

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, May 14, 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, Vice-Mayor Ed Wovas, Commissioner Geraldine Zahn, Secretary Treasurer Jim Pettorini and Commissioner Ron Sutton. *Also Present:* Attorney Tom Wright, City Clerk Cathy Henninger, Fire Chief John Johnson, Police Chief Kris DiGiovanni and Building Official Ed Borysiewicz *Public: 14*

2. **Approval of Minutes:** Commission Meeting April 23, 2015 Approved with change to reflect the amount the Farmers Market organizer; Green Market Events will pay the City of Key Colony Beach.

3. **Special Request:** None.

4. **Committee and Staff Reports:**

A. **Marathon Fire/EMS** – Fire Chief Johnson stated there were 6 EMS calls consisting of 2 medical; 2 false alarms; 1 public assist and 1 gas leak during this past two weeks.

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

C. **Beautification Committee** – No report

D. **Disaster Preparedness Committee** – Ed Borysiewicz stated the generator will be tested this month and the hurricane trim of the Sunset Park trees is complete.

E. **Planning & Zoning Committee** – No report.

F. **Utility Board** – Vice-Mayor Wovas stated that even though there is a seated Utility Board there has been no report from the Board and an update on some key project proposals and recommendations are needed for the Commission. Mayor Ellis stated that once the Chair is appointed the Utility Board will be presenting a report at the next meeting.

G. **Police Department** – Chief DiGiovanni reported there were three cases in the past two weeks consisting of a crash with property damage at Sea Pointe; a crash hit and run at Key Colony Inn and found property at Cabana Breezes. 5 medical/ alarm calls were handled by the City Officers on 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> streets; Sparky's and the Glunz Resort. KCB Officers assisted in 10 instances with the Monroe County Sheriff's Office ranging from suspicious persons to a burglary at the Bonefish Hotel. 12 miscellaneous calls were handled. They are: courtesy rides; noise complaints; stolen credit card information; suspicious vehicles; stolen property; assistance to resident stuck in elevator; park after hours call; found property; assist at Mobile station. Officers continue their vacation watch order program; daily business checks; traffic enforcement, bicycle and vehicle patrol. Chief DiGiovanni advised residents to be alert using their credit cards at gas stations, there have been scanners found on gas pumps in the area and your credit information can be stolen. Please watch your accounts. Chief DiGiovanni made the recommendation to the Commission to hire Robert Petrick as the new law enforcement officer to work the

night shift. He has served as the City's past Chief and as a part time officer as needed for the past few years. The Chief recommends that if the Commission approves Robert Petrick that based upon his prior experience and knowledge his salary be \$50,000.00.

**Motion:** Made by Commissioner Sutton, seconded by Commissioner Pettorini to hire Robert Petrick at a salary of \$50,000.00 as the night shift police officer.

**Discussion:** Commissioner Zahn asked for clarification on the cost savings of hiring an officer who is already receiving a pension from FRS. Cathy stated the rate will be a 9% decrease from the allocation normally paid by the City for law enforcement officers retirement percentage. Vice-Mayor Wovas asked if another officer will be looked for to serve as a part time to cover unexpected absences. Chief DiGiovanni stated that Monroe County Sheriff's are utilized now to cover additional shifts as needed.

**On the Motion:** By consent the Commission approved.

May 10-16 has been proclaimed Police Week. May 15<sup>th</sup> is designated as Peace Officers Day and the City will hold a small ceremony of remembrance at the Flag at the City Hall grounds on May 15<sup>th</sup> at 9:00 a. m. All are welcome to attend. The MCSO Dispatch number of 305 289 2351 has been placed upon the police patrol cars. This number can be used after hours for assistance. The Click It or Ticket campaign runs from May 18 through May 31, 2015, please BUCKLE UP! Cathy Henninger read aloud a thank you letter received from a resident for the assistance of Sargent Birkland with her family member who had fallen and needed assistance.

