerk

Approved by the Village Council this 9th day of January, 2014.