

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, March 12, 2009, 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 Rusty Stevens, Commissioner Jeff Vorick and Commissioner Seneca “Tucker” DeGraw. *Excused:* Commissioner Geraldine Zahn. *Also Present:* Attorney Thomas Wright, Building Official Edward Borysiewicz, Police Chief Robert Petrick and City Clerk Vickie Bollinger. Public: 7
  
2. Approval of Minutes: Comp Plan Public Hearing and Regular Meeting February 12, 2009  
Approved as written.
  
3. Special Requests  
*Boat Lift – 20,000 pound Elevator Lift – 781 10<sup>th</sup> Street, James G. Coleman, Owner*  
Building Official Borysiewicz stated Mr. Coleman applied to install a 20,000 pound elevator boat lift. He has permits from Army Corps and DEP, a letter from the neighbor at 761 10<sup>th</sup> Street, and verbal approval from owners of 801 10<sup>th</sup> Street stating they have no objection to the lift. Similar lifts have been approved and this comes before the commission because the lift is over 10,000 pounds.  
**Motion** – Moved by Commissioner Vorick, seconded by Vice-Mayor Stevens, to approve installation of a 20,000 pound elevator boat lift at 781 10<sup>th</sup> Street, James G. Coleman, Owner.  
Roll Call Vote: Unanimous approval.  
  
*Sidewalk Sale – Fish Lips Island Cargo Inc., Andrea Ayres, Owner*  
Andrea Ayres stated she would like approval to place tables on the sidewalk in front of her store for 3 days to display merchandise from the store. No additional signage would be used, only advertisements in the newspaper.  
**Motion** – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to approve placement of tables on the sidewalk in front of Fish Lips Island Cargo Inc. for a sidewalk sale. Roll Call Vote: Unanimous approval.
  
4. Committee and Staff Reports
  - A. Recreation Committee – Chair Ellen Albin reported things were going well at the golf course, the new mats installed, sprinklers ordered, and the KCB Day tournament resulted in a donation to the Community Association. Ms. Albin stated there is concern about the dry condition of the course. Watering is done according to the schedule, but it has been an unusually dry winter. Other recreation activities are going well and there is a request to add ping-pong. An informational ad will be posted to determine the level of interest. Mayor Sutton stated that the golf course is watered as much as possible and using all the reuse water produced. It was suggested the portable water tank be used to help. Mayor Sutton will follow-up with Public Works and golf course management.
  
  - B. Beautification Committee – Clerk for Chair Gay Haase stated the committee is recommending Janie Byland, who is now an alternate, be made a full member of the committee and that John Moll be appointed as an alternate.

Committee And Staff Reports – Beautification Committee – continued

**Motion** – Moved by Vice-Mayor Stevens, seconded by Commissioner DeGraw, to appoint Janie Byland a full member and John Moll an alternate member of the Beautification Committee. Roll Call Vote: Unanimous approval.

C. Disaster Preparedness Committee –No report.

D. Planning & Zoning Committee – No report.

E. Utility Board – No report.

F. Police Department – Chief Petrick stated KCB Day went smoothly with no incidents to report. He asked that anyone missing campaign signs to contact him; there were some reports of stolen signs, which is a crime.

In response to a question, Chief Petrick stated that tickets were issued during the Garden Club tour and that in the future the Club will be requested to have someone available at each home to direct their guests where to park.

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

- Assistant John Thomson and Maintenance Worker Joe Boucher worked with the Beautification Committee to improve the areas around the memorial, flag poles and playground.
- Circle K contractors paid \$21,000 for building permits to install gas tanks and a generator, renovate the interior and exterior of the store, and do landscaping. An additional fire hydrant may be installed. The project should start in about a month and will take 5 weeks.

Commissioner Vorick stated that with the sewer pipe inspections, a drawing is required to show where the clean-outs and lines are. Building Official Borysiewicz stated the inspection form had been revised to include the drawing. This drawing will benefit the property owner as well as the city by showing where the lines and clean-outs are.

Commissioner Vorick asked about the repair job on 10<sup>th</sup> Street. Mayor Sutton stated that the property owner had questioned whether the ground had been properly compacted to allow him to reinstall the brick pavers. The repair was discussed with Utility Board Chair Keach and Sewer Operator Dave Evans and city code was reviewed. The area was dug out and new fill was placed to ensure proper compaction per city code. Testing of the original fill showed that it met city code requirements. All this information will be used for future repairs.

H. City Secretary-Treasurer – Commissioner Vorick stated the February 2009 Check Detail Report and Financial Statements are available for review; and that the city's financial condition was good. He reported a decrease in the total assessed value for the city and challenged the commission to meet the rollback rate again this year.

I. City Clerk – City clerk reported renewals for permanent boat trailer parking were mailed, sewer bills will be mailed next week, and reminded everyone of the Annual Organizational Meeting on Wednesday, April 1.

5. Unfinished Business - None

6. Items of Discussion/Approval

*Interlocal Agreement with Monroe County for Reimbursement for Dock Repairs – Mayor Sutton*

Mayor Sutton stated the city repaired the dock behind the post office and 7<sup>th</sup> Street Annex last year. In a meeting with Rich Jones, Monroe County Marine Resources, Mr. Jones said that the Boating Improvement Fund could be used for building docks. The interlocal agreement is for the Boating Improvement Fund to reimburse the city for over \$38,000 of cost to repair and rebuild the dock. Attorney Wright stated he had reviewed and approved the agreement.

