

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, February 25, 2010, 9:30 a.m.

City Hall Auditorium

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call – The Regular Meeting of the Key Colony Beach City Commission was called to order by Mayor Sutton at 9:30 a.m. followed by the Pledge of Allegiance and Prayer. *Present:* Mayor Ron Sutton, Vice-Mayor Geraldine Zahn, Commissioner Jeff Vorick, Commissioner Seneca “Tucker” DeGraw and Commissioner Mary Schmidt. *Also Present:* Attorney Thomas Wright, Police Chief Robert Petrick, Building Official Edward Borysiewicz and City Clerk Vickie Bollinger. Public: 13
2. Approval of Minutes: Regular Meeting February 11, 2010
Approved as written.

3. Special Requests

City-wide Garage Sale – Amy Prumo

Amy Prumo stated she had contacted GLEE who said they were not interested in organizing the garage sale, but would help advertise and promote it to support reuse and recycling. Ms. Prumo is planning the sale for March 20. Commissioners supported the efforts to reuse and recycle, but expressed concerns about parking. Chief Petrick suggested reiterating the parking rules everywhere possible would help. It was agreed city residents would need to get a permit from city hall to participate.

Motion – Moved by Commissioner Schmidt, seconded by Commissioner Vorick, to approve the request for a city-wide garage sale promoted by Amy Prumo. Roll Call Vote: Unanimous approval.

Declaration Establishing Arline Carbin Day – Pete Donnelly and Commissioner Vorick

Pete Donnelly stated that when he retired he was given a proclamation that means a lot to him and he suggested honoring Arline Carbin in a similar way by making February 25, 2010 Arline Carbin Day. He said Ms. Carbin had served the community for over 15 years, 6 years as a Commissioner including 3 years as Vice-Mayor. He felt that this would set a good precedent in our community for deserving people and that it would not diminish the Citizen of the Year Award given by the Community Association.

Commissioners expressed support for the idea and appreciation for Ms. Carbin, but some had concern for the precedent being set, the Citizen of the Year Award, and the timing of the declaration.

Motion – Moved by Commissioner Schmidt, seconded by Commissioner Vorick, to declare February 25, 2010 as Arline Carbin Day. Roll Call Vote: Unanimous approval.

Commissioner Schmidt expressed concern over how this matter was brought to the entire commission. After a brief discussion all commissioners agreed that matters should be brought to the entire commission for discussion. *(Clerk’s note: Citizens are given an opportunity at every regular commission meeting to bring any issue they wish to discuss before the entire commission during the “Correspondence & Citizen Comments” agenda item. This does not require prior notice or approval of any commissioner or staff person.)*

Mayor Sutton stated the city had a request from Hospice of the Florida Keys about use of city facilities and asked that they be allowed to speak even though this was not on the agenda. Commissioners agreed.

Special Requests - continued

Joan Hoch, representing Hospice of the Florida Keys, stated the organization holds an annual memorial service for families every year and this year they would like to use Sunset Park, weather permitting, or the conference room on March 26 from 4 – 6 p.m. She stated the organization would provide insurance and do all clean-up. Commissioners supported this effort.

Motion – Moved by Commissioner DeGraw, seconded by Commissioner Vorick, to waive fees for use of the park or conference room for Hospice of the Florida Keys for their memorial service. Roll Call Vote: Unanimous approval.

4. Committee and Staff Reports

A. Recreation Committee – No report.

B. Beautification Committee – City Clerk reported for Chair Gay Haase. The committee met and is asking the commission to change committee membership: Regular member Dinny MacIntosh will be an alternate, and Alternate John Moll will become a regular member. Commissioners approved the change in member roles.

C. Disaster Preparedness Committee – No report.

D. Planning & Zoning Committee – No report.

E. Utility Board – Mayor Sutton announced there will be a joint meeting of the commission and Utility Board today at 1:00 p.m. to discuss operation of the sewer plant.

F. Police Department – Chief Petrick stated several bicycles were stolen at the Cay Condo, but that the rumors of theft of fishing rods and reels were not true. There had been a misunderstanding and the rods and reels were returned to the owner. He stated Sgt. Birklund and Officer Smith completed Criminal Investigation training last week. Officer DiGiovanni had completed Supervisor training and completed another course toward his master's degree. Commissioners congratulated all officers.

G. Building Department/Public Works – Building Official Borysiewicz reported:

- There was a sewer lateral that needed repair on 11th Street. Once the ground has settled around the pipes the asphalt will be patched.
- He continues to work with owners on landscaping issues. Three lots were cleaned on the City Administrator's authority and the owners will be billed. These cases will be brought before the code board.
- He is still working to close old permits.
- New trash cans will be place in Sunset Park today.
- There is no new construction in the city, but many renovations and repairs.

