

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, September 22, 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, Building Official Ed Borysiewicz, Assistant Building Official Steve Britske, and Police Chief DiGiovanni. *Excused:* Fire Chief John Johnson. Public - 9

2. **Approval of Minutes:**

Motion: Motion made by Mayor Ellis, seconded by Vice Mayor Sutton to approve the minutes of the First Budget Hearing 09/07/2016 and the Regular Commission Meeting 09/08/2016.

On the Motion: Unanimous Approval

3. **Special Requests:** Proclamation Red Ribbon Week, October 23 – 31, 2016. Mayor Ellis presented a Proclamation to Lisbeth Colon and Young Marine Gunnery Sergeant Adrien Gandara, representing the PFC Bruce W Carter Young Marines chapter, designating October 23 – 31, 2016 as Red Ribbon Week in Key Colony Beach.

Habitat for Humanity – Annual Spelling Bee. Christine Todd Young, Habitat for Humanity Executive Director, requested a fee waiver for the use of Marble Hall for their 17th Annual Spelling Bee on 11/18/2016. The Spelling Bee is a major fund raiser for Habitat who's mission is building and creating affordable homeownership in the Middle Keys. The required insurance is already on file with city staff.

Motion: Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy, to waive the fee for the use of Marble Hall by Habitat for Humanity on 11/18/2016.

On the Motion: Roll call vote. Unanimous approval.

4. **Committee and Staff Reports:**

A. Marathon Fire/EMS – Building Official Borysiewicz reported while cooking dinner a resident at Sea Isle stepped out to check on something. The door locked behind her with the keys inside. Officer Petrick responded and called the Fire Department. On arrival the Fire Department broke down the front door and turned off the stove. The entire system was checked out as the alarm did not go off. The system checked okay, there just was not enough smoke generated to activate it.

B. Recreation Committee – No Report.

C. Beautification Committee – No report.

D. Disaster Preparedness Committee –No report.

E. Planning & Zoning Committee –No report.

F. Utility Board – No report.

G. Police Department – Chief DiGiovanni reported 1 medical and 1 fire alarm call since the last meeting. The Police Department also responded to 11 assistance calls from

MCSO, in addition to 6 miscellaneous calls. The Police Department issued 9 code enforcement warnings, 7 traffic warnings and 2 traffic citations since the last meeting. The vacation watch order program, daily business checks, traffic enforcement, the bicycle patrol, the vehicle patrol and the boat patrol are also continuing. Chief DiGiovanni reported he will cover the day shifts while Officer Griffith is on vacation beginning September 28th through October 18th.

H. Building and Public Works – Building Official Borysiewicz reported Public Works trimmed the bushes and patched the pot hole on Coral Lane near US 1. They have also completed trimming the bushes on East Ocean Drive between 1st and 2nd Streets. Assistant Building Official Britske has been very busy conducting vacation occupational license inspections. There are over 500 of those to be completed by 10/01/2016. Building Official Borysiewicz is working on the commercial inspections and a few annual inspections. Assistant Building Official Britske reported on an applicant for the 3rd Public Works employee. The applicant, Michael Saunders, has been interviewed by himself, Building Official Borysiewicz and Mayor Ellis. If approved by the Commission today Mr. Sanders can start work on October 3, 2016.

Motion: Motion made by Commissioner Pettorini, seconded by Vice Mayor Sutton, to hire Michael Saunders for Public Works effective October 3, 2016.

On the Motion: Roll call vote. Unanimous approval.

I. City Secretary/Treasurer – Commissioner Pettorini reported the financials for the 11th month of the Fiscal Year are in good shape. The City is ahead on income and behind on expenses.

J. City Clerk - Assistant City Clerk Becky Todd reported she is attending the meeting today as City Clerk McCullough will be attending the Fall Academy of City Clerks from 10/10/2016 through 10/14/2016 and will not be here for the next commission meeting. This is a practice session. Becky stated she will do everything possible to handle Commissioner requests during Kathryn's absence. She also reported Utility Clerk Kulig has the quarterly sewer invoices ready to be mailed tomorrow. And as Assistant City Clerk, I have been very busy with all the vacation renewals. The entire administrative staff is preparing for fiscal year end.

