



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
April 25, 2013
5:30 PM**

I. CALL TO ORDER\ROLL CALL

Mayor Ken Philipson called the meeting to order at 5:28 p.m. The following Council members were present on roll call: Mayor Ken 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 James White, Village Clerk Ariana Lawson, Finance Director Maria Aguilar, and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

David De Haas led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

Mayor Philipson reminded the audience that anyone distributing documents at a Council Meeting shall provide a minimum of 15 copies to the Village Clerk prior to the start of the meeting.

- A. Motorcycle Safety Awareness Month – May 2013
ABATE of Florida, Inc., Southernmost Chapter

Mayor Philipson presented the proclamation to Wayne Cerra, Southwest Chapter President, ABATE of Florida, Inc.

IV. PUBLIC COMMENT

Mayor Philipson called for public comment.

Ron Levy encouraged Council to make no changes to the Comprehensive Plan with regard to the commercial square foot limit.

David Elbaum relayed personal experience with an illegal vacation rental situation at a neighboring residence. Councilman Forster reiterated recent Council direction to the Village Manager to hire a second code enforcement; Village Manager Ed Koconis announced that the code enforcement position would be

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filled in the next week or so. Vice Mayor Blackburn stated that staff needs to be more proactive in fining offenders.

Paul Shomo communicated his concern that the income limits for the Wet Net Affordable Housing units were unreasonably low. Council Purdo explained the income limitations are set by HUD and the Village is unable to alter their requirements.

Larry Barr spoke about the Severn Trent report indicating there were forty six flooded pits on South Coconut Blvd.

John Fernandez stated when Council established licensing fees for Vacation Rental licenses a portion of those funds were to be used for hiring an individual to enforce the Vacation Rental ordinance.

V. AGENDA: Request for Deletion / Emergency Additions

There were no deletions or emergency additions.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A.** Ad Hoc Planning and Development Services Citizens' Advisory Committee –
Chairperson Don Horton (Discussion at Future Meeting)

Chairperson Donald Horton distributed a document entitled “Ad Hoc Planning and Development Services Citizens' Advisory Committee Report to Village Council, Thursday, April 25, 2013” and an accompanying flow chart to Council. Local Planning Agency (LPA) Chairperson John Fernandez referred to the Committee's report as an “active document,” noting that it would be further refined and redistributed to Council for review and discussion at a subsequent Regular Village Council Meeting. Mayor Ken Philipson commended the Committee's efforts. Councilman Mike Forster reiterated a previous request that no staff names be used in discussion of the Committee's recommendations. Vice Mayor Ted Blackburn recommended a Village Council Workshop to discuss the Committee's recommendations. Council agreed that in the meantime staff and the LPA should consider the Committee's proposed amendments to the Land Development Regulations.

Mayor Philipson called for public comments. Cheryl Culberson spoke about the importance of goal setting.

- B.** Annual Review of Citizens' Advisory Committees

TAB 1

Councilwoman Deb made a motion to sunset the Land Acquisition Advisory Committee and to continue the activities of all other Committees. Councilman Purdo seconded the motion. Council voted and the motion passed 5-0.

VII. VILLAGE MANAGER REPORTS AND UPDATES

- A.** Update on Mosquito Control Property (MM 81.8)

Village Manager Ed Koconis provided an update to Council on efforts to lease property located at mile marker 81.8 from the Florida Keys Mosquito Control District. Mr. Koconis advised Council that the District had requested a reduction in the proposed contract from ten (10) to five (5) years and requested

the Village provide an area for the District to store materials and vehicles as well as potential locations for a helicopter landing site. He advised Council of the potential costs of Level I and Level II assessments and ensuing cleanup of the property. Mr. Koconis recommended a contract clause addressing reimbursement of expenses to the Village in the event the contract is not renewed after the initial five (5) year term. Council discussion ensued. Council directed staff to insert a clause providing for the return of amortized expenses if the contract is not renewed after the initial five (5) year term. Council elected to omit provisions for a helicopter landing site from the contract but directed staff to assist the District in the identification of potential locations.

Mr. Koconis also reported on two recently received permit applications involving temporary closure of U.S. 1, noting that each application was submitted with less than seven days' notice from the closure date. Village Attorney James White explained the general protocols for road closures and coordination with the Florida Department of Transportation (FDOT). Council discussion ensued. Cheryl Culberson notified Council that FDOT had already noticed the temporary closures. Mr. Koconis confirmed receipt of required indemnification and hold harmless agreements and insurance documents. Council agreed to approval of the permits, and expressed interest in amending the Village's permit application policy to mirror the FDOT's fourteen-day submission requirement.

Mr. Koconis advised Council that the Village needs to nominate a new Florida Keys National Marine Society Water Quality Protection Program Committee delegate to replace former Mayor Michael Reckwerdt. Council discussed appointing either Councilman Mike Forster or Councilman Dave Purdo but decided to wait until the Village's subcommittee representative, Environmental Planner Susan Sprunt, could provide more information regarding the position's responsibilities.

