

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, June 25, 2009, 9:35 a.m.

City Hall Auditorium

1. Call to Order – The Regular Meeting of the Key Colony Beach City Commission was called to order by Mayor Sutton at 9:38 a.m. immediately following the variance hearing. *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: 2
  
2. Approval of Minutes:
  - Variance Hearing June 11, 2009
  - Regular Meeting June 11, 2009
  - Budget Workshop June 18, 2009Approved as written.
  
3. Committee and Staff Reports
  - A. Recreation Committee – No report.
  
  - B. Beautification Committee – No report.
  
  - C. Disaster Preparedness Committee – Building Official Borysiewicz stated the committee has received most of the storm supplies and will test the generator next week.
  
  - D. Planning & Zoning Committee – No report.
  
  - E. Utility Board – No report.
  
  - F. Police Department – *Overtime Schedule through September 30, 2009*

Chief Petrick stated 39 children participated in the fishing derby and all had a good time despite the rain.

Mayor Sutton stated that the commission had discussed use of police overtime during the budget workshop. He said the commission needed to give Chief Petrick some direction for this summer. He suggested that overtime be used for holidays, lobster mini-season and the opening of regular lobster season. This will take effort by the officers to patrol both the streets and on the boat on weekends when only one officer was working. Commissioners agreed to try this approach, but that if problems developed this policy would be reviewed.
  
  - G. Building Department/Public Works – No report.
  
  - H. City Secretary-Treasurer – Commissioner Vorick stated the first budget workshop was held on June 18, 2009 and the second workshop would be held in July. He said a stormwater policy needed to be developed and codified similar to the wastewater policy in Chapter 14 of the city code. Attorney Wright will be working on this issue. Commissioner Vorick stated he had reviewed sewer reserves and the revenue stream from quarterly payments. He said that some of the quarterly bill could be diverted to stormwater funding with no adverse effect on wastewater.Attorney Wright acknowledged that stormwater policy should be codified.

Committee And Staff Reports – City Secretary-Treasurer - continued

Mayor Sutton stated that the Utility Board has budgeted a large increase for chemicals in FY2009-2010 as required to be 2010 compliant. This issue can be put on the agenda in the near future.

Commissioners discussed the rate earned on the \$200,000 CD of 2.42%. They expressed that a better rate could be found elsewhere, but acknowledged that the city needs to be careful to ensure city funds are safe. City clerk reminded the commissioners that financial institutions for city funds are approved at the April 1 Organizational Meeting and that the funds must be placed with a state recognized Public Depositor.

- I. City Clerk – City clerk stated Mr. Gransee had completed work on the email project and minutes from the last meeting were electronically sent to the 10 addresses on the list. Property Manager Class had been held. Participants had the following comments/concerns that the city clerk agreed to share with the commission. There were complaints about: having to come in person to attend the class; potential for lost revenue since the unit could not be rented; cost of airfare to the city; lack of notice provided of when classes would be held; all of this was negligent on the part of the commission; May, June and July is the peak of rental season and not a good time for classes; having to come was a way of forcing owners to use local real estate agents as managers; only those who have violations should be required to come in person; and that some restrictions should be placed on throwing fish carcasses into the canals – tossing 40 dolphin carcasses in the water at one time may harm the water environment. Participants were encouraged to write or talk to the commissioners regarding their individual concerns.

City clerk stated that sewer bills and final notices regarding permanent boat trailer parking had been mailed. Business Tax renewals are ready to be mailed on July 1.

Commissioner Schmidt stated that she attended the property manager class and that maybe the commission should revisit the issue of offering this class by some method other than requiring them to come to the city. Mayor Sutton said that this issue was recently discussed and it was decided to keep the program as it is, but if commissioners wanted to reconsider this item could be put back on the agenda.

Building Official Borysiewicz will research pollution in canals and the disposing of fish carcasses. Renters should be notified of how to properly clean and dispose of carcasses.

Commissioner Schmidt and Vice-Mayor Zahn complimented the city clerk in handling criticism of the rental program at the property manager meeting.

4. Unfinished Business

*Storage Unit Rules and Regulations – Mayor Sutton*

Mayor Sutton stated that the revised draft of regulations had been provided to commissioners. Commissioners agreed the proposed regulations reflected the desires of the city commission and directed an ordinance be written and placed on the July 9<sup>th</sup> agenda for first reading.