**Motion** – Moved by Vice-Mayor Stevens, seconded by Commissioner DeGraw, to approve the Interlocal Agreement with Monroe County for Reimbursement for Dock Repairs and authorize the Mayor to sign. Roll Call Vote: Unanimous approval.

*Seagrass Markers in Shelter Bay, Hiring Glen Boe & Assoc. for Engineering, Permits – Mayor Sutton*

Mayor Sutton stated Rich Jones had also visited Shelter Bay and reviewed the seagrass beds and current buoy markers. He agreed that the Boating Improvement Fund could help to install markers to protect the seagrass beds. The city would be responsible for the engineering and permitting. Mayor Sutton stated that at the meeting Mr. Jones agreed that a letter be sent to the Army Corp of Engineers asking that the placement of these markers satisfy the mitigation requirement to allow the dredging in the canals between 12<sup>th</sup> and 13<sup>th</sup> Streets and 13<sup>th</sup> and 14<sup>th</sup> Streets. If there were no other cost for mitigation, the city could apply for grant funds to do the dredging. The cost for the engineering and permitting by Glen Boe & Associates would be up to \$2,000.

**Motion** – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to hire Glen Boe & Associates for engineering and permitting work, and writing letters to Army Corps of Engineers about the mitigation, at a cost not to exceed \$2,000. Roll Call Vote: Unanimous approval.

In response to a question, Building Official Borysiewicz stated that the areas to be marked are on each side of the existing red and green buoys.

*Purchase of Property with Boat Ramp and Docks on Coral Lane, Grant Possibilities – Mayor Sutton*

Mayor Sutton stated that Attorney Wright is part owner of this property and had recused himself from discussion. Vice-Mayor Stevens works for part owner Brian Schmidt and also recused himself.

Mayor Sutton gave a brief history of the property and the grant the city had applied for in 2006 to buy the property. He stated that he had discussions with the grant writer who said the city score would be higher this time and we may be able to get a grant. The grant writer would charge \$4,500 to prepare the application.

Commissioners discussed: use of the property for docks, boat ramp, picnic areas; difficult economic times; costs in addition to the purchase price; it is a valuable piece of property; would be an asset to the city. Commissioners agreed to table further discussion until after the Mayor met with the grant writer and more information is available.

7. City Administrator Items For Discussion/Approval

*Waiver of Fees for Use of City Facilities by City Employee*

Mayor Sutton said that a city employee had requested use of city facilities for his wedding. Mayor Sutton recommended that rental fees be waived for any employee wishing to use city facilities. Proof of insurance would still be required. Commissioners agreed.

City Administrator Items For Discussion/Approval - continued

Fishing and Boating Club Wall Space for Plaques

Mayor Sutton stated that the Fishing and Boating Club would like to have more wall space for plaques. Commissioners agreed to allow space on the wall by the fire extinguisher.

George Lees for the Fishing and Boating Club asked for permission to hang the plaque from the city for the Sunset Park tiki hut floor in the tiki hut. Commissioners agreed.

8. Ordinances and Resolutions

*2<sup>nd</sup> Reading – Ordinance 407-2009 Amending Chapter 9 Business Taxes, Permits and Business Regulations*

Attorney read by title only Ordinance 407-2009.

**Motion** – Moved by Commissioner Vorick, seconded by Vice-Mayor Stevens, to adopt Ordinance 407-2009 Amending Chapter 9 Business Taxes, Permits and Business Regulations. Roll Call Vote: Unanimous approval.

*1<sup>st</sup> Reading – Ordinance 408-2009 Amending Chapter 1 Schedule of Violations and Penalties; and Adding Chapter 11 Sections 11-4 and 11-5 False Alarms*

Attorney read by title only Ordinance 408-2009 and then briefly described the new rules and that any dispute over the fines or service charges will go to the Code Board for resolution.

**Motion** – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to approve the 1<sup>st</sup> Reading of Ordinance 408-2009 Amending Chapter 1 Schedule of Violations and Penalties; and Adding Chapter 11 Sections 11-4 and 11-5 False Alarms. Roll Call Vote: Unanimous approval.

9. Commissioners' Reports or Comments

Commissioner Vorick suggested that a dedication service be held for the new public works building and a plaque be purchased to commemorate the building. Commissioners agreed to put a plaque on the building.

Commissioner DeGraw stated the Beautification Committee had added plantings around the memorial, he is getting bids for a brick walkway, and Building Assistant Thomson may build a small bench for the area. He said these efforts have made the memorial more noticeable and appreciated by citizens. He reported that he attended an FDOT meeting and that the 7-mile Bridge will be closed for a few hours on several days for some major repairs.

10. City Attorney Report – Thomas D. Wright – No report.

11. Correspondence & Citizen Comments

Letter from Meredith McDonald asking that landscaping at the 7<sup>th</sup> Street Park be maintained properly and dead plants be replaced.

Mayor Sutton said the Beautification Committee and city staff were already working in this area to improve the landscaping.

Citizen Comments – None

The meeting adjourned at 10:40 a.m.

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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.