

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday, July 28, 2016, 9:40 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 9:40 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 Thomas Wright, Assistant Building Official Steve Britske, Police Chief Kris DiGiovanni and Fire Chief Johnson. Excused: Building Official Ed Borysiewicz. Public - 2

2. **Approval of Minutes:**

**Motion:** Motion made by Commissioner Tracy, seconded by Vice Mayor Sutton, to approve the minutes of the Regular Meeting of June 9, 2016, the First Budget Workshop of June 20, 2016, the Regular Meeting of June 23, 2016, and the Public Hearing of July 14, 2016.

**On the Motion:** Roll Call Vote: Unanimous approval.

3. **Special Requests:** Mayor Ellis reported a special request from Coldwell Schmitt Banker Charitable Foundation for approval of the 4<sup>th</sup> Annual Ride and Roll on Saturday October 2, 2016.

**Motion:** Motion made by Commissioner Tracy, seconded by Vice Mayor Sutton to approval the Coldwell Schmitt Banker Charitable Foundation 4<sup>th</sup> Annual Ride and Roll on Saturday October 2, 2016.

**On the Motion:** Unanimous approval.

4. **Committee and Staff Reports:**

**A. Marathon Fire/EMS** – Chief Johnson reported there were 7 medical calls, 2 fire alarms and 1 request for public assistance since the last meeting. The Chief also reported mini-lobster season is upon us. Not only is there a lot of traffic, but there has also been several accidents with some resulting in fatalities. So be careful and remain alert. He reminded everyone to be prepared for storms. Vice Mayor Sutton asked about the fire alarms. Chief Johnson reported one alarm was the result of a cooking issue. The other one is an issue that is being addressed.

**B. Recreation Committee** – No Report

**C. Beautification Committee** – No report.

**D. Disaster Preparedness Committee** – Assistant Building Official Britske reported another generator test has been done. Early in August a generator test will be conducted with where all of City Hall is shut down and brought back up on the generator.

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

**F. Utility Board** – No report.

**G. Police Department** – Chief DiGiovanni cited 7 reports since the last meeting which included 3 criminal mischief cases, 1 theft report, 1 found property, 1 credit card fraud and 1 traffic arrest. The Police Department also responded to 18 medical/alarm calls, assisted the Monroe County Sheriff's office 24 times, and handled 63 miscellaneous calls. Since the last meeting 93 code enforcement warnings, 12 code violations, 43 traffic

warnings, 3 traffic citations, and 8 marine warnings were issued. The Chief reported no major incidents over the 4<sup>th</sup> of July weekend. 3 Cuban migrants landed in front of the Casa Clara Condo on 07/18/2016. The migrants were turned over to Border Patrol. Officer Griffith celebrated 5 years with the Police Department on July 25, 2016. The night officers have been encountering about 30 people a night, some as late as 2:00 AM, playing the new Pokemon Go game, in the city parking lot. Most of these have been cooperative however some needed to be reminded about noise and gatherings in the parks after dark.

#### **H. Building and Public Works –**

1. Boat Lift Request – 1325 Coury Drive. Assistant Building Official Britske reported on a 40,000 lb. boat lift request at 1325 Coury Drive. The permits from the Army Corps and DEP have been received. Neighbors on both sides each have given verbal approval of the lift.

**Motion:** Motion made by Commissioner DeNeale, seconded by Commissioner Pettorini, to approve a 40,000 lb. boat lift at 1325 Coury Drive.

**On the Motion:** Roll call vote: Unanimous approval.

2. Approval to hire Alan Morgan for the Public Works Department at \$16.75 per hour. Both Mayor Ellis and Assistant Building Official Britske have interviewed the applicant. Mr. Morgan has done a significant amount of work on Key Colony with another contractor, so they are aware of his abilities. In light of Mr. Morgan's experience, both the Building Official and the Assistant Building Official request the starting hourly rate be increased to \$17.75 per hour. Vice Mayor Sutton questioned the hourly rate as Mr. Morgan is paid \$25.00 per hour by his current employer. Mr. Britske stated the City offers a guaranteed 40 hours per week in addition to benefits.

**Motion:** Motion made by Commissioner Pettorini, seconded by Commissioner Tracy, to hire Alan Morton for Public Works at \$17.75 per hour.

**On the Motion:** Roll call vote: Unanimous approval.

3. Local Mitigation Strategy Report. Assistant Building Official Britske presented the Local Mitigation Strategy Report for the current year. He explained this is done annually and it helps to keep the flood insurance rates down for the properties on Key Colony Beach.

**Motion:** Motion made by Vice Mayor Sutton, seconded by Commissioner DeNeale to accept the annual Local Mitigation Strategy Report.

**On the Motion:** Unanimous approval.

**I. City Secretary/Treasurer –** Commissioner Pettorini reported the City financials are in line for the current time frame. He did question the line item for licenses as it appears to be substantially below the budgeted income. City Clerk McCullough explained the majority of this line item is for the renewal of vacation and long term rental licenses. The renewals are in progress now and will be completed by September 30<sup>th</sup>.

