

# MINUTES

KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday, November 12, 2015, 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 Ellis at 9:30 a.m. followed by the Pledge of Allegiance and Prayer.

*Present:* Mayor Jerry Ellis, Secretary Treasurer Jim Pettorini, Vice-Mayor Ron Sutton, Commissioner Geraldine Zahn and Commissioner DeGraw. *Also Present:* City Clerk Cathy Henninger, Code Officer Steve Britske, Fire Chief John Johnson and Police Chief Kris DiGiovanni. *Excused:* Building Official Ed Borysiewicz. *Public:* 14

2. **Approval of Minutes:** Commission Meeting October 8, 2015, Special Meeting October 8, 2015 & Special Meeting October 30, 2015 Approved as submitted.

Vice Mayor Sutton ask the Commission and audience to stand for a moment of silence for Cole Tracy who passed away this past week. Mr. Tracy has served the City as Commissioner from 1982 through 1989. Vice Mayor Sutton expressed condolences from the Commission and the City staff to the entire Tracy family. April Tracy stated there would be a Celebration of Life at the Cabana Club from 3:00 pm to 5:00 pm this Friday, November 13, 2015. All are welcome.

3. **Special Request:** Fee Waiver for use of Marble Hall for the Keyettes on 1/15/16; 1/24/16; 2/6/16 & 2/28/16. Insurance and the hold harmless will be provided. Sally Flagg requested the waiver and expressed her appreciation to the Commission.

**Motion:** Made by Vice Mayor Sutton, seconded by Commissioner Pettorini to waive the fee for the use of Marble Hall for their events.

**On the Motion:** Unanimous approval.

Fee Waiver request from the KCB Fishing & Boating Club for use of Marble Hall for the Boat Parade after party. Insurance and the hold harmless will be provided. Chet Dunn organizer of this event requested the fee waiver and invited everyone who has a boat to join in the event and make this a success this year. The Boat Parade is December 13, 2015. He reminded everyone that participation trophies will be awarded and all it takes is a red, green and white light to decorate your boat! The Community Association will continue as a sponsor of the buffet dinner. Mr. Dunn expressed his thanks to Tucker DeGraw for his 20 years of leadership and coordination of this special event. Mayor Ellis stated the canal walk area will be partially complete for this event. He stated that it will be available as a viewing area, even if not completed. Chief DiGiovanni stated that viewers **will** be able to park their vehicles on the Causeway bike path for this event.

**Motion:** Made by Commissioner Zahn, seconded by Commissioner DeGraw to approve the fee waiver for the use of Marble Hall for the Christmas Boat Parade December 13, 2015.

**On the Motion:** Unanimous approval.

4. **Committee and Staff Reports:**

**A. Marathon Fire/EMS** –Chief Johnson reported there were 3 medical calls; 1 public assist; 1 smoke removal and 2 internal alarm calls during the past two weeks. Chief Johnson cautioned everyone to be cautious driving as more residents and visitors are back in town. A fatal accident occurred at the entrance to the City this past week.

**B. Recreation Committee** – No report.

**C. Beautification Committee** – Volunteers requested for assistance with the holiday decorations on Monday, November 23, 2015 at 9:00 a.m. Please meet at Gazebo Park.

**D. Disaster Preparedness Committee** – No report.

**E. Planning & Zoning Committee** –Peter LeCompte , 561 & 571 8<sup>th</sup> Street, variance request was presented by Cathy who gave the Planning and Zoning Board recommendation to approve the variance for a tiki hut with the restriction that no additional Tiki hut structure would be allowed in the future on this property. Mayor Ellis asked if there were questions or additional testimony.

**Motion:** Made by Vice-Mayor Sutton, seconded by Commissioner Pettorini to approve the variance for the Tiki hut structure with the restriction as requested.

