



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
July 12, 2012  
5:30 PM**

**I. CALL TO ORDER\ROLL CALL**

Mayor Reckwerdt called the meeting to order at 5:42 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 Keith Douglass, former Commissioner and Mayor of Monroe County to lead the Pledge of Allegiance.

**III. PRESENTATION**

**A. Acknowledgement of Green Turtle Hammock Foundation Members**

Councilman Blackburn presented a Certificate of Appreciation to Keith Douglass former Commissioner and Mayor of Monroe County for his involvement with the Green Turtle Hammock Foundation. Like certificates will be delivered to the other Foundation Members.

**IV. PUBLIC COMMENT**

Mayor Reckwerdt invited public comment.

Joe Ziomek spoke regarding wastewater and urged the Councilmembers to do a good job.

**V. AGENDA: Request for Deletion / Emergency Additions**

There were no additions or deletions to the agenda.

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

**A. NEAR SHORE WATER REGULATION CITIZENS' ADVISORY COMMITTEE**

Bob Mitchell reported about missing buoys and the replacement by Monroe County. He reported on the boat pump out program and urged the Council to take part in the program. He reviewed the newest diving and snorkeling regulations with regard to the upcoming lobster season.

Jim Bellizi spoke regarding the increased vessel fee funds and urged involvement in creating legislation to increase fines for illegal dumping. He suggested that the Sheriff's Office use the traffic sign board to warn about the lobster season diving regulations.

## **B. WATER QUALITY IMPROVEMENT CITIZENS' ADVISORY COMMITTEE**

David Makepeace reported that the Committee has prepared updated information for the Council which would allow them to form a dependent special wastewater district and offered to make a presentation to Council when they are ready.

## **C. WORKFORCE/AFFORDABLE HOUSING ADVISORY COMMITTEE**

Barry Wray reported on the possible loss of set asides which have an effect on how the Keys are considered for tax grants. He urged the Council to review a draft letter that he submitted to Village Manager Ed Koconis.

Mayor Reckwerdt requested that the Village Manager review the letter and report to the Village Council.

## **VII. WASTEWATER MATTERS**

### **A. Wastewater Update**

Wastewater Program Director Greg Tindle reported that the projects are moving forward on schedule. He reported that he received word from DEP that the Village is still eligible for the full 20 million dollars in construction loans at this point.

Mayor Reckwerdt called for public comment and there was none.

Councilman Purdo requested Council support to erect a plaque on the lighthouse in Founders Park recognizing that it was preserved by Irving Eyster and John Morris. It was agreed.

## **VIII. CONSENT AGENDA**

### **A. Minutes:**

June 28, 2012 Village Council Budget Workshop

June 28, 2012 Regular Village Council Meeting

June 29, 2012 Emergency Special Call Village Council Meeting

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

## **IX. ORDINANCES**

### **A. First Reading – Proposed Amendment to Temporary Use and Public Assemblies Regulations **TAB 3****

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS," ARTICLE V "SCHEDULE OF DISTRICT USES AND DEVELOPMENT STANDARDS," DIVISION 8 "TEMPORARY USES," SECTION 30-884 "CRITERIA FOR TEMPORARY USES AND PUBLIC ASSEMBLIES" AND SECTION 30-885 "PERMIT" OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; 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 THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

Village Attorney James White read the title of the ordinance. Planner Jay Berenzweig gave the staff report. Mayor Reckwerdt invited public comment and there was none. Councilman Purdo made a motion to adopt the ordinance on first reading. The motion received a second from Councilman Achenberg. Village Clerk Debra Eastman called the roll and the motion passed 5-0.

- B. Second Reading – Ordinance Amending Chapter 30 “Land - DEFERRED 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 STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY**

The second reading of the ordinance was deferred.

- C. Second 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**

Village Attorney James White read the title of the ordinance. Planner Shane Laakso gave the staff report. Jim Bellizi spoke in opposition. 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 4-1 with Councilman Purdo voting in opposition.

- D. Second 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 called for public comment and there was none.

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 passed 5-0.

**X. QUASI-JUDICIAL**

There were no quasi-judicial matters.

**XI. RESOLUTIONS**

- A. Award of Bid Award and Construction Contract to 3<sup>rd</sup> Generation Plumbing, Inc. for Tollgate Shores Stormwater Management System Modifications**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE BID AWARD AND CONSTRUCTION CONTRACT BETWEEN 3<sup>RD</sup> GENERATION PLUMBING, INC. AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE MODIFICATIONS TO THE TOLLGATE SHORES STORMWATER MANAGEMENT SYSTEM; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS;**

**AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney James White read the title of the resolution. Public Works Director John Sutter presented the staff report.

Jim Bellizi asked about the property involved and whether it is public or private.

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

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

- B. Preliminary Rate Resolution for FY 12-13 Solid Waste Assessment**  
**A RESOLUTION OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE**

Village Attorney James White read the title of the resolution. Finance Director Maria Aguilar gave the staff report.

Deb Gillis asked whether commercial property will be a separate assessment.

A motion was made by Councilman Achenberg to adopt the resolution. The motion received a second from Councilman Blackburn. Mayor Reckwerdt called for the vote and all were in favor.

**XII. MOTIONS**

- A. Discussion and Direction Regarding Use of Affordable Housing In-Lieu Fees**  
Chair of the Workforce/Affordable Housing Citizens' Advisory Committee Barry Wray requested that the Council give direction to staff to move forward with a down payment assistance program, sewer connection assistance program and a home repair program to distribute the In-Lieu Fees.  
Council discussed which of the programs would be best suited for the amount of funds available.  
Deb Gillis spoke in agreement with using the funds for sewer hookups.  
Larry Barr spoke in agreement and opined the amount of funds available will help a limited amount of people.  
Senior Planner Kevin Bond requested that Council summarize their direction to staff. It was agreed that staff will bring back a report to the Council for possible subsidy of wastewater hookup fees for the affordable deed restricted and affordable non deed restricted and what it take to do it.

**XIII. UNFINISHED BUSINESS**

There was no unfinished business.

**XIV. MAYOR / COUNCIL COMMUNICATIONS**

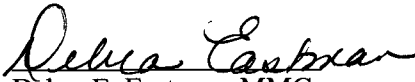
There were no Mayor/Council Communications.

**XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**

Village Attorney Nina Boniske informed the Village Council that she will be bringing an item to them at a subsequent meeting to authorize further expenditure for Neighbors Giblin and Nickerson, PA regarding the bond validation hearing.

**XVI. ADJOURNMENT**

Councilman Achenberg made a motion to adjourn. The motion received a second from Councilman Purdo. The meeting adjourned at 7 p.m.

  
Debra E. Eastman, MMC  
Village Clerk

Approved by the Village Council this 26<sup>th</sup> day of July, 2012.