*Fence for Pickleball Court – Mayor Sutton*

Mayor Sutton stated he spoke with Hans Kolster about the height of the fence. Mr. Kolster indicated the height was for wind protection. Commissioners discussed the need for a fence, amount of use of this court, Recreation Committee input was important, main reason for fence was containment of the balls, and need to replace temporary fence for safety issues.

**Motion** – Moved by Vice-Mayor Zahn, seconded by Commissioner Schmidt, to hire Go Fence to install a fence around the pickleball court at a cost of \$2,900. Roll Call Vote: Unanimous approval.

5. Items of Discussion/Approval

*Review of City Insurance by Agent Bill Danaher*

Insurance Agent Bill Danaher stated that he had reviewed all city insurance and the only issue was the amount of coverage for the city hall building. This building may be under-insured. He stated the commission had considered this issue a couple years ago and decided not to increase the coverage.

Commissioners acknowledged that building a new city hall was not financially feasible; and decided that given the economic conditions the coverage should not be increased at this time.

*Boat Lift for Police Boat – Mayor Sutton*

Mayor Sutton stated that Florida Keys Boat Lifts had offered several months ago to install a lift for the police boat at the cost of the lift with no labor fees. At the time the commissioners liked the idea, but because of the tough economy decided not to proceed with this project. Since then, the city has been reimbursed by the county Boating Improvement Fund for the cost of \$38,685 to rebuild the city hall docks. The Mayor stated some of this money could be used to fund a boat lift. The total cost for the lift would be \$8,305 which would include some upgrades to improve the lift's safety and use. The cost without the upgrades is \$6,595. Attorney Wright suggested the Boating Improvement Fund may pay for this lift.

Commissioners discussed going out for bids on this project, the need for the lift, and other uses for the money. Commissioners agreed this was a good idea and the lift would be good to have, but it should go out for bids. Bids will be brought back to the commission.

6. City Administrator Items For Discussion/Approval

*Update on East Side Stormwater Project*

Mayor Sutton stated all seven wells were completed and the structures are in place. Paperwork will be submitted to South Florida Water Management District to get the \$100,000 reimbursement per the grant. Work continues on the swales.

At the July 9 commission meeting, Monroe County Mayor George Nugent and County Administrator Roman Gastesi will give a presentation on increasing the sales tax by one cent and the money used for stormwater or wastewater projects. This must be approved by voter referendum. By county estimates the city would receive about \$200,000 annually which could be used for future stormwater projects, therefore user fees may not be needed. Mayor Sutton asked that commissioners listen to the presentation before discussion is held.

Mayor Sutton stated that he needed to leave to go to a meeting in West Palm Beach regarding possible funding for city projects. Vice-Mayor Zahn would preside.

7. Ordinances and Resolutions - None

8. Commissioners' Reports or Comments

Commissioner Schmidt stated she met with SALT and others about wind turbines for the sewer plant. It appears that wind technology is too large and too costly for the Keys. FKEC is trying a small project and they will keep the city informed of the progress. She said that SALT would like to give a presentation to the commission about alternative energy as discussed at the budget workshop. Commissioners agreed that the presentation should be done later this year when more citizens would be here and could participate.

Commissioner DeGraw stated that FDOT was working to improve traffic via Card Sound Road to avoid any problems similar to what happened this last weekend.

Commissioners' Reports or Comments - continued

Commissioner Vorick stated concerns about the decision to continue with the Kids Fishing Derby given the weather conditions. He acknowledged that a lot of work goes into the event and the difficulties when delays occur. He urged caution for the city's liability and reputation. Commissioners and Chief Petrick stated that the professional boat captain was consulted; weather was not ideal, but deemed safe; about 2/3 of those registered participated; and everyone had a good time. Vice-Mayor Zahn stated that the committee will address these issues and have a plan for the next event.

Vice-Mayor Zahn stated that heavy rains had caused the swales under construction on 4<sup>th</sup> and 5<sup>th</sup> Street to fill. It would be difficult for someone to know they were there. She suggested that if these heavy rains happen again some type of caution signs may need to be installed.

9. City Attorney Report – Thomas D. Wright – No Report.

10. Correspondence & Citizen Comments

City clerk stated an email had been received:

Tom Tucker asked that the grass in the parks be mowed more often during the summer to keep the city looking good all year not just when the snowbirds are here.

Citizen Comments - None

The meeting adjourned at 10:20 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.