



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
May 9, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Ken Philipson called the meeting to order at 5:30 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 and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Barbara Neal led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

Council welcomed Senator Dwight Bullard, 39th District and his Aide Terrell Hall. Senator Bullard updated Council on the two million dollar water project funded for Monroe County in the 2014 budget; and the issues with the Aqueduct Authority and Mayfield Grant he is hoping to address next year. Senator Bullard invited his constituents to attend the Open House at his Cutler Bay office on May 17, 2013 from 9:00 a.m. to 5:00 p.m.

Councilman Dave Purdo appointed Claire Johnson to the Parks and Recreation Citizens' Advisory Committee. He thanked John Sutter and Bob Mitchell for their efforts in securing Pumpout USA's pumpout services for the Village at no charge. Councilman Purdo also thanked Councilman Mike Forster for spearheading the resolution urging the National Park Service to consider recommendations by the Florida Keys Fishing Guides Association with regard to the Draft General Management Plan for Everglades National Park (Tab 9).

IV. PUBLIC COMMENT

Mayor Ken Philipson opened up public comment. Patricia Silver spoke about the first reading of the TDR ordinance. Monroe County Sheriff's Office Captain Corey Bryan reminded Council and the

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public of the May 18, 2013 beach cleanup at Tea Table, Lignum Vitae and Indian Key Fill. 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**

A. Council Discussion of Ad Hoc Planning and Development Services Citizens' Advisory Committee Report to Village Council

TAB 1

Vice Mayor Blackburn expressed his appreciation for the work that went into producing the report but also concern regarding the negative tone and criticisms of staff. Vice Mayor Blackburn agreed that staff should be provided training in how to communicate more effectively. Vice Mayor Blackburn stated the belief that Village staff works with applicants to approve their projects, and acknowledged that there are times when applications cannot be approved due to nonconformity with the Village Code. He stated that it is Council's responsibility to amend the Village Code if necessary, and staff's responsibility to recommend proposed changes to Council. He also suggested forming a Board of Appeals for Planning. City View upgrades will be a tremendous assistance to the public as it will allow them to track their projects on line.

Councilman Purdo opined that the positions of Village Manager and Director of Planning and Building Services comprise too heavy a workload for one individual to carry.

Councilwoman Deb Gillis noted the composition of the Committee by construction industry representatives, suggesting that the report may not reflect a complete cross-section of the community. Councilwoman Gillis acknowledged that revisions to the Land Development (LDR) may be necessary and that Village Code will likely continue to evolve. She agreed on the importance of the City View upgrades, continuing education and additional training for staff. She also noted that it is not uncommon within the Village and in other municipalities to combine positions for financial reasons, as was the case with Mr. Koconis' position.

Councilman Mike Forster opined that lack of leadership in the Planning Department is problematic. He recommended using a portion of the \$160,000.00 general fund overage in the current fiscal year to hire a new Director of Planning and Development Services. Councilman Forster commended the Committee for their comprehensive report and recommended Council take action on the recommendations.

Mayor Ken Philipson recommended staff propose LDR amendments to the Local Planning Agency (LPA) for immediate action. Mayor Philipson suggested a ninety (90) day period to allow the Village Manager/Director of Planning and Development Services Ed Koconis to implement constructive changes in the Planning Department.

Village Manager/Director of Planning and Development Services Ed Koconis expressed agreement with much of the Committee's report. Mr. Koconis stated that he has directed staff to work with applicants to assist applicants in exploring alternatives when their projects cannot be permitted within the parameters of the existing Village Code. He reported that customer service and communication skills training were currently being scheduled for staff and that staff is developing a list of permit types

that may be eligible for expedited or no review. Mr. Koconis stated the belief that the City View upgrades are essential to streamlining the process for staff and the public.

Mayor Philipson called for public comment. David Makepeace acknowledged the Council's difficult position in addressing the Committee's report, and agreed with a ninety (90) period to implement changes. Cheryl Culberson requested the LPA be allowed to address the Committee's suggested LDR changes without interference by Council. David deHaas-Grosbeck stated that he would like to be the Planning Director. Mr. Grosbeck spoke in support of Village staff and stated the Village Code is ambiguous and should be clarified to avoid future litigation. Patricia Silver stated that her interactions with Planning staff were always very professional, but that suggested that a complete rewrite of the LDRS was necessary and that interpretations of the Village Code should be documented for the public. Cheryl Culberson read a prepared statement on behalf of Buddy Wilton regarding Mr. Wilton's recent interactions with Planning Department staff. Dave Boerner reviewed Council's original direction to the Committee with regard to goals and objectives. Mr. Boerner agreed with a ninety (90) period to implement changes. Don Horton, Committee Chair, stated the Committee report reflected the voices of realtors, homeowners, contractors, biologists, landscape architects, etc. Ken Gentes stated the report was entirely based on public comment from Committee meetings. Mayor Philipson closed public comment.

VII. VILLAGE MANAGER REPORTS AND UPDATES

No Village Manager reports or updates were provided.

VIII. CONSENT AGENDA

A. Minutes:

TAB 2

March 28, 2014 Special Call Village Council Meeting
Executive Session (Case No. 12-AP-8-P)

April 3, 2013 Special Call Village Council Meeting
Executive Session (Case No. 07-CA-582-P)

April 3, 2013 Special Call Village Council Meeting
Executive Session (Case No. 07-CA-583-P)

Councilwoman Deb Gillis offered a motion to approve the consent agenda. Councilman Mike Forster seconded the motion. Mayor Ken Philipson called for all in favor. All present voted and the motion passed 4-0, with Councilman Dave Purdo absent for the vote.

