



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
April 11, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Ken Philipson called the meeting to order at 5:38 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 Manager Ed Koconis, Village Attorney Nina Boniske, Village Clerk Ariana Lawson, Finance Director Maria Aguilar and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Glen Taylor led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

Mayor Philipson presented a plaque to Glen Taylor in recognition of his support and commitment to the 2013 Soldier Ride and the Wounded Warrior Project.

IV. PUBLIC COMMENT

Mayor Philipson opened public comment.

Councilman Forster spoke to clarify the Publix discussion item under XIV. Mayor/Council Communications on the Agenda.

Bill Bond, Islamorada, expressed appreciation to Council and staff, on behalf of the Tollgate Shores Homeowners Association, for recent improvements to the Tollgate Shores storm water collection system.

Gary Finch and Norma Jean, ABATE of Florida, Inc., thanked Council for their upcoming recognition at the April 25, 2013 Regular Village Council Meeting of the month of May as Motorcycle Safety Awareness Month.

David Makepeace, Islamorada, expressed concern regarding a recent newspaper article on the proposed Publix development.

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Ron Levy, Islamorada, inquired into when the Development Review Committee would meet to review the Fund Equity Group's revised Publix development plans and suggested a public meeting specifically to discuss the proposed Publix development might be beneficial.

David de Haas, Islamorada, proposed an amendment to the Village's Land Development Regulations that would allow formation of a pre-application review council for planned developments over 10,000 square feet.

Mayor Philipson closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

There were no deletions or emergency additions to the agenda.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

Deborah Shonyo-Culebras presented the Landscape Advisory Committee update. The Pineapple Award Presentation was made to Bonefish Bay residents Sue Hooley and Jenny Swarout in acknowledgement and appreciation of their work in beautifying the portion of their neighborhood abutting the U.S. 1 corridor.

Mayor Philipson reported on the Mayors' Challenge, a program to educate residents on water saving and water awareness, and a proclamation he presented on April 9, 2013 at the Wyland Clean Water Challenge Day. Mayor Philipson also announced the Paddle Exploration of San Pedro Underwater Archeological State Park that took place today earlier in the day as part of Expedition Florida 500 series presented by Texas resident Justin Riney in conjunction with Florida Museums of the Seas, Florida State Parks and NOAA.

VII. VILLAGE MANAGER REPORTS AND UPDATES

Village Manager Ed Koconis introduced Thomas Darnell, Managing Director of VacantRegistry.com. Mr. Darnell delivered a presentation to Council on the services offered by his organization, which partners with local governments to find points of contact for distressed or abandoned homes undergoing the foreclosure process. Mayor Philipson expressed his support for the services provided by VacantRegistry.com. Councilman Purdo inquired into the specific services the organization could provide for low income housing. Mr. Darnell stated that he could provide additional information directly to Councilman Purdo following the Regular Village Council Meeting. Vice Mayor Blackburn thanked Mr. Darnell for his presentation.

VIII. CONSENT AGENDA

A. Minutes:

TAB 1

March 14, 2013 Regular Village Council Meeting

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

- B. Resolution Approving FEMA FY 2012 Assistance to Firefighters Grant Agreement Number EMW-2012-FO-06826** **TAB 2**

Councilman Purdo offered a motion to approve the consent agenda. Councilman Forster seconded the motion. Mayor Philipson called for all in favor. The motion passed 5-0.

IX. ORDINANCES

- A. First Reading – Ordinance Amending the Comprehensive Plan to Amend Transfer of Development Rights (TDRS)** **TAB 3**

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

- B. First Reading – Ordinance Amending the Land Development Regulations To Amend Transfer of Development Rights (TDRS)** **TAB 4**

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

X. QUASI-JUDICIAL

There were no quasi-judicial items on the agenda.

XI. RESOLUTIONS

- A. Proposed Resolution Re-establishing the Ad Hoc Solid Waste Services Citizens Advisory Committee** **TAB 5**

Village Attorney James White read the title of the resolution. Village Manager Ed Koconis presented the staff report. Mayor Philipson called for public comment; there was none. Councilwoman Gillis offered a motion to approve and re-appoint all previous Committee members. Mayor Philipson read the list of members: Don Achenberg, Dave Boerner, Dick Hagood, George Hertel and David Makepeace. Councilman Blackburn seconded the motion. The motion passed 5-0.

- B. Resolution Approving Re-Encumbrance of Funds for FY 2010-2011 Lapsed Purchase Orders and Increase of the FY 2012-2013 Budget To Reflect Approved Uses of Fund Balance and Unrestricted Net Assets** **TAB 6**

Village Attorney James White read the title of the Resolution. Finance Director Maria Aguilar presented the staff report. Mayor Philipson called for public comment; there was none.

