



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
September 27, 2012  
5:30 PM**

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

Mayor Philipson called the meeting to order at 5:33 p.m. and requested Deputy Village Clerk Kyrie Wagner call the roll. The following Council members were present on roll call: Councilman Don Achenberg, Councilman Dave Purdo, Councilman Reckwerdt, Vice Mayor Ted Blackburn and Mayor Ken Philipson.

**II. PLEDGE OF ALLEGIANCE**

Mayor Philipson invited Susan Hammaker to lead the Pledge of Allegiance.

Councilman Purdo announced the passing of Mr. Jim Boruszak and advised there will be a celebration of life tonight at 7:00 PM at the Keys Jewish Community Center. Councilman Purdo informed the spreading of ashes for Captain Bill Neubauer will be on October 22, 2012 at 4:30 PM out of Post Card Inn.

Councilman Purdo appointed Amy Strause to the Landscape Advisory Committee.

Mayor Philipson appointed Larry Wren to the Near Shore Water Regulation Citizens' Advisory Committee.

**III. PRESENTATION**

There were no presentations.

**IV. PUBLIC COMMENT**

Mayor Philipson invited public comment.

Dr. Susan Hammaker gave an update to Council regarding the Keys Ahead project.  
Ron Levy spoke regarding taxation without representation.

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

There were no additions or deletions to the agenda.

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

**A. Workforce / Affordable Housing Citizens' Advisory Committee**

Chairperson Barry Wray provided a report to the Village Council and requested that the Council provide direction to staff to prepare the necessary ordinances or resolutions that would establish a sewer connection subsidy program to all owner-occupied, deed-restricted affordable housing units located within the Village that have received a mandatory connection notice. The maximum recommended subsidy amount would \$3,000. Eligible affordable housing units would have at least five years remaining on the

deed restrictions. Chairperson Wray reported that the Committee further recommended that the Village utilize a third party, rather than Village staff, to administer the Village's affordable housing income certifications and sewer connection subsidy program.

Chairperson Wray also requested that the Council consider passing a resolution in support of the Committee's request to the Florida Housing Finance Corporation to keep the affordable housing tax credit set-asides and goal for the Florida Keys. The FHFC has proposed eliminating the Keys set-aside and goal for future funding cycles, which would make it more difficult for affordable housing projects in Islamorada to compete for the FHFC tax credits.

Council agreed to direct the Village Manager to have staff work with the Committee to draft the necessary ordinances or resolutions establishing the sewer connection subsidy program for all affordable housing in the Village.

Village Manager Edward Koconis advised the Council he had spoken with the Village lobbyist regarding the tax credit set-asides from the FHFC and will report back at a future Council meeting.

## **VII. WASTEWATER MATTERS**

### **A. Wastewater Update**

Wastewater Program Director Greg Tindle reported Reynolds will begin construction in late October on Middle Plantation Key and will be scheduling a preconstruction public meeting for that neighborhood as well as a Groundbreaking Ceremony.

Mayor Philipson invited public comment.

Larry Barr spoke regarding the availability to hookup to wastewater and Wade Trim.

Councilmen Reckwerdt advised Mr. Barr's concerns are duly noted and will be addressed.

Stan Margulies spoke regarding the sewerage of Venetian Shores.

## **VIII. CONSENT AGENDA**

(All items on the Consent Agenda are considered routine by the Village Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event, the item will be moved to the Main Agenda.)

### **A. Minutes:**

September 6, 2012 Special Call Village Council Meeting

September 6, 2012 Special Call Village Council Meeting

September 12, 2012 Special Call Village Council Meeting

- B. Resolution Approving Second Amendment to Agreement for Professional State Lobbying Consulting Services

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE SECOND AMENDMENT TO PROFESSIONAL STATE LOBBYING CONSULTING SERVICES AGREEMENT BETWEEN WILLIAM J. PEEBLES, P.A. AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE PROFESSIONAL STATE LOBBYING SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SECOND AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE SECOND AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

- C. Resolution Approving the Landscape Maintenance Memorandum of Agreement with Florida Department of Transportation, Contract #E-6H48

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE BEAUTIFICATION IMPROVEMENTS IN THE US1 RIGHT-OF-WAY, FROM COLUMBUS DRIVE TO 1,056 FEET NORTH OF COLUMBUS DRIVE (MM76.5); 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; AND PROVIDING FOR AN EFFECTIVE DATE**

- D. Resolution Approving the Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation, Contract #E-6G60

