

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, March 26, 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, Commissioner Seneca “Tucker” DeGraw and Commissioner Geraldine Zahn. *Also Present:* Attorney Thomas Wright, Building Official Edward Borysiewicz, Police Chief Robert Petrick and City Clerk Vickie Bollinger. Public: 7

Mayor Sutton stated this was the last meeting for Vice-Mayor Rusty Stevens and presented him with a plaque in appreciation for his service as a city commissioner. Vice-Mayor Stevens thanked everyone for their support and good wishes.

2. Approval of Minutes: Regular Meeting March 12, 2009  
Approved as written.

3. Special Requests

*Proclamation – April as Water Conservation Month – South Florida Water Management District*

Mayor Sutton read the proclamation.

**Motion** – Moved by Commissioner Zahn, seconded by Vice-Mayor Stevens, to approve the Proclamation to name April as Water Conservation Month and authorize Mayor Sutton to sign for the city. Roll Call Vote: Unanimous approval.

4. Committee and Staff Reports

A. Recreation Committee – No report.

B. Beautification Committee – No report.

C. Disaster Preparedness Committee – No report.

D. Planning & Zoning Committee – No report.

E. Utility Board – No report.

F. Police Department – No report.

G. Building Department/Public Works – *Repeal of code Chapter 20*

Building Official Borysiewicz reported:

- Sand castles were being built at Sunset Park for all to enjoy.
- Habitat for Humanity volunteers had helped to demolish the porch behind the 7<sup>th</sup> Street Annex and will come back to repair and paint the building.
- Owners have been turning in sewer line inspection reports.
- Circle K will begin renovations next week.
- Plans were submitted for a single-family home on 1<sup>st</sup> Street.
- Assistant John Thomson and Maintenance Worker Joe Boucher have been working with the Beautification Committee on projects throughout the city.

Committee And Staff Reports – Building Department/Public Works - continued

- Preparations will be made on Friday for the Taste of the Islands event on Sunday.
- Gonzalez Landscaping has been fertilizing plants and will be cleaning the planter in front of City Hall per the Beautification Committee direction.
- Meeting was held with DEP regarding waterside mangrove trimming and more information is to come.
- New basketball hoops were installed.
- North end of the Causeway will be striped as it was before to allow a 3 foot wide path behind the parked cars. This will improve visibility and safety.

H. City Secretary-Treasurer – Commissioner Vorick stated that the city’s financial condition was good.

I. City Clerk – City clerk reported classes for the Vacation Rental Property Certificate of Completion will be held once a month for the next few months. It has been two years since this program was instituted and the ordinance requires certification every two years.

*Repeal of Code Chapter 20* - Building Official Borysiewicz stated that Chapter 20 of the Code of Ordinances was outdated and those issues were now covered by Chapter 6. Attorney Wright explained that the repeal must be done through an ordinance and the issues in Chapter 20 were now covered by LDRs and other building code. Commissioners directed the attorney and city clerk to draft an ordinance for the next meeting.

5. Unfinished Business - None

6. Items of Discussion/Approval

*Bids for Stormwater Project on the East Side – Mayor Sutton*

Mayor Sutton stated the low bidder for this project was BAT Construction at a price of \$583,257. He said this was the same company that did the 9<sup>th</sup> and 10<sup>th</sup> Street project and that despite a few issues, he was satisfied with the completed work. The Mayor explained that this project will be funded with grants from South Florida Water Management District (SFWMD) of \$100,000 and Community Development Block Grant (CDBG) of \$600,000. The SFWMD portion must be completed by September 15. The plan is to use the SFWMD grant to install 7 injection wells and do them first. There is no time deadline for the CDBG portion of the project. Mayor Sutton recommended awarding the project to BAT Construction. The consulting engineer, Mike Tibble of Mittauer & Associates sent a fax that also recommended BAT Construction for the project.

**Motion** – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to award the construction of the East Side stormwater project to BAT Construction at a cost of \$583,257. Other vendors’ costs for administration and engineering of \$78,700 result in a total project cost of \$661,957. Roll Call Vote: Unanimous approval.