**H. Building and Public Works** – Ed Borysiewicz reported on the boat trailer parking work being completed by his staff and the Mayor. Removal of buttonwood bushes is complete and new trees have been planted and more are on order. Once this project is completed it will offer additional square footage for trailer storage. The scanning project of the building permits and historical files is underway and two volunteers, Dee Settles and Lyn Patterson have been a great help to Steve. Daily beach walking is being completed by Steve Britske and Ed monitoring for turtle nesting activity. This daily monitoring by trained staff is required to allow for any raking of beach areas later in the day. The vacuum/clean out of the storm water drains is underway throughout the City and is being completed by Public Works. Ed reported former Mayor Mickey Feiner has passed away at 106 years of age. Mayor Feiner served the City as Mayor for 14 years. Ed spoke very highly of Mayor Feiner and Commissioner Sutton suggested the City send a sympathy acknowledgement to the family. Ed stated there will be a Local Mitigation Strategy (LMS) meeting in Marathon Government Center on May 27, 2015 from 3:00-5:00p.m. The public is invited to attend. These planning meetings are for work that would be required should the Keys area have a hurricane.

**I. City Secretary/Treasurer** – Jim Pettorini stated that he has requested the accountants add a line to the one page fiscal summary to reflect the budgeted balance of the year expenses. He explained the department heads are preparing their budgets for the first budget workshop. The monthly financials will be available for the Commission at the next meeting.

**J. City Clerk**- Cathy Henninger stated there are 21 participants pre-registered for the June 22 property manager class. The new phone system is being installed this week. The no texting while driving campaign (Put It Down Campaign) is in the planning stages for this year. The City will be including the reminder on the next utility bills and the police will assist with placement of a banner on the Causeway to remind residents and visitors of this important message. Budget preparation work has begun for this upcoming workshop. The transition of the website to a local webmaster is underway.

5 **Unfinished Business:** None.

6. **Items for Discussion/Approval:** None.

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

A. Election Date & qualifying – Mayor Ellis is stated he is exploring the election date for Key Colony Beach to coincide with Federal, State and County elections. Should the City decide to change it will still require a stand-alone election at the City's expense every other year. Attorney Wright will research if a referendum is needed on the ballot to gather voter input for the suggested change to the election date within the City Charter. Attorney Wright will have information for the next meeting. Commissioner Sutton and Commissioner Zahn both recommend the referendum to determine the voter's wishes. Attorney Wright stated the length of Commission terms would be impacted to match the new election cycle if chosen. Lyn Patterson, 13<sup>th</sup> Street stated that after speaking with Joyce Griffith, Supervisor of Elections, she was told there would be a cost savings in the range of \$7,000.00-\$10,000.00 annually. Tucker DeGraw stated the City candidates would be listed on the last page of a ballot that could be numerous pages. He stated without the local campaigning, voters would not have an opportunity to get to know the candidates. Mayor Ellis stated the Commission would pursue placing the referendum on the ballot for the voters to choose. He requested that Attorney Wright begin work on a Charter revision.

B. Utility Board Chair nominations and appointment-see below\*

8. **Ordinances and Resolutions- Second Reading –Ordinance 441-2015** Utility Board.

Attorney Wright read by title only the Ordinance.

**Motion:** Made by Vice-Mayor Wovas, seconded by Commissioner Pettorini to approve the Ordinance 441- 2015 Utility Board as amended.

**Discussion:** Renee Svendsen stated she is strongly opposed to this amendment. Tucker DeGraw stated he is opposed to this change. He stated the Commission already had the authority and approves the entire Utility Board. Commissioner Zahn stated that she is not in favor of this change. Commissioner Sutton disagrees with this ordinance and stated we always have approved all members of all the boards and committees. Commissioner Pettorini stated he agrees with a close working relationship between the Utility Board and the Commission given the fiduciary responsibility of the Commission and the size of the utility budget.S:\City Commission\MINUTES\2015\05 14 15 Commission Meeting Minutes.doc

**On the Motion:** Roll Call Vote: Sutton: No, Pettorini: Yes, Zahn: No, Wovas: Yes, Ellis: Yes Motion passed.

**Second Reading Ordinance 442-2015** Outdoor Lighting- Attorney Wright read the ordinance by title only.

**Motion:** Made by Commissioner Zahn, seconded by Commissioner Sutton to approve the amendment to the ordinance 442-2015 on outdoor lighting.

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

**First Reading Ordinance 444-2015** Bid Limitation – Attorney Wright read the ordinance by title only. He then read the two incremental changes from \$10,000.00 to \$35,000.00 before a bid is required of the city for purchase of services or goods. The Commission after discussion decided to change the bid limitation to \$25,000.00. The second change was to allow the City Administrator/Mayor to make purchases of up to \$2,500.00 without prior approval from the Commission.