Councilman Forster noted that there were General Funds budgeted for annual buoy maintenance; Ms. Aguilar explained that the funds will be reimbursed by Monroe County under a Boating Improvement Funds grant and Public Works / Parks and Recreation Director John Sutter explained that the work is

currently underway by a marine contractor. Councilman Forster expressed the desire to receive a report of checks written by the Village each month. Council consensus was that such information should be requested individually on an as-needed basis from the Finance Director. Mayor Philipson inquired as to the status of the Monroe County Wayfinding Program. Mr. Sutter stated that he would review the status and provide an update directly to Mayor Philipson.

Councilwoman Gillis offered a motion to approve the resolution; Councilman Forster seconded the motion. The motion passed 4-0, with Councilman Purdo absent for the vote.

C. Resolution Authorizing the Filing of Litigation on Behalf of the Village TAB 7
by Special Legal Counsel for the Deepwater Horizon Spill BP Claim

Village Attorney James White read the title of the resolution. Village Attorney Nina Boniske presented the staff report. Mayor Philipson called for public comment; there was none. Councilwoman Gillis offered a motion to approve; Councilman Purdo seconded the motion. The motion passed 5-0.

XII. MOTIONS

No motions were made.

XIII. WASTEWATER MATTERS

A. Wastewater Project Update

Wastewater Program Manager Greg Tindle reported that the wastewater transmission line in Key Largo from CVS northbound is complete and that the next phase, from CVS southbound to Islamorada, will begin in a few weeks. Mr. Tindle also reported that vacuum line construction along the Old Highway on Plantation Key will also begin in a few weeks, upon permit approval by the Florida Department of Environmental Protection, and that all lines have been installed on North Plantation Key and that vacuum pits there are currently being connected.

Councilman Purdo expressed concern over paving patchwork in North Plantation Key. Councilman Blackburn issued a reminder to contractors to hire locally when feasible. Councilman Forster requested repairs be made to the patches on Seminole Boulevard and US-1.

Mayor Philipson called for public comment. Cheryl Culberson, Islamorada, offered public comment on the need for repairs to the patchwork on Seminole Boulevard. Mayor Philipson closed public comment.

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Publix Discussion – Councilman Forster

Councilman Forster recommended that direction be given to staff to proactively provide Council materials and documentation of large scale proposed developments in the Village to edify Council before they are approached by members of the public. Councilman Forster stated Russell Street should not be included in any ingress or egress of the proposed Publix development.

Village Attorney Nina Boniske advised Council of the quasi-judicial hearing procedures for this item and in general.

Councilman Purdo spoke in favor of safeguarding Russell Street from increased commercial traffic. Councilwoman Gillis and Mayor Philipson indicated agreement with Councilman Forster's statement that Council should receive early notification and basic information regarding large potential developments in the Village. Village Manager Ed Koconis stated that, at Council's direction, staff could provide such notification to Council.

Mayor Philipson called for public comment. Pastor Tony Hammond, Island Community Church, expressed concern for the safety of children at the adjacent Island Christian School with the potential for increased traffic on Russell Street resulting from the proposed development. Cheryl Culberson, Islamorada, spoke as a member of the Local Planning Agency to encourage Council to consider community character when reviewing proposed developments. Bernard Danzansky, Equity Development Group, communicated his company's desire to amend their development application site plan to address community safety and security concerns. Mayor Philipson closed public comment.

Councilman Blackburn recognized Mayor Philipson's recent participation with the Florida League of Cities and legislative efforts on behalf of the residents of Islamorada.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Preliminary Report of FY 11-12 Audit Findings

TAB 8

Finance Director Maria Aguilar presented the Preliminary Report of FY 11-02 Audit Findings. Mayor Philipson called for public comment; there was none.

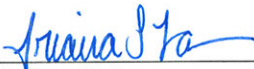
Village Attorney Nina Boniske requested an Executive Session in Case No. 2006-CA-43-P.

B. Auditor Selection Procedures

Finance Director Maria Aguilar presented the statutory requirements for establishing an Audit Committee for the selection of the next auditor. Council determined the Audit Committee shall be comprised of three (3) individuals, including one (1) Council member and two (2) non-Council members who shall be either: 1) licensed CPA's, or 2) currently employed in responsible management positions in finance or accounting for a public or private entity, or 3) have substantial past experience in a responsible managerial position in finance or accounting in the public or private sector. Council requested the Village Attorney prepare a resolution establishing the Audit Committee for consideration at the next Regular Village Council Meeting. Council also agreed to bring back recommendations for committee nominees at the next Regular Village Council Meeting.

XVI. ADJOURNMENT

Councilman Purdo offered a motion to adjourn; Councilman Forster seconded the motion. Council voted all in favor. The meeting adjourned at 7:35 pm.



Ariana S. Lawson
Village Clerk

Approved by the Village Council this 25th day of July, 2013.

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