**On the Motion:** unanimous approval.

**F. Utility Board** –No report.

**G. Police Department** – Chief DiGiovanni reported on 2 cases, a death investigation and a civil case. Officers responded to 5 medical/alarm calls this past two weeks. Key Colony Beach Officers assisted the Monroe County Sheriff's Office with 18 calls such as traffic crashes and DUI's; domestic disturbances; suspicious persons; subject in the water call and an arrest warrant. 27 miscellaneous calls were responded to by Key Colony Beach Officers ranging from noise complaints; suspicious persons and activity; trailer lot assistance; welfare checks; civil disputes; animal calls and boat assists. 7 code enforcement warnings and 3 citations were issued during this past two weeks. 11 traffic warnings were issued and 1 traffic citation was issued in this same time frame. Chief DiGiovanni reported that Officer Griffith noted school children without bike lights the dark mornings and purchased lights and install them prior to the children coming home from school. Sargent Birklund assisted Vice Mayor Sutton detecting a mulch fire on Coury Drive. They contacted the fire department for assistance. Vice Mayor Sutton wished to acknowledge Sargent Birklund for his extra efforts in locating a phone number to notify the owner of the situation. The vacation watch orders and daily business checks are being completed as well as traffic enforcement and vehicle patrol. Commissioner DeGraw cautioned everyone to be careful with your charge cards and check for activity. There have been unauthorized charges on individuals credit cards recently, including his own.

**H. Building and Public Works** –Steve Britske reported the addition of a new force main for the new sprinkler system at the Glunz property is almost complete. This new water line is crossing East Ocean Drive. The Code enforcement is monitoring the property at 621 10<sup>th</sup> Street (under citations) which has a new bank owner as of 10/15/15. Preparation work will be completed by the Public Works staff on the installation of the new baby swing set and safety base in East Side Park. The Canal Walk work of Waterfront Park is ongoing with prep work for lighting and the installation of the brick paver walkway. Christmas banners and starfish will be hung this next week. Monday, November 23, 2015 the Beautification Committee is asking for volunteers to assist with Holiday decorations (ground level) around the City. Please meet at the Gazebo at 9:00 a.m. if you can help with this holiday project. The quarterly reports completed by Ed Borysiewicz were approved and accepted maintaining the high standards to qualify the City for a reduction in flood insurance.

**I. City Secretary/Treasurer** –Commissioner Pettorini acknowledged that the increases in fees have helped in the budget funding for the next fiscal year. The general fund budget expenditures came in 4 % under for the fiscal year. Commissioner Pettorini stated the City is in good stead and that FY 14/15 was a good year financially for the City. Commissioner Pettorini stated the budget amendment for the next meeting reflects the

expenditures not initially budgeted. He noted that the funding was available for the unanticipated expenditures.

**J. City Clerk-** Cathy Henninger reported the city received confirmation from the DEP that the first portion (\$521,000.00 ) of the Mayfield Grant will be direct deposited to the City accounts within the next week. The State Revolving Loan (wastewater plant improvements) last four years was paid off early with existing funds of the utility. The State confirmed receipt and approved the property tax packet required of each municipality submitted by Cathy. The next Commission meeting is scheduled for Tuesday November 24, 2015 due to the Thanksgiving Holiday. Cathy asked the Commission if they wished for a Christmas Party to be scheduled with the city staff. The Commission by consensus agreed they would like to personally host a Christmas party for the staff this year. Cathy will coordinate the schedules and reserve a location for the party.

5 **Unfinished Business:** None.

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

7. **City Administrator Items for Discussion/Approval**

A. Recommendation of Utility Board Members – Mayor Ellis recommended Lin Walsh for the vacant position of treasurer of the Utility Board. He read a prepared statement from Chair Dalton recommending Ms. Walsh based upon her extensive banking and financial background.

**Motion:** Made by Vice-Mayor Sutton, seconded by Commissioner Zahn to approve Lin Walsh as the new treasurer of the Utility Board.

**On the Motion:** Unanimous approval.

B. Disposable Plastic Bag discussion – Mayor Ellis explained the request for support by resolution of a bill before the legislature concerning disposable plastic bags. Due to the minimal retail businesses within the City, the Commission determined to table this topic.

