

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, July 9, 2020 9:30 a.m.
Virtually via Zoom Conferencing

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 DeNeale at 9:30 a.m. followed by the Pledge of Allegiance and Prayer.
Present Virtually: Mayor John DeNeale, Vice Mayor Ron Sutton, Secretary/Treasurer Patti Trefry, Commissioner April Tracy, and Commissioner Kimmeron Lisle.
Also Present Virtually: City Administrator Christopher Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, Police Chief DiGiovanni, Fire Chief Johnson, Building Official Gerard Roussin and Building Inspector Greg Lawton.
Public (Virtually) – 27
2. **Approval of Minutes:** The minutes of the June 11, 2020 Regular City Commission Meeting, June 18, 2020 City Commission Special Meeting, June 25, 2020 City Commission Regular Meeting, and July 2, 2020 Special City Commission Meeting were approved by acclamation.
3. **Agenda Additions, Changes, Deletions:** Building Official Roussin added a repair estimate change for the bucket truck under the Building Department report. City Administrator Moonis deleted Bonus Pay Plan from his report.
4. **Special Requests:** None
5. **Committee and Staff Reports:**
 - A. **Marathon Fire/EMS:** Fire Chief Johnson reported his offices are still having ongoing computer issues which does not allow him to generate a report for Key Colony Beach. Fire Chief Johnson stated cases of COVID-19 are increasing steadily, which is expected with the increase in testing. Hospital availability is being monitored closely throughout the Keys and on the mainland to ensure proper care for COVID-19 patients but also regular medical cases.
 - B. **Recreation Committee:** No Report.
 - C. **Beautification Committee:** No Report.
 - D. **Disaster Preparedness Committee:** Building Official Roussin reported at the previous Commission Meeting authorization was granted to purchase 2 generators for the City Hall and Police Department trailers. The Building Department placed the order and received notification of the product being out of stock until mid-September. The Building Department is seeking an alternative method through a different supplier at a quicker pace.
 - E. **Planning & Zoning Board:** No Report.
 - F. **Utility Board:** No Report.

G. Police Department: Chief DiGiovanni reported since the last meeting there has been 4 reports including a vehicle accident in Circle K, found property on 13th Street, a simple battery with an arrest on 4th Street, and a trespass with an arrest at Mobile. They responded to 2 medical and alarm calls, provided backup to MCSO and FWC 12 times, and received 15 miscellaneous calls along with traffic citations, code warnings and citations, road patrol, boat patrol and vacation watch program.

- 1. Hiring of 2 Police Officers:** Chief DiGiovanni reported three interviews were conducted between June 22nd and June 23rd. The Police Department and City Administrator Moonis would like to offer two candidate's positions. Chief DiGiovanni requested the approval to hire 2 Police Officers at the salary of \$52,500. Chief DiGiovanni would like to readdress the motion stated because the ad states it will go up to \$55,000 based on qualifications.

MOTION: Motion made by Commissioner Lisle, seconded by Commissioner Trefry to approve the hiring of 2 Police Officers at the salary of \$52,500.

ON THE MOTION: Roll Call Vote. Unanimous approval.

MOTION: Motion made by Commissioner Lisle, seconded by Commissioner Trefry to reconsider the original motion.

ON THE MOTION: Roll Call Vote. Unanimous approval.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Lisle to approve the hiring of 2 Police Officers with the salary not to exceed \$55,000.

ON THE MOTION: Roll Call Vote. Unanimous approval.

H. Building Department/Public Works: Building Official Roussin reported as of July 8th Public Works and Building Department are back fully staffed. Public Works must wear masks during working hours including in the Public Works building and must practice social distancing amongst employees. During the quarantine period, the Building Department was conducting virtual inspections to the extent possible. The Building Department is now conducting in-person inspections and will begin code enforcement next week. A Code Enforcement Board meeting is scheduled for July 15th. Two new cases will be presented to the Code Board and two updates will be given on prior cases.

1. Request Approval to purchase blueprint scanner/printer - Building Official Roussin requested approval to purchase a blueprint scanner/printer in the amount of \$4,995. This item was listed in last year's budget for \$6,000 and was found on sale for \$4,995. The Building Department currently has a blueprint scanner that does not include a printer which will be put before the Commission for approval to sell once the new printer/scanner is received.

