

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, March 11, 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: 10

2. Approval of Minutes: Regular Meeting February 25, 2010
Emergency Meeting – Sewer Plant Operations February 25, 2010
Approved as written.

3. Special Requests
Boat Lift – 16,000 Pound Elevator Boat Lift – 330 9th Street, Richard Waltz, Owner
Building Official Borysiewicz stated that Mr. Waltz wished to install a 16,000 pound elevator boat lift at his seawall. Boat lifts over 10,000 pounds must be approved by the city commission. He said the DEP permit had been received, Army Corps had given a verbal approval, and one adjoining neighbor had no objection. Building Official Borysiewicz stated if approved, a permit would not be issued until a copy of the ACOE permit was received. Representatives of Florida Keys Boat Lifts stated that they had contacted the other adjoining property owner by phone and that owner had questions about the boat extending onto his property. They assured the owner that the lift had an 8 foot clearance from the property line and the boat would not extend past Mr. Waltz’s property line.
It was noted that the adjoining property owner had no other comments and did not contact the city regarding this issue. Building Official Borysiewicz stated that it was against city code for a boat to extend past the property line.
Mayor Sutton said similar lifts have been approved throughout the city.
Motion – Moved by Commissioner Schmidt, seconded by Vice-Mayor Zahn, to approve installation of a 16,000 pound elevator boat lift at 330 9th Street, Richard Waltz, Owner. Roll Call Vote: Unanimous approval.

4. Committee and Staff Reports
A. Recreation Committee – Chair Ellen Albin reported:
 - The Craft group is participating in a quilt show in Tavernier on Friday and Saturday this week. All are invited to attend to see their projects.
 - Terms for members George Wright and Jim Padgett are expiring and they have both decided to retire from their many years of service. Also Alternate John Roslan has resigned. She expressed appreciation for all they have done to help the committee and our city. The committee is recommending two citizens to be new members. Bob Licause is a full-time resident living on 8th Street; and as an alternate Bill Knickman who is a seasonal resident and an avid tennis and golf player. She said the committee is still looking for one full-time resident for the committee. It’s important that the member be full-time so that they can get a quorum during the summer months.**Motion** – Moved by Mayor Sutton, seconded by Commissioner Schmidt to appoint Bob Licause as a full-time member and Bill Knickman as an alternate on the Recreation Committee. Unanimous approval.

Committee And Staff Reports – continued

B. Beautification Committee – No report.

C. Disaster Preparedness Committee – No report.

D. Planning & Zoning Committee – No report.

E. Utility Board – City clerk reported for Chair Keach that the bid package for the jib crane has been completed and the bid request will be advertised next week.

F. Police Department – Mayor Sutton reported for Chief Petrick who is ill that there was a laptop computer stolen at a condo unit and the perpetrator may be a friend of one of the residents of the unit. Police are investigating. The Mayor also said that there were no incidents or accidents reported during Key Colony Beach Day. He said the Chief would be working at home on the Police Department's website, adding information about crime prevention and home security.

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

- Public Works Department will be trimming the mangroves per DEP regulations.
- He heard a lawsuit was filed in Marathon by an owner whose residence was renovated. Two small changes were made during the renovation involving an air duct and an electrical outlet. The contractor was told by the Marathon Building Department that the small jobs did not require a permit. At the end of the renovation, the owner was not happy and sued the contractors. The owner's attorney noted that the small jobs were not included in the permit and therefore the city may have some liability. This lawsuit may affect our city. Building Official Borysiewicz said that state code requires all plumbing and electrical work to have a building permit. However, if it's a small job like replacing a water heater or changing an outlet (jobs less than \$1,000) he tries to work with owners and not be intrusive. He recommended the city follow this lawsuit, and said the outcome may change the way the city operates in the future regarding building permits for these small plumbing and electrical jobs. Attorney Wright stated the commission could set a policy of strict adherence to building codes.
- A letter was received from FEMA regarding three downstairs enclosures. The enclosures are legal. He said the city's responsiveness to FEMA regarding these issues and adherence to building codes provides a 10% discount on insurance for all property owners.

H. City Secretary-Treasurer – Commissioner Vorick stated the Check Detail and February Financial Statements are available for review and the city is in good financial shape.

I. City Clerk – City clerk stated that over \$83,000 has been collected for the stormwater utility, but there are still 120 residential accounts that have not paid. She asked for and received commission approval to add \$10 per month late fees beginning April 1, 2010. She reminded everyone that permanent boat trailer parking permits must be renewed by the end of this month and that sewer utility bills will be mailed around March 20.

5. Unfinished Business – None

6. Items of Discussion/Approval - None

7. City Administrator Items For Discussion/Approval

Update on Sewer Plant Operation Contract

Mayor Sutton stated the commission held a joint workshop with the Utility Board to discuss future operation of the sewer plant. The Utility Board will discuss this at their regular meeting on March 16 and make a recommendation to the city commission. The Mayor said this item would be on the March 25 commission agenda.

Mayor Sutton stated that the Fire/EMS agreement with the City of Marathon expires at the end of September. The agreement provides for another three year extension if both cities agree, but he believes Marathon may want to renegotiate. He asked commissioners to be thinking about this issue.

8. Ordinances and Resolutions - None

9. Commissioners' Reports or Comments

Commissioner Vorick led a discussion about boats encroaching on an adjoining neighbor's property. City code states a boat (on a lift or at a seawall) must be completely within the property boundaries. No part of a boat may encroach on an adjoining property. City codes relating to boats are emphasized in the Property Manager/Local Contact class for vacation rentals. Any property owner with an encroachment problem should contact Building Official Borysiewicz.

Commissioner Vorick stated he would like to see more boat patrols. Mayor Sutton stated that officers had been out during the last few months, but officer training, sick time, vacation time, and weather limited the number of hours available for patrols on the boat. The Mayor routinely discusses this with Chief Petrick and the number of hours of boat patrol is shown on the monthly police report.

Commissioner Schmidt stated she had asked Jim Reynolds of FKAA to review the city's contract with Synagro to operate the sewer plant. Working with FKAA would not be feasible in the next few months, but may be an option for the future.

Vice-Mayor Zahn stated she researched the recyclable issue that came up at the last commission meeting and found that a special truck is used to collect recyclables and they are taken to a processing center in Pembroke Pines. She assured all that our recyclables are being treated appropriately and our efforts are helping to reduce waste. The Vice-Mayor said that GLEE is considering offering composting classes if there is enough interest. If you are interested in learning about composting please email: gabel-kim@monroecounty-FL.gov for more information.

10. City Attorney Report – Thomas D. Wright

Attorney Wright stated the Code Board met yesterday and asked him to file liens on some properties that are not maintained. He said that last week a property with a code lien closed and the lien had been paid, so the process is working.

11. Approval of Warrant 0210 Expenses for the Month of February

Motion - Moved by Commissioner DeGraw, seconded by Vice-Mayor Zahn, to approve Warrant 0210 for the Month of February 2010 in the amount of \$287,794.02. Roll Call Vote: Unanimous approval.

12. Correspondence & Citizen Comments

City clerk stated two emails had been received:

Dawn Fernandes expressed thanks to Nicole Berger for providing tennis clinics on the island. Tom Tucker expressed thanks to the Building/Public Works and Police Departments and to the Community Association for the wonderful job they did during Key Colony Beach Day.

All commissioners agreed that the Community Association and city staff did a great job.

Citizen Comments - None

The meeting adjourned at 10:10 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.