

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday February 9, 2017 9:30 A.M.
City Hall Auditorium

1. **Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The Regular Meeting of the Key Colony Beach City Commission was called to order by Mayor Jerry Ellis at 9:30 A.M. followed by the Pledge of Allegiance and Prayer.

Present: Mayor Jerry Ellis, Vice Mayor Ron Sutton, Secretary/Treasurer Jim Pettorini, Commissioner John DeNeale and Commissioner April Tracy. *Also Present:* City Clerk Kathryn McCullough, City Attorney Tom Wright, Building Official Ed Borysiewicz. Police Chief Kris DiGiovanni and Fire Chief John Johnson. Public -7

2. **Approval of Minutes:**

MOTION: Motion made by Commissioner Pettorini, seconded by Commissioner DeNeale, to approve the minutes of the 01/09/2017 Special Commission Meeting.

ON THE MOTION: Unanimous approval.

3. **Agenda Additions, Changes, Deletions:** Mayor Ellis requested the deletion of City Administrator Items A and B. The interview and ballot for city administrator are on the agenda in error.

4. **Special Requests:**

A. Garden Club Tour of Homes, 740 12th Street – March 4th, 2017. Sandy Neiditz, Marathon Garden Club, requested approval to include the Peter Morris home at 740 12th Street in the Clubs 42nd Annual Tour of Homes. A copy of the request has been given to Chief DiGiovanni. Numerous unsuccessful attempts have been made to contact the owner of the vacant lot adjacent to the Morris residence to obtain permission for parking. Ms. Neiditz would like Commission approval to use that lot for parking. Commissioner DeNeale reported the Commission cannot approve parking on private property, however cars may park on City right of way. Commissioner DeNeale also suggested 45 degree angle parking. By consensus the Commission approved 45 degree angle parking on 12th Street for the event.

5. **Committee and Staff Reports:**

A. Marathon Fire/EMS –Fire Chief John Johnson reported 6 responses to Key Colony Beach since the last Commission meeting; 2 medical calls, 2 public assists and 2 internal fire alarms. As the season is now “full blown” Chief Johnson reminded everyone to be patient and to be safe.

B. Recreation Committee – Recreation Committee Chairperson Blanch Hines reported on the Recreation Committee meeting on February 1, 2017. That meeting was turned over to Mike Alexander to address the concerns of the pickle ball players. Mr. Alexander apologized for missing a subcommittee on January 26, 2017. He stated the pickle ball courts are public property and available for all persons to use equally. Mayor Ellis reported the grant agreement has been approved in Tallahassee. He reiterated the grant requires that all the courts be designated for public use. Mr. Alexander reported the intention of the subcommittee was to set up a schedule that allowed persons of similar skill levels the opportunity to play together. A petition signed by 52 persons states there

are 3 to 4 times more recreational players than advanced players however there is no recreational player representation on the pickle ball subcommittee. Mayor Ellis suggested equal representation of recreational players and advanced players on the subcommittee. The recreation committee approved a pickle ball subcommittee consisting of 2 advanced players and 2 recreational players. Blanch Hines reported approximately 70 bocce players. Those courts have been cleaned and the grass cut. Blanch also reported 8 to 10 people playing horse shoes and shuffleboard. Blanch requested a second Pilates class to start at 8:00 AM on Mondays based on class attendance.

C. Beautification Committee – No report.

D. Disaster Preparedness Committee –No report.

E. Planning & Zoning Committee –No report.

F. Utility Board – Mayor Ellis reported the slab has been formed at the sewage treatment plant. It is anticipated the actual pour of the slab will occur next Tuesday beginning at 6:00 AM. It is a continuous pour of 250 yards of concrete. A truck can only haul 10 yards, hence the early start. Residents and property managers on 8th Street are being notified, in advance, of the disruption that may occur due to the number of concrete trucks. Mayor Ellis stated significant progress is occurring at the plant.

G. Police Department – Chief DiGiovanni said there has been 4 reports, 3 medical/alarm call, 9 Sheriff Office assist calls and 9 miscellaneous calls since the last meeting. The Police Department also issued 4 code enforcement warnings, 1 citation and 7 traffic warnings. Chief announced the Florida Keys SPCA is sponsoring a “Paws in the Park” on Saturday February 11, 2017. Dogs and their owners will be walking the 7th/8th Street loop. A \$10 registration donation is suggested. Funds raised will be used to support the SPCA’s adoption, spay/neuter, behavior, foster, humane animal control and outreach programs.

H. Building and Public Works – Building Official Borysiewicz reported a permit has been issued for a new duplex that is to be built at 441/451 5th Street. Alan is working well at the sewer plant cleaning cassettes and handling the de-watering box.

