



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
August 21, 2012
5:30 PM**

I. CALL TO ORDER\ROLL CALL

Mayor Reckwerdt called the meeting to order at 5:38 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 Larry Barr to lead the Pledge of Allegiance.

III. PRESENTATION

- A. Proclamation to Recognize September as Hunger Action Month**
Vice Mayor Philipson read a proclamation recognizing September as Hunger Action Month.

IV. PUBLIC COMMENT

Mayor Reckwerdt invited public comment.

Hank Paurowski spoke regarding the licenses of the contractor and posed several related questions with regard to the proposed wastewater contract.

Village Attorney Lillian Arango provided information to clarify Mr. Paurowski's questions.

Larry Barr thanked the Village staff, staff from Reynolds and the members of the Village Council for their hard work in negotiating the wastewater agreement. He suggested that the Village Council consider options against the sale of synthetic marijuana and bath salts.

Mayor Reckwerdt requested that Captain Corey Bryan look into the matter of synthetic marijuana and bath salts and report back to the Village Council at the next meeting.

Stan Margulies thanked everyone involved in the wastewater contract and urged approval of the contract from the Village Council.

V. AGENDA: Request for Deletion / Emergency Additions

There were no additions or deletions to the agenda.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

There were no committee updates.

VII. WASTEWATER MATTERS

A. Wastewater Update

Wastewater Program Director Greg Tindle explained the history of the wastewater project. He summarized the changes that were made to the proposed DBO agreement with Reynolds Water Islamorada as they had been pointed out to staff at the Village Council Workshop the previous day.

Mayor Reckwerdt called for a break at 5:59 PM in order to give the Village Council time to review the summarized changes. The meeting resumed at 6:14 PM.

B. Contract Approval for Reynolds

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE DESIGN, BUILD AND OPERATE (DBO) AGREEMENT BETWEEN REYNOLDS WATER ISLAMORADA, LLC AND ISLAMORADA, VILLAGE OF ISLANDS, TO DESIGN, BUILD, AND OPERATE THE VILLAGE'S WASTEWATER SYSTEM AND APPROVING THE PURCHASE OF A CAPITAL IMPROVEMENT PURSUANT TO SECTION 2-327(h) OF THE VILLAGE'S CODE OF ORDINANCES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney Lillian Arango read the title of the resolution. A motion to adopt the resolution was made by Councilman Purdo. The motion received a second from Vice Mayor Philipson.

Mayor Reckwerdt invited Mark Accetturo, President and Managing Member of Reynolds Water Islamorada, LLC if he had any comments. Mr. Accetturo indicated that he was pleased and privileged to sign the agreement and is in agreement with all of the terms and conditions.

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

Mayor Reckwerdt called for a break at 6:19 PM to sign the agreement. The meeting resumed at 6:51 PM.

C. Discussion Regarding Middle Plantation Key Wastewater Collection System

Tom Brzezinski of Wade Trim reviewed that the Village Council directed that a backup plan be prepared for Middle Plantation Key only and that staff has been negotiating with Larroco in case it becomes necessary to use this option. Mr. Brzezinski reported that staff has prepared an agreement for the consideration of the Village Council at the Tuesday, August 28, 2012 Special Call Village Council meeting.

Mayor Reckwerdt invited public comment and there was none.

VIII. CONSENT AGENDA

A. Minutes:

August 7, 2012 Village Council Executive Session
August 7, 2012 Special Call Village Council Meeting
August 9, 2012 Village Council Budget Workshop
August 9, 2012 Regular Village Council Meeting

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

IX. ORDINANCES

A. First Reading –Ordinance to Provide Regulations and Standards for Wrecker Operators

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING ARTICLE VII "TOWING", OF CHAPTER 50 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES"; PROVIDING DEFINITIONS; PROVIDING REGULATIONS FOR WRECKER OPERATIONS; REQUIRING LICENSING OF WRECKER OPERATORS OPERATING WITHIN THE VILLAGE; PROVIDING FOR DUTIES OF WRECKER OPERATORS; ESTABLISHING CERTAIN STANDARDS OF OPERATION; PROVIDING FOR PENALTIES; PROVIDING FOR REFUND OF TOWING FEES CHARGED IN VIOLATION OF THE REGULATIONS OF WRECKER OPERATORS PROVIDED IN THIS ORDINANCE; PROVIDING FOR SUSPENSION AND REVOCATION OF WRECKER OPERATOR LICENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney read the title of the ordinance. Executive Assistant to the Village Manager Mary Swaney explained that the ordinance is similar in text to the ordinance adopted by the City of Marathon.