Mr. Koconis announced Monroe County is meeting Friday, April 26, 2013, to discuss solid waste services in unincorporated areas. The County is considering a proposal for consolidating haul-out of solid waste from Keys. Local governments have been invited and one of the speakers is an individual that writes RFP's independently. Village Manager Koconis volunteered to attend the meeting. Council agreed that the Manager should attend the meeting as to keep abreast of the Counties plans for solid waste. John Sutter spoke in favor of having an independent RFP written. Mayor Philipson opened public comment; no public comment was offered. Council gave direction to move forward with having the solid waste RFP independently written.

VIII. CONSENT AGENDA

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| A. Proposed Adoption of 2013 Islamorada Affordable Housing Property Inventory List | TAB 2 |
| B. Proposed Resolution Approving the First Amendment to the Affordable Housing Agreement between Islamorada, Village of Islands and H & C Islander Resort, LLC ("The Islander Resort") | TAB 3 |
| C. Resolution Approving an Amendment to the Loan Agreement By and Between Islamorada, Village of Islands and Suntrust Equipment Finance & Leasing Corp. | TAB 4 |

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

IX. ORDINANCES

A. First Reading – Ordinance Creating Registration for Real Property Mortgages in Default TAB 5

Village Attorney James White read the title of the ordinance. Village Manager Ed Koconis presented the staff report, advising Council that staff would present a proposed agreement to Council on second reading of the ordinance. Mayor Philipson called for public comment. Larry Barr recommended Council not become overly restrictive in enforcing distressed real properties. Cheryl Culberson noted that residences in foreclosure can still be occupied. Vice Mayor Ted Blackburn offered a motion to approve. Councilwoman Deb Gillis seconded the motion. The motion passed 5-0.

X. QUASI-JUDICIAL

No quasi-judicial items were presented.

XI. RESOLUTIONS

A. Resolution Establishing Audit Committee TAB 6

Village Attorney James White read the title of the resolution. Finance Director Maria Aguilar presented the staff report. Councilman Dave Purdo inquired whether the Village is legally obligated to include a Council member on the Committee. Ms. Aguilar stated that the Florida Statutes only require that a Committee be established and that the Government Finance Officers Association recommends members of management, e.g. staff, not serve on the committee. Council discussion ensued.

Mayor Philipson called for public comment; there was none.

Councilman Mike Forster made a motion to amend the resolution to change the Committee composition to still include a Council representative but change the number of additional members from three (3) to four (4), and approve as amended. Councilwoman Deb Gillis seconded the motion. Council voted and the motion passed 4-1, with Councilman Purdo dissenting. Council appointed Vice Mayor Ted Blackburn to the Committee as the Council representative. Councilman Mike Forster nominated James Grainger, Jason Katerino and Dick Haygood as Committee Members. Council concurred and approved Ms. Aguilar as Committee Liaison.

XII. MOTIONS

No additional motions were made.

XIII. WASTEWATER MATTERS

A. Wastewater Project Update TAB 7

Wade Trim Vice President Tom Brzezinski presented an update to Council. Mayor Ken Philipson expressed satisfaction with the report and Reynolds Water Islamorada’s project progress.

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Village Legal Services – Councilman Mike Forster

Noting the assignment delegated to Councilwoman Deb Gillis' by Council at the February 8, 2013 Village Council Workshop, Councilman Mike Forster requested a date certain for the discussion of Village legal services. Council directed staff to schedule a Village Council Workshop and Special Call Village Council Meeting on Tuesday, June 4, 2013, at 3:00 p.m.

B. Discussion Regarding Staff Salary Increases

Councilman Dave Purdo advocated an across the board pay increase for Village staff. Councilwoman Deb Gillis, Councilman Mike Forster and Vice Mayor Ted Blackburn spoke in support of staff increases but suggested firefighters' salaries be adjusted separately. Mayor Ken Philipson recommended immediate individual increases for undercompensated Village staff rather than an across the board increase. Council discussion ensued.

Mayor Philipson called for public comment. Larry Barr requested Council postpone any decision regarding staff salary increases until budget season. Public Works and Parks & Recreation Director John Sutter suggested to Council that department heads make recommendations to the Village Manager for individual staff increases. Cheryl Culberson recommended staff raises be handled by department heads and the Village Manager rather than Council. Mayor Philipson closed public comment.

Council directed the Village Manager to work with department heads to recommend raises to undercompensated and deserving members of Village Staff, not to exceed \$106,000, and excluding fire fighters, for whom salary increases would be addressed separately. Council directed Finance Director Maria Aguilar to hire a full-time employee to assist the Finance Department with wastewater accounting and to provide administrative assistance to the Village Clerk's office.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

The Village Attorney and Village Manager offered no additional communications.

XVI. ADJOURNMENT

Mayor Ken Philipson offered a motion to adjourn. Councilman Mike Forster seconded the motion. Council voted all in favor. The meeting adjourned at 8:24 p.m.



Ariana S. Lawson
Village Clerk

Approved by the Village Council this 12th day of December, 2013.