

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, April 28, 2016, 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, Assistant City Clerk Becky Todd, City Attorney Thomas Wright, Assistant Building Official Steve Britske and Police Officer Charles Griffith. Excused Building Official Ed Borysiewicz, Police Chief Kris DiGiovanni and Fire Chief John Johnson. Public - 16

2. **Approval of Minutes:** Organizational Meeting, April 1, 2016,-Approved as submitted. Special Meeting, April 7, 2016 – Approved as submitted. Regular Meeting, April 14, 2016 – Approved as submitted.

3. **Special Requests:** – N/A

4. **Committee and Staff Reports:**

A. Marathon Fire/EMS – No report.

B. Recreation Committee – No Report

C. Beautification Committee – No report.

D. Disaster Preparedness Committee – Assistant Building Official Britske reported the annual contracts for hurricane debris removal are in process, as are the agreements with property owners for temporary storage of storm debris. The generator was checked earlier this week. Public works employees have started the hurricane trimming of trees on city property. Commissioner Tracy asked if there were any updates from FKEC on turtle lights for East Ocean Drive. Steve Britske reported he spoke to a representative of Synergy who will be providing information shortly. Mayor Ellis stated the City is also investigating the possibility of installing lights in that area, in addition to waiting on response from a grant that has been submitted for this purpose.

E. Planning & Zoning Committee –No report.

F. Utility Board – The Mayor reported a proposal has been received from U.S. Water in the amount of \$23,957.30 to provide smoke testing of the City's waste water system. The test is done periodically for the purpose of determining if there are any leaks in the line.

Motion: Motion made by Commissioner Pettorini, seconded by Vice Mayor Sutton, to approve the proposal from U. S. Water in the amount of \$23,957.30 to provide smoke testing of the City's waste water system.

On the Motion: Unanimous approval.

G. Police Department – Officer Charles Griffith reported the Chief has been covering day-shifts for Sgt. Birkland. The Chief will return to his regular schedule on May 2, 2016. Since the last commission meeting there was one information report and 1 battery report. In addition the Police Department responded to 4 medical/alarm calls, provided assistance 11 times to the Sheriff's office, the Highway Patrol and the Border Patrol. There were 19 miscellaneous calls. Two code enforcement citations and four traffic warnings were issued. This is in addition to the vacation watch program daily business

checks, traffic enforcement, bicycle patrols and vehicle patrols. The Chief is currently putting together a FEMA class on the dangers of flooding and basic disaster preparedness.

H. Building and Public Works – Assistant Building Official Britske reported all the new storm grates are in for 9th, 10th and 11th Streets. Turtle lights are still an issue, however, FKEC has agreed to install whatever lights the City obtains. With respect to the scanning project, Steve Britske reported he is to the point where he is scanning permits which can include a massive amount of blueprints. The current scanner cannot handle the blueprint size. Mr. Britske requested the Commission consider purchasing a full size scanner, in addition to a larger monitor, to accommodate the blueprints. Vice Mayor Sutton stated he did not find provisions in the current budget for this purpose. He questioned if this was an emergency or if it could wait until the next budget cycle. Mr. Britske responded it is not an emergency, however, it would be more efficient if he could do the entire process at one time. The Mayor requested this be placed on the agenda for consideration at the next meeting.

I. City Secretary/Treasurer – Commissioner Pettorini reported we are at the 6 month mark in the fiscal year. The city is in good shape in the general account. We are behind in ad valorem receipts, however, he expects these revenues to continue to come in. All the departments are doing a great job of staying on or under budget.

J. City Clerk - City Clerk McCullough reported that the administration office is now fully staffed. The City Clerk is going on vacation next week and Becky Todd, Assistant City Clerk, will be filling in during my absence. The City has been approved for a special account with Office Depot which will give the City the opportunity to purchase office supplies at the state contract prices. As an example, the City will save \$18.00 on each case of paper purchased. Many thanks to Receptionist Cherie Bombard who spear-headed this project.

5. **Unfinished Business:** None

6. **Items for Discussion/Approval:** Open House Signs, Commissioner DeNeale.

