

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Tuesday, August 28, 2008, 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 Geraldine Zahn, Commissioner Seneca “Tucker” DeGraw. *Also Present:* Attorney Thomas Wright, Police Chief Robert Petrick, Building Official Edward Borysiewicz and City Clerk Vickie Bollinger. Public: 8
2. Approval of Minutes: Regular Meeting August 12, 2008  
Approved as written.
3. Special Requests  
*Boat Lift – 16,000 Pound Elevator Lift, 601 11<sup>th</sup> Street, Edmond Blais, Owner*  
Building Official Borysiewicz stated that Mr. Blais applied for a building permit to install a 16,000 pound elevator boat lift at 601 11<sup>th</sup> Street. The adjacent neighbors have no objections, one by letter and one by phone conversation. All lifts over 10,000 pounds require commission approval and this is similar to other boat lifts approved by the commission.  
**Motion** – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to approve installation of a 16,000 pound elevator boat lift at 601 11<sup>th</sup> Street, Edmond Blais, Owner.  
Roll Call Vote: Unanimous approval.
4. Committee and Staff Reports
  - A. Recreation Committee – No report.
  - B. Beautification Committee – Chair Gay Haase introduced committee member Trish Cox telling of her background in landscape design and maintenance. Ms. Cox is very knowledgeable and a valuable addition to the committee.  
Chair Haase stated the committee is recommending that the city landscape contract be put out for bids. Commissioners, Attorney Wright and staff discussed:
    - current contract has no expiration, but requires a 90 day notice.
    - this is mainly due to price but some members are dissatisfied with the current service.
    - service after the recent storm was outstanding, especially at Sunset Park.
    - the last time this was put out for bid was due to a price increase from current contractor. This time, the price may be higher.
    - there would be less storm debris if trees had been properly trimmed and maintained.
    - the contract does not include items like tree trimming, mulching and fertilizing, that must be asked for and paid separately.
    - if property owners are not maintaining trees properly, the city should notify them and if not done, then the city should order the trimming and bill the property owner.Chair Haase stated the committee will develop a timetable of maintenance items for the city and contractor.
  - C. Disaster Preparedness Committee – Building Official Borysiewicz stated the recent storm had kept staff and others busy to secure the city before the storm and clean-up after. A meeting with the ACOE resulted in approval to restore the beach area at Sunset Park.

Committee and Staff Reports – Disaster Preparedness Committee – continued

FEMA will be involved and will reimburse the city for most of the costs associated with the storm which may be more than \$80,000. Building Official Borysiewicz stated there are two more storms but it appears they will not hit the Keys.

D. Planning & Zoning Committee – No report.

E. Utility Board – Mayor Sutton stated he attended the last board meeting and discussed the possibility of adding \$40 per quarter to the sewer billing to be used for stormwater. This reserve would total about \$250,000 in one year and could be used as matching funds for the next grant. The Utility Board will continue the discussion at their next meeting.

F. Police Department – Chief Petrick reported:

- the department had received an award from the Florida DUI Enforcement Program for 2,700 points (\$2,700) which can be used to purchase traffic safety equipment.
- the Vacation Watch form had been updated. Commissioner Zahn suggested using bold to highlight that owners must have vehicles towed off their property, the police do not have the authority to do it.
- Officer Kyles Murphy's resignation was effective on August 19, 2008.

G. Building Department/Public Works – *End of Probation Salary Increase*

Building Official Borysiewicz stated that Public Works Maintenance Worker Joe Boucher had completed one year of service with the city. He said he had no complaints about Mr. Boucher, Mr. Boucher was hard-working, and he was very happy with Mr. Boucher's performance. Building Official Borysiewicz recommended a salary increase as provided in the Personnel Policy from \$15.06 to \$15.68 per hour.

**Motion** – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to approve the End of Probation Salary Increase to \$15.68 per hour for Joe Boucher. Roll Call Vote: Unanimous approval.

Building Official Borysiewicz stated that Assistant to the Building Official John Thomson was doing a lot of occupational license inspections and Mr. Boucher was busy with clean-up. He stated he had plans for a single family home on 14<sup>th</sup> Street and the permit would probably be issued next week.

H. City Secretary-Treasurer – Commissioner Vorick stated the Check Detail Report and July financial statements were available for review and that the city is in good financial shape.

I. City Clerk – City clerk stated that about 20% of the business tax renewals were completed using the new database. She reminded everyone of the budget public hearing on September 8, 2008 at 5:15 p.m. She said she would be on vacation next week.

5. Unfinished Business

*Flag Pole at City Entrance – Vice-Mayor Stevens*

Vice-Mayor Stevens stated he had priced 30 foot flag poles: straight poles were \$1,563 to \$1,885 and nautical poles were \$1,725 to \$2,560 plus shipping. He suggested placing the pole on the mound behind the sign at the city entrance. Commissioners discussed:

- most preferred the nautical pole so the state flag could also be flown.
- city was in a maintenance mode due to financial conditions and this purchase should be delayed until better times.

