

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, May 14, 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:* Attorney Thomas Wright, Building Official Edward Borysiewicz, Police Chief Robert Petrick and City Clerk Vickie Bollinger. Public: 6
2. Approval of Minutes: Regular Meeting April 23, 2009
Approved as written.
3. Committee and Staff Reports
 - A. Recreation Committee – Chair Ellen Albin reported the committee met and:
 - Mary Spano reported the golf course had a good winter season and repairs had been made to the greens that were damaged by vandals.
 - The landscaping along side the pickleball court will not be trimmed to provide a wind break for the pickleball and tennis courts. Windscreens will be installed soon and Public Works will roll them up in the event of a storm. The east tennis court will be lined for pickleball due to the high demand for pickleball courts.
 - Table tennis was put on hold until next season; 4 citizens have expressed interest.
 - The committee is recommending a new fitness class for the summer months. The class will be lead by the Area Health Education Center and will be low impact aerobics, balance and strength training along with nutrition and healthy living classes. Participants will be asked to fill out a form and their physical conditioning will be monitored to document improvements.All commissioners supported this program and classes will begin May 26.
Chair Albin stated that Committee Member John Roslan has been gathering data regarding use of city recreation areas for activity outside of organized leagues or classes. He monitored the areas for 31 days taking counts 4 times per day and has analyzed the data to determine the number of people using each facility. He will do another survey next year and the information will be used by the committee to plan for future needs. Mr. Roslan was thanked for his generous donation of time and talents.
Chair Albin stated she would be out of the city for the next few months and Vice-Chair Blanche Hines will take over while she is gone.
 - B. Beautification Committee – No report.
 - C. Disaster Preparedness Committee – Building Official Borysiewicz stated the committee will meet, test the generator, and supplies checked and ordered in the next week or two.
 - D. Planning & Zoning Committee – No report.
 - E. Utility Board – No report.

Committee And Staff Reports – continued

F. Police Department – Chief Petrick stated he is applying for two grants. The first is for body armor and the grant will pay 50% of the cost of these items for the next three years. The second grant is from the Edward Byrne Memorial Justice Assistance program in the amount of \$5,864. This is not a competitive grant and does not require matching funds. Chief Petrick is reviewing department needs to determine how the grant will be used.

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

- Public Works has been issuing garbage can tickets, warning tickets for irrigation violations, and completing street striping on the west side of the island.
- A permit will be issued next week for a single family home on 1st Street.
- Circle K has completed their renovation and is open for business.
- Sewer Lateral inspections are continuing.

H. City Secretary-Treasurer – Commissioner Vorick stated the Check Detail Report and the April Financial Statements were available for review and the city's financial condition was good.

I. City Clerk – City clerk stated that FY07-08 Audit had been completed and was available for review. She reviewed the options for sending documents to citizens using email. Commissioners discussed the options in terms of the easiest for citizens to get information, best use of technology, and the most efficient use of employee time. They directed the city clerk to develop a system on the website to electronically create and send emails that contain a link to the document. Citizens should be given a choice of what documents they would like to receive.

Commissioners and city clerk expressed appreciation to Mr. Gransee for his work on our website which he generously donates to the city.

4. Unfinished Business

Summer Youth Employment Program – Commissioner Schmidt

Commissioner Schmidt stated she had applied for 5 youth workers from the Summer Youth Employment Program, but that none may be available because the kids are not signing up. She stated that the state will cover wages, insurance and all other costs related to hiring these youth workers. Commissioners discussed how to use these young workers and agreed to give this program a try.

Motion – Moved by Vice-Mayor Zahn, seconded by Commissioner Schmidt, to apply to the 2009 Youth Employment Program for youth workers for this summer. Roll Call Vote: Unanimous approval.

5. Items of Discussion/Approval

Debris Preparation and Removal Bids Review and Award – Mayor Sutton

Mayor Sutton stated Gonzalez Landscaping's bid of \$150 per hour was the low bid for the Debris Preparation Crew. He stated Gonzalez has been the contractor for the last several years and has performed very well, especially in cleaning up Sunset Park after the storms last year. Commissioners agreed. This bid was also \$50 less than the current contract price.

Motion – Moved by Commissioner DeGraw, seconded by Vice-Mayor Zahn, to award the contract for Debris Preparation to Gonzalez Landscaping for \$150 per hour. Roll Call Vote: Unanimous approval.

Items of Discussion/Approval – Debris Bids – continued

Mayor Sutton stated that seven companies had submitted bids for Debris Removal. Some of the companies were not local which may be a problem with mobilization prior to a storm. Building Official Borysiewicz said that the winning company is required to have equipment on the island prior to the storm so that clean-up could begin immediately. FEMA will pay 100% of the cost of clean-up during the first 72 hours after a storm so it was important that equipment be on the island and available as soon as possible after a storm. Mayor Sutton said there will be mobilization fees charged when the contractor moves equipment to the island before the storm.

Analyzing the bids from the local contractors is not easy because the bid contains the cost for several pieces of equipment and each piece may be used a different number of hours. Mayor Sutton stated he took the four machines most likely to be used and compared those prices. His analysis resulted in Marathon Seawall and Dock being the low bidder. This contractor has been doing this work for several years and has always done a good job. In addition the cost to the city for this equipment is less than the current contract. Commissioners agreed that a local contractor was a better choice and that Marathon Seawall and Dock has served the city well. Mayor Sutton stated that the mobilization fee for this contractor would be \$130 and he directed the city clerk to be sure this was stated in the contract.

