



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
Thursday, November 14, 2013
5:30 PM**

I. CALL TO ORDER / ROLL CALL

Mayor Ted Blackburn called the meeting to order at 5:47 p.m. 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 Attorneys Nina Boniske and James White, Village Clerk Ariana Lawson, Finance Director Maria Aguilar, Monroe County Sheriff's Office Captain Corey Bryan, Assistant Planning Director Cheryl Cioffari, Environmental Planner Susan Sprunt, Islamorada Fire Chief Terry Abel, Wastewater Program Manager Greg Tindle and all other appropriate personnel.

II. PLEDGE OF ALLEGIANCE

Mayor Ted Blackburn presented an honorary gavel to former Mayor and current Councilman Ken Philipson to thank him for his services as Mayor.

Councilman Ken Philipson led the Pledge of Allegiance.

III. PRESENTATIONS AND ANNOUNCEMENTS

- A.** Proclamation of All Elected Officials Since the Incorporation of Islamorada, Village of Islands, in Tribute to Ron Levy and His Legacy

Each Councilmember read portions of the proclamation. Mayor Ted Blackburn presented the proclamation to Beth Kamenstein, wife of the late Mayor Emeritus Ron Levy.

Mayor Ted Blackburn called for public comment. Carolyn Wightman recommended naming Ron Levy Aquatic Center. Council agreed. Mayor Blackburn closed public comment.

- B.** Proclamation – Visiting Nurse Association and Hospice of the Florida Keys Home Care and Hospice Month (Kim Sovia-Crandon, Visiting Nurse Association and Hospice of the Florida Keys, Inc.)

Councilman Dave Purdo read the proclamation and presented it to Kim Sovia-Crandon of the Visiting Nurse Association and Hospice of the Florida Keys, Inc.

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Vice Mayor Deb Gillis read a proclamation recognizing the 40th Anniversary of the Guidance/Care Center in the Florida Keys and presented it to Debbie Mathews, Guidance/Care Center, Inc.

- C. Presentation by Jennifer George-Nichol, Monroe County Director for Congressman Joe Garcia, Regarding Efforts to Address Flood Insurance Rates

Jennifer George-Nichol summarized Congressman Joe Garcia's recent efforts regarding flood insurance rates. Councilman Mike Forster suggested future discussion by Council of the possibility of tolls on U.S. 1 in Monroe County.

- D. Presentation by Florida Fish & Wildlife Conservation Commission, Regarding Wheel Ditch South of Robbie's of Islamorada (Captain David Dipre, FWC)

The presentation was postponed to the December 14, 2013 Regular Village Council Meeting.

- E. Presentation and Update by AMEC Regarding Canal Restoration Project (Wendy Blondin, AMEC)

Wendy Blondin, AMEC Environment & Infrastructure, Inc. delivered a presentation to Council on the proposed Canal Restoration Project. Environmental Planner Susan Sprunt answered questions of Council regarding the project.

- F. Presentation Regarding the 2014 Toys for Tots Campaign (Captain Michael Biggie, Beards & Grins for the Boys & Girls)

Captain Michael Biggie reported to Council that last year the Toys for Tots Campaign supplied toys to 2,200 children in the Florida Keys. Captain Biggie stated that toys can be dropped off at fire stations and many local businesses, including the Ocean View Pub & Inn.

IV. PUBLIC COMMENT

Mayor Ted Blackburn called for public comment. Public comment was received by Larry Barr, John McLaughlin and Van Cadenhead. James Lee expressed concern over perceived safety hazards at foreclosed property at 122 Columbus Drive. Stan Margulies, John Cooper, Doug Rabe and David Giardino urged Council to move Wastewater Matters to the beginning of the agenda. Mr. Cooper and Mr. Rabe also commented on the timing of wastewater construction in Venetian Shores now that a final summary judgment has been issued in the Bellizzi case. Steve Kurtz expressed satisfaction with the performance of Reynolds Water Islamorada. Mayor Ted Blackburn closed public comment.

V. AGENDA: Request for Deletion / Emergency Additions

There were no emergency additions or deletions.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A. Local Planning Agency Update (Chairperson John Fernandez)

Chairperson John Fernandez presented the Local Planning Agency update to Council.

At Mayor Ted Blackburn's request, Water Quality Improvement Citizens' Advisory Committee Chairperson David Makepeace provide Council with a Committee update.

B. Parks and Recreation Citizens' Advisory Committee Update (Chairperson Carolyn Wightman)

Chairperson Carolyn Wightman presented the Committee update to Council.

VII. VILLAGE MANAGER REPORTS AND UPDATES

A. Hotel Redevelopment Update

Village Manager Ed Koconis advised Council that staff is drafting an amendment to the Village Code for consideration by the Local Planning Agency.

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. Resolution Approving the Top Ten (10) Demonstration Canal Projects in Rank Order By Technology Group as Recommended by the FKNMS Water Quality Protection Program Canal Restoration Advisory Subcommittee **TAB 1**

B. Resolution Providing a Final Determination of the Non-Service Area of the Village-Wide Wastewater Collection and Transmission System **TAB 2**

Mayor Ted Blackburn called for public comment; there was none. Councilman Mike Forster offered a motion to approve the Consent Agenda. Councilman Dave Purdo seconded the motion. Council voted and the motion passed 5-0.

