

ACTION MINUTES

ISLAMORADA, VILLAGE OF ISLANDS REGULAR VILLAGE COUNCIL MEETING

**December 4, 2008
Islamorada Fire Station 20
81850 Overseas Hwy**

I. CALL TO ORDER\ROLL CALL: Mayor Cathi Hill asked for the roll call at 5:34 p.m. Present were: Mayor Cathi Hill, Vice Mayor Don Achenberg; Council members: Dave Boerner, Jill Zima Borski, and Michael Reckwerdt. Also in attendance were: Village Manager Kenneth Fields, Village Attorneys Nina Boniske and James White; Village Clerk Beverly Raddatz, and all other appropriate Village personnel.

II. PLEDGE OF ALLEGIANCE

Mayor Hill asked Councilman Reckwerdt to lead the Pledge of Allegiance.

III. PRESENTATIONS

A. Proclamation for Children's Memorial Day by Mayor Hill

Mayor Hill read and presented the Children's Memorial Day Proclamation to Kellie Everson from Childrens Memorial Tree Gardens Inc.

Ms. Everson thanked the Mayor and Council for the proclamation.

B. Presentation of Five and Ten Year Service Pins to Village Employees Presented by Village Manager Fields

Village Manager Fields announced the names of Village employees who have served for five and ten years and presented them with a certificate and service pin.

C. Holiday Activities

Fire Chief William Wagner announced that there will be a Holiday Festival at Founders Park on Saturday, December 5th sponsored by the Islamorada Chamber of Commerce. He also announced the Islamorada Fire Department's Santa Ride Village-wide on Sunday, December 21st.

IV. PUBLIC COMMENTS

Mayor Hill opened the Public Comment Section. The following addressed the Council: Sue Miller, Islamorada, FL, Ken Philipson, Islamorada, and Chris Sante, Islamorada, FL.

V. CITIZENS' ADVISORY COMMITTEE UPDATES

- A. Historic Preservation Commission – No Report
- B. Land Acquisition Advisory Committee – No Report
- C. Landscape Advisory Committee – No Report
- D. Local Planning Agency – No Report
- E. Lower Matecumbe Key Decentralized Wastewater System Steering Committee –No Report
- F. Near Shore Water Support Citizens' Advisory Committee – No Report
- G. Parks and Recreation Citizens' Advisory Committee – No Report
- H. Water Quality Improvement Citizens' Advisory Committee – No Report
- I. Workforce / Affordable Housing Citizens' Advisory Committee – No Report

VI. 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: Regular Village Council Meeting, November 20, 2008
- B. Resolution Approving Green Turtle Hammock Park Improvement Project Agreement

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING PROJECT AGREEMENT BETWEEN CORZO CASTELLA CARBALLO THOMPSON SALMAN, PA AND ISLAMORADA, VILLAGE OF ISLANDS FOR THE GREEN TURTLE HAMMOCK PARK IMPROVEMENT PROJECT; 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

- C. Resolution for Declarations of Official Intent as Required by U.S. Treasury Regulations

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AUTHORIZING THE VILLAGE MANAGER AS THE AUTHORIZED OFFICER TO PREPARE, EXECUTE AND FILE DECLARATIONS OF OFFICIAL INTENT AS REQUIRED BY U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE

D. Resolution Approving Letter of Engagement for Code Compliance Hearing Officer

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE LETTER OF ENGAGEMENT BETWEEN MICHAEL J. PAWELCZYK AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE THE SERVICES OF CODE COMPLIANCE HEARING OFFICER; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE LETTER OF ENGAGEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE LETTER OF ENGAGEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hill asked for a motion.

Vice Mayor Achenberg made a motion to approve the Consent Agenda, seconded by Councilman Reckwerdt.

Mayor Hill called for the vote.

Councilman Boerner	Yes
Vice Mayor Achenberg	Yes
Councilwoman Zima Borski	Yes
Councilman Reckwerdt	Yes
Mayor Hill	Yes

Vote passes 5 to 0.

