



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Wednesday, October 23, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

Mayor Ted Blackburn led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

A. Presentation to Winning Students in the Islamorada City Government Week Art and Essays Contest

Mayor Ted Blackburn and Vice Mayor Ken Philipson presented ribbons to Plantation Key School third graders Bernadine Bates and Sheily Gongora for their first and second place artwork submissions.

B. Presentation of Certificates of Appreciation for Participation in Islamorada City Government Week

Mayor Ted Blackburn and Vice Mayor Ken Philipson presented certificates to Treasure Village Montessori School fifth grader Bethany Norling and Plantation Key School fifth grader Ali Woltanski for their first place essay submissions.

Mayor Blackburn and Vice Mayor Philipson also thanked Plantation Key School Principal Lisa Taylor and Treasure Village Montessori School Principal Kelly Mangel; Treasure Village fifth grade teachers Anne Osborne and Jen Karley; Plantation Key School fifth grade teacher Nancy Ramsdorf and third grade teachers Donna Brinkman and Cheryl Carter for their coordination and participation in City Government Week activities.

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C. Proclamation – Community Planning Month (Mayor Ted Blackburn)

Mayor Blackburn read and presented the Proclamation to Planner Jay Berenzweig.

D. Proclamation – Art McKee Day (Councilman Ken Philipson)

Councilman Ken Philipson read the Proclamation and presented it to representatives of the History of Diving Museum.

Mayor Ted Blackburn announced that the Coral Shores Hurricanes will be playing in the quarterfinals of the Southeastern Football Conference Playoffs championship bracket on Thursday, October 24, 2013 at 7:00 pm.

Mayor Blackburn opened public comment. Sally Bauer, Islamorada, encouraged the Village Council not to close the Wheel Ditch. Mayor Blackburn closed public comment.

E. Presentation by David Dipre, Florida Fish & Wildlife Conservation Commission, Regarding Wheel Ditch South of Robbie's of Islamorada

The presentation was postponed to the November 11, 2014 Regular Village Council Meeting.

III. PUBLIC COMMENT

Mayor Ted Blackburn called for public comment. Van Cadenhead commented regarding the rescheduling of the October 24, 2013 Regular Village Council Meeting to October 23, 2013. Paul Bates congratulated Mayor Blackburn on his recent election. Mayor Blackburn closed public comment.

IV. AGENDA: Request for Deletion / Emergency Additions

There were no additions or deletions to the agenda.

V. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Near Shore Water Quality Citizens' Advisory Committee Update (Chairperson Bob Mitchell)

No Committee update was given.

B. Proposal Evaluation, Rankings and Recommendations of the Ad Hoc Solid Waste Services Citizens' Advisory Committee (Chairperson Dave Boerner)

Committee Chairperson Dave Boerner presented the staff report, recommending that Council accept the proposal submitted by Advanced Disposal Services, as is.

Mayor Blackburn called for public comment. David Makepeace encouraged Council to accept Advanced Disposal Services' Proposal and move forward with contract negotiation. Van Cadenhead suggested Council re-advertise the Request for Proposals. Frank Hawkins, Joe LePree, Randy Selden, Gary Musselman, Rob Sturber, Joyce Musselman and Jack Niedbalski spoke in support of Advanced Waste Disposal. Committee Chairperson Dave Boerner summarized the two (2) "No Proposal" responses received prior to the RFP closing deadline. Mayor

Blackburn advised the public that Council would be voting on the proposed contract at the November 14, 2013 Regular Village Council Meeting. Mayor Blackburn closed public comment.

VI. VILLAGE MANAGER REPORTS AND UPDATES

No Village Manager Report was given.

