



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

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

**March 15, 2013  
1:00 PM**

Mayor Ken Philipson called the meeting to order at 1:15 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, Dan Abbott, and James E. White; Village Manager Edward Koconis and Village Clerk Ariana S. Lawson.

Fire Chief William Wager requested he be allowed to present information to Council. Ms. Boniske noted for the record that staff presentations during the open portion of the executive session are allowable under Florida Statutes and that any sensitive information related to settlement should be discussed only during the closed portion of the session during which only staff listed in the public notice below would be allowed to remain in attendance. Councilman Forster stated that he requested Chief Wagner attend the open portion of the meeting to assist in bringing himself as a new Council member up to speed in the case. Chief Wagner provided an overview of the facts surrounding the case. Chief Wagner also provided recommendations to Council regarding the life safety issues that would need to be addressed to meet code requirements in anticipation of any settlement proposed during upcoming mediation in the week to follow.

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

**PAUL BATES AND COCONUT COVE RESORT & MARINA, INC.**

v

**CITY OF ISLAMORADA, VILLAGE OF ISLANDS**

**Case No. 07-CA-582-P**

**IN THE CIRCUIT COURT FOR THE 16<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR MONROE COUNTY, FLORIDA**

*Minutes of  
Special Call Village Council Meeting  
Executive Session (Case No. 07-CA-582-P)  
March 15, 2013*

Mayor Philipson closed the open meeting at 1:35 p.m. and advised all those present that the Council was moving forward with an 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 Attorney Nina L. Boniske, Dan Abbott, and James E. White; and
- c. Village Manager Edward Koconis.

Mayor Philipson stated that the proceedings would be recorded by a certified court reporter, Kathleen A. 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.


At the conclusion of the attorney/client session, Mayor Philipson reopened the public meeting and invited members of the general public back into the meeting room.

Councilman Forster nominated Mayor Philipson to attend upcoming mediation in the case as the Village Council representative, alongside the Village Manager and Village Attorneys. Council unanimously concurred.

Ms. Boniske summarized Council's direction to table at this time the following previously scheduled executive sessions, to be rescheduled at a later date:

- March 15, 2013 1:15 p.m. Case No. 07-CA-583-P
- March 15, 2013 1:30 p.m. Case No. 11-CA-389-P
- March 15, 2013 1:45 p.m. Case No. 3D12-3179 / L.T. Case No. 128015-12-FM

Vice Mayor Blackburn offered a motion to adjourn; Councilman Purdo seconded the motion. The meeting was adjourned at 3:30 p.m.

  
Ariana S. Lawson  
Village Clerk

Approved by the Village Council this 11<sup>th</sup> day of April, 2013.

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