



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
June 28, 2012
5:30 PM**

I. CALL TO ORDER/ROLL CALL

Mayor Reckwerdt called the meeting to order at 5:44 p.m. and requested Village Clerk Debra Eastman 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 Barry Wray to lead the Pledge of Allegiance.

III. PRESENTATION

- A. Presentation of Certificate of Appreciation to a Water Quality Improvement Citizens' Advisory Committee Member
A Certificate of Appreciation will be mailed to Dr. Ken Wagner.
- B. Presentation by Keys Ahead/Florida International University Regarding Interest in Operating Green Turtle Hammock Property
Keith Douglass, representing Green Turtle Hammock Foundation introduced Dr. Michael Maunder of Florida International University who explained their desire to establish a presence in the Keys for education, outreach and research. Dr. Susan Hammaker indicated that a nonprofit organization has been formed to provide support. By consensus, Council directed the Village Manager work with Keys Ahead and FIU to develop an Operating Agreement.
- C. Presentation by Gorman & Company Regarding Wet Net Villas Project
Hana Eskra of Gorman & Company provided an update on the Wet Net Villas project and reported that they hope to start construction in the late Fall.

IV. PUBLIC COMMENT

Jim Bellizi spoke regarding whether the Village owns the roads and about Venetian Shores roads being private.
Stan Margulies asked that the Council resolve the law suit that Mr. Bellizi has with the Village.

V. AGENDA: Request for Deletion / Emergency Additions

A motion was made by Councilman Achenberg to defer Tab 12 and Tab 13 to a future meeting. The motion received a second by Councilman Blackburn. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A. Local Planning Agency – Chairperson Chris Morton**
There was no report.
- B. Near Shore Water Support Citizens' Advisory Committee – Chairperson Bob Mitchell**
There was no report.
- C. Workforce / Affordable Housing Citizens' Advisory Committee – Chairperson Barry Wray**
Barry Wray provided a report to the Village Council and requested that the Council provided direction to staff to prepare language that will allow them to award funds for sewer hookup assistance, sustainability and down payment assistance.
Mayor Reckwerdt gave direction to the Village Manager to include this item on the next Village Council agenda.

VII. WASTEWATER MATTERS

- A. Wastewater Update**
Mayor Reckwerdt explained the background on the steps leading up to the signing of the contract with Islamorada Water. Mayor Reckwerdt reported to the Council members that it has come to his attention that the contract that he signed with Islamorada Water was returned to the Village and is different. He suggested that the Village Council will need to discuss the issue.
Vice Mayor Philipson suggested a Special Call Meeting at the earliest convenience.
Mayor Reckwerdt called for public comment.
Chris Sante expressed concern that the Village be prepared to receive funding, suggested moving forward with the pipeline and that a deadline extension might be requested.
Stan Margulies thanked Mayor Reckwerdt for making the decision not to support the contract.

Mayor Reckwerdt called for a break at 6:29 p.m. to allow Council members to meet individually with the Village Attorney regarding this matter. The meeting resumed at 7:30 p.m. Mayor Reckwerdt suggested, and it was agreed, to hold a Special Call Village Council Meeting on Thursday, July 5 at 2 p.m. to discuss wastewater and the available options open to the Village.

VIII. CONSENT AGENDA

- A. Minutes:**
 - May 23, 2012 Village Council Workshop
 - May 24, 2012 Special Call Village Council Meeting
 - May 24, 2012 Regular Village Council Meeting
 - June 5, 2012 Executive Session for Frank
 - June 5, 2012 Executive Session for Mellilli
 - June 5, 2012 Special Call Village Council Meeting
- B. Resolution Approving the Interlocal Agreement with Monroe County for FY 20-12-2013 Boating Improvement Funding Reimbursement Not to Exceed \$30,000**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING

THE INTERLOCAL AGREEMENT BETWEEN MONROE COUNTY, FLORIDA AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE REIMBURSEMENT FUNDING FROM BOATING IMPROVEMENT FUNDS DURING FISCAL YEAR 2012-2013; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- C. Resolution Approving Agreement with the Gehring Group, Inc.,
to Provide Insurance Broker / Agent of Record Services for Employee Benefits

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND GEHRING GROUP, INC., TO PROVIDE INSURANCE BROKER / AGENT OF RECORD SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- D. Resolution Approving Letter of Agreement with AT&T Mobility for Cellular Telephone Services

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE PURCHASE OF EQUIPMENT AND SERVICES FROM AT&T MOBILITY; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS FOR THE PURCHASES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE DOCUMENTS; PROVIDING FOR A WAIVER OF PURCHASING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE

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

IX. ORDINANCES

- A. First Reading – Ordinance Amending Chapter 30 “Land Development Regulations”, Article II “Rules of Construction and Definitions”, and Amending Article VI “Specific Use Restrictions,” Division 10 “Signs” of the Village Code

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS”, ARTICLE II “RULES OF CONSTRUCTION AND DEFINITIONS”, TO AMEND CERTAIN DEFINITIONS RELATED TO REGULATION OF SIGNS; AMENDING ARTICLE

VI "SPECIFIC USE RESTRICTIONS," DIVISION 10 "SIGNS", TO AMEND AND CLARIFY REGULATIONS OF TEMPORARY AND PERMANENT SIGNS; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

Village Attorney James White read the title of the ordinance.

