

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday, July 23, 2020 9:35 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 9:35 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) – 47
2. **Approval of Minutes:** None.
3. **Agenda Additions, Changes, Deletions:** None.
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 Marathon has scheduled a Special Meeting discussing possible boat ramp closure on July 24<sup>th</sup>. Fire Chief Johnson reminds all to stay safe by social distancing and wearing masks.
  - B. **Recreation Committee:** No Report.
  - C. **Beautification Committee:** No Report.
  - D. **Disaster Preparedness Committee:** Building Official Roussin reported the generators are out for delivery to Key Colony Beach with the expected delivery date of July 25<sup>th</sup>. Once delivered, a local electrician will install the manual transfer switches.
  - E. **Planning & Zoning Board:** No Report.
  - F. **Utility Board:**
    1. **Dry Retention Pond** – Utility Board Member Thomas DeFrancisco reported a two-page white paper has been provided to the Commission for their review explaining several complexities of the retention pond and the proposed solutions. Prior to Hurricane Irma, the retention pond was fully functional. After Hurricane Irma, it was used as a debris storage area with heavy equipment compacting the retention pond soil and making it non-functional. In response to Mayor DeNeale’s request in having an engineered plan, the Utility Board is recommending a step by step approach to obtain data and then design an engineered solution.

**G. Police Department:** Chief DiGiovanni reported since the last meeting there has been 2 reports including a death investigation at the Continental Inn. They responded to 4 medical and alarm calls, provided backup to MCSO and FWC 9 times, and received 14 miscellaneous calls along with traffic citations, code warnings and citations, road patrol, boat patrol and vacation watch program. The KCB Tip line received 6 phone calls/voicemails and 6 text messages. While going through the background investigation process, one applicant withdrew their application from the Department. Chief DiGiovanni and City Administrator Moonis will discuss further applicants or other alternatives to increase boat patrol shift coverage.

**H. Building Department/Public Works:** Building Official Roussin reported Building Inspector Greg Lawton is now a State certified and ICC certified Dwelling 1 & 2 Building Inspector. The Building Department is having a fuel issue with the bucket truck. Public Works Supervisor Michael Guarino, Building Inspector Greg Lawton, and Building Official Roussin will be meeting to investigate the fuel system on July 25<sup>th</sup>.

**1. Request Approval of 60,000 lb. Cradle Lift & 10,000 lb. Boat Lift -** Building Official Roussin requested approval of a 60,000 lb. cradle lift & 10,000 lb. boat lift on 285 14<sup>th</sup> Street. The Building Department is waiting for neighbor approval. Vice Mayor Sutton stated this property had illegally created a filled beach along the canal front that was not in compliance with DEP and Army Corps. Vice Mayor Sutton recommended not to approve the 60,000 lb. cradle lift & 10,000 lb. boat lift until the property is in compliance. Commissioner Trefry and Commissioner Lisle agreed with Vice Mayor Sutton. Attorney Wright stated the restoration is currently an open permit.

**MOTION:** Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton to deny the 60,000 lb. cradle Lift & 10,000 lb. boat lift.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**I. City Secretary/Treasurer:** Commissioner Trefry reported the City ended the third quarter with \$3.2 million of income or 85% of the budgeted amount, 62% of year-to-date expenses, the profit and loss year-to-date was \$1.12 million, and \$2.2 million are available in unrestricted funds. Mayor DeNeale reported the business license deposit and the building permit of Key Colony Beach Club will be impactful to the revenue amount.

**J. City Clerk:** City Clerk Todd reported vacation rental applications are steadily being submitted. Two variances were received therefore a Planning & Zoning meeting will be set for September. The first stage of the initial budget has been completed. The initial millage rate was set at 2.4979. City Clerk Todd completed financials and is currently working on quarterly reporting.

**K. City Administrator:**

**1. City Hall Update:** City Administrator Moonis reported attempted contact with LIVS Associates to schedule an August meeting with the Commission. Currently, LIVS Associates is working on the final design. City Administrator Moonis reported the planning and financials are in the works and will be available to the Commission by July 31<sup>st</sup>. Mayor DeNeale stated decisions are still pending regarding the air conditioning system for the new City Hall building and post office and retail space location. Building

Official Roussin recommends the freon system due to support in the Florida Keys versus a water chilled system that is not popular and does not have any local support.

2. **Comprehensive Planning:** City Administrator Moonis reported communication with former consultant, LaRue Planning. Mr. LaRue will be sending City Administrator Moonis a proposal and a schedule