H. City Secretary-Treasurer – Commissioner Vorick stated the city is in good financial shape.

I. City Clerk – City Clerk stated that 170 stormwater accounts were not paid by the February 15 deadline. Second notices are being prepared. Revenues collected to date for stormwater total \$82,740. She announced it is renewal time for permanent boat trailer parking and notices have been mailed.

5. Unfinished Business – None6. Items of Discussion/Approval*Interlocal Agreement with Monroe County Housing for Disaster Funding – Mayor Sutton*

Mayor Sutton stated DCA is providing additional funds for housing and economic recovery for those who suffered damages in 2008. Monroe County Housing is coordinating this effort. The city must have an agreement with Monroe County in order for our citizens to have access to the funding. Mayor Sutton stated that the city is not aware of any citizen who needs this help, but recommended signing the agreement just in case.

Motion – Moved by Vice-Mayor Zahn, seconded by Commissioner DeGraw, to approve the Interlocal Agreement with Monroe County Housing for Disaster Funding and authorize Mayor Sutton to sign for the city. Roll Call Vote: Unanimous approval.

Green City Award Application – Vice-Mayor Zahn

Vice-Mayor Zahn stated the city was nominated for a Green City Award and that she and Commissioner Schmidt had completed the application. During on-line voting the city received many votes and the Green Board would determine the winner. The presentations are to be made next month. She stated the city needed a Green Team and that she contacted the Chairs of the committees about being on the city's Team. Vice-Mayor Zahn stated that each city committee considers and uses Green ideas regularly. She asked for concurrence of the other commissioners for having the Chairs be our Green Team. Commissioners agreed. There were questions regarding the recycling efforts and processing in the Keys. Vice-Mayor Zahn will research the issue and report back.

Stormwater Policy – Commissioner Vorick – (shown under Agenda Item 7)

Commissioner Vorick stated there seems to still be some confusion about the city's stormwater program. He gave a brief description: All stormwater outfalls into the ocean must be closed to protect nearshore waters. Injection wells are dug to catch the water from the swales as required by DEP. The water in the wells may also be used as reuse water for irrigation. The city is making every effort to secure grant funding and has been working closely with South Florida Water Management District to complete stormwater improvements throughout the city. The city passed a stormwater ordinance which included assessing fees for a stormwater fund to help pay for our stormwater system. Eventually this fee will be collected as part of your tax bill.

Commissioners discussed that all have answered questions for citizens, most understand and appreciate stormwater improvements and the city's planning, agree that this is the best plan to address the issue, but no one likes more taxes. The city will continue to work with South Florida Water Management District and seek grant funding.

7. City Administrator Items For Discussion/Approval - None

Stormwater Policy – Commissioner Vorick – (taken in Agenda Item 6)

8. Ordinances and Resolutions - None9. Commissioners' Reports or Comments

Commissioner Vorick asked Attorney Wright about funds placed in escrow accounts of realtors. Attorney Wright stated there are a whole list of rules and requirements regarding escrow funds and how to deal with conflicts. He said the state regulates this through the Florida Real Estate Commission and he did not know if there was a recovery fund in the event of loss by a citizen. This is a state issue.

10. City Attorney Report – Thomas D. Wright - None

11. Correspondence & Citizen Comments

City Clerk stated one email was received from Pete Donnelly recommending today be declared Arline Carbin Day, which was previously discussed.

Citizen Comments

Charles Korpak, 371 5th Street, stated he would like to become more involved to help the city. He asked about the \$30,000 spent to make repairs at the sewer plant. He recommended that an audit be done to ensure that preventative maintenance procedures are in place and are being followed. He felt that if this were done and a problem arose, Synagro should be held responsible for repair costs.

Mayor Sutton explained that the entire commission reviewed and approved the cost of the repair, which was the least costly option. Commissioner Vorick stated that Synagro would not be operating the plant much longer, so the city had a chance to start over with a new operator.

John DeNeale, 670 10th Street, stated he had contacted Tom Genovese of South Florida Water Management District about our stormwater improvements and reported the conversation to Commissioners Vorick and Schmidt. He said he would forward that email to the city clerk for distribution to all commissioners.

The meeting adjourned at 10:30 a.m.

Vickie L. Bollinger, City Clerk

Note: A mechanical recording has been made of the meeting of which these minutes are a part, and a copy is on file in the office of the City Clerk, as a public record.