



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
October 25, 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 Michael Reckwerdt, Vice Mayor Ted Blackburn and Mayor Ken Philipson. Also in attendance were Village Manager Edward Koconis, Village Attorneys Nina Boniske, James White and Lillian Arango.

II. PLEDGE OF ALLEGIANCE

Mayor Philipson invited Van Cadenhead to lead the Pledge of Allegiance.

III. PRESENTATION

Mayor Philipson announced presentations tonight. Councilman Reckwerdt acknowledged the presence of County Mayor David Rice and County Administrator Roman Gastesi in the audience to make a State of the County Address. Councilman Reckwerdt acknowledged the beneficial working relationship between Islamorada and the County including joint activities in Tallahassee to obtain wastewater funding. Councilman Reckwerdt presented County Mayor Rice and County Administrator Gastesi with plaques and thanked them for their service. County Mayor Rice expressed appreciation for the acknowledgement. County Administrator Gastesi expressed his appreciation and acknowledged the wastewater groundbreaking ceremony scheduled for Tuesday, October 30, 2012.

Councilman Reckwerdt acknowledged the encouragement and advice received from Councilman Don Achenberg and former Councilman Bob Johnson during his service on the Village Council and presented each of them with a plaque of acknowledgement. Bob Johnson expressed his appreciation and commented on Michael Reckwerdt's eight and a half years of service. Councilman Achenberg thanked the community for support and thanked Michael Reckwerdt for the acknowledgement.

- A.** Presentation by Monroe County Mayor David Rice and County Administrator Roman Gastesi to Address the State of the County, the Referendum to Extend the Existing Infrastructure Sales Tax and the RESTORE Act / Gulf Consortium

Mayor Philipson invited County Mayor David Rice to the podium. County Mayor Rice presented *The 2012 State of Your County* report with the aid of a PowerPoint presentation. He also reviewed the Infrastructure Sales Tax and the Referendum on the November 6, 2012 ballot

to extend the Infrastructure Sales Tax and the importance of the funds for Monroe County and all municipalities in the County.

Councilman Blackburn commented on the cooperation in the County for wastewater funding and continued cooperation moving forward. Councilman Reckwerdt acknowledged the diligent work to unite the municipalities with the County.

County Administrator Roman Gastesi addressed the RESTORE Act and Gulf Consortium and two sources of funds that may be available. Mr. Gastesi explained that one source may provide five to 23 million dollars to the County and another fund may assist with projects in the County. Mr. Gastesi added that the wastewater, stormwater, water quality related and economic development projects will need to be identified in a plan to be presented to the Federal Government.

Mayor Philipson asked Deputy Village Clerk Wagner to provide details about early voting. Ms. Wagner announced the dates, hours and locations for early voting in Monroe County.

IV. PUBLIC COMMENT

Mayor Philipson invited public comment.

Buddy Pinder, Islamorada, thanked County Mayor Rice and County Administrator Gastesi for working with Islamorada.

Van Cadenhead commented about the 2002 Council election, use of the property owned by Bill Fountain and the loss of public boat ramps in Islamorada.

Hank Paurowski, Islamorada, commented on the wastewater costs to property owners being dependent upon the location of the connection and commented he would have preferred to have the Village contractor connect the system to each home in order to include the costs in the assessment.

V. AGENDA: Request for Deletion / Emergency Additions

There were no additions or deletions to the agenda.

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

A. Historic Preservation Commission (HPC) – Commissioner Buddy Pinder provided a report to the Village Council regarding the October 10, 2012 HPC meeting. Mr. Pinder reported that Richard Russell was appointed Chair and Barbara Edgar was appointed Vice Chair; the commission discussed a veterans plaque for the Hurricane Monument; the Commission is in the early stages of planning an open-house workshop for January to educate residents with historic properties; historic designation for Russell Cottage at the Green Turtle Hammock; and discussing a contest for an historic plaque. Next meeting is November 14, 2012 at 2:00 p.m.

B. Near Shore Water Regulation Citizens' Advisory Committee – Chairperson Bob Mitchell
There was no report given.

VII. WASTEWATER MATTERS

Larry Barr provided public comment regarding required use of grinder pumps by homeowners and package plant owners and possible variances from state requirements for the depth of the grinder pumps. He requested a list of plumbers with experience with grinder pumps. Mr. Barr

also commented about the cost of the wastewater project and costs to the residents and encouraged residents to contact Tallahassee and Washington D.C. to request funding. Mr. Barr encouraged residents to find the location of their septic tank and the location of the sewer connection.

A. Wastewater Update

Wastewater Program Director Greg Tindle reported the program is progressing rapidly and construction is expected to begin November 5, 2012. He reported that the Village held preconstruction meetings on Tuesday and Wednesday of that week for the North Plantation Key and Middle Plantation Key property owners and plans future meetings to address design and construction in each area. Tom Brzezinski, Wade Trim, reported that there are regular discussions and planning meetings with the contractor; the preliminary design report for the remaining service area was received, and they are working toward the 30% design. Meetings have also been held with the Florida Keys Aqueduct Authority and Florida Department of Transportation. Value engineering is beginning to be addressed with the contractor.