**Motion** Made by Mayor Ellis seconded by Commissioner Sutton to approve the ordinance 444-2015 with the amendment to \$25,000.00 for bid limitations and \$2,500.00 on purchases made by the City Administrator/Mayor.

Discussion: Commissioner Zahn stated that she agreed the \$1,000.00 limit was too low for the City Administrator/ Mayor. Renee Svendsen asked why these changes are being requested now. Mayor Ellis stated they have been too low for some time and wants the limits to reflect current pricing. She stated these are long lasting changes that are being made.

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

**First Reading 443-2015 Fish Cleaning Disposal** - Attorney Wright read the Ordinance by title only. He provided the new language detailing the proper means of fish carcass disposal.

**Motion:** Made by Commissioner Sutton, seconded by Vice-Mayor Wovas to adopt the Ordinance 443-2015 Fish Cleaning Disposal.

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

Mayor Ellis stated with Ordinance 441-2015 passage, he would like to open the floor to nominations to the Chair of the Utility Board. Commissioner Sutton nominated Tom Moore to the position of Chair. Tom Moore declined the nomination. Mayor Ellis nominated Jim Teague as Chair of the Utility Board. With no further nominations the nominations were closed.

**Motion:** Made by Mayor Ellis to nominate Jim Teague as Chair of the Utility Board.

**On the Motion:** Wovas: Yes; Pettorini: Yes; Sutton: Yes; Zahn: No; Ellis: Yes

Motion approved. Commissioner Zahn stated that her vote should not be taken that she does not have confidence in Mr. Teague but that she does not approve of the process.

Mayor Ellis thanked Mr. Teague for his willingness to Chair the Utility Board. Mr. Teague stated that he will be glad to serve.

**9. Warrant for April 2015 –**

**Motion:** Made by Commissioner Pettorini, seconded by Commissioner Sutton to approve the warrant in the amount of \$524,333.00.

**On the Motion:** Approval by unanimous consent.

10. **Commissioner Reports and Comments:** Mayor Ellis stated Commissioner Zahn has agreed to continue to monitor grant opportunities for the City. Commissioner Sutton has agreed to work with Mike Tibble of Mittauer on the storm water project on the west side of the island. Mayor Ellis expressed his appreciation for their willingness to continue with these responsibilities. He stated his approach is all the Commission members should be actively engaged in ongoing city projects. Vice-Mayor Wovas proposed a vote should be considered on the decision to send the letter to the DEO Secretary stating the City's position of withdrawal from the MOU for hurricane evacuation. The Mayor provided an update of his conversations with the consultants to the Commission on the direction and actions being taken.

**Motion:** Made by Vice-Mayor Wovas seconded by Commissioner Pettorini to ratify the action of the Mayor to submit the letter explaining the City's position on the MOU for hurricane evacuation to the Secretary of the DEO, Jessie Panuccio.

**On the Motion:** Unanimous consent to approve.

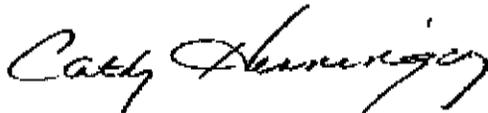
Commissioner Zahn stated that the Commission extends their deepest sympathy to the family of the Third Generation employee who was critically injured this week. Commissioner Wovas stated the farmers market is a great idea and seems to be well

received. Mayor Ellis stated that the vendors will be moved around within the park to keep from damaging the grass. The Green Market organizer has agreed to any repairs needed to the lawn. The agreement is a month to month agreement with a \$1,000.00 per month fee. Tucker DeGraw asked if the traffic impact during season has been considered.

10. **City Attorney Report:** Attorney Wright stated that former Mayor Mickey Feiner was a wonderful man and always had the best interests of the City in mind as he governed.

12. **Correspondence and Citizen Comments:** Tucker DeGraw 12<sup>th</sup> Street stated the City lost a fine resident in Andy Forberg, who passed away this past week. His parents were some of the first pioneers in Key Colony Beach and built the first home on 12<sup>th</sup> Street. He will be missed. Carol Teague 11<sup>th</sup> Street submitted a letter requesting the Commission to change the election date to match the state and federal election dates. Bill Knickman, 9<sup>th</sup> Street submitted an email concerning the sewer treatment plant. Mayor Ellis stated that the sludge is being hauled now and that it will be hauled out for the summer months. Meeting adjourned at 10:55 p .m.

Respectfully submitted,



Cathy Henninger, 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.**