1. Approval of a 24,000 lb elevator lift at 770 9th Street with 14’0 arms into Shelter Bay. Mr. Borysiewicz reported this property is at the end of 9th Street on Shelter Bay across from a sandbar. The lift is to hold a 42’ cat boat with a 11.9’ beam. Letters have been received from neighbors on both sides voicing no objections. Commissioner DeNeale reported taking his boat past this spot and sees no issue with the lift or the arms. It is in Shelter Bay, not on a canal, there is nothing across from it.

MOTION: Motion made by Commissioner DeNeale, seconded by Mayor Ellis, to approve a 24,000 lb. elevator lift at 770 9th Street with 14’0 arms into Shelter Bay.

ON THE MOTION: Roll call vote. Unanimous approval.

I. City Secretary/Treasurer – Commissioner Pettorini reported completion of the first quarter of the fiscal year in great shape. Income is up 3% from projections and expenses are down 17%. Commissioner DeNeale asked how the process is working for reimbursement from the State for the contractor invoices at the sewer plant? Mayor Ellis reported the process is very smooth with an almost immediate reply from the State for reimbursement.

J. City Clerk - Ms. McCullough apologized for the mistake on the agenda, however, it did generate a call from Mr. Moonis. He has submitted his resignation to his current employer and is well into the process of relocating to the Keys. Mr. Moonis said he would be calling once a week to keep track of what is happening here and to provide updates on his relocation progress.

6. Unfinished Business: N/A

7. **Commissioners Open Discussion:** Mayor Ellis asked Commissioner DeNeale for a report on providing a Power Point presentation of the agenda? Commissioner DeNeale requested the City Clerk provide his phone number to KCS Solutions. As of now he has heard nothing. Commissioner Tracy reported speaking with Eddy of KCS who told her it would be very easy to implement.

Commissioner Pettorini asked, since there seems to be a boat lift approval request on almost every agenda, if the City ordinance could be revisited. Attorney Wright explained the ordinance was written because boat lifts, which were fairly new back then, were being installed without input from the community or the Commissioners. Many residents complained the lifts were negatively impacting their views. The ordinance was written to provide a mechanism to allow citizens to voice objections. Commissioner DeNeale said he investigated this issue 5 years ago for the last re-write of the ordinance. He researched boat lifts and what size boat could sit on a particular size lift. Most properties, in Key Colony Beach, are 60' or 75' wide, which for a duplex translates to a 30' or 37 ½' of seawall. A 16,000 pound boat lift will hold a boat that will fit on the seawall.

Commissioner Pettorini suggested a visit to the City website. It has been re-designed and provides a lot of useful information to residents and visitors. Commissioner Pettorini also commented on the number of times the fee is waived for non-profits use of Marble Hall. Mayor Ellis said Marble Hall is also rented many times for wedding receptions, birthday parties and so forth. City Clerk McCullough noted some of the non-profits give a donation for the use of the hall at the end of their fiscal years. The Shriners and Keyettes donated \$500 last year.

Vice Mayor Sutton reported on the progress of the Stormwater project. Mittauer and Associates have applied for the permits for the stormwater wells. He also said Mayor Ellis is looking for additional grant opportunities to help fund this project. Mayor Ellis reported on a request to Governor Scott for \$400,000 from the Florida Forever program. Mayor Ellis suggested an additional \$400,000 be requested the following year.

8. **Items for Discussion/Approval:**

9. **City Administrator Items for Discussion/Approval:** N/A

10. **Ordinances and Resolutions:** Resolution No. 2017-02 Expressing Opposition to Decertification of Any Monroe County Court Judgeships. Attorney Wright read the resolution by title. Attorney Wright suggested changing the word 'directing' in the resolution to 'encouraging'. Attorney Wright strongly recommended the City adopt the resolution. Losing a Judge in Monroe County would be detrimental and devastating to Monroe County.

MOTION: Motion made by Commissioner Pettorini, seconded by Vice Mayor Sutton, to approve Resolution No. 2017-02 including changing the word 'directing' to 'encouraging'.

ON THE MOTION: Roll call vote. Unanimous approval.

11. **Warrant Approval:** N/A

12: **Commissioner's Reports or Comments:** N/A

13: **City Attorney Report:** Attorney Wright reported he will be attending a luncheon with local government attorneys. He will report back on the discussions.

14: Correspondence & Citizen Comments: N/A

The meeting adjourned at 10:10 A.M.

A handwritten signature in black ink, appearing to read "Kathryn McCullough". The signature is written in a cursive style with a large initial "K".

Respectfully submitted,
Kathryn McCullough, City Clerk

Note: These minutes are unofficial and have not been formally approved by the Commission. The approval will be at the next scheduled Commission meeting.
