



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
February 9, 2012
5:30 PM**

I. CALL TO ORDER/ROLL CALL

Mayor Reckwerdt called the meeting to order at 5:35 p.m. and requested Village Clerk Debra Eastman to call the roll. The following Council members were present on roll call: Councilman Don Achenberg, Councilman Ted Blackburn, Councilman Dave Purdo, Vice Mayor Ken Philipson and Mayor Michael Reckwerdt.

II. PLEDGE OF ALLEGIANCE

Mayor Reckwerdt invited Colonel Jim Brown to lead the Pledge of Allegiance.

III. PRESENTATIONS

There were no presentations.

IV. PUBLIC COMMENT

Hans Bockelman spoke regarding a shed damaged by Veolia and requested the assistance of Council to rectify the situation.

Lance Bottari spoke regarding wastewater.

Larry Barr spoke regarding road resurfacing in the Kahiki Drive area.

Sally Horsfall inquired about sunshine laws regarding wastewater committee meetings.

V. AGENDA: Request for Deletion / Emergency Additions

Councilman Achenberg requested to add a report to the agenda on the hurricane evacuation meeting.

Vice Mayor Philipson requested to add an item to the agenda to obtain authorization from the Council to support a position on various legislative items.

Councilman Purdo reported on the health of Mr. Eyster and a recent fundraising event in his neighborhood.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Parks and Recreation Citizen's Advisory Committee – Committee member Jim Brown
Jim Brown presented the report of the Parks and Recreation Committee and informed the Council on their discussions regarding the Chamber of Commerce building lease.

B. Water Quality Improvement Citizens' Advisory Committee – Chairperson David Makepeace
David Makepeace presented the report of the Water Quality Committee and informed the Council of their discussions regarding various wastewater matters.

- C. Workforce / Affordable Housing Citizens' Advisory Committee – Vice Chairperson Barry Wray
Barry Wray presented the report of the Workforce/Affordable Housing Committee recommended the Village Council direct Staff to work with a consultant to prepare an amendment to inclusionary housing to develop a sliding scale for nonresidential properties.
- D. Local Planning Agency – Chairperson Chris Morton
Chris Morton presented a report of the last meeting of the LPA and the results of their vote to support the Chamber of Commerce proposal.

VII. WASTEWATER MATTERS

- A. Wastewater Update
Tom Brzezinski of Wade Trim reviewed the snapshot in the agenda.
- B. Council Direction for Wastewater Project Financing
Wastewater Program Manager Greg Tindle explained public and private financing and the possible redistribution of Army Corps funds. Julie Santamaria explained the various vehicles for financing in detail.
Dr. Susan Hammaker discussed information regarding the Army Corps funds status and the Key Largo option.
Stan Margulies asked about the unfunded mandate issue.
Chris Sante discussed funding and grants and spoke in favor of the Key Largo option.
Wes Self reviewed the Reynolds Plan B document and various items regarding the DBOF bid.
Chuck Fishburn spoke about the Key Largo option and financing.
Tony Hammon spoke about plant sites and the effect of the Key Largo option on reuse.
David Guardino urged the Council to pursue the Key Largo option.
Jim Bellizi spoke of the Key Largo option, reimbursable funding and road overlay.
Larry Barr urged the Council to select the Key Largo option.
Stan Margulies urged the Council to select the Key Largo option.
George Geisler spoke in favor of reuse and urged the Council to select the Key Largo option.
David Guardino spoke regarding grant funding.

Councilman Blackburn made a motion to direct the staff to target SRF funding first, secondly to investigate all sources of public funding; and if bond funding is less expensive, be aware of short term bonding in order to get the lowest possible interest rate. The motion received a second from Vice Mayor Philipson.
Mayor Reckwerdt requested that the Village Clerk Debra Eastman call the roll.
On roll call vote, the motion carried 5-0.

Mayor Reckwerdt called for a break at 7:39 p.m. Mayor Reckwerdt called the meeting to order at 8:15 p.m. and all Council members were in attendance.
- C. Council Direction for Wastewater Project Scope
Wastewater Program Manager Greg Tindle explained the process to this point in time, including proposed sites, comparisons and reuse.
After discussion, it was agreed by the members of the Council that the Key Largo option is the preferred option and gave direction to complete negotiations within 30 days.