Mayor Reckwerdt opened the public hearing.

Cheryl Culberson spoke in opposition to allowing campaign signs for 90 days.

Deb Gillis informed that the LPA approved the ordinance but that they were not excited about the 90 day inclusion.

Mayor Reckwerdt closed the public hearing.

Principal Planner Cheryl Cioffari gave the staff report.

Councilman Achenberg agreed that 90 days is too long to display election signs and he suggested that a future change be made to include one A frame sign per building and require that a permit be obtained to display it on a permanent basis.

Vice Mayor Philipson made a motion to adopt the ordinance on first reading and amend the political signs to allow them to be displayed for 30 days rather than 90 days.

Council directed the Village Manager to also hold a workshop on the topic of signs prior to the second reading of the ordinance.

The motion received a second from Councilman Achenberg.

Village Clerk Debra Eastman called the roll and the motion passed 5-0.

B. First Reading – Proposed Text Amendment to Accessory Uses and Structures

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 4 "ACCESSORY USES AND STRUCTURES," BY MODIFYING THE PERMITTED LOCATION OF ACCESSORY USES AND STRUCTURES ON SEPARATE PARCELS OF LAND; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

The Village Attorney James White read the title of the ordinance.

Planner Shane Laakso gave the staff report.

Mayor Reckwerdt opened the public hearing.

Jim Bellizi spoke regarding contiguous parcels and that US 1 is not considered a parcel divider, but a canal is considered a parcel divider. Mr. Bellizi opined that the Village does not own the roads within the Village.

Mayor Reckwerdt closed the public hearing.

Councilman Achenberg made a motion to adopt the ordinance. The motion received a second from Vice Mayor Philipson. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

C. First Reading – Proposed Text Amendment to Comprehensive Plan Policy 9-1.3.1

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 9-1.3.1 “UPDATE AND ADOPT A FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS ANNUALLY” OF THE COMPREHENSIVE PLAN BY UPDATING THE CAPITAL IMPROVEMENTS PROGRAM; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

Village Attorney James White read the title of the ordinance.

Senior Planner Kevin Bond gave the staff report.

Mayor Reckwerdt opened the public hearing and there was no public comment.

A motion was made by Councilman Purdo to adopt the ordinance on first reading. The motion received a second from Vice Mayor Philipson.

Village Clerk Debra Eastman called the roll and the motion passed 5-0.

D. First Reading – Proposed Ordinance Creating Section 13-1, Civil Emergencies; the Provisions Related To the Emergency Management Plan And Declaration of Local Emergencies within the Village of Islamorada

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 13 “EMERGENCY MANAGEMENT AND EMERGENCY SERVICES” OF THE VILLAGE CODE TO CREATE ARTICLE I “CIVIL EMERGENCIES”; TO PROVIDE NECESSARY AND APPROPRIATE LOCAL EMERGENCY MANAGEMENT POWERS, AUTHORIZATIONS, RESPONSIBILITIES AND PROCEDURES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the ordinance. Fire Chief William Wagner gave the staff report.

Mayor Reckwerdt opened the public hearing and there was no public comment.

Councilman Achenberg requested that Section 13.4 be changed to mirror the chain of command in Section 13.3 with the Mayor, Vice Mayor and then in their absence the Village Manager.

Councilman Achenberg made a motion to adopt the ordinance as amended in Section 13.4. The motion received a second from Vice Mayor Philipson. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

E. Second Reading – Proposed Text Amendment to Off-Street Parking, Loading and Drive Way Standards

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE V “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 7 “OFF-STREET PARKING, LOADING AND DRIVEWAY STANDARDS,” SECTION 30-852 “OFF-STREET PARKING” OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

Village Attorney James White read the title of the ordinance. Senior Planner Kevin Bond gave the staff report.

Mayor Reckwerdt opened the public hearing.

Deb Gillis thanked Mr. Bond for incorporating the changes suggested on first reading.

Vice Mayor Philipson made a motion to adopt the ordinance on second reading. The motion received a second from Councilman Achenberg. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

F. Second Reading – Proposed Text Amendment to Affordable Housing Standards by Village Council

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE IV “ADMINISTRATIVE PROCEDURES,” DIVISION 16 “AFFORDABLE HOUSING STANDARDS” OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

Village Attorney James White read the title of the ordinance.