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

September 11, 2013 Special Call Village Council Meeting
(Wastewater Collection System Design Alternatives)

September 11, 2013 Special Call Village Council Meeting
(First Budget Hearing)

September 18, 2013 Village Council Workshop
(Hotel Redevelopment to Provide Bathrooms)

September 18, 2013 Special Call Village Council Meeting
(Final Budget Hearing)

September 18, 2013 Village Council Workshop
(Village Attorney Recommendation Committee Report)

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

IX. ORDINANCES

A. Ordinance Amending Village Charter Regarding Change of Date of Annual Election of Mayor and Vice Mayor

TAB 2

Village Attorney Nina Boniske read the title of the ordinance. Councilman Ken Philipson delivered the report to Council. Councilman Mike Forster, Councilman Dave Purdo, Vice Mayor Deb Gillis and Mayor Ted Blackburn expressed their disagreement with the proposed ordinance. Councilwoman Gillis cited statistical information provided by the Florida League of Cities as to how and when similarly organized municipal governments elect their Councils and Mayors. Mayor Blackburn opened public comment. Dave Boerner spoke against the proposed ordinance. Mayor Blackburn closed public comment. Councilman Philipson withdrew the proposed ordinance from consideration.

X. QUASI-JUDICIAL

No quasi-judicial items were presented for consideration.

XI. RESOLUTIONS

A. Resolution Establishing the Islamorada Youth Council

TAB 3

Village Attorney Nina Boniske read the title of the resolution. Public Works and Parks & Recreation Director John Sutter presented the report to Council. Mayor Ted Blackburn spoke in support of the proposed resolution. Councilman Ken Philipson also expressed his approval of the proposed resolution, but suggested that the methodology for developing the composition be revised for the following year's activities. Discussion ensued regarding member composition and initial student selection. Council agreed to amend the resolution to have Coral Shores High School nominate three (3) Youth Council members and have Island Christian School nominate two (2) Youth Council members for approval by the Village Council.

Councilman Ken Philipson offered a motion to approve the resolution, as amended. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

B. Proposed Professional State Lobbying Services Agreement w/Capitol Insight, LLC

TAB 4

Village Attorney Nina Boniske read the title of the resolution. Village Manager Ed Koconis delivered the staff report to Council. Councilman Dave Purdo offered a motion to approve the resolution. Vice Mayor Deb Gillis seconded the motion. Council voted and the motion passed 5-0.

XII. MOTIONS

Vice Mayor Deb Gillis requested the Private Roads agenda item (Agenda Item XIV.A) be heard in this section. Vice Mayor Gillis suggested informational letters be mailed out to homeowners and businesses. Council discussion ensued. Council requested the subject be revisited at a subsequent Council Meeting in November or December 2013.

Vice Mayor Deb Gillis also requested the Update on RESTORE Act Funding (Agenda Item XV.A) be heard in this section; Council agreed. Finance Director Maria Aguilar summarized a handout provided to Council entitled "RESTORE Act Update," dated October 23, 2013. Vice Mayor Gillis expressed the desire to see additional applications submitted by the Village for other types of projects, should the opportunity arise. Village Attorney Nina Boniske commented on pending BP Deepwater Horizon litigation and how the results might impact potential RESTORE Act funding. Councilman Mike Forster updated Council on his and Environmental Planner Susan Sprunt's efforts to partner with Mouny County on canal restoration efforts. Vice Gillis requested staff forward copies of any RESTORE Act communications received to Council.

XIII. WASTEWATER MATTERS

A. Wastewater Project Update

TAB 5

Wade Trim, Inc. Vice President Tom Brzezinski delivered the update to Council.

Mayor Ted Blackburn opened public comment. Larry Barr inquired whether a decision had been made regarding installation of a bike path on Sunshine Boulevard. Mr. Barr recommended the west side of the street. Joe Robinson

requested Councilman Mike Forster discuss with him how Monroe County is handling grinder pumps in Cudjoe Key. Councilman Forster agreed to speak with Mr. Robinson privately. Mr. Robinson also inquired regarding Wade Trim's evaluation of dual pump system alternatives. Mr. Brzezinski advised him that Wade Trim's investigation into dual pump alternatives determined them to be quite a bit more expensive and permitting intensive than grinder pumps. He advised Council that this information would be provided in the next few weeks. Mr. Robinson opined on the dangers of Wheel Ditch, suggesting to Council that the area be made a no-motor zone. Van Cadenhead inquired regarding failing vacuum pits. Buddy Pinder noted that easements are moving along well. Mayor Blackburn closed public comment.