VII. ORDINANCES

- A. First Reading – Ordinance Amending the Islamorada Village Code to Provide for Mandatory Connection Village-wide to the Municipal Wastewater Collection, Treatment and Disposal System (the “Facility”)

ORDINANCE NO. 08-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING SECTION 62-1 OF THE VILLAGE CODE BY EXTENDING THE MANDATORY CONNECTION REQUIREMENTS OF THE VILLAGE’S WASTEWATER UTILITY SYSTEM TO THE VILLAGE’S UTILITY SERVICE AREA; AMENDING DEFINITIONS; AMENDING CERTAIN PROVISIONS RELATING TO MANDATORY CONNECTION TO THE WASTEWATER UTILITY SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hill requested Village Attorney White to read the title of the ordinance.

Village Attorney White read the title of the ordinance for First Reading.

Mayor Hill asked Myles Milander, Director of Public Works and Capital Project, to give his report.

Mr. Milander gave his report to Council.

Mayor Hill asked Council for any discussion.

Discussion ensued regarding the status of the wastewater project; the disappointment in WPC's progress; the mandatory connections expense; whether to allow a community or island within the Village to get together to do their own package plant; getting a status report on the Wastewater Master Plan from Hazen and Sawyer monthly; having the bond pulled from WPC if the wastewater system has not been corrected within 120 days; and moving forward with Phase II of the wastewater system.

Mayor Hill opened the Public Hearing. The following addressed the Council: Ken Philipson, Islamorada, FL.

Mayor Hill closed the Public Hearing and asked for any further Council discussion.

Discussion continued regarding having to do the connection by state law for Phase II within 30 days; whether to revisit the Wastewater Master Plan in order to allow communities to do their own package plants; the costs involved for the communities building their own package plant and maintaining it; whether to expand the current area without going Village-wide; and the Department of Environmental Protection (DEP) needing a Village-wide ordinance in order to be compliant.

Mayor Hill asked for a motion.

Vice Mayor Achenberg made a motion to approve the ordinance for First Reading as written, seconded by Councilwoman Zima Borski.

Mayor Hill called for the vote.

Vice Mayor Achenberg	Yes
Councilwoman Zima Borski	Yes
Councilman Reckwerdt	No
Councilman Boerner	No
Mayor Hill	Yes

Vote passes 3 to 2.

VIII. QUASI-JUDICIAL

No items were discussed.

IX. RESOLUTIONS

- A. Resolution in Support South Florida Water Management District's Proposed Mandatory Year-Round Landscape Irrigation Conservation Measures

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, IN THE COUNTY OF MONROE, SUPPORTING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S PROPOSED AMENDMENTS TO MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hill asked Village Attorney White to read the title of the resolution.

Village Attorney White read the title of the resolution.

Mayor Hill asked Kenneth Fields, Village Manager, to introduce Thomas P. Genovese, Florida Keys Service Center Director, from the South Florida Water Management District (SFWMD).

Mr. Genovese gave his report to Council.

Mayor Hill asked Council for any discussion. Being none, Mayor Hill opened the Public Comment Section. The following addressed the Council: Rod Halenza, Plantation Key, FL and Ken Philipson, Islamorada, FL.

Mayor Hill closed the Public Comment Section and asked for any further Council discussion. Being none, Mayor Hill asked for a motion.

Councilman Reckwerdt made a motion to approve the resolution, seconded by Councilman Boerner.

Mayor Hill called for the vote.

Councilwoman Zima Borski	Yes
Councilman Reckwerdt	Yes
Councilman Boerner	Yes
Vice Mayor Achenberg	Yes
Mayor Hill	Yes

Vote passes 5 to 0.

B. Resolution Approving Agreement with South Florida Water Management District for Tollgate Shores Stormwater Improvement Project

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING AGREEMENT NO. 4600001627 BETWEEN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE \$100,000 FOR THE TOLLGATE SHORES STORMWATER IMPROVEMENT PROJECT; 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

Mayor Hill asked Village Attorney White to read the title of the resolution.

Village Attorney White read the title of the resolution.

Mayor Hill asked Kenneth Fields, Village Manager, to give a report.

Village Manager Fields gave his report to Council.

