



TOWN COUNCIL MEETING

SEPTEMBER 28, 2010

ORCHID ISLAND GOLF AND BEACH CLUB, ORCHID, FLORIDA

AGENDA ITEM #1 – CALL TO ORDER AND ROLL CALL

MAYOR DUNLOP CALLED THE MEETING TO ORDER AT 9:00 AM

PRESENT:

MAYOR RICHARD DUNLOP
VICE-MAYOR SUE JOYCE
COUNCILMEMBER BILL TROXELL
COUNCILMEMBER BUD OATWAY, VIA TELEPHONE
COUNCILMEMBER PAUL JOHNSON, VIA
TELEPHONE

STAFF IN ATTENDANCE:

DEB C. BRANWELL, TOWN MANAGER
TERRI WALLACE, TOWN CLERK
KIMBERLY KOPP, ASST TOWN ATTORNEY,
VIA TELEPHONE

AT THE BEGINNING OF THE MEETING, MAYOR DUNLOP TOOK THE OPPORTUNITY TO INTRODUCE MESSRS GEORGE ALLEN AND BOB LYLES REPRESENTING MARSH ISLAND.

AGENDA ITEM #2 – TOWN COUNCIL MATTERS

A. CONSIDER ACCEPTANCE OF CONSENT FORMS FROM MDIC

MAYOR DUNLOP CONVEYED TO THE COUNCIL AND AUDIENCE THAT THE REPRESENTATIVES OF MARSH ISLAND HAD DELIVERED TWENTY-FOUR (24) OUT OF TWENTY-EIGHT (28) CONSENT FORMS FROM THE PROPERTY OWNERS OF MARSH ISLAND REQUESTING ANNEXATION INTO THE TOWN OF ORCHID. UNDER FLORIDA STATUTES, IF MORE THAN FIFTY-ONE (51%) PERCENT OF THE PROPERTY OWNERS SUBMIT CONSENT, THE TOWN THEN CONSIDERS THE REQUEST. AS AN INDUCEMENT TO ANNEXATION, MARSH ISLAND IS OFFERING PROPERTY TO THE TOWN OF ORCHID TO LOCATE A TOWN ADMINISTRATIVE FACILITY FOR A COST OF \$25,000. ALSO, MARSH ISLAND WILL REIMBURSE THE TOWN THE \$25,000 IF THE TOWN SUCCESSFULLY PROCURES THE PROPERTY NEXT TO THE 510 BRIDGE AND INDIAN RIVER LAGOON. MARSH ISLAND HAS ALSO REQUESTED A VARIANCE ON THE PROPERTY TO THE WEST OF THE ENTRANCE THAT IS CURRENTLY ZONED R-4. MARSH ISLAND HAS ALSO ASKED FOR A WALKWAY FROM THE PARKING AT THE TOWN FACILITY TO THE MARINA. LASTLY, THEY HAVE ASKED THE CONSTRUCTION OF THE TOWN FACILITY BE IN KEEPING WITH THE CONSTRUCTION WITH THE HOMES ON MARSH ISLAND.

THE MAYOR CONTINUED ON TO OUTLINE THE ANNEXATION PROCESS AND PRESENTED A TIMELINE, PREPARED BY THE TOWN MANAGER, AS DESCRIBED AS ADMITTEDLY AGGRESSIVE.

***MAYOR DUNLOP MOVED TO RECEIVE THE CONSENT FORMS FROM MDIC.
COUNCILMEMBER TROXELL SECONDED THE MOTION.***

MAYOR DUNLOP THEN OPENED THE FLOOR FOR COUNCIL DISCUSSION. VICE-MAYOR JOYCE WAS INTERESTED IN WHETHER OR NOT THE INTERLOCAL SERVICE BOUNDARY AGREEMENT STAND DOWN WAS STILL VIABLE AND IT IS NOT. THE MAYOR THEN EXPLAINED THE DIFFERENCE BETWEEN VOLUNTARY AND INVOLUNTARY ANNEXATION. THE CONVERSATION CONTINUED ON TO ADDRESS THE TOWN OF ORCHID'S RESPONSIBILITIES TOWARD MARSH ISLAND AND THOSE INCLUDE: PLANNING AND ZONING, TRASH COLLECTION (AS PER CURRENT MI CONTRACT), AND STREET LIGHT MAINTENANCE. ALSO, MARSH ISLAND DOES COMPLY WITH EXISTING COUNTY CODE AND IS VERY COMPATIBLE TO ORCHID'S.