5. **Unfinished Business:** None

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

A. **How to Improve Discussion and Decision Making at Commission Meetings.** Commissioner DeNeale started the discussion by stating he has some concerns, centered around the agenda, about what can be discussed during Commission meetings. Therefore he has done some research to determine what Florida law and City code requires. The Sunshine manual states an agenda is not required. Three (3) things are needed for a public meeting. Those are; 1) notice of the meeting, 2) the meeting must be held in a public place, and 3) minutes of the meeting. Public meetings are the only times Commissioners are allowed to share ideas about the City. An agenda is encouraged to better inform the public and to allow Commissioners to prepare for a meeting. An agenda is required by Key Colony Beach code. Should a topic come up, not on the agenda, discussion is fine. Even the public may discuss an item not on the agenda. However, as suggested by the Sunshine manual, if formal action may be required, or if it is a controversial item, the item should be tabled and placed on the agenda of a future meeting. Key Colony code allows items to be added to the agenda, at a meeting, by majority vote of the Commissioners. The Commission is not really a team, but should act like a team. Each commissioner should be courteous and attentive to others' right to be heard. The City code requires

Commissioners be professional and collegial to each other. If a non-agenda issue is controversial, tabling it is appropriate before any formal action is taken. And finally, try to provide 'read ahead' information for agenda items. This provides a better opportunity to prepare for meetings and avoids confusion. Even a simple one paragraph, emailed to the City Clerk, making sure the subject line identifies the agenda topic, would be helpful. Commissioner DeNeale hopes this works to "smooth" the meetings and to make them better. Commissioner DeNeale concluded his discussion by recommending that dialogue be encouraged at City meetings. Vice Mayor Sutton said at meetings, here lately, the Commission was told "we are moving forward". He respects Jerry Ellis as the Mayor, however, one person does not run the City. Vice Mayor Sutton hopes it is just a personality issue that can be modified, because the Commission has the right to discuss, to make motions and to vote. Commissioner Tracy requested clarification on adding a topic to an agenda. Commissioner DeNeale answered saying City code allows items to be added to the agenda during the meeting with a majority vote of the Commission. Commissioner Tracy then asked about the cutoff for the agenda. Clerk McCullough said agenda items have historically been requested not later than noon on Monday for a Thursday meeting. However that is procedure, not policy. She believes it was to give staff time to copy and assemble the agendas. This can be changed if the Commission wants. Attorney Wright said as a matter of procedure, at many meetings he has attended, additions, changes or deletions are at the beginning of an agenda. Then if an item is to be added it must be approved by majority vote. Commissioner Pettorini thanked Commissioner DeNeale for putting this item together for discussion. Everyone on this Commission wants what is best for the Community. That is not in question. However there are different approaches, some based on personality, on how to get there. He explained working for a boss who's style was "ready, ready, ready, aim, aim, aim". Mayor Ellis' style is "ready, fire, fire, fire". He likes Attorney Wright's idea concerning the agenda. Commissioner Pettorini would like to see the more important items first on the agenda. Mayor Ellis thanked the Commissioners for their comments.

7. City Administrator Items for Discussion/Approval.

A. Discussion and approval of advertisement for City Administrator. Mayor Ellis directed the Commissioners attention to the proposed advertisement for City Administrator included in the agenda packet. Commissioner DeNeale stated the suggested list of publications looked good to him. He felt the Key West Citizen may be the least productive, however, it probably should be included. Commissioner Pettorini asked if the date to accept applications could be extended to the end of the month. Clerk McCullough agreed with a cutoff date of October 31st as the publication dates for the various newspapers are all different. She also reported the cost of advertising in the Miami Herald is very expensive. An ad placed in the Reporter is more economical and is distributed from the Middle Keys though South Dade County.

Motion: Motion made by Commissioner DeNeale, seconded by Vice Mayor Sutton, to publish the advertisement for City Administrator with a cutoff date of October 31st, in the Key West Citizen, The Keynoter, The Reporter and online with the Florida League of Cities and the Florida City and County Government Management Association.

On the Motion: Roll call vote. Unanimous approval.

8. Ordinances and Resolutions: N/A

9. Warrant Approval:

Motion: Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy to approve Warrant 082016 in the amount of \$227,765.34.

On the Motion: Roll call vote. Unanimous approval.

10. Commissioner's Reports or Comments:

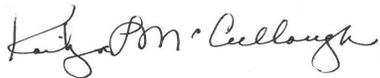
Commissioner Tracy reported FKEC has a retrofit board that can be installed in the lights to change the color from red to amber. FKEC should have one in place next week to see how it looks. She said FKEC is staying on top of this. She also wants to assure everyone that she is staying on top of this until a resolution is reached. Vice Mayor Sutton asked if the lights had been dimmed as previously promised by FKEC. Commissioner Tracy reported FKEC dimmed the lights 20 to 25% but it did not make much difference. She reported FWC and FKEC have been very cooperative.

11: City Attorney Report: No report.

12: Correspondence & Citizen Comments:

Tucker DeGraw, 540 12th Street, said political signs are showing up all over Marathon and it looks awful. Key Colony has a different code to control the signs. There are currently a few political signs in the City that Mr. DeGraw feels should be removed. Attorney Wright asked to be contacted if any action is taken to remove political signs as this is a 1st amendment issue. Commissioner DeNeale said City code allows political signs 30 days prior to an election. Mr. DeGraw thanked the Commission. That is what he wanted to know.

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.