1. Identification of Reserves. Commissioner Pettorini reported \$674,000 in reserves at the current time. Commissioner DeNeale reported on the information he provided to the Commissioners detailing the reserves. He believes the City will end the year in a very healthy position with respect to reserves and it will provide flexibility with the next budget discussion.

**J. City Clerk -** City Clerk McCullough reported she and Chief DiGiovanni attended a Records Management Workshop presented by the Department of State. She found the information presented very informative and helpful. The final taxable value for FY 14/15 was received from the Property Appraisers Office. The value was reported as \$598,209,984 after the Value Adjustment Board hearings. The City Clerk complimented the Utility Clerk. Blanca identified \$32,245 in seriously past due wastewater accounts.

To date she has collected \$21,455 of those past due accounts. Good job Blanca! Becky is working very hard on the vacation and long term license renewals. Inspections for many of these licenses are already in progress.

5. **Unfinished Business:** None

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

A. Communications Services Tax Agreement: City Clerk McCullough explained this is an agreement with the State of Florida designating who in the City has the authority to communicate with the State with reference to the Communication Services Tax. The agreement identifies the City Clerk as the designated point of contact for the City.

**Motion:** Motion made by Commissioner DeNeale seconded by Commissioner Tracy to approve the Communications Services Tax Agreement with the State of Florida.

**On the Motion:** Unanimous approval.

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

A. Update on the Wastewater Treatment Plant. With the help of Jason Shepler of Mittauer the bids have been advertised for the wastewater treatment plant. Bids were received from 3 contractors. There is an apparent low bidder. Jason is in the process of evaluating the bids to insure the bonds are okay and to confirm the experience listed. The Mayor was very encouraged with the bids received. He requested a Special Meeting of the Commission on August 4, 2016 to award the bid. Vice Mayor Sutton and Commissioner Pettorini expressed concern of a potential conflict with the opening of the new Marathon City Hall at 10:00 AM. The Mayor stated the Special Meeting could start at 9:00 AM. All the Commissioners confirmed they would be available for a Special Meeting on August 4, 2016 at 9:00 AM.

B. Smoke Test Results. At the request of US Water and with the approval of the Commission smoke tests were performed of the City sewer lateral system. The Mayor reported 20 issues were identified in the City lines. Most of the issues were end caps that were missing and/or cracked. All of the identified issues have been corrected. There were 3 issues identified on private property. The property owners have been notified and given 30 days to respond.

C. Review of Sign Ordinance. The Commission had set a 90 day trial period to allow realtors to place open house directional signs at street corners. The Mayor stated he has not had one comment on the signs. Vice Mayor Sutton and Commissioner Pettorini also reported not receiving any comments. In the absence of any negative comments the Mayor instructed staff to continue the current policy. Commissioner Tracy asked about a yellow sign on a telephone pole. Assistant Building Official Britske reported the sign has been removed.

8. **Ordinances and Resolutions:** N/A

9. **Warrant Approval** – Warrant No. 0616 in the amount of \$612,718.64.

**Motion:** Motion made by Commissioner Pettorini, seconded by Vice Mayor Sutton to approve Warrant No. 0616 in the amount of \$612,718.64

**On the Motion:** Roll Call Vote: Unanimous Approval

10: **Commissioner Reports & Comments:**

Commissioner DeNeale thanked the other Commissioners for covering for him at the last two meetings. He appreciated it and his family appreciated it. His sister-in-law Jacque

loved Key Colony Beach. Mayor Ellis expressed his condolences and those of the entire Commission to the DeNeale family.

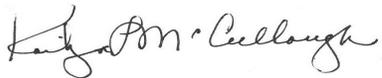
**11:City Attorney Report:** The City Attorney reported on information received from the Municipal Attorney's Association concerning several small cities getting requests to locate cell towers within their cities. Attorney Wright has information regarding a formal response to this type of request. Mayor Ellis said he has received a request and he told them the City was not interested. Attorney Wright said if anything comes of the request he should be informed.

**12: Correspondence & Citizen Comments:**

A thank you was received from the Florida Keys Children's Shelter for the \$100. contribution made by the City Commission in memory of Sylvia Puto. An email was received from Marie Flood concerning 620 10<sup>th</sup> St. A copy of the email was forwarded to all the Commissioners. An email was received from Tucker DeGraw concerning the boat lift at 255 13<sup>th</sup> St. A copy of the email was forwarded to all the Commissioners. City Clerk McCullough received a personal email from John Albin. Ellen Albin is now in an assisted living memory care facility in Illinois. Ellen was very active in Key Colony Beach and served as the Chairman of the Recreation Board. Kathryn has Ellen's address for anyone who would like to send her cards or notes.

William Newberg of 185 13<sup>th</sup> Street addressed the Commission. He stated he is new to Key Colony Beach. He asked about a stop sign that had been removed. Mayor Ellis reported the stop sign was in disrepair. It will be replaced by Public Works very shortly.

The meeting adjourned at 10:15 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.**