

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, April 9, 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 Geraldine Zahn, Commissioner Jeff Vorick, Commissioner Seneca “Tucker” DeGraw and Commissioner Mary Schmidt. *Also Present:* Police Chief Robert Petrick and City Clerk Vickie Bollinger. *Excused:* Attorney Thomas Wright and Building Official Edward Borysiewicz. Public: 10
2. Approval of Minutes: Regular Meeting March 26, 2009
Organizational Meeting April 1, 2009
Police Workshop April 3, 2009

Approved as written.

3. Special Requests

Letters of Support for Adult Day Care and After School Programs – Byron Hestevold

Byron Hestevold requested letters of support for two programs he will be trying to organize in the fall: Adult Day Care and an After School Program. Both programs will be held in local churches in the City of Marathon, using volunteers such as retired nurses and teachers. Mr. Hestevold outlined each program and stated it would benefit our city because our residents could make use of these services. He told of other successful programs and stated he was not requesting any financial support only a letter. Commissioners made favorable comments about both of these programs.

Motion – Moved by Vice-Mayor Zahn, seconded by Commissioner DeGraw, to authorize Mayor Sutton to write a letter of support for these programs from the city. Roll Call Vote: Unanimous approval.

Boat Lift – 20,000 Pound Elevator Lift – 621 9th Street, Morton D. Clark, Owner

Mayor Sutton stated Mr. Clark has applied for installation of a 20,000 pound elevator boat lift at 621 9th Street. Permits had been issued from DEP and ACOE and letters from the neighbors stating they do not object have been received.

Motion – Moved by Commissioner DeGraw, seconded by Commissioner Schmidt, to approve installation of a 20,000 pound elevator lift at 621 9th Street, Morton D. Clark, Owner subject to compliance with all building rules and regulations. Roll Call Vote: Unanimous approval.

Boat Lift – 16,000 Pound Elevator Lift – 131 8th Street, Rory & Kristina Carmichael, Owners

Mayor Sutton stated the Carmichaels have applied for installation of a 16,000 pound elevator boat lift at 131 8th Street. Letters from the neighbors stating they do not object have been received. Army Corps and DEP have not issued permits. The contractor, Florida Keys Boat Lifts, stated that the Carmichaels had a smaller lift that had failed. The requested lift is an upgrade and will be moved to a concrete dock.

Motion – Moved by Vice-Mayor Zahn, seconded by Commissioner Schmidt, to approve installation of a 16,000 pound elevator lift at 131 8th Street, Rory and Kristina Carmichael, Owners subject to permits from Army Corps and DEP and all other building rules and regulations are met. Roll Call Vote: Unanimous approval.

4. Committee and Staff Reports

A. Recreation Committee – Chair Ellen Albin reported the committee met and:

- has been gathering information about participation in recreational activities. The committee wants to put the available funding in those activities most supported by the community.
- the golf course grass is improving and business is good. Only one comment had been received and that was the benches needed to be dried each morning. The benches are being dried, but the humidity makes it hard to keep them dry.
- tennis players have attended the meetings to discuss the condition of the courts. The committee would like to add a tennis player to the committee. If interested, please contact Ms. Albin, other committee member, commissioner, or city hall office.
- craft, hooping and exercise classes will all end by the end of this month. Craft project information for next year is available at city hall. The committee thanked Norval Smith who helped with the sound system for the exercise class and at no cost to the city. There may be an evening exercise class next year.

Commissioner Zahn complimented Chair Albin and the entire committee for the excellent job they are doing. All commissioners and public agreed.

B. Beautification Committee – Mayor Sutton expressed appreciation for the work of this committee throughout the city. Their work can be seen in all of the parks and entrance.

C. Disaster Preparedness Committee – Mayor Sutton stated that bid requests for Debris Preparation and Debris Removal will be advertised in the newspaper on April 15 and 18. The city has reported to DEP regarding debris collection sites.