Mayor Sutton stated the contract includes that well construction must be complete by August 1. He said he will be sending letters to East Side property owners notifying them of the project and the option for perforated pipe instead of a swale. Unfortunately the price per foot is much higher with this project at \$50.07 per foot. The estimated cost to the property owner of a half duplex would be \$750.

7. City Administrator Items For Discussion/Approval

Mayor Sutton reported that he had received an estimate to put a bronze plaque on the new public works building of \$512 or an aluminum one for \$400 or put one inside for about \$50. Commissioners agreed to order an indoor plaque.

Mayor Sutton stated it was time to place a request for bids for the debris removal contracts. This needed to be completed prior to the start of hurricane season. Commissioners agreed and directed that bid requests be advertised.

8. Ordinances and Resolutions

*2<sup>nd</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.

**Motion** – Moved by Commissioner Zahn, seconded by Commissioner DeGraw, to adopt 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.

Mayor Sutton recognized Tom Genovese of South Florida Water Management District and presented the Proclamation for Water Conservation to him. Mr. Genovese thanked the commission for their support and stated this is the 3<sup>rd</sup> driest start of the dry season in history. SFWMD has been asking all government entities to step up enforcement of water restrictions. He encouraged everyone to attend the GLEE Expo on Saturday at Marathon High School. In response to a question, he stated that 50% of water from lawn irrigation evaporated and constituted the largest use of water in South Florida. That is why the restrictions were placed on irrigation, because there was a large savings. Other uses like washing cars or boats were not done on a daily basis and the savings from restricting those uses was much smaller.

*1<sup>st</sup> Reading – Ordinance 409-2009 Amending Chapter 6 Buildings, Article V. Water and Irrigation Conservation*

Attorney read by title only Ordinance 409-2009 and briefly explained the amendments in support of water restrictions and enforcement.

**Motion** – Moved by Commissioner Vorick, seconded by Commissioner Zahn, to approve the 1<sup>st</sup> Reading of Ordinance 409-2009 Amending Chapter 6 Buildings, Article V. Water and Irrigation Conservation. Roll Call Vote: Unanimous approval.

9. Commissioners' Reports or Comments

Commissioner Zahn thanked Sgt. Birklund for helping visitors over the weekend. She stated the police officers are the face of our city and she appreciated and applauded the good attitude and helpfulness of Sgt. Birklund and all officers. She encouraged all to attend the GLEE Expo on Saturday from 9 a.m. to 4 p.m. at Marathon High School. She thanked the Public Works Department for taking care of issues at the 7<sup>th</sup> Street Annex.

Commissioner Vorick asked all citizens to carefully consider candidates for the School Board and critically evaluate the current administration in total not just recent events.

Commissioner DeGraw stated the Beautification Committee is to be thanked and applauded for the work they are doing throughout the city. He reminded all that the 7-Mile Bridge continues to undergo repairs and closures.

Vice-Mayor Stevens thanked the citizens who he has been privileged to represent; the city staff and fellow commissioners. He expressed appreciation to Mayor Sutton for his long hours and efforts to the benefit of this city.

10. City Attorney Report – Thomas D. Wright

He stated the only legal issue continues to be the lawsuit regarding business taxes and he monitors that issue; otherwise there is no pending or threatened litigation. He stated he will attend the April 1 Organizational Meeting, but will be on vacation for the Regular Meeting on April 9.

11. Approval of Warrant 0209 Expenses for the Month of February

**Motion** - Moved by Commissioner Zahn, seconded by Commissioner DeGraw, to approve Warrant 0209 for the Month of February 2009 in the amount of \$295,260.25. Roll Call Vote: Unanimous approval.

12. Correspondence & Citizen Comments

City Clerk reported on one letter from Meredith McDonald thanking the Mayor, Public Works employees, and Sally Gill for the quick response to her last letter and the landscape improvements in the park.

Citizen Comments – None

The meeting adjourned at 10:25 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.