Mayor Reckwerdt polled the members of Council and asked for their support. All were in favor with Councilman Achenberg interjecting that his support would depend upon the final proposed agreement. It was further agreed to hold weekly meetings, Special Call meetings, if necessary, to monitor the progress of the negotiations and that those meetings would focus only on the topic of wastewater.

Mayor Reckwerdt opened public comment.

Ralf Brooks, Attorney for Michael Krieger thanked the Village Council for selecting the Key Largo option.

Stan Margulies spoke in support of the Key Largo option.

David Guardino asked if the Key Largo Board will be invited to the Village Council meetings.

Mayor Reckwerdt closed public comment.

Mayor Reckwerdt invited discussion from Council regarding phasing.

Vice Mayor Philipson suggested that the Council move forward on the Middle Plantation Key project in order to be in line for grant funding.

Mayor Reckwerdt opened public comment.

Steve Siegfried spoke regarding a possible agreement with Veolia and the additional items being requested by the Village Council.

Raul Pedroso spoke regarding the DBOF bids and contract differences.

Deb Gillis spoke in favor of phasing.

The Council directed staff to do research on phasing of the wastewater construction project and asked that staff bring that information back to the next Council meeting.

Councilman Blackburn suggested that Village staff negotiate with the Key Largo staff regarding an agreement. Mayor Reckwerdt suggested that a Council member be involved in the process. Councilman Achenberg suggested, and it was agreed, that Councilman Blackburn be the representative of the Village Council.

Mayor Reckwerdt requested that each Councilmember verbalize their preference of alternative sites. In order of ranking, the Council majority chose the Key Largo option as number 1, the so-called "beach" site as number 2 and North Plantation Key (NPK) as the third choice.

Mayor Reckwerdt offered a motion to extend the meeting for one half hour beyond 10 p.m. The motion received a second from Councilman Achenberg. Mayor Reckwerdt called for the vote and all were in favor.

David Guardino discussed wastewater reuse.

Jim Bellizi spoke regarding wastewater reuse.

Stan Margulies spoke regarding the makeup of the Key Largo negotiating team.

Councilman Purdo asked about the financial status of Veolia referencing various publications. Mayor Reckwerdt requested that Councilman Purdo provide the publications to Julie Santamaria for review and distribution to the other members of the Village Council.

Steve Siegfried of Veolia discussed the purpose of the restructuring of Veolia.

VIII. QUASI-JUDICIAL

There were no quasi-judicial items.

IX. CONSENT AGENDA

A. Minutes:

January 26, 2012 Regular Village Council Meeting

Councilman Achenberg made a motion to adopt the consent agenda. The motion received a second from Vice Mayor Philipson. Mayor Reckwerdt called for the vote and all were in favor.

X. ORDINANCES

- A. First Reading – Amendment to Section 30-32 “Specific Definitions” of the Village Code to Provide Definitions to Proposed Permitted Uses and Section 30-702 “Recreation (R) Zoning District” of the Village Code to Modify the Permitted Uses**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE II “RULES OF CONSTRUCTION AND DEFINITIONS,” SECTION 30-32 “SPECIFIC DEFINITIONS” AND ARTICLE V “SCHEDULE OF DISTRICT, USE AND DEVELOPMENT STANDARDS,” DIVISION 2 “ZONING DISTRICTS,” SECTION 30-702 “RECREATION (R) ZONING DISTRICT” OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

Village Attorney Nina Boniske read the title of the ordinance. Principal Planner Cheryl Cioffari explained the plan to remodel the former Sheriff’s building to be used as a Chamber of Commerce Office and Visitor’s Center.

A motion was made by Councilman Achenberg to adopt the ordinance on first reading. The motion received a second from Councilman Blackburn. Village Clerk Debra Eastman called the roll and the motion carried 5-0.