Senior Planner Kevin Bond gave the staff report.

Mayor Reckwerdt opened the public hearing and there was no public comment.

Vice Mayor Philipson 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 the motion passed 5-0.

- G. First Reading – Village-Sponsored Future Land Use Map (FLUM) Amendment FLRZ-12-02 For Barbro LLC

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA TO AMEND THE FUTURE LAND USE MAP FROM CONSERVATION (C) TO RESIDENTIAL MEDIUM (RM) FOR A PORTION OF TRACT F, MATECUMBE OCEAN-BAY SUBDIVISION, SECTION TWO, ON LOWER MATECUMBE KEY AND FURTHER DESCRIBED IN EXHIBIT "A;" PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

A motion was made by Councilman Achenberg to defer Tab 12 and Tab 13 to a future meeting. The motion received a second by Councilman Blackburn. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

X. QUASI-JUDICIAL

- A. First Reading – Village-Sponsored Official Zoning Map Amendment FLRZ-12-02 for Barbro LLC

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA TO AMEND THE OFFICIAL ZONING MAP FROM CONSERVATION (C) TO RESIDENTIAL SINGLE-FAMILY (R1) FOR A PORTION OF TRACT F, MATECUMBE OCEAN-BAY SUBDIVISION, SECTION TWO, ON LOWER MATECUMBE KEY AND FURTHER DESCRIBED IN EXHIBIT "A;" PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

A motion was made by Councilman Achenberg to defer Tab 12 and Tab 13 to a future meeting. The motion received a second by Councilman Blackburn. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

XI. RESOLUTIONS

- A. Resolution Approving Agreement for Professional Federal Lobbying Services and Providing for a Budget Amendment

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AGREEMENT FOR PROFESSIONAL FEDERAL LOBBYING SERVICES BETWEEN ALCALDE & FAY LLC AND

ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROFESSIONAL SERVICES AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT; APPROVING A BUDGET AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution.

Village Manager Ed Koconis explained that he negotiated an agreement with Alcalde & Fay LLC as requested by the Village Council and it is attached to the resolution.

Mayor Reckwerdt opened the floor for public comment and there was none.

Vice Mayor Philipson made a motion to adopt the agreement with an amendment to include two one year renewals to allow the agreement to be bid again on the third year.

The motion received a second from Councilman Blackburn. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

B. Resolution – Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 2 of 2012

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RESIDENTIAL BUILDING PERMIT ALLOCATION RANKINGS AND AWARDING RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 OF 2012 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution.

Village Manager Ed Koconis gave the staff report and named the recommended six highest ranking persons.

Mayor Reckwerdt invited public comment and there was none.

Vice Mayor Philipson made a motion to adopt the resolution. The motion received a second from Councilman Purdo.

Mayor Reckwerdt called for the vote and the motion passed 5-0.

C. Resolution – Approval of the Nonresidential Building Permit Allocation System Ranking and Awards Quarter 2 of 2012 (closed Noon on APRIL 30, 2012)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE NONRESIDENTIAL BUILDING PERMIT ALLOCATION RANKING AND AWARDING NONRESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 OF 2012 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution.

Village Manager Ed Koconis explained that this resolution was for nonresidential building permit allocation and there is one applicant.

Mayor Reckwerdt invited public comment and there was none.

A motion was made by Councilman Blackburn to adopt the resolution. The motion

received a second from Vice Mayor Philipson.
Mayor Reckwerdt called for the vote and the motion passed 5-0.

XII. MOTIONS

There were no motions.

XIII. UNFINISHED BUSINESS

There was no unfinished business.

XIV. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Towing Fees (Councilman Achenberg)

Councilman Achenberg expressed concern regarding reports he has received of excessive towing rates. He suggested that Council request staff to prepare an ordinance similar to the City of Marathon and Monroe County Sheriff's Office.

Mayor Reckwerdt invited public comment.

Larry Barr spoke in favor of the Village setting a reasonable fee.

By consensus the Village Council requested that the Village Manager prepare an ordinance for consideration.

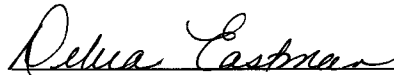
XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

The Village Manager had nothing to report.

Village Attorney Nina Boniske requested an Executive Session regarding the case of Chris Sante, Joe Ziomek, Stan Margulies & Dana Gonzalez v Islamorada, Village of Islands, Case No. 12-CA-746-P.

XVI. ADJOURNMENT

Councilman Purdo made a motion to adjourn. The motion received a second from Councilman Achenberg. The meeting adjourned at 8:30 p.m.


Debra E. Eastman, MMC
Village Clerk

Approved by the Village Council this 12th day of July, 2012.