D. Planning & Zoning Committee – No report.

E. Utility Board – No report.

F. Police Department – *Police Staffing and Grant*

Chief Petrick stated a workshop was held to discuss whether to fill the vacant position. Mayor Sutton reported on the discussion at the workshop: the cost savings (\$58,200) from not hiring another police officer, extra hours worked by Chief Petrick, scheduling changes, increases to overtime and contract police services, and some service reductions. The Mayor recommended not filling the position at this time. The other commissioners concurred. Concern was expressed over reduction in services during the summer rental season.

Motion – Moved by Commissioner DeGraw, seconded by Vice-Mayor Zahn, to not fill the vacant police officer position on a permanent basis and reduce the force to 5 people. Roll Call Vote: Unanimous approval.

Chief Petrick requested authorization to apply for a grant from the Cops Hiring Recovery Program which was created to increase the number of officers on the street in communities impacted by budget constraints. The grant would pay salary and benefits for an officer for 3 years with the condition the city pays for the fourth year. The Chief suggested placing the savings from overtime and contract police services into a reserve account for the three years to offset the costs of the fourth year. Commissioners agreed that the city should apply and thanked Chief Petrick for finding the grant and completing the application.

Committee And Staff Reports – Police Department – continued

Motion – Moved by Commissioner DeGraw, seconded by Commissioner Schmidt, to authorize Chief Petrick to apply for the Cops Hiring Recovery Program Grant. Roll Call Vote: Unanimous approval.

Joe Schmidt, 4th Street, suggested creating a special police force using unarmed volunteers to increase police presence in the city. Chief Petrick stated this had been tried before, but there were only three volunteers and the efforts stopped after a couple months. He stated he would be willing to work with volunteers if anyone was interested.

G. Building Department/Public Works – No report.

H. City Secretary-Treasurer – Commissioner Vorick stated the Check Register was available for review and the city's financial condition was good.

I. City Clerk – No report.

5. Unfinished Business

Purchase of Property with Boat Ramp and Docks on Coral Lane – Mayor Sutton

Mayor Sutton stated he had met with Ryan Ruskay regarding application for a grant to purchase the property on Coral Lane. Mr. Ruskay had indicated that the grant score would be higher this time due to the lower purchase price, creation of the scenic trail, and changes in scoring criteria. Commissioners discussed/commented:

- Property needs work – new ramp and docks, clean-up of wooded area. Other grants may be available to pay for these improvements. The city would have several years to complete this work.
- Grant writer would charge \$4,000-\$4,500, much lower than normal fee of \$7,000.
- Need to look to future, not just current economic condition, but there is a risk.
- Cost of property from \$1.5 million a couple years ago to \$650,000 now. Appraisals are much higher than the current price of \$650,000.
- Need to annex property from City of Marathon: process to do this and how much it would cost are unknown.
- If purchased with grant, public access would be required and traffic on Coral Lane would increase.
- This is a valuable piece of property due to its waterfront location.

Commissioners and Paul Joseph, KCB Realty, discussed options available for negotiating a purchase contract with the owners including: asking owners to pay for grant application, provision that the city would buy only with grant funds and annexation required, need to consider future needs of the city, need to hire attorney to represent city since Attorney Wright is an owner, and that everything is negotiable.

Joe Schmidt, Commodore of the Fishing and Boating Club, stated the club supports any additional access to the water and that the club donates money to the city which may be used to pay for the grant application.

Commissioners agreed that more information is needed regarding the possibility of negotiating with the owners on issues involving grant funding, annexation, and paying for the grant application writer. The deadline to apply for the grant is mid-May and there may not be enough time to do all the research necessary to make a decision.

Mayor Sutton stated he would follow-up on these issues and commissioners agreed to table this issue until the next meeting.