- B. Second Reading – Proposed Ordinance Expanding the Existing Diving and Snorkeling Prohibitions to Begin Three Days Prior to the Opening Lobster Min-Season and Continue Through the First Five Days of Commercial Lobster Season**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 66 “WATERWAYS”,

ARTICLE 1 "IN GENERAL", SECTION 66-1. "DIVING AND SNORKELING DURING LOBSTER MINI-SEASON" AND SECTION 66-2 "OPERATION OF VESSELS IN RESTRICTED AREAS", OF THE VILLAGE CODE OF ORDINANCES PROHIBITING DIVING AND SNORKELING WITHIN NAVIGABLE CANALS, AND WITHIN 300 FEET OF MARINAS, IMPROVED RESIDENTIAL, AND COMMERCIAL SHORELINES BEGINNING THREE DAYS PRIOR TO THE OPENING OF AND DURING THE ENTIRETY OF LOBSTER MINI-SEASON AND FOR THE FIRST FIVE DAYS OF COMMERCIAL LOBSTER SEASON; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James read the title of the ordinance. Village Manager Ed Koconis explained the ordinance. There was no one wishing to make public comment. Councilman Achenberg made a motion to adopt the ordinance on second reading. The motion received a second from Councilman Blackburn. Village Clerk Debra Eastman called the roll and all were in favor.

Vice Mayor Philipson made a motion to extend the Council meeting an additional 30 minutes. The motion received a second from Councilman Blackburn. Mayor Reckwerdt called for the vote and all were in favor.

- C. Second Reading - Ordinance Amending the Comprehensive Plan Policy **TAB 7**
1-3.1.1 Establish a Building Permit Allocation System (BPAS) by
Increasing the Non-Residential Square Footage Allocation

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-3.1.1 "ESTABLISH A BUILDING PERMIT ALLOCATION SYSTEM (BPAS)" OF THE VILLAGE COMPREHENSIVE PLAN REGARDING THE ALLOCATION OF NONRESIDENTIAL FLOOR AREA; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

Village Attorney James White read the title of the ordinance. Principal Planner Cheryl Cioffari explained the ordinance. There was no one wishing to make public comment. Vice Mayor Philipson made a motion to adopt the ordinance on second reading. The motion received a second from Councilman Purdo. Village Clerk Debra Eastman called the roll and the motion carried 5-0.

XI. RESOLUTIONS

There were no resolutions.

XII. MOTIONS

There were no motions.

XIII. UNFINISHED BUSINESS

There was no unfinished business.

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Accessory Uses on Adjacent Properties

(Vice Mayor Philipson)

Vice Mayor Philipson stated there are many properties that would like a unity of title but are across the street from each other. Council requested that staff investigate. Village Manager Ed Koconis indicated that staff will review and bring the information back to the Council.

B. Discussion Regarding Mosquito Control Property

(Vice Mayor Philipson)

Vice Mayor Philipson indicated interest in the Village obtaining property owned by the Mosquito Control Board located near the fire station. Village Manager Ed Koconis will investigate and bring further information back to the Council.

C. Discussion Regarding Need for Federal Lobbyist

(Vice Mayor Philipson)

Vice Mayor Philipson indicated interest in pursuing federal representation for the Village in order to be attuned to any possible federal funds. Councilman Purdo indicated that he has biographical information on a lobbyist and that he will provide it to the Village Manager.

Councilman Purdo requested further information on White Fly. Village Manager Ed Koconis indicated he will contact the Environmental Horticulture Agent with the County Extension to arrange a presentation to Council.

Vice Mayor Philipson explained to the Village Council that as a Committee member for the Florida League of Cities he is often requested to take a stand for the Village on legislation. It was agreed that Vice Mayor Philipson has the permission of the Village Council to use his judgment on those matters.


XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

There were no Attorney or Village Manager communications.

XVI. ADJOURNMENT

Councilman Achenberg made a motion to adjourn. The motion received a second from Councilman Purdo. All were in favor. The meetings adjourned at 10:50 p.m.

Approved by the Village Council on February 23, 2012.


Debra E. Eastman, MMC
Village Clerk