MOTION: Motion made by Commissioner Lisle, seconded by Commissioner Trefry to approve the purchase of a blueprint scanner/printer for \$4,995.

ON THE MOTION: Roll Call Vote. Unanimous approval.

2. Repair Estimate Change for Bucket Truck – Building Official Roussin reported an adjustment to the repair estimate has changed since approval. A cylinder in the bucket truck is not repairable and must be replaced. The Commission had approved \$4,084 to repair the

bucket truck at the last meeting and the new proposed price is \$6,364 with the new cylinder needed for the south leveling of the bucket.

MOTION: Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton to approve up to \$6,400 to repair the bucket truck.

ON THE MOTION: Roll Call Vote. Unanimous approval.

I. City Secretary/Treasurer: No Report.

J. City Clerk: City Clerk Todd reported the annual financial report has been completed, submitted, and posted to the website accordingly. The required election assessments will be sent. The reinspection procedures were sent to Property Managers on July 8th. Upon receiving the reinspection procedures, many Property managers have already scheduled their inspection. City Clerk Todd continues to prepare the Budget and scheduling of the upcoming Code Enforcement Board hearing.

K. City Administrator:

- 1. Malafy Agreement:** City Administrator Moonis stated Attorney Malafy agreed in writing that he is willing to accept the same rate of pay as City Attorney Wright. City Administrator Moonis request the approval to hire Attorney Malafy to represent the Code Board at the same rate as Attorney Wright, pending any possible contractual agreement issues. Mayor DeNeale requested for City Administrator Moonis to inform the Commission of Attorney Wright's rate of pay to consider approval at the next Commission meeting.
- 2. Dry Retention Pond Update:** City Administrator Moonis stated Mittauer Engineering is preparing a proposal for the Environmental Engineering Report Plan requested by the Commission. Vice Mayor Sutton requested for City Administrator Moonis to send him Mittauer's Engineer letter report for the retention pond.
- 3. Dr. Norris Appreciation Letter and Donation:** City Administrator Moonis stated a draft appreciation letter for Dr. Norris has been prepared. City Administrator Moonis is requesting, without objection, to donate \$1,000 in care of the Guidance Care Center in Marathon. The Commission agreed without objection. Commissioner Trefry stated there is not a monetary value for what Dr. Norris did for the City and she will be giving a personal donation in addition to what the City donates. City Administrator Moonis stated an appreciation letter will also be prepared for DOH Administrator Bob Eadie who was instrumental in helping the City get tested.
- 4. Operational Plan Update:** City Administrator Moonis stated the Building Department will begin proactive code enforcement on Monday, July 13th. Public restrooms are open and are being sanitized twice per day. Sunset Park has reopened after the 4th of July holiday weekend. The Building Department continues to be operational via appointment only and virtual inspections are still being conducted in place of in-person inspections, if possible. The Building Department uses the drone to conduct certain inspections and code enforcement. The City Hall trailer is being disinfected with a chemical atomizer twice daily. As a result, a modified capacity of City Staff has returned with an abbreviated schedule. The City Staff will handle the public similarly to how the Police Department is handling it, through the opposite doors of the trailer. There is hand sanitizer available

on the ramp side of the City trailer along with a drop box for residents to utilize. The Department Heads are working towards a solution to where the public and Staff are in direct contact with extreme social distancing measures to ensure everyone's safety. All COVID-19 testing conducted on City Staff and Commission returned negative. Vice Mayor Sutton requests for City Administrator Moonis to inform the Commission as best as possible of operational updates as they are decided.

6. Items for Discussion /Approval:

A. Extend Declaration of Local Emergency: Mayor DeNeale reported that he is very concerned with the increase in COVID-19 cases. Hospital capacity is not being monitored appropriately with elective surgeries being suspended. Ventilators are being removed and returned to the Florida Keys. Long term effects are being investigated by the Department of Health. The School Board is questioning the reopening of schools based on the rapid increase in cases. Mayor DeNeale would like to adopt a zero-tolerance policy with masks in Key Colony Beach. Mayor DeNeale requested the County to come up with a metric to when we exhausted our capacity in hospitals and must shut down vacation rentals again. Commissioner Lisle would like to request accurate data to make an informed decision. Mayor DeNeale would also like to write a letter to Florida Fish & Wildlife Commission requesting mini season to be canceled and push the first week of lobster season back by a week. City Administrator Moonis stated on his managers call with Florida Keys City Administrators, an ordinance is being drafted by the County for a curfew of 11pm-6am for next Wednesday's County Agenda. Mayor DeNeale presented the City of Key Colony Beach 18th Declaration of Local State of Emergency for COVID-19.