IX. ORDINANCES

A. Second Reading – Ordinance Creating Registration for Real Property Property Mortgages in Default

TAB 3

Village Attorney James White read the title of the ordinance. Village Manager Ed Koconis presented the staff report to Council. Tom Darnell, Federal Property Registration Corp., confirmed that no additional fees would be charged to the Village outside of those outlined in the proposed agreement.

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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. Council voted and the motion passed 5-0.

X. QUASI-JUDICIAL

No quasi-judicial items were presented.

XI. RESOLUTIONS

- A. Resolution Approving Agreement with Federal Property Registration Corp. to Provide Services Related to the Registration of Distressed Real Property** **TAB 4**

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

- B. Resolution Approving a Portion of the Residential Building Permit Allocation System Ranking and Awards: Quarter 2 of 2013** **TAB 5**

Village Attorney James White read the title of the ordinance. Assistant Director of Planning 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; Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

- C. Resolution Approving Nonresidential Building Permit Allocation System Ranking and Awards: Quarter 2 of 2013 (Closed Noon on April 30, 2013)** **TAB 6**

Village Attorney James White read the title of the ordinance. Assistant Director of Planning Cheryl Cioffari presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Eric Halter, Net-Five Islamorada responded to concerns voiced by Mayor Philipson regarding property maintenance, assuring Council of plans to proceed with the development. Councilman Mike Forster offered a motion to approve; Vice Mayor Ted Blackburn seconded the motion. Council voted and the motion passed 5-0.

- D. Resolution Approving Proposed Settlement Agreement in the Case of Gary Zaret and Jeanne Zaret, v. Islamorada, Case No. 12-AP-8-P, 16th Judicial Circuit, Monroe County, FL** **TAB 7**

Village Attorney James White read the title of the resolution and presented the staff report to Council. Mayor Ken Philipson opened public comment; there was none. Councilman Mike Forster offered a motion to approve; 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

Wastewater Program Manager Greg Tindle presented the update to Council. Mr. Tindle advised Council that the draft pavement evaluation is complete and currently being reviewed. He announced a design meeting scheduled for May 30, 2013 and a pre-construction meeting for South Plantation Key, excluding Venetian Shores on, June 12, 2013. Mr. Tindle also reported that the phase I and II environmental assessment is complete for the vacuum pump station property on Middle Plantation Key.

Vice Mayor Ted Blackburn called for public comment. Larry Barr advised Council that someone in the public is providing erroneous cost quotes for grinder pumps and requested the Village provide a list of qualified providers for the public. Mayor Ken Philipson closed public comment.

B. Resolution Approving A Letter Agreement between Government Services Group, Inc. and Islamorada, Village of Islands to Provide Services for the Development and Implementation of the Village's Phase II Wastewater Assessment for the Remaining Service Area **TAB 8**

Village Attorney James White read the title of the ordinance. Wastewater Program Director Greg Tindle presented the staff report to Council. Mayor Ken Philipson called for public comment; there was none. Councilwoman Deb Gillis offered a motion to approve; Vice Mayor Ted Blackburn seconded the motion. Council voted and the motion passed 5-0.

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding the Everglades National Park Draft General Management Plan (GMP) – Councilman Purdo and Councilman Forster

Councilman Mike Forster stated that the Draft General Management Plan would be detrimental to the business of backcountry fishing guides and the charter boat industry. Mayor Ken Philipson called for public comment. Larry Barr recommended Council support the position of local backcountry fishing guides. Mayor Philipson closed public comment.

B. Resolution Urging the National Park Service to Consider the Florida Keys Fishing Guides Association Recommendations for Inclusion in the General Management Plan for Everglades National Park **TAB 9**

Village Attorney James White read the title of the resolution. Councilman Mike Forster offered a motion to approve; Councilman Dave Purdo seconded the motion. Council voted and the motion passed 5-0.

Vice Mayor Ted Blackburn announced that Gordon Hadley will be leaving town and therefor stepping down from the Local Planning Agency (LPA). Vice Mayor Blackburn appointed Dennis Ward as Mr. Hadley's replacement.

Vice Mayor Blackburn voiced concern regarding Sea Oats Beach being used as a recreational area and inquired into the possibility of designating it an official turtle nesting area. Public Works and Parks & Recreation Director John Sutter advised Council that staff is investigating options to address the issue.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Update on Staff Salary Increases

Village Manager Ed Koconis requested Council authorize the transfer of \$66,000 out of \$106,000 to the Village Manager's budget for staff salary increases, \$6,000 of which would be used for training. Council unanimously authorized the transfer.

B. Update on CityView 2012 Enterprise Application Upgrade

Village Manager Ed Koconis updated Council on the CityView data migration and the digitization of archival documents to be uploaded into OnBase.

There were no Village Attorney communications.

Councilwoman Deb Gillis reminded the public about an upcoming Village-wide clean-up event sponsored by the Islamorada Moose Lodge, for which volunteers are needed.

XVI. ADJOURNMENT

Council Dave Purdo offered a motion to adjourn; Councilman Mike Forster seconded the motion. Council voted all in favor. The meeting adjourned at 8:17 pm.



Ariana S. Lawson
Village Clerk

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