Motion – Moved by Commissioner DeGraw, seconded by Commissioner Schmidt, to award the contract for Debris Removal to Marathon Seawall and Dock with a total price for one hour for all machines of \$915 and a mobilization fee of \$130. Roll Call Vote: Unanimous approval.

Reschedule July 23, 2009 Regular Meeting – Attorney Wright

Mayor Sutton stated that Attorney Wright had requested the July 23 meeting be changed. Attorney Wright stated he would be on vacation for the first meeting and had a conflict for the second that he was unable to change. He said he would prefer not to miss both July meetings and asked the commission to meet the Tuesday or Wednesday before July 23. Commissioners agreed that Tuesday, July 21, 2009 was best.

Motion – Moved by Commissioner Vorick, seconded by Commissioner DeGraw, to reschedule the July 23, 2009 meeting to Tuesday, July 21, 2009. Roll Call Vote: Unanimous approval.

Storage Unit Rules and Regulations – Commissioner Schmidt

Commissioner Schmidt stated she had received many calls regarding storage units and asked that the commission reconsider the building regulations to allow temporary storage units. Building Official Borysiewicz stated this issue has been discussed several times over the years and he had been directed to enforce the building codes. Attorney Wright stated that the commission needed to instruct the staff how to deal with this issue and that commission direction had changed from time to time over the years.

Commissioners, Attorney Wright and staff discussed/commented:

- No one is complaining about the storage units, so maybe we should add an ordinance allowing them.
- Do not amend the LDR, just do an ordinance so that we can make changes easier.
- Procedures can be written so that neighbor input is required, like with boat lifts.
- Problem with these units in the setbacks is mostly on the Causeway where the setback is only 5 feet. This was a big issue at one time.
- Rules and standards are needed and a simplified variance process may work best. LDR cannot be changed by adopting city code.
- Planning & Zoning could be asked to review this issue and make a recommendation.

Items of Discussion/Approval – Storage Units – continued

- Storage units must be made of the same materials as the house and be out of the setback. Many storage units have been removed as a result of the direction of the previous commission to have all units comply with the current building code.
 - We need to be fair to all citizens and try to be responsive, but safety and aesthetics must be maintained. During the last few storms, no problems occurred with these storage units.
- Attorney Wright offered to draft an ordinance for review of the commission to help focus the discussion on the various issues. Commissioners agreed to put this issue on the next agenda.

Parking at Vacation Rental Units – Commissioner Vorick

Commissioner Vorick stated that he would like to be sure that there is enough space at the rental units for vehicle parking. Building Official Borysiewicz stated that city code requires two parking spaces for each dwelling unit, and that tickets are issued when vehicles are parked improperly. Commissioner Vorick said this is often a problem in the summer months with renters and some areas look like used car lots. Attorney Wright stated that codes could be written to require a specific number of spaces for rental properties based on occupancy limits, such as 1 parking space for every 2 occupants. Commissioners agreed that this issue should be handled on an individual basis by working with property managers.

6. City Administrator Items For Discussion/Approval*Update on East Side Stormwater Project*

Mayor Sutton reported that the swale work had begun and the well drilling would begin soon. Most of the work has been occurring on 5th Street, but that preparation work had been done on 4th and 3rd Streets as well.

Mayor Sutton said he had been contacted by the Jaycees who are holding a golf tournament in June. They would like to sell beer at the event. Commissioners and the attorney discussed this and agreed that a state liquor event license and the appropriate insurance would be needed to protect the city from liability.

Mayor Sutton stated he and Building Official Borysiewicz attended a meeting regarding the water restrictions. One day a week landscape watering is in effect and the rules will be enforced to ensure compliance.

Mayor Sutton said the Shriners will hold an event in the auditorium on June 6 and are asking that the rental fees be waived. Commissioners agreed.

Motion – Moved by Commissioner Schmidt, seconded by Vice-Mayor Zahn, to waive the auditorium rental fees for the Shriners for their event on June 6, 2009. Roll Call Vote: Unanimous approval.

Mayor Sutton stated that a budget workshop needed to be scheduled in early June. Commissioners scheduled the first budget workshop for Thursday, June 4, 2009 at 9:30 a.m.

7. Ordinances and Resolutions - None8. Commissioners' Reports or Comments

Commissioner Schmidt stated she attended a GLEE meeting and everyone was encouraged to conserve water.

Commissioner Vorick stated an email had been received stating that the Florida Forever program was not funded by the state legislature and the purchase of the property along Coral Lane was no longer possible. He reported he had been hearing complaints about property managers and occupancy issues.

Commissioners' Reports or Comments - continued

Commissioner DeGraw stated he and the Mayor attended a hurricane seminar with Congresswoman Ileana Ros-Lehtinen and all were encouraged to be prepared.

Vice-Mayor Zahn stated she received a call about a rental security deposit that had not been returned. She said this was a civil matter, but that if a pattern emerges with an individual property manager or owner then maybe the city could assist in some way.

9. City Attorney Report – Thomas D. Wright

Attorney Wright stated he had received a notice about a training seminar for code enforcement board members and attorneys in Naples on June 20. He gave the brochure to the city clerk if anyone was interested.

10. Approval of Warrant 0409 Expenses for the Month of April

Motion - Moved by Commissioner DeGraw, seconded by Commissioner Vorick, to approve Warrant 0409 for the Month of April 2009 in the amount of \$337,911.63. Roll Call Vote: Unanimous approval.

11. Correspondence & Citizen Comments - None

Building Official Borysiewicz asked the commission about gazebos that have been erected. These are temporary structures, and like storage units, are not permitted. Commissioners agreed this should be placed on the agenda for the next meeting.

The meeting adjourned at 11:10 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.