C. Grant Writer Proposal-Mayor Ellis stated there is a new resident in Key Colony Beach who is a certified grant writer. Ms. Weans has provided a proposal as an independent contractor on grant writing for the Commission's consideration. The fee structure was included in the Commission agenda packet from Ms. Christine Weans. The Commission discussed the fee structure and asked for approval of grant applications prior to submission. A cap of the number applied for was discussed.

**Motion:** Made by Commissioner Zahn seconded by Commissioner DeGraw to accept the proposal of Christine Weans, as an independent contractor for research of possible grants and grant writing.

**On the Motion:** Unanimous approval.

D. Landscaping Project Areca Palms- Mayor Ellis explained the removal of brush and scrub trees along the east side of the tennis courts near the Public Works Building now warrant a planting of new palm trees. The estimated cost would not exceed \$1,600.00 for purchase and planting. The Commission by consent approved the expenditure.

E. Centennial Bank-Line of Credit renewal- Mayor Ellis explained the bi-annual renewal of the line of credit with Centennial Bank is up for renewal. The City has maintained this line of credit for a number of years for emergency use. This line of credit has not been utilized to date. The unique change is the cost of the application process. The renewal fee had been 250.00/300.00 biannually. The new application fee is \$1,000.00. Mayor Ellis wanted input from the Commission prior to authorizing this expense. The Commission appreciates this line of credit and agreed to authorize the Mayor and Vice-Mayor to work with the bank representative to negotiate a more reasonable rate.

**8. Ordinances and Resolutions**-Resolution 2015-04 Election to Use the Uniform Method of Collecting Non-Ad Valorem Special Assessments (Storm Water) – Resolution read by title only by Attorney Wright.

**Motion:** Made by Vice Mayor Sutton, seconded by Commissioner Pettorini to approve the Resolution 2015-04.

**On the Motion:** Unanimous approval.

Resolution 2015-11 To Authorize the Commission to apply for a State Revolving Loan- Attorney Wright read the resolution by title only.

**Motion:** Made by Commissioner Zahn, seconded by Commissioner Pettorini to authorize the Mayor to apply for a state revolving loan.

**On the Motion:** Unanimous approval.

Resolution 2015-12 To Adopt the 2015 Update of the Local Mitigation Strategy to qualify for funding. Attorney Wright read the resolution by title only.

**Motion:** Made by Commissioner Pettorini, seconded by Commissioner Zahn to approve the resolution to adopt the update to the LMS to qualify for funding.

**On the Motion:** Unanimous approval.

**9. Warrant Approval for October 2015**

**Motion:** Made by Vice-Mayor Sutton, seconded by Commissioner DeGraw to approve the warrant of expenditures for October in the amount of \$204,448.00.

**On the Motion:** Unanimous approval by consent.

**10. Commissioner Reports & Comments:** Commissioner DeGraw thanked the Commission for this opportunity to serve. He is happy for this opportunity. Commissioner DeGraw mentioned that when he first came to the Keys 25 years ago, he worked with Cole Tracy and would really miss him. Vice Mayor Sutton stated that all of the Commissioners have completed the ethics training and he suggests that the Boards go through the training too. He explained there is an online video available that can be accessed on the FL League of Cities website. Mayor Ellis will discuss with Attorney Wright the most efficient way to complete the training for the Boards. Mayor Ellis stated that all the Boards and Committees are to operate in the sunshine. Commissioner Zahn confirmed that they have placed their home on the market for sale and will be leaving Key Colony Beach. She is planning to remain on the Commission through her term at this point.

**11. City Attorney Report-** Attorney Wright stated Richard Malafy who represented the City with the Ledon Family Trust lien has received payment of \$25,000.00. The payment is expected to be delivered to the City within the week.

**12. Correspondence and Citizen Comments:** Cathy reported that two residents (Joan Smith and Paul Eville) of 7<sup>th</sup> Street submitted letters of opposition to any development along the 7<sup>th</sup> Street canal. Wanda Brock submitted a thank you to the City for the support of the 3<sup>rd</sup> annual Ride and Roll fundraiser for the Caldwell Charitable Trust held last month.

Meeting adjourned at 10:45 a.m.



Respectfully submitted,  
Cathy Henninger, City Clerk, CMC

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