Unfinished Business - continued

- maybe other city organizations would contribute to help purchase the pole.
- Anderson memorial is located in a place with low visibility. It should be moved to be next to the flag pole when it is installed. Many people are unaware of the memorial to this young man and his place in our community. Veterans and others who know the family may donate to pay for the cost of moving the memorial.

Commissioners agreed to table this item until October and to allow Commissioner DeGraw to ask for donations to move the Anderson memorial.

6. Items of Discussion/ApprovalBid Opening – Causeway Milling and Repaving

Mayor Sutton stated three bids were received with the low bid of Community Asphalt for \$415,517.65. He said this was higher than originally estimated, but due to the increased price of oil it was not unexpected. There are a few items that may not be needed but they would only decrease the cost by \$7,016. Commissioner agreed that this was expensive, but it was necessary.

**Motion** – Moved by Vice-Mayor Stevens, seconded by Commissioner DeGraw, to hire the low bidder Community Asphalt to mill and repave the Causeway at a cost of no more than \$415,517.65. Roll Call Vote: Unanimous approval.

Mayor Sutton stated that 4 fire hydrants will be installed along the Causeway prior to the repaving. He will be meeting with the City of Marathon later to discuss the details. He stated he hoped the hydrants could be completed in the next couple of weeks and the Causeway repaved immediately after with all work done by the end of September.

Vacation Rental Property Manager Responsibilities – Commissioner Vorick

Commissioner Vorick stated this was about trash can tickets and property managers. Property managers need to understand that they manage the properties and if tickets need to be issued to make them aware, then the city should do it. He and city staff have been picking up garbage and garbage cans out of the street when property managers should be doing it. Building Official Borysiewicz stated he is responsible for tickets. City clerk stated this topic is discussed several times in the certification classes for vacation rental properties.

7. City Administrator Items For Discussion/ApprovalStormwater Update on 9<sup>th</sup> and 10<sup>th</sup> Streets

Mayor Sutton reported that work continues with the contractor to complete this project. They have been working late in the evenings and on Saturdays and Sundays to be sure the project will be completed to comply with the grant deadline. A meeting with the engineer and contractor is scheduled to review the project and determine what is left to do and when it will be completed. The last of the clean-up including raking the pea rock, planting sod and cleaning the street will all be done in about three weeks. He added that the residents have endured a lot of inconvenience during this project, but he hopes they realize it was necessary and important to protect our near shore waters.

Replacement of Police Officer

Mayor Sutton suggested holding a workshop to discuss whether or not to fill the police officer position. Commissioners agreed and set a date for September 8, 2008 at 9:30 a.m.

Mayor Sutton recognized city employees for their team efforts during the last few weeks during the storm and with the stormwater project. He said this city is the Gem of the Florida Keys because of our employees. Building Official Borysiewicz stated that the Mayor put in more hours than anyone and everyone appreciates his dedication and efforts.

8. Ordinances and Resolutions – None9. Commissioners' Reports or Comments

Commissioners reported on the Florida League of Cities Conference they all attended. They did leave early to return to the city for storm preparation. There was general agreement that the conference provided a great opportunity for networking and making contacts with other cities and vendors. However, the conference sessions were not as informative or useful as past conferences. They stated they would have liked more sessions for small cities and for discussion and exchange of ideas. In talking with other city representatives, they also realized how fortunate we are with our volunteers who do so much for our city.

Vice-Mayor Stevens stated there were no rental issues.

10. City Attorney Report – Thomas D. Wright

Attorney Wright stated that he does not expect to hear any more about the lawsuit until the mediation session. There are no other pending legal matters.

11. Approval of Warrant 0708 Expenses for the Month of July

**Motion** - Moved by Commissioner Vorick, seconded by Commissioner Zahn, to approve Warrant 0708 for the Month of July 2008 in the amount of \$427,581.17. Roll Call Vote: Unanimous approval.

12. Correspondence & Citizen Comments

Correspondence - City clerk reported that the City of Marathon sent a Notice of Public Hearings providing meeting dates and times about the redevelopment of the Holiday Inn.

Citizen Comments

John and Susan DeNeale requested the commission improve the stormwater drainage in the right-of-way in front of their property. Mr. DeNeale said he had discussed this with the mayor, but it needed commission approval.

Mayor Sutton suggested that this item be placed on the agenda for the next meeting. The DeNeales proposed changes were not part of the current project, but needed to be discussed. He stated it was important to complete the stormwater project on time to comply with the grant, and that this grant project was never intended to resolve 100% of all drainage issues. Commissioners and the DeNeales discussed some of the issues involved.

Attorney Wright stated that this was a request to amend the project and spend city funds. He strongly advised the commission that they hear citizen comments and if further discussion is needed to agenda it for the next meeting, not to discuss it now, so all citizens have the opportunity to participate.

The meeting adjourned at 10:55 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.