



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
March 22, 2012
5:30 PM**

I. CALL TO ORDER\ROLL CALL

Mayor Reckwerdt called the meeting to order at 5:40 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 Ed Kinkelaar to lead the Pledge of Allegiance.

III. PRESENTATIONS

There were no presentations.

IV. PUBLIC COMMENT

Mayor Reckwerdt invited public comment.

Raul Pedroso read a prepared opinion regarding wastewater, which was distributed to the Village Council.

V. AGENDA: Request for Deletion / Emergency Additions

Vice Mayor Philipson requested that item XII A, Affordable Housing in Lieu Fees be removed from this agenda and added to the next regular meeting agenda.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Landscape Advisory Committee – Chairperson Phyllis Mitchell
There was no report.

B. Local Planning Agency – Chairperson Chris Morton
There was no report.

C. Near Shore Water Support Citizens' Advisory Committee – Chairperson Bob Mitchell
There was no report.

VII. WASTEWATER MATTERS

A. Wastewater Update

Wastewater Program Director Greg Tindle reported that a negotiation meeting has been held for Veolia, a series of meetings has been scheduled and that they are on track to meet the schedule of the Village Council.

Councilman Blackburn reported that the KLWTD and Islamorada staff are meeting this week and viewed it as a positive step.

Councilman Purdo spoke regarding the staff/Veolia negotiation meeting that he attended. He requested information about warranties on equipment and spoke in opposition to the Key Lime property.

Vice Mayor Philipson suggested that consideration be given to not “mothball” NPK plant until one year after the effluent line to Key Largo is installed and operational. He also spoke in favor of reuse. Councilmen Achenberg and Blackburn, along with Mayor Reckwerdt agreed that it is prudent to continue to operate NPK for a length of time.

Larry Barr spoke regarding pumps.

Stan Margulies stated that it is too early to look at negotiating properties.

Raul Pedroso spoke regarding contract negotiations.

Dave Boerner spoke regarding the Key Lime property history.

It was agreed to hold a Special Call Village Council meeting for wastewater matters on Thursday, March 29, 2012 at 10 a.m. and that the meeting would be cancelled if not needed.

Vice Mayor Philipson asked Village Attorney Nina Boniske to provide a report on Strattons subdivision. Village Attorney Nina Boniske provided the history of the transfer of roads from Monroe County to the Village of Islamorada and the subsequent transfer regarding the Stratton subdivision. She explained that the Council may choose to abandon the area between 66 and 33 feet. It was requested that the abandonment be prepared as an agenda item for a future meeting.

B. Update on Effluent Salinity Level

Wastewater Program Director Greg Tindle explained the report from US Water and that the results are well within the limits for reuse for watering grass.

VIII. QUASI-JUDICIAL

There were no quasi-judicial items.

IX. CONSENT AGENDA

A. Minutes:

March 6, 2012 Special Call Council Meeting

March 8, 2012 Regular Village Council Meeting

A motion was made by Councilman Achenberg to adopt the consent agenda. The motion received a second from Vice Mayor Philipson. Mayor Reckwerdt called for the vote and the motion passed 5-0.

X. ORDINANCES

- A. Second 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. Cheryl Cioffari Principal Planner explained the ordinance and explained that Councilman Achenberg suggests an amendment to the purpose and intent as follows:

Purpose and intent.

- (1) The purpose of the Recreation (R) Zoning District is to accommodate recreational facilities, supportive services and uses, and Village support services and uses.

Vice Mayor Philipson suggested that an item be placed on a future agenda to discuss the use of the park for commercial purposes and that any such use be allowed with only a super majority vote of the Village Council.

Vice Mayor Philipson made a motion to adopt the ordinance as amended. The motion received a second from Councilman Achenberg.

Mayor Reckwerdt opened the public hearing. There was no public comment.

Mayor Reckwerdt invited Village Clerk Debra Eastman to call the roll. The motion passed 5-0.

XI. RESOLUTIONS

- A. Resolution – Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 1 of 2012

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RESIDENTIAL BUILDING PERMIT ALLOCATION RANKINGS AND AWARDS RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 1 OF 2012 OF THE

BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney Nina Boniske read the title of the resolution. Cheryl Cioffari Principal Planner explained the resolution.

A motion to adopt the resolution was made by Vice Mayor Philipson. The motion received a second from Councilman Achenberg. Mayor Reckwerdt called for the vote and the motion passed 5-0.

- B.** Resolution of the Village Council Considering the Proposed Lease Agreement with the Islamorada Chamber of Commerce Inc. **TAB 4**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA CONSIDERING THE LEASE AGREEMENT BETWEEN ISLAMORADA CHAMBER OF COMMERCE, INC. AND ISLAMORADA, VILLAGE OF ISLANDS, FOR THE LEASE, DEVELOPMENT, RENOVATION, CONSTRUCTION, MAINTENANCE AND OPERATION OF NEW ISLAMORADA CHAMBER OF COMMERCE AND VISITOR CENTER FACILITIES WITHIN FOUNDERS PARK; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE LEASE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MAYOR TO EXECUTE THE LEASE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney Nina Boniske read the title of the resolution. Village Attorney Lillian Arango explained that the resolution will allow for the lease and remodel of the old Sheriff's station and summarized the key lease terms.

Cale Smith, President of the Board of Directors of the Islamorada Chamber of Commerce answered questions from the Village Council.

Vice Mayor Philipson made a motion to modify the proposed lease to include

- a base term of 25 years with 4, 5 year options
- in the case of hurricane damage or other destruction to the building the Chamber must repair the damage within 365 days
- rental would be tied to CPI, but no less than 3%
- add a ten percent premium surcharge to any insurance purchased by the Village, and
- eliminate section 14.6.1.

The motion received a second from Councilman Achenberg. Mayor Reckwerdt invited Village Clerk Debra Eastman to call the roll. The motion passed 5-0.

XII. MOTIONS

- A.** Affordable Housing in Lieu Fees
Removed from the agenda.

XIII. UNFINISHED BUSINESS

XIV. MAYOR / COUNCIL COMMUNICATIONS

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

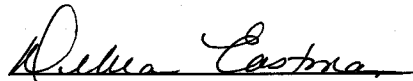
- A. Discussion Regarding Auditor General Preliminary and Tentative Findings
Village Manager Ed Koconis reviewed the tentative findings and response from the Village.

Vice Mayor Philipson requested an update on the federal lobbyist at the next Village Council meeting.

XVI. ADJOURNMENT

Councilman Achenberg made a motion to adjourn. The motion received a second from Councilman Purdo. All were in favor. The meeting adjourned at 8:20 p.m.

Approved by the Village Council on April 12, 2012.



Debra E. Eastman, MMC
Village Clerk