Councilman Purdo asked about a septic tank located under pavers and a patio and whether a grinder pump can be installed into the vacuum line; Mr. Brzezinski answered that a grinder pump cannot be installed into a vacuum line, but they are looking into a solution and whether a grinder pump can be installed in a vacuum pit. Mayor Philipson asked for a contact telephone number for Reynolds; Mr. Buddy Pinder provided the telephone number 305-414-8356.

Deb Gillis commented that there will also be a meeting scheduled for package plant operators. Buddy Pinder, Islamorada, thanked staff and Council for participation in the public meetings.

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.)

There were no consent items.

IX. ORDINANCES

There were no ordinances.

X. QUASI-JUDICIAL

A. Application for Major Conditional Use Approval (MJ-12-02) by Islamorada Chamber of Commerce, Inc.

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA CHAMBER OF COMMERCE, INC. FOR MAJOR CONDITIONAL USE APPROVAL FOR THE DEVELOPMENT OF A 2,419 SQUARE FOOT VISITOR CENTER AND OFFICES FOR THE ISLAMORADA CHAMBER OF COMMERCE ON PROPERTY LOCATED AT 87100 OVERSEAS HIGHWAY ON PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A;" WITHIN THE RECREATION (R) ZONING DISTRICT; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT

OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White explained the quasi-judicial procedure. Deputy Village Clerk Kyrie Wagner gave the oath to those intending to testify. Village Attorney James White read the title of the resolution and stated that Councilmembers must disclose any ex-parte communications regarding this agenda item. Councilman Purdo reported he spoke with several members of the Chamber and one attorney involved with the Chamber; Mayor Philipson reported he also spoke with several members of the Chamber and an one attorney involved with the Chamber; Councilman Reckwerdt reported he spoke with the entire Chamber of Commerce; Councilman Achenberg reported he spoke with Dave Boerner and Deb Gillis; and Vice Mayor Blackburn reported he spoke with the entire Chamber of Commerce.

Principal Planner Cheryl Cioffari gave the staff report and recommended approval of the resolution.

Mayor Philipson invited a presentation from the applicant. Dave Boerner introduced himself as the representative for the applicant. He stated that this is the final step in the process and that they have met all the conditions for approval. Mayor Philipson invited comment from any in favor or any against the item; there was no one speaking either in favor or against the item.

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

Mayor Philipson requested Deputy Village Clerk Kyrie Wagner call the roll and the motion passed 5-0.

XI. RESOLUTIONS

- A. Proposed Resolution Approving Affordable Housing Agreement Between Islamorada, Village of Islands and Islamorada Chamber of Commerce, Inc.

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING AN AFFORDABLE HOUSING AGREEMENT WITH ISLAMORADA CHAMBER OF COMMERCE, INC.; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE AFFORDABLE HOUSING AGREEMENT AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE AFFORDABLE HOUSING AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AFFORDABLE HOUSING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White explained that this item is the affordable housing agreement companion to the previous item; read the title of the resolution and asked the Council to disclose any ex-parte communication. Councilman Purdo reported he spoke with several people on the Chamber and the Chamber attorney; Mayor Philipson reported he spoke with staff and the Chamber; Councilman Reckwerdt reported he spoke with the Chamber of Commerce; Councilman Achenberg reported no communications; and Vice Mayor Blackburn reported he spoke with the Chamber.

Principal Planner Cheryl Cioffari provided the staff report and recommended approval of the proposed resolution.

Mayor Philipson invited public comment.

Van Cadenhead commented that when the park was purchased, the building at the entrance was identified as the perfect location for a welcome station.

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.

B. Temporary Use (TU-12-30) Permit Application for the Green Stride 5K Race on December 8, 2012

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; CONSIDERING THE APPLICATION BY GREEN STRIDE FOR A TEMPORARY USE PERMIT FOR AN EVENT THAT IS ANTICIPATED TO DRAW OVER 1,000 PEOPLE AT ANY GIVEN TIME ON DECEMBER 8, 2012 BETWEEN THE HOURS OF 10:30 A.M. AND 12:00 P.M. ON A PORTION OF U.S. 1 AND OLD HIGHWAY ON WINDLEY KEY; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution. Principal Planner Cheryl Cioffari provided the staff report and recommended approval of the proposed resolution. Mayor Philipson invited public comment; there was none.

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. Resolution Approving the First Amendment to Ground Lease Agreement Between Islamorada, Village of Islands, and Wet-Net Villas Workforce Housing, LLC

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST AMENDMENT TO GROUND LEASE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND WET-NET VILLAS WORKFORCE HOUSING, LLC FOR THE DEVELOPMENT OF AFFORDABLE HOUSING; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MAYOR TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution. Village Attorney Lillian Arango provided the staff report. Councilman Reckwerdt asked if this changes the backing or bonding in any way; Hana Eskra of Gorman and Company said it does not. Councilman Achenberg questioned why this is necessary. Ms. Eskra explained that this is the standard process and, at the request of Mayor Philipson, provided an update on the project including an estimate that in one year they should be advertising to lease the units. Mayor Philipson commended the Affordable Housing Committee for its work. Ms. Eskra commended the Committee and staff for the support provided.