Mayor Hill asked Council for any discussion.

Discussion ensued regarding what the project's time schedule was; the availability of Village's matching funds for SFWMD's funding; the Government Service Group being contracted to do stormwater assessments; and Council decreasing the stormwater assessments last year.

Mayor Hill opened the Public Comment Section. Being none, Mayor Hill closed the Public Comment Section and asked for a motion.

Councilman Boerner made a motion to approve the resolution and agreement, seconded by Councilwoman Zima Borski.

Mayor Hill called for the vote.

Councilwoman Zima Borski	Yes
Councilman Reckwerdt	Yes
Councilman Boerner	Yes
Vice Mayor Achenberg	Yes
Mayor Hill	Yes

Vote passes 5 to 0.

C. Resolution Adopting the Transportation Demand Management Program

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ADOPTING THE TRANSIT DEMAND MANAGEMENT PROGRAM; DIRECTING VILLAGE OFFICIALS TO FORWARD THIS RESOLUTION TO THE DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hill asked Village Attorney White to read the title of the resolution.

Village Attorney White read the title of the resolution.

Mayor Hill asked Mr. Edward Koconis, Deputy Village Manager to summarize the item and then introduce John Zegeer, Senior Principal, from Kittelson & Associates Inc. to give his report.

Mayor Hill recessed the meeting at 6:38 p.m. and reconvened the meeting at 6:42 p.m.

Mr. Zegeer gave his report to Council.

Mayor Hill asked Council for any discussion.

Discussion ensued regarding whether the report showed the number of business trips that were made in Islamorada; whether there was any information on tourists using mass transit; constructing sidewalks to help pedestrian safety was good but would not help in decreasing vehicle traffic; designating bus stop locations for employees who do not live in Islamorada; the Transportation Demand Management Program was a requirement of the Village Comprehensive Plan; the mass transit being prohibitive in these economic times; whether to encourage van services instead of bus services due to costs; whether to have the Key Largo and Islamorada Chamber of Commerce help in giving information on the need for mass transit; the bike paths needing to be upgraded; if the study was adopted would it have to be implemented; and whether the approved study would be a prerequisite for future grant monies.

Mayor Hill opened the Public Comment Section. The following addressed the Council: Ken Philipson, Islamorada, FL.

Mayor Hill closed the Public Comment Section and asked for any further Council discussion.

Discussion continued regarding the report not being made specifically for Islamorada.

Mayor Hill asked for a motion.

Councilman Reckwerdt made a motion to approve the resolution as written, seconded by Councilwoman Zima Borski.

Mayor Hill called for the vote.

Councilwoman Zima Borski	Yes
Councilman Reckwerdt	Yes
Councilman Boerner	No
Vice Mayor Achenberg	Yes
Mayor Hill	Yes

Vote passes 4 to 1.

D. BPAS Allocation Distribution for 2009

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING THE TOTAL AMOUNT OF NONRESIDENTIAL FLOOR AREA AND RESIDENTIAL DWELLING UNITS THAT MAY BE MADE AVAILABLE, THE QUARTERLY ALLOCATIONS, AND THE DISTRIBUTION OF ALLOCATIONS BETWEEN CATEGORIES FOR YEAR 9 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hill asked Village Attorney White to read the title of the resolution.

Village Attorney White read the title of the resolution.

Mayor Hill asked Ms. Cheryl Cioffari, Planner, to give a report.

Ms. Cioffari gave her report to Council.

Mayor Hill asked Council for any discussion.

Discussion ensued regarding putting the BPAS non-residential permits on a quarterly basis instead of annually; changing the Comprehensive Plan to reflect the quarterly change; and giving a method to defer permits if applicants are not ready to build when their permits come due.

Mayor Hill opened the Public Comment Section. The following addressed the Council: Ken Philipson, Islamorada, FL and Chris Sante, Islamorada, FL.

Mayor Hill closed the Public Comment Section and asked for any further Council discussion.

Mayor Hill asked for a motion.

Councilman Reckwerdt made a motion to approve the resolution, seconded by Vice Mayor Achenberg.

Mayor Hill called for the vote.