6. Items of Discussion/Approval

Fire/EMS Expense – Mayor Sutton

Mayor Sutton explained that the city received an invoice for \$25,111.59 for Fire/EMS services for last fiscal year. The agreement with Marathon provides for quarterly payments and then a final reconciliation using actual revenues and expenses at year end. The Mayor met with Marathon officials and was told that revenues were lower than budgeted, bad debts were much higher than anticipated, and pension costs were much higher. These three things contributed to the additional payment. This additional payment was not expected and the Mayor is taking steps to be sure the city is better informed throughout the year.

Mayor Sutton stated that quarterly payments last fiscal year totaled less than the amount budgeted by \$11,255 and the balance of \$13,856.59 can be paid from the savings from not hiring the police officer or from contingency funds.

Commissioners acknowledged that payment must be made and agreed that Marathon be asked to provide updates throughout the year. Mayor Sutton will follow-up.

City Correspondence using email – Mayor Sutton

Mayor Sutton stated that citizens have requested city documents through email. This would require establishing and maintaining a mail list. Commissioners agreed use of email would be a benefit to keeping citizens better informed. City Clerk stated she would work with Marco Gransee who created and maintains our website. Mr. Gransee told the clerk he could add an option on the website where citizens could add or remove their own email address and the list downloaded to mail documents.

Motion – Moved by Commissioner DeGraw, seconded by Commissioner Schmidt, to create an email list to send documents from the city to citizens. Roll Call Vote: Unanimous approval.

Mayor Sutton stated that this list was for emailing minutes to citizens. Commissioners discussed other communications, such as letters, audio recordings, documents from a single commissioner, but agreed this email list would only be used for minutes at this time.

Scheduling of Future Commission Meetings – Mayor Sutton

Mayor Sutton stated three commission meeting dates needed to be changed: the August 13 meeting to August 11 so the commissioners can attend the Florida League of Cities Conference, the November 26 meeting which is Thanksgiving Day to November 24, and the December 24 meeting cancelled. Commissioners agreed to rescheduling the August and November meetings. Attorney Wright will be consulted to be sure the December 24 meeting can be canceled.

7. City Administrator Items For Discussion/Approval

Update on East Side Stormwater Project

Mayor Sutton reported: letters had been mailed to all property owners on the East Side of the island regarding the swales and pipe, the pre-construction meeting will be held on April 17, and construction should begin at the beginning of May. Owners wanting pipe instead of a swale must have their payments to the city by May 15.

Mayor Sutton stated he attended a meeting with the county and other cities regarding the gas tax interlocal agreements and how the gas tax money will be shared. Nothing has been finalized and he will continue to follow-up.

8. Ordinances and Resolutions

2nd Reading – Ordinance 409-2009 Amending Chapter 6 Buildings, Article V. Water and Irrigation Conservation

Mayor read by title only Ordinance 409-2009 and stated this was to support the water restrictions of the South Florida Water Management District.

Motion – Moved by Commissioner Vorick, seconded by Commissioner Schmidt, to adopt Ordinance 409-2009 Amending Chapter 6 Buildings, Article V. Water and Irrigation Conservation. Roll Call Vote: Unanimous approval.

1st Reading – Ordinance 410-2009 Repealing Chapter 20 Coastal Code

Mayor read by title only Ordinance 410-2009 and stated this was to delete old code from the ordinance book. Chapter 20 has been replaced by newer regulations in other chapters.

Motion – Moved by Commissioner DeGraw, seconded by Vice-Mayor Zahn, to approve the 1st Reading of Ordinance 410-2009 Repealing Chapter 20 Coastal Code. Roll Call Vote: Unanimous approval.

9. Commissioners' Reports or Comments

Commissioner DeGraw stated the 7-Mile Bridge will be closed for repairs on April 20 (this date was later corrected to April 27).

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

11. Approval of Warrant 0309 Expenses for the Month of March

Motion - Moved by Commissioner Vorick, seconded by Commissioner DeGraw, to approve Warrant 0309 for the Month of March 2009 in the amount of \$231,336.98. Roll Call Vote: Unanimous approval.

12. Correspondence & Citizen Comments - None

The meeting adjourned at 11:50 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.