

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, December 31, 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, Building Official Edward Borysiewicz, Chief Robert Petrick and City Clerk Vickie Bollinger. Public: 7
2. Approval of Minutes: Regular Meeting December 11, 2008
Approved as written.
3. 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 – Chief Petrick reported the department is preparing for New Year’s Eve and that they will be offering courtesy rides to those who may have partied more than expected. Anyone needing a ride should call 743-5380.
In response to a comment, Chief Petrick stated the department will step up patrols for bicyclists and pedestrians at night to prevent accidents. The department will also try to do some educational activities.
 - G. Building Department/Public Works – Building Official Borysiewicz reported:
 - There was no new construction in the city, but many home improvements.
 - Public Works continues to keep the holiday decorations operating.
 - The Golf Course irrigation system broke this morning and flooded one area of the course. When the ground dries, the pipe will be repaired.
 - The Business and Professional Women cancelled the Taste of the Islands event on January 25, 2009. It may be rescheduled later in the year.
 - H. City Secretary-Treasurer – No report.
 - I. City Clerk – *Accounting for Causeway Repaving Project*
City Clerk explained the two options to record the expense of the Causeway Project: 1) the expense can be recorded in last fiscal year with a note in the audit stating the project was not completed until this fiscal year. The note will have little notice or meaning unless the city was going to issue bonds, apply for a loan, or have our credit rating reviewed. None of these are likely; or 2) record the expense in the current year and amend the budget to reflect the expense this year. This would be done by resolution.

Committee and Staff Reports – City Clerk - continued

The commission and city clerk discussed the options and responded to questions. Attorney Wright stated the decision was whether to have a clean audit report for last fiscal year or not. City clerk stated the city auditor Julio Buzzi did not think the note would be a concern and if someone asked about the note, it is easily explainable. However, he told the city clerk amending the current year budget was preferable.

Commissioners agreed that it was best to amend the current year budget and directed the city clerk to prepare a resolution.

4. Unfinished Business - None5. Items of Discussion/ApprovalSewer Collection System Repairs – Mayor Sutton

Mayor Sutton stated a clog was discovered in the sewer pipes for Coral Lane. They discovered a hole in the pipe running under the water from Coral Lane to the Causeway. An estimate of \$14,300 was received to replace the entire pipe under the water. Mayor Sutton stated he directed Dave Evans, Sewer Plant Operator, to not repair the pipe until the city commission could discuss the options. For the past week, the lift station on Coral Lane has been emptied about every other day to keep sewer service working on Coral Lane. This costs about \$400 each time.

The Mayor, Building Official, Utility Board Chair Glenda Keach, and Sewer Operator Dave Evans have worked on this project through the holiday, looking for options and getting cost estimates. The Mayor stated there were two options: 1) replace the pipe under the water at an estimated cost of \$25,000, or 2) put the pipe underground along Coral Lane and Clara Boulevard over to the Causeway at an estimated cost of \$100,000. This second option would require engineered plans, traffic issues, more time, permits and installation of another lift station.

City Attorney Wright stated that he had reviewed the state statutes and city ordinances. He advised this project did not need to go out to bid as it was an emergency repair in response to a threat to the public's health and safety.

Commissioners discussed the options and agreed this was an emergency to protect the public and the environment. The contract management company for the sewer plant, Synagro, will work with the city to complete the repair. City clerk confirmed that there were reserves to pay for the project. It was agreed that replacing the underwater pipe was the better option due to the time to complete the repair, the cost, and the disruptions that would be caused by placing the pipe underground. Mayor Sutton stated he had contacted another company to get a second opinion on the pipe repair. Commissioners supported this action to be sure the planned repair was the best option and the most cost effective. The Mayor hoped to get the pipe ordered today and that it could be installed next week.

Motion – Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to declare the break in the sewer collection system on Coral Lane a threat to public health and safety and the repair to be an emergency. And, the Mayor be given the authority to have the repair completed with the assistance of Synagro and a cost not to exceed \$25,000. Roll Call Vote: Unanimous approval.

Mayor Sutton stated that the probationary period for the golf course management ended today. He recommended extending the deadline until the next regular commission meeting on January 8, 2009. The Recreation Committee will meet prior to that meeting and can provide input to the commission.

Items of Discussion/Approval – continued

Motion – Moved by Commissioner Zahn, seconded by Commissioner Vorick, to extend the probationary period for the golf course management until January 8, 2009.

6. City Administrator Items For Discussion/Approval

Update on Causeway Repaving Project

Mayor Sutton stated the repair to fix the swale at the top of the Causeway would be done the week of January 5-9, 2009.

He said that Ms. Pat Joseph-Becker had asked that a food collection basket be placed in city hall for KAIR and that someone would empty it daily. Commissioners agreed.

Mayor Sutton stated that Mr. Brian Schmidt called and told him there was an offer on the property at the end of Coral Lane with the boat ramp and docks. Since the city had expressed an interest in the property, he called to offer this property to the city for about \$800,000. The Mayor stated that although it would be nice to own this property, with other expenses and projects he did not think it would be wise to spend the money at this time. Attorney Wright stated he had a one-half interest in the property and would recuse himself from discussion and advising the city. Commissioners appreciated the call from Mr. Schmidt, but agreed that they would not be interested in purchasing the property at this time.

7. Ordinances and Resolutions – None

8. Commissioners' Reports or Comments

Commissioner DeGraw reported that commercial service was available at the airport. All commissioners hoped it would be successful.

Commissioner Zahn thanked the Mayor and Public Works Department for landscape maintenance of several properties around the city.

Commissioner Vorick asked the Building Official about contractor liens and temporary structures at the marina. Building Official Borysiewicz stated information about dealing with contractors is given when a building permit is issued and that the marina structures will be sent to the Planning & Zoning Committee soon.

Vice-Mayor Stevens and all commissioners wished everyone a healthy and happy new year.

9. City Attorney Report – Thomas D. Wright

Attorney Wright stated he has been researching collection of past due sewer payments. The city has not had this problem before and it may take some time before payments are received. He will continue his research and meet with city officials to explain the options.

10. Correspondence & Citizen Comments

No correspondence.

Mary Schmidt asked about a proposed sewer tax. Mayor Sutton and commissioners explained that the issue was regarding stormwater not wastewater. The outfalls into the canals must be closed and grant money is getting scarce or requires a matching portion. Therefore, the commission and Utility Board have been discussing how to pay for stormwater systems. At this time it is only discussion, but the issue must be addressed. Options discussed are a flat rate added to the sewer bill, a rate depending on lot size or some other measure, or add to real estate tax. The goal is to have a funding plan that will be included in next year's budget.

Ms. Schmidt asked about the appearance and storage at the 7th Street Annex. Building Official Borysiewicz stated a dumpster will be ordered and the area will be cleaned.

Correspondence & Citizen Comments - continued

Laurence Ward, Coral Lane, asked that the mangroves along the Causeway be kept 8 to 10 feet high to hide the Causeway traffic and provide a noise buffer for those on Coral Lane. Mayor Sutton explained that the mangroves must be kept maintained or the city will lose the right to trim them. They were looking unkempt and needed to be trimmed. He stated that in the future, the city would try to leave them a little higher to address the concerns of the Coral Lane residents.

Mr. Ward stated that he had observed speeders between US 1 and the bridge on the Causeway and requested more police patrols in that area. Police Chief Petrick stated that parking for the police car was limited in that area, but that efforts would be made to increase police presence and enforcement at the top of the Causeway.

The meeting adjourned at 10:35 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.