Mayor Philipson invited public comment; there was none.

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

D. Resolution Providing for the Borrowing of the Principal Amount Not To Exceed \$6,400,000 from SunTrust Equipment Finance & Leasing Corp. to Refund the Village's Outstanding Series 2006, 2007 and 2009 Bonds

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING FOR THE BORROWING OF THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,400,000 FROM SUNTRUST EQUIPMENT FINANCE & LEASING CORP. TO REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE VILLAGE; PROVIDING FOR THE ISSUANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CAPITAL IMPROVEMENT REFUNDING REVENUE BOND, SERIES 2012; PLEDGING REVENUES DERIVED FROM THE VILLAGE'S LOCAL GOVERNMENT HALF-CENT SALES TAX FOR THE PAYMENT OF SAID SERIES 2012 BOND; PROVIDING FOR THE PAYMENT OF THE SERIES 2012 BOND AND THE EXECUTION AND RELATED FINANCING DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING FURTHER OFFICIAL ACTION IN CONNECTION WITH THE DELIVERY OF THE SERIES 2012 BOND; AND PROVIDING AN EFFECTIVE DATE

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

Mayor Philipson thanked Vice Mayor Blackburn for promoting the refinancing. Vice Mayor Blackburn acknowledged the effort of the Village's financial advisor, Julie Santamaria from RBC Capital Markets, and of staff to secure the low interest rate of 2.21% for the refinancing. Mayor Philipson invited public comment.

Deb Gillis, Islamorada, suggested paying down a portion of the principal of the loan each year with the savings in interest from the refinancing.

Van Cadenhead commented about debt, played a guitar and sang a song.

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; the motion passed 5-0.

E. Resolution Supporting Monroe County's Participation in the Gulf Consortium Pursuant to the Restore Act and Requesting the County Represent the Interests of Islamorada

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, SUPPORTING MONROE COUNTY'S PARTICIPATION AS A VOTING MEMBER OF THE CONSORTIUM TO DEVELOP AND ADMINISTER A PLAN FOR FUNDING OF ENVIRONMENTAL AND ECONOMIC DEVELOPMENT PROJECTS IN 23 FLORIDA COUNTIES PURSUANT TO THE RESTORE ACT; REQUESTING THE COUNTY PROVIDE REPRESENTATION FOR ISLAMORADA DURING MEETINGS OF THE CONSORTIUM; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution. Village Manager Koconis provided the staff report and recommended approval of the resolution.

Councilman Reckwerdt commented that Islamorada needs to remain involved with this item. Vice Mayor Blackburn expressed that he agreed and commented that our lobbying firm has expertise in this area and we are well represented. Mayor Philipson invited public comment; 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; the motion passed 5-0.

F. Resolution to Support Referendum to Extend One Cent Local Government Infrastructure Sales Surtax

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA SUPPORTING THE REFERENDUM TO BE PLACED BEFORE THE VOTERS IN NOVEMBER 2012 TO EXTEND THE PRESENTLY LEVIED ONE CENT LOCAL GOVERNMENT INFRASTRUCTURE SURTAX BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2018; AND PROVIDING FOR AN EFFECTIVE DATE

Village Attorney James White read the title of the resolution. Director of Finance and Administration Maria Aguilar provided the staff report and recommended approval of the proposed resolution.

Mayor Philipson invited public comment.

Stan Margulies, Islamorada, expressed his support of the sales tax.

Van Cadenhead encouraged Council to pass the resolution and suggested an increased tax to assist with the wastewater project.

Larry Barr, North Plantation Key, expressed his support of the resolution for wastewater funding.

Mayor Philipson announced that the referendum is on the ballot for the November 6, 2012 election.

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

XII. MOTIONS

There were no motions.

XIII. UNFINISHED BUSINESS

There was no unfinished business.

XIV. MAYOR / COUNCIL COMMUNICATIONS

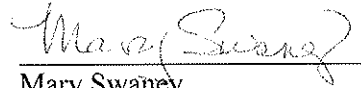
Councilman Purdo thanked former Mayor Achenberg and former Mayor Reckwerdt for their service. Vice Mayor Blackburn commented that the items passed on the agenda will result in an improved quality of life for many people and commended Councilman Reckwerdt and Councilman Achenberg for their work. Mayor Philipson thanked Councilman Achenberg and Councilman Reckwerdt for their activities while on Council and announced that each has one more meeting before leaving Council.

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Mayor Philipson invited any Village Attorney and Village Manager Communications. There were none.

XVI. ADJOURNMENT

A motion to adjourn was made by Councilman Achenberg. The motion received a second from Councilman Purdo. The meeting adjourned at 7:10 p.m.



Mary Swaney
Assistant to the Village Manager
Acting Village Clerk

Approved by the Village Council this 29th day of November, 2012