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE BEAUTIFICATION IMPROVEMENTS IN THE US1 RIGHT-OF-WAY, FROM 1,900 FEET SOUTH OF SNAKE CREEK BRIDGE (MM 85.3) TO 100 FEET SOUTH OF PIPPEN DRIVE (MM 87.3); 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; AND PROVIDING FOR AN EFFECTIVE DATE**

E. Resolution to Approve 401(A) Qualified Retirement Plan Adopting Agreement

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE VILLAGE'S 401(A) QUALIFIED RETIREMENT PLAN ADOPTION AGREEMENT TO BRING THE PLAN INTO COMPLIANCE WITH THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001 AND OTHER LEGISLATIVE AND REGULATORY CHANGES; APPROVING THE ADOPTION AGREEMENT BRINGING THE PLAN INTO COMPLIANCE WITH THE LEGISLATIVE AND REGULATORY CHANGES; AND PROVIDING FOR AN EFFECTIVE DATE**

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

Mayor Philipson requested tab XI C be heard next.

**IX. ORDINANCES**

**A. Second 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 White read the title of the ordinance.  
Senior Planner Kevin Bond gave his report to Council.  
Mayor Philipson invited public comment and there was none.

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

**X. QUASI-JUDICIAL**

There were no quasi-judicial items.

## XI. RESOLUTIONS

- A. Resolution Approving the Operating Agreement with the Islamorada Foundation, Inc. for Southwinds Park

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE AGREEMENT BETWEEN THE ISLAMORADA FOUNDATION, INC. AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE FOR THE DAILY OPERATIONS, DEVELOPMENT AND MAINTENANCE OF SOUTHWINDS PARK; 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; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney James White read the title of the resolution.  
Parks and Recreation Director John Sutter provided the staff report.  
Vice Mayor Blackburn thanked the Islamorada Foundation for the great job they did.  
J.C. Mikula from the Islamorada Foundation thanked Council and staff for all their support.  
Mayor Philipson requested the foundation look into a dog park and the facility.  
Mayor Philipson invited public comment.  
Travis Yednak spoke in favor of the resolution.

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

- B. Resolution Concerning the Potential Consequences if Amendment 4 to the Florida Constitution is adopted

**A RESOLUTION OF ISLAMORADA, VILLAGE OF ISLANDS CONCERNING AMENDMENT 4 TO THE FLORIDA CONSTITUTION WHICH, IF ADOPTED, WOULD CREATE ADDITIONAL INEQUITIES IN FLORIDA'S TAX SYSTEM BY GRANTING CERTAIN TAX BREAKS TO SOME TAXPAYERS AT THE EXPENSE OF OTHER TAXPAYERS; PROVIDING FOR EVALUATION OF IMPACT TO THE VILLAGE; URGING RESIDENTS TO CONSIDER POTENTIAL ADVERSE CONSEQUENCES; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney James White read the title of the resolution.  
Village Manager Ed Koconis provided the staff report.  
Vice Mayor Philipson spoke regarding the consequences of Amendment 4 and advised citizens to be prepared when going to vote.  
Councilman Achenberg and Councilman Purdo spoke against Amendment 4.  
Mayor Philipson gave a background on Amendment 4.  
Councilman Reckwerdt spoke against Amendment 4.  
Larry Barr spoke about the consequences of Amendment 4 and agreed with Council to vote no.

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

**C. Amendment to 380 Agreement Between the Village, DEO and Philip Sena / DLP, Inc.**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AMENDING RESOLUTION NO. 06-07-55 APPROVING AN AMENDED AGREEMENT BETWEEN THE VILLAGE, THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO), AND PHILLIP SENA / D L P, INC. AUTHORIZED BY SECTION 380.032(3), FLORIDA STATUTES; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney James White read the title of the resolution.  
Senior Planner Kevin Bond provided the staff report.  
Mayor Philipson invited public comment and there was none.

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

**D. Resolution - Approval the Residential Building Permit Allocation System Ranking and Awards Quarter 3 of 2012**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RESIDENTIAL BUILDING PERMIT ALLOCATION RANKINGS AND AWARDED RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 3 OF 2012 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney James White read the title of the resolution.  
Senior Planner Kevin Bond provided the staff report.  
Mayor Philipson invited public comment and there was none.

A motion was made by Councilman Purdo to approve the resolution. The motion received a second from Councilman Reckwerdt. Mayor Philipson 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**


There were no Mayor/Council Communications.

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

There were no Attorney or Village Manager communications.

**XVI. ADJOURNMENT**

A motion to adjourn was made by Councilman Achenberg. The motion received a second from Councilman Purdo. The meeting adjourned at 6:17 p.m.

  
Kyrie Wagner, CMC  
Deputy Village Clerk

Approved by the Village Council this 10<sup>th</sup> day of October, 2012