Commissioner DeNeale explained he was approached by a realtor requesting the City allow directional signs to Open Houses, therefore he prepared an issue paper addressing the subject. The realtor had requested directional signs be allowed on East or West Ocean Drive and on the numbered street where the house is located. It was emphasized that placement of these signs would only occur during the time of the open house. Commissioner DeNeale further explained the issue of signs influenced by several existing City ordinances. Therefore, before recommending any ordinance changes, he felt a discussion of this issue, among the Commissioners, was appropriate. The Mayor stated changes to the Land Development Regulations (LDR's) would be required and questioned if this was something the Commission wanted to do. Vice Mayor Sutton suggested approval, by the Commission, for special situations would not require a change to the LDR's. Attorney Wright directed the Commission to the penalties for unlawfully placed signs, in Section 101.40, which states any unlawful sign not removed within 15 days of notification by the Building Official shall go before the Code Enforcement Board. In other words, the teeth in this section are not particularly sharp. Historically this has been a low priority enforcement issue. Vice Mayor Sutton suggested a 90 day trial. Commissioner DeNeale agreed that a 90 day trial would be appropriate. Commissioner Pettorini suggested a common sense approach.

Motion: Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy, to instruct staff not to consider directional signs for Open House events on East Ocean or West Ocean Drive and on the numbered street where the house is located to be in violation,

unless the sign is left in place after the conclusion of the Open House, for a trial period of 90 days.

On the Motion: Unanimous approval.

7. City Administrator Items for Discussion/Approval:

Waste Water Plant Report. Based on the Mayor's discussion with Mittauer & Associates, the City is on the DEP agenda for May 24th for approval of the funding for the Waste Water Treatment Plant. The Engineer does not foresee any issues with this approval. The next item is the placement of 150 pilings for Box No. 2. Box No. 1 is already in place. Box No. 1 feeds Box No. 2. The original design called for Box No. 2 to be placed 4 ½ feet in the ground. During initial excavations in the area, water was encountered at 2 ½ feet and a significant amount of water was encountered at 4 ½ feet of depth. Based on this disclosure to the Mittauer, it has been decided the depth will be 1 ½ feet. Two test pilings have been installed using a testing machine on the piling that reports how much pressure the piling will take. It is the Mayor's intent to have the City install these pilings to save the City a significant amount of money. After the pilings are installed, the project will then be put out to bid to complete the rest of the project. Mittauer is not comfortable with the City taking on this portion of the project. Jeff Ryder of Ryder Construction, has been hired as our consultant for this portion of the project. The pilings and the piling driver are both sole source vendors for these items. The Mayor is confident this approach will save the City a significant amount of money. The Mayor requests a vote from the Commission to continue on this course of action or to stop. Vice Mayor Sutton stated he was there while the test piles were being driven into the ground. He stated as long as this process was followed for the rest of the pilings he had no problem with the City taking responsibility for this portion of the project. Commissioner Pettorini questioned what the cost savings would be and also what is the liability to the City? The Mayor believes the savings will be in the \$100,000 range, on the conservative side. As far as the liability is concerned, in the long run, it is always the City's liability. Commissioner DeNeale questioned if there would be any issues when the project is put out to bid because of the pilings have already been done. The Mayor stated the pilings and the piling installer are both sole source vendors. He went on to state, once it is determined what the length of pilings need to be, he will order the pilings. Once the length of the pilings are known the Mayor will be able to come back with an actual cost. Commissioner Pettorini asked for a time frame, with the Mayor answering it will probably be several months.

Motion: Motion made by Commissioner Tracy, seconded by Commissioner Pettorini, to allow the Mayor to continue with the pilings and installation.

On the Motion: Unanimous Approval

8. Ordinances and Resolutions:

Second Reading - Ordinance 449-2016, Addition of Storm water annual assessments to the ad valorem tax bill was read by title only by City Attorney Tom Wright.

Motion: Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini to adopt Ordinance 449-2016, Addition of Storm water annual assessment to the ad valorem tax bill.

On the Motion: Unanimous approval.

9. Warrant Approval: N/A

10: Commissioner Reports & Comments:

Commissioner Pettorini asked about a response to Mary McFadden's letter. The Mayor stated he talked with the Chief and also went and looked at the site. The Mayor stated the

report from Ms. McFadden was accurate, however, there is just no way to solve the problem. There is no left turn allowed onto US 1 from Coral Lane. He has discussed this with Ms. McFadden, at length, and she understands there is really no viable solution. Vice Mayor Sutton thanked the City Clerk for the job she has done in her new position.

11: City Attorney Report: The City Attorney reported there is nothing pending on the legal front.

12: Correspondence & Citizen Comments: Correspondence from Centennial Bank Open House invitation on May 4, 2016.

Meeting adjourned at 10:35 a.m.

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.