Councilman Reckwerdt	Yes
Councilman Boerner	Yes
Vice Mayor Achenberg	Yes
Councilwoman Zima Borski	Yes
Mayor Hill	Yes

Vote passes 5 to 0.

E. Resolution Declaring Fire/EMS Vehicles as Surplus and Authorizing Disposition

RESOLUTION NO. 08-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; DETERMINING VEHICLES AS SHOWN ON EXHIBIT 'A' TO BE SURPLUS; DIRECTING THE METHOD OF DISPOSITION FOR THE SURPLUS VEHICLES; PLACING ALL PROCEEDS INTO THE APPROPRIATE FUND; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hill asked Village Attorney White to read the title of the resolution.

Village Attorney White read the title of the resolution.

Mayor Hill asked Ms. Cindy Lawson, Finance and Administration Director, to give her report.

Ms. Lawson gave her report to Council and then requested Fire Chief Wagner to give his report.

Fire Chief Wagner explained why he would like to donate the fire vehicle to another municipality fire department.

Mayor Hill asked Council for any discussion.

Discussion ensued regarding what the vehicles were worth; how many miles they had; what was the value of the pumper truck; and how the pumper truck would cost a lot to fix because it was custom made.

Mayor Hill opened the Public Comment Section. Being none, Mayor Hill closed the Public Comment Section and asked for any further Council discussion.

Mayor Hill asked for a motion.

Councilman Reckwerdt made a motion to approve the resolution, seconded by Vice Mayor Achenberg.

Mayor Hill called for the vote.

Councilman Boerner	Yes
Vice Mayor Achenberg	Yes
Councilwoman Zima Borski	Yes
Councilman Reckwerdt	Yes
Mayor Hill	Yes

Vote passes 5 to 0.

X. MOTIONS

No motions were given.

XI. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Trauma Star (Mayor Hill)

Mayor Hill opened the discussion regarding the increase of the millage for Trauma Star. She asked whether Council should send a representative to the Monroe County Special Call meeting.

Village Manager Fields explained the background on the Trauma Star issue.

Mayor Hill asked for Council discussion.

Council discussed the Trauma Star issue.

Mayor Hill opened the Public Comment Section. Being none, Mayor Hill closed the Public Comment Section.

It was the consensus of the Council not to send a Council representative but to have Village Manager Fields to state that the Village opposed Trauma Star according to the referendum.

B. Discussion Regarding Village Sponsored FLUM Change

Mayor Hill opened the discussion regarding Chris Sante's request for a Village sponsored FLUM change.

Chris Sante spoke to Council and explained his request.

Mayor Hill asked for Council discussion.

Discussion ensued regarding staff having written approvals from all the owners involved; the Workforce / Affordable Housing Citizens Advisory Committee has already reviewed the request; the status of the BPAS for affordable housing in the last three years; whether to have this as a Village sponsored zoning change or not; having commercial properties in the same area; whether Monroe County made an error in the

zoning or not; whether the costs to sponsor the change should be incurred by the Village; having commercial properties would mean they would be fully taxed; when owners bought the properties they knew what the zoning was so the Village should not pay for the zoning change; and whether to have the owners pay for the zoning change and then refund the money if it was an error of Monroe County.

Mayor Hill opened the Public Comment Section. The following addressed the Council: Ken Philipson, Islamorada, FL.

It was the consensus of the Council to have the Village sponsor the FLUM for the lots requested.

XII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS


Mayor Hill asked Village Attorney Boniske if she had any thing to discuss. Being none, Mayor Hill asked Village Manager Fields if he had anything to discuss.

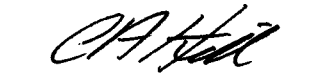
Village Manager Fields advised that the Florida Keys Aqueduct Association (FKAA) was repairing the roadways.

XIV. ADJOURNMENT

Councilman Boerner made a motion to adjourn; Councilman Reckwerdt seconded the motion. Council voted unanimously to adjourn 8:33 p.m.

Respectfully submitted,


Beverly Raddatz, MMC
Village Clerk


Mayor Cathi Hill

Approved by Council on 18th day of December 2008.