MOTION: Motion made by Commissioner Trefry, seconded by Commissioner Lisle to approve the City of Key Colony Beach 18th Declaration of Local State of Emergency (10:30 a.m.).

ON THE MOTION: Roll Call Vote. Unanimous approval.

7. Approval of Warrant:

A. Warrant 0620 in the amount of \$348,974.06.

MOTION: Motion made by Commissioner Lisle, seconded by Commissioner Tracy to approve warrant 0620 in the amount of \$348,974.06.

ON THE MOTION: Roll Call Vote. Unanimous approval.

8. Ordinances and Resolutions:

A. Ordinance 464-2020 Amending Chapter 5, Article III, Section 5-43 Elevator Lifts – First Reading – Attorney Wright stated an ordinance of the city of Key Colony Beach, Florida amending chapter 5 of the Code of Ordinances entitled "Elevator Lifts" Article 3 - Marine Construction and Improvements – Docking Improvements, Section 543. First paragraph: Elevator lifts - Providing for codification, repealing any inconsistent provisions, providing for severability, and providing an effective date.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Tracy to approve the first reading of Ordinance 464-2020.

ON THE MOTION: Roll Call Vote. Unanimous approval.

9. Commissioner Reports: Commissioner Tracy requested an update on Key Colony Beach Condos. Building Official Roussin stated there is no new updates. They are currently doing work under their existing foundation permit. A check still has not been received for the building permit. City Attorney Wright stated the construction loan is closing the 15th of July which should release funds for building permits.

Commissioner Lisle asked City Clerk Todd whether we are confirming if the vacation rentals will be vacant while the vacation rental inspection. City Clerk Todd stated the Property Manager that schedules the inspection is responsible for ensuring its vacancy. Mayor DeNeale stated if they arrive at a property and somebody is present, they should leave. Building Official Roussin asked City Clerk Todd if an extension may be granted for the time frame of renewing occupational licenses. City Clerk Todd stated in the past, as long as the application and business tax permit were submitted, if there was an issue in scheduling the inspection before September 30th, it could be extended as long as they are not renting the property or they can request a hardship from the City.

10. City Attorney Report: City Attorney Wright reported no pending or threatened litigation in the City.

11. Citizen Comments and Correspondence: City Clerk Todd reported Mr. Timothy Heitman already stated his support of closing mini season. City Clerk Todd also reported the Department of Health is hosting multiple COVID-19 testing opportunities that can be found at www.floridahealthcovid19.gov. The Blood Drive is scheduled for Tuesday, July 28th outside of the Post Office in the City Hall parking lot. Protective procedures are in place for the safety of donors. Brian Schmitt stated he reached out to Building Official Roussin and City Administrator Moonis regarding the new vacation rental inspection schedule. Mr. Schmitt stated the schedule was received July 8th and it requires all properties from 1-5th Street to be inspected in the month of July. Schmitt Realty has 20 properties from 1-5th Street that are all occupied in July. Mr. Schmitt requested to postpone those inspections as needed to protect the safety of City Staff, vacationers, and cleaning personnel. Building Official Roussin will review possible adjustments and contact Mr. Schmitt.

Timothy Heitman, 180 11th Street, stated that if mini season is cancelled it may serve as a potential benefit to local fisherman who have been greatly affected by COVID-19.

Gary Furtak, 150 10th Street, questioned whether the Commission is in support of closing mini season. The Commission agreed.

Kathryn McCullough, 181 5th Street, stated her objection to including duplexes in the revised boat lift ordinance.

Lisa Joseph suggested for the City to keep the same street order but begin the vacation rental inspections in August through October.

Mary McFadden, 6 Clara Blvd, questioned how far up the chain did the request go for ventilators. Mayor DeNeale stated the request went to the State. The Florida Keys has not had to use the capacity that we have so far. Also, the Florida Keys were promised extra ventilators from the mainland if needed.

The meeting adjourned at 10:59 a.m.

Respectfully Submitted,

Saara V. Staten

Saara V. Staten (on behalf of City Clerk Rebecca Todd)

Executive Assistant