

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, June 9, 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, Secretary Treasurer Jim Pettorini, Commissioner John DeNeale and Commissioner April Tracy. *Also Present:* City Clerk Kathryn McCullough, City Attorney Thomas Wright, Building Official Ed Borysiewicz, Assistant Building Official Steve Britske, Police Chief Kris DiGiovanni and Fire Chief Johnson. Excused: Vice Mayor Ron Sutton. Public - 6

2. **Approval of Minutes:**

Motion: Motion made by Mayor Ellis, seconded by Commissioner Pettorini, to approve the Regular Meeting Minutes of May 26, 2016.

On the Motion: Unanimous approval.

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

A. Causeway Lights -The Mayor requested and received approval to move this item up on the agenda as representatives from FKEC are in the audience. The Mayor reported this discussion came about because the City wanted to fix the lighting connections on the Causeway poles for the Christmas lights. However, because the poles belong to FKEC, the City cannot make repairs even with licensed contractors. FKEC suggested a solution would be to give those poles to the City. There are currently 154 light poles in the City that are charged at a flat fee of \$14.00 per month per light pole. There are also two meters at the Causeway entrance which are billed at \$50. per month each. Four additional meters will be required when the Causeway poles are taken off the grid for the rest of the City. Light poles owned by the City will be charged based on usage. Ownership of the poles will allow the City to correct the current deficiencies. Adding LED bulbs to the poles will decrease the electric cost. FKEC will transfer ownership of the poles and install the meters at no cost to the City. There are 22 poles and 23 lights as one pole has two lights on it. Commissioner DeNeale asked if is the City's responsibility if happened to one of these poles. The Mayor said it would be the City's responsibility. Asst. Building Official Britske has inspected every pole for spalling and other deficiencies and found none.

Motion: Motion made by Commissioner Pettorini, seconded by Commissioner DeNeale to accept ownership of the electric poles from FKEC.

On the Motion: Roll call vote. Unanimous approval.

Mike Puto with FKEC stated he feels this transfer of ownership of the poles is a win-win for both parties. He also stated the turtle lights for East Ocean Drive have been ordered and will be installed shortly.

3. **Special Requests:** N/A

4. **Committee and Staff Reports:**

A. Marathon Fire/EMS – Chief Johnson reported there were 2 medical calls since the last meeting. The Chief again urged everyone to be prepared now that Hurricane Season

has started. He promised he will continue these reminders at every meeting for the rest of the season.

B. Recreation Committee – No Report

C. Beautification Committee – No report.

D. Disaster Preparedness Committee –Building Official Borysiewicz reported the generator has been refueled and will be tested again shortly. This will be the complete City Hall test. The supplies that were ordered have been received.

E. Planning & Zoning Committee –No report.

F. Utility Board – No report.

G. Police Department – Chief DiGiovanni reported 7 reports since the last meeting; 1 identity theft, 1 criminal mischief, 1 narcotics find at Sunset Park, 1 home burglary, 1 traffic crash, 1 medical emergency and 2 traffic arrests. The Police Department also responded to 4 medical/alarm calls, responded to 17 miscellaneous calls and assisted MCSO 9 times, along with vacation watch orders, daily business checks, traffic enforcement and bicycle and boat patrols. The Kids Fishing Derby is full and currently has a stand-by list of 7 children. The Chief will be doing boat patrols on Saturdays and Sundays for 4 hours each day for the balance of the summer. He will be taking Mondays off.

H. Building and Public Works –

1. Boat Lift Request – 255 13th St. Building Official Borysiewicz reported the request is for a 20,000 lb. boat lift with 14’ arms. A property owner on one side has already given approval. The property on the other side is owned by a trust. They have requested a postponement until all the trustees have an opportunity to review the request. Mayor Ellis asked the reason for 14’ arms on the lift. The Mayor asked if the property owners across the canal have been notified. Mr. Borysiewicz reported only the neighbors on each side had been notified. Mr. Borysiewicz also reported this is not an emergency so the Commission can postpone a decision until next meeting. Commissioner DeNeale suggested the contractor trim the arms back to 12 feet. By consensus the Commission tabled this item until next meeting. Building Official Borysiewicz asked the Commission to approve the appointment of Anthony Fernandes to the Disaster Preparedness committee. Mr. Borysiewicz has known Mr. Fernandes, who lives on 4th Street, and feels he would be a good addition to Disaster Preparedness.

Motion: Motion made by Commissioner DeNeale, seconded by Commissioner Pettorini, to appoint Anthony Fernandes to Disaster Preparedness.

On the Motion: Unanimous approval.