Councilman Achenberg discussed the definition of "wrecker" and requested that the language be changed to the following: *Wrecker* means any motor vehicle that is used to tow, carry, or otherwise transport motor vehicles and that is equipped for that purpose with a boom, winch, car carrier, or other similar equipment.

Larry Barr spoke regarding the posting of signs on properties.

A motion to adopt the ordinance as amended was made by Councilman Achenberg. The motion received a second from Councilman Purdo. Mayor Reckwerdt requested that Village Clerk Debra Eastman call the roll. The motion passed 5-0.

B. 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

Village Attorney James White read the title of the ordinance. Senior Planner Kevin Bond provided the staff report. Councilman Achenberg requested, and the Council concurred, that Planning fees not be waived without the approval of Council. There was no public comment.

A motion was made to adopt the ordinance on first reading by Councilman Achenberg. The motion received a second from Councilman Purdo. Mayor Reckwerdt requested that Village Clerk Debra Eastman call the roll. 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

Village Attorney James White read the title of the ordinance. Village Clerk Debra Eastman gave the oath to those intending to testify.

Village Attorney James White polled the Council for any ex-parte communications.

Councilman Achenberg stated he had spoken to Attorney James Lupino regarding this item. There was no one speaking either in favor or against the item.

Senior Planner Kevin Bond gave the staff report and recommended adoption of the ordinance.

A motion to adopt the ordinance was made by Councilman Achenberg. The motion received a second from Councilman Purdo.

Mayor Reckwerdt requested that Village Clerk Debra Eastman call the roll and the motion passed 5-0.

XI. RESOLUTIONS

- A. Resolution to Approve Employee Insurance Benefits Policies Effective
October 1, 2012

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE RECOMMENDED EMPLOYEE INSURANCE BENEFITS POLICIES EFFECTIVE OCTOBER 1, 2012 RECOMMENDED; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PLAN AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE POLICY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution.

Finance Director Maria Aguilar provided the staff report.

Vice Mayor Philipson reported that because of the bidding process there was a cost savings of \$100,000.00

There was no public comment.

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

- B. Resolution Approving Agreement with MTS Software Solutions, Inc. for Document Imaging, Indexing, and Retrieval Services and Waiving Competitive Bidding**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE AGREEMENT BETWEEN MTS SOFTWARE SOLUTIONS, INC. AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE DOCUMENT IMAGING SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR A WAIVER OF PURCHASING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution.

Village Manager Ed Koconis reported that adoption of the agreement will provide easier access to public records and that he expects the project will be completed in less than six months.

Councilman Purdo questioned why the project was not part of the bid process and the percentage of records converted by staff. Mr. Koconis provided information regarding the project.

Deb Gillis spoke in favor of the project.

There was no public comment.

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 the motion passed 5-0.

XII. MOTIONS

- A. Proposal Regarding Sewer Connection Costs for Affordable Housing**
Senior Planner Kevin Bond explained the staff analysis which provides options for the Village Council to set the criteria for affordable housing sewer connection assistance. Vice Chairman of the Workforce Affordable Housing Committee Keith Douglas explained that it is a vision of the Committee to provide this program. Councilman Achenberg suggested that the Workforce Committee take the information provided by staff and bring back a final recommendation and plan to the Village Council at a future meeting. Council members Blackburn and Purdo spoke in favor of the program. Mayor Reckwerdt thanked Mr. Douglas for his service to the community.
Larry Barr spoke in favor of having the Finance Department administer the funds.

XIII. UNFINISHED BUSINESS

There was no unfinished business.

XIV. MAYOR / COUNCIL COMMUNICATIONS

Mayor Reckwerdt stated that he, Vice Mayor Philipson and Councilman Blackburn will be attending the Florida League of Cities conference later in the week.

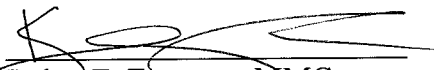
XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Village Attorney Nina Boniske called for an Executive Session for the case of Zarat, Gary & Jean, v Islamorada, Lower Tribunal C12-05-85977SS Circuit Ct Appellate Division 4420212AP 00008A 0001PK.

Village Attorney Nina Boniske requested permission from the Village Council to go forward with hiring the firm of Johnson, Anselmo, Murdoch, Burke, Piper, Hochman, P.A., if there is any litigation regarding wastewater. There was no objection from the members of the Village Council.

XVI. ADJOURNMENT

A motion to adjourn was made by Councilman Achenberg. The motion received a second from Councilman Purdo. The meeting adjourned at 8:02 p.m.


for: ~~Debra E. Eastman, MMC~~
Village Clerk
KYNIC WAGNER, cmc
Deputy Village Clerk

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