IX. ORDINANCES

A. Second Reading – Text Amendment to Policy 1-2.4.7 “Limit Transient Rental Use of Residential Properties” of the Islamorada, Village of Islands, Comprehensive Plan **TAB 3**

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

X. QUASI-JUDICIAL

A. Application for Major Conditional Use (MJ-13-01) by 81001 Overseas Highway, LLC **TAB 4**

Village Attorney James White read the quasi-judicial statement and the title of the resolution. Council disclosed all ex-parte communications. Village Clerk Ariana Lawson administered the quasi-judicial oath and swore in the witnesses. Assistant Planning Director Cheryl Cioffari delivered the staff report.

Private Attorney Patricia Silver delivered a report to Council on behalf of the Applicant. Bruce Carlson displayed a large view of the previously approved site plan from two years ago (Applicant's Exhibit A; no copies provided to Council), comparing it to the current proposed site plan. Ms. Silver distributed a Parking Reduction Study by Kimley-Horn and Associates, Inc. (Applicant's Exhibit B).

Councilman Purdo requested Council consideration of the quasi-judicial item be postponed until the December 12, 2013 Regular Village Council Meeting to allow sufficient time for review of recently submitted plan revisions. Discussion ensued between the Council and the Applicant. Ms. Silver opined that the plan can be approved without a variance. Ms. Cioffari requested and received clarification of the Applicant's intent to proceed with the revised plans dated November 7, 2013 and submitted to Village staff on November 13, 2013, along with an application for a site variance.

Mayor Ted Blackburn called for public comment. The following witnesses gave public comment in opposition to the quasi-judicial item: Don Achenberg, Mike Lucas, Patrick Dodson, Joni Schank, John Caldwell, Marion Arin-Spinrad, Jeffrey Schocker, Nicholas W. Mulich and Bob Johnson. Mayor Blackburn closed public comment.

Vice Mayor Deb Gillis offered a motion to defer the quasi-judicial item for Council consideration at the January 9, 2013 Regular Village Council Meeting. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

XI. RESOLUTIONS

- A. Resolution Approving Nonresidential Building Permit Allocation System Ranking and Awards: Quarter 4 of 2013 (Closed Noon on October 31, 2013) **TAB 5****

Village Attorney James White read the title of the resolution. Assistant Planning Direction Cheryl Cioffari delivered the staff report to Council. Mayor Ted Blackburn called for public comment. Dave Boerner commented on the effects of the Building Permit Allocation System on small businesses and encouraged the Local Planning Agency to consider modifying the system; Councilman Ken Philipson agreed. Mayor Blackburn closed public comment. Vice Mayor Deb Gillis offered a motion to approve the resolution. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

- B. BPAS Allocation Distribution for 2014 **TAB 6****

Village Attorney James White read the title of the resolution. Assistant Planning Direction Cheryl Cioffari delivered the staff report to Council. Mayor Ted Blackburn called for public comment; there was none. Vice Mayor Deb Gillis offered a motion to approve the resolution. Councilman Dave Purdo seconded the motion. Council voted and the motion passed 5-0.

- C. Resolution Awarding an Exclusive Franchise to Advanced Disposal Services Solid Waste Southeast, Inc., and Approving an Agreement for Residential and Commercial Solid Waste, Yard Waste and Recycling Collection and Disposal Services (Excluding Commercial Recycling and Roll-off Services) **TAB 7****

Village Attorney James White read the title of the resolution. Finance Director Maria Aguilar delivered the staff report to Council. Councilman Ken Philipson inquired whether Advanced Disposal would consider a five-year contract with two (2) five-year renewal options. Bruce Williams, General Manager for Advanced Disposal Services, stated that the company would not consider the proposed alternative. Mayor Ted Blackburn called for

public comment; there was none. Vice Mayor Deb Gillis offered a motion to approve the resolution. Councilman Mike Forster 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

TAB 8

Wastewater Program Manager Greg Tindle and Wade Trim Vice President Tom Brzezinski presented the project update to Council. Mayor Ted Blackburn called for public comment. Public comment was received by Van Cadenhead and Buddy Pinder. Mayor Blackburn closed public comment.

B. Upper and Northern Lower Matecumbe Key, Windley Key, and Plantation Key Duplex Pump Station Alternative Evaluation

TAB 9

Wastewater Program Manager Greg Tindle presented the project update to Council. Mayor Ted Blackburn called for public comment. Public comment was received by Larry Barr. Mayor Blackburn closed public comment.

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion and Direction Regarding Acceptance of Private Roads (Village Council)

Mayor Ted Blackburn initiated Council discussion and called for public comment. Stan Margulies inquired what the effect would be on Venetian Shores. Further Council discussion ensued. Village Manager Ed Koconis suggested revisiting the subject in January 2014. Council agreed.

B. Discussion and Direction Regarding Dedication of Founders Park Facility to Mayor Emeritus Ron Levy (Village Council)

No further discussion occurred, as the subject had been previously discussed under Section III. Presentations and Announcements of the Agenda.

C. Discussion Regarding Beach Road Trip Weekend Event (Councilman Ken Philipson)

Councilman Ken Philipson invited the event's coordinators to address the noise complaints registered against them. Council and the applicant discussed planning for subsequent years' events, including selection of non-residential locations, parking and solid waste collection. Mayor Ted Blackburn called for public comment. Public comment was received by Van Cadenhead. Mayor Blackburn closed public comment.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Village Manager Ed Koconis summarized an upcoming Community Development Block Grant (CDBG) funding opportunity. Council directed staff to submit a CDBG grant application.

XVI. ADJOURNMENT

Councilman Dave Purdo offered a motion to adjourn. Councilman Ken Philipson seconded the motion. The motion passed 5-0. The meeting adjourned at 9:48 p.m.



Ariana S. Lawson
Village Clerk

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