THE MAYOR THEN OPENED THE DISCUSSION TO THE AUDIENCE AND ASKED IF MESSRS ALLEN AND LYLES HAD ANYTHING TO FURTHER STATE. MR. ALLEN THANKED THE MAYOR AND COUNCIL AND BOTH MEN DECLINED TO MAKE FURTHER COMMENT.

MRS. TRISH JOAQUIM WANTED TO STRESS THE PROCESS OF INFORMING THE RESIDENTS OF ORCHID ON THE ANNEXATION PROCESS AND THE NEED FOR A TOWN HALL. THE MAYOR STATED HE HAS CRAFTED AN INFORMATIVE LETTER FOR DISTRIBUTION. ALSO, THE MAYOR WILL DISTRIBUTE THE BUDGET IN BRIEF, NEXT WEEK, AND WILL INCLUDE THE 'REASONS FOR A TOWN.'

COUNCILMEMBER OATWAY QUESTIONED THE ANNEXATION TIMELINE AND THE MAYOR STATED HE HAD AN ADJUSTMENT TO THE TIMELINE.

MR. WAYNE PALMER INQUIRED AS TO HOW MUCH MONEY IS SAVED BY BEING A TOWN. THE MAYOR ANSWERED THAT BY BEING IN THE TOWN, AS OPPOSED TO UNINCORPORATED INDIAN RIVER COUNTY, EACH RESIDENT SAVES \$1,060 PER MILLION OF ASSESSED VALUATION.

A SPIRITED DISCUSSION CONTINUED BETWEEN COUNCILMEMBERS ON THE DESIRABILITY OF A TOWN FACILITY WITHIN THE TOWN LIMITS.

THE MAYOR CALLED FOR A ROLL CALL VOTE:

<i>MAYOR DUNLOP</i>	<u> </u>	<i>AYE</i>
<i>VICE-MAYOR JOYCE</i>	<u> </u>	<i>AYE</i>
<i>COUNCILMEMBER JOHNSON</i>	<u> </u>	<i>NAY</i>
<i>COUNCILMEMBER OATWAY</i>	<u> </u>	<i>AYE</i>
<i>COUNCILMEMBER TROXELL</i>	<u> </u>	<i>AYE</i>

THE MAYOR DECLARED A SUPER MAJORITY VOTE 4 TO 1.

B. GIVE STAFF DIRECTION ON PROCURING A TECHNICAL REPORT

TOWN MANAGER BRANWELL SHARED WITH COUNCIL AND THE AUDIENCE THE BIDS FOR THE TECHNICAL REPORT.

KNIGHT MCGUIRE & ASSOCIATES	\$3,950
KIMLEY-HORN	\$4,250
MBV ENGINEERING	\$4,750
SCHULKE BITTLE & STODDARD	NO BID YET

MS. BRANWELL STATED THAT SHE BELIEVED THE CONTRACT SHOULD BE AWARDED TO KIMLEY-HORN AS THEY HAVE ALREADY PREPARED THIS REPORT FOR MARSH ISLAND, IN THE PAST, HAVE THE REQUIRED MATERIALS AT HAND, AND CAN TURN THIS REPORT AROUND IN THE MOST TIMELY FASHION.

*COUNCILMEMBER TROXELL MOVED TO AWARD THE TECHNICAL REPORT CONTRACT TO
KIMLEY-HORN.
VICE-MAYOR JOYCE SECONDED THE MOTION.*

THE MOTION PASSED 4 TO 1, WITH COUNCILMEMBER JOHNSON VOTING AGAINST.

THE MAYOR THEN STATED TO COUNCIL THAT, WITH THEIR CONSENT, COUNCILMEMBER TROXELL WILL DELIVER THE TECHNICAL REPORT AND CONSENT FORMS TO THE COUNTY COMMISSIONERS ON OCTOBER 12, 2010. LETTERS WILL BE MAILED TO THE PROPERTY OWNERS OF ORCHID AND MARSH ISLAND TO NOTIFY OF PROCEEDINGS. THERE WAS NO DECISION MADE REGARDING THE SCHEDULING OF OUR NEXT MEETINGS ON THIS SUBJECT, BUT, BASED ON THE TIMELINE, THE WILL NOT OCCUR BEFORE OCTOBER 27, 2010, AND NOVEMBER 2, 2010

AGENDA ITEM #3 – PUBLIC COMMENT

AGENDA ITEM #4 – ADJOURNMENT

THE MEETING ADJOURNED AT 10:17 AM.

APPROVED AT THE _____ TOWN COUNCIL MEETING.

TERRI WALLACE
TOWN CLERK