I. City Secretary/Treasurer –Commissioner Pettorini reported the Commission had the Pre-Budget Workshop on May 26, 2016 which he felt went very well. The first budget workshop will take place on June 20, 2016. The ad valorem differential has been shrinking every month. Year to date we are running close to 6% over in income and below budget in expenses.

J. City Clerk - City Clerk McCullough reported as usual the office is very busy. The Utility Clerk, Blanca Kulig, is working on the documentation required for the State Funding for the wastewater project and next week she will be sending out the quarterly invoices for wastewater. The Assistant City Clerk, Becky Todd, is getting ready to send out the renewal notices for vacation and long term rentals in addition to the commercial businesses. And, of course, the staff is working on the budget. Mayor Ellis stated volunteers are needed to help stuff the envelopes for the wastewater billing.

5. **Unfinished Business:** None

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

A. Discussion of e-mails and Sunshine Law – Commissioner DeNeale prepared an issue paper on e-mails and the Sunshine Laws. He researched his notes from Florida League of Cities, the new 2016 edition of the Sunshine Law manual, in addition to discussions with State Attorney investigator Chris Weber and the City Attorney Tom Wright. The research resulted in the following recommendations; 1) Send e-mails only to the City Clerk for distribution to the Commission, 2) Do not ‘reply all’ if a staff member sends the Commissioners an e-mail, just reply to the staff member. 3) If another commissioner sends you an e-mail, do not reply just use the information as you see fit; 4) If you have a question about correspondence you are composing ask Tom Wright or Chris Weber. Mayor Ellis recommended if you are going to have correspondence with another commissioner, or utility board member to utility board member, or any of the volunteer boards, do it on the day the agenda is produced with your supporting documentation attached to the agenda. The agenda is produced at 10:00 AM on Mondays before the commission meeting on Thursdays. This way there is no question and your intent is perfectly clear every time.

8. Ordinances and Resolutions:

A. Ordinance 450-2016 -- Stormwater Utility , Schedule of Rates: An ordinance of the City Commission of the City of Key Colony Beach, Florida, amending chapter fifteen entitled Stormwater Facilities section 15-4, schedule of rates, repealing any conflicting or inconsistent regulations; providing for severability; providing for inclusion in the city code; providing for an effective date. The City Clerk explained the City sets stormwater rates by ordinance rather than resolution. The Commission approved the increase in the storm water rate at the last commission meeting. This ordinance codifies that approval.

Motion: Motion made by Commissioner DeNeale, seconded by Commissioner Pettorini, to approve Ordinance 450-2016.

Commissioner Pettorini asked about delinquent accounts. The City Clerk stated the delinquent accounts will be notified and any past due amounts will be placed on the ad valorem tax bill. City Attorney Tom Wright stated this action should do away with delinquencies completely. If a tax payer does not pay the County auctions them off to investors. Commissioner Tracy asked if there was a problem with delinquencies. The City Clerk stated there are not a lot, most of the delinquencies are for properties in foreclosure.

Motion: Motion made by Commissioner DeNeale, seconded by Commissioner Pettorini to adopt Ordinance 450-2016.

On the Motion: Roll Call Vote: Unanimous approval.

B. Resolution No. 2016-002, Stormwater Utility, Initial Assessment Resolution: A resolution of the City of Key Colony Beach, Florida, estimating the cost of stormwater management service provided by the City’s Stormwater Utility, describing the method of assessing stormwater costs against assessed property located within the City of Key Colony Beach; determining the stormwater cost and the initial stormwater service assessments; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing an effective date. The City Clerk explained this resolution is also required to add the stormwater bills to the ad valorem tax rolls. There will be a public hearing on July 14, 2016. In addition to noticing the public hearing a notice is also being mailed to all property owners.

Motion: Motion made by Commissioner DeNeale, seconded by Commissioner Tracy, to accept Resolution No. 2016-002.

On the Motion: Roll Call Vote: Unanimous approval.

9. Warrant Approval: Approval of Warrant No. 052016

Motion: Motion made by Commissioner Pettorini, seconded by Commission DeNeale to approve the May 2016 warrant in the amount of \$612,718,64.

On the Motion: Unanimous approval.

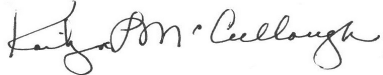
10: Commissioner Reports & Comments: Commissioner Tracy reported she is attending the seminar put on the Florida League of Cities for new commissioners this weekend. She hopes to learn a lot. Commissioner Pettorini appreciated the information provided by Commissioner DeNeale on sharing information.

11: City Attorney Report: The City Attorney reported there is no pending litigation at this time.

12: Correspondence & Citizen Comments:

No correspondence or citizen comments.

The meeting adjourned at 10:05 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.