- B. A Resolution Approving the Purchase and Sale Agreement between Islamorada, Village of Islands, Richard C. Webster, Jr. Trust for the Acquisition of Property Consisting of Lots 1, 2 and 2A, Block A, White Marlin Beach, Islamorada** **TAB 6**

Village Attorney Nina Boniske read the title of the resolution. Wastewater Program Manager Greg Tindle presented the staff report to Council. Councilman Dave Purdo suggested Council consider expanding the office space at the pump station site. Mayor Blackburn called for public comment. Van Cadenhead opined that the purchase price for the property is too high. Larry Barr expressed concern over the cost of easements. Buddy Pinder spoke in support of the property acquisition. Mayor Blackburn closed public comment.

Councilman Dave Purdo offered a motion to approve the resolution. Vice Mayor Deb Gillis seconded the motion. Council voted and the motion passed 5-0.

- C. Resolution Approving Line of Credit Agreement with STI Institutional and Government, Inc. in an Amount Not to Exceed \$10 Million for the Wastewater Project** **TAB 7**

Village Attorney Nina Boniske read the title of the resolution. Finance Director Maria Aguilar presented the staff report to Council. Councilman Philipson noted the favorable interest rate. Mayor Ted Blackburn reminded Council of the need for a bridge loan as both the Village's State Revolving Fund Loan and Mayfield Grant are reimbursement based. Mayor Blackburn opened public comment. Van Cadenhead commented regarding the Village's total outstanding debt. Mayor Blackburn closed public comment.

Vice Mayor Deb Gillis offered a motion to approve the resolution. Councilman Ken Philipson seconded the motion. Council voted and the motion passed 5-0.

XIV. MAYOR / COUNCIL COMMUNICATIONS

- A. Consideration of Accepting Requests to Dedicate Private Roads to Village.**

Item discussion occurred under Agenda Item XII. Motions, at the request of Vice Mayor Deb Gillis.

- B. Discussion Regarding Proclamation for Ron Levy Day (Mayor Blackburn)**

Mayor Ted Blackburn commented on the recent passing of Mayor Emeritus Ron Levy, and advised the public that Council and staff are preparing a proclamation to honor Mayor Emeritus Levy. Councilman Mike Forster requested Council discuss during the November 14, 2013 Regular Village Council Meeting naming an element of Founders Park after Mayor Emeritus Levy.

Councilman Dave Purdo requested Council consider moving the bike lane/path along the Old Road on Middle Plantation Key to the ocean side. Council directed staff to move forward accordingly, as long as there would be no impact in cost to the wastewater project.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Update on RESTORE Act Funding

Discussion regarding RESTORE Act funding occurred under Agenda Item XII. Motions, at the request of Vice Mayor Deb Gillis.

Village Attorney Nina Boniske requested an executive session in the case of: Richard Gretzner and Daryk Wilmoth, Plaintiffs v. IVOI, a Florida municipality, Defendant, Case No. 13-CA-972-P [L.T. MN-13-01] in the Circuit Court of the 16th Judicial Circuit in and for Monroe County, Florida.

Ms. Boniske also requested Council direction regarding a request by special legal counsel Bryant, Miller & Olive, P.A. for a waiver of conflict and consent for representation by SunTrust Bank and STI Institutional and Government, Inc., a SunTrust subsidiary, in two (2) non-Village transactions unrelated to the agenda item contained in Tab 7 of this Agenda. Councilman Mike Forster offered a motion to waive the conflict and to consent to the representation detailed in Bryant, Miller & Olive, P.A.'s request. Councilman Ken Philipson seconded the motion. Council voted and the motion passed 5-0.

XVI. ADJOURNMENT

Councilman Dave Purdo offered a motion to adjourn. Councilman Ken Philipson seconded the motion. Council voted all in favor and the motion adjourned at 8:34 pm.



Ariana S. Lawson
Village Clerk

Approved by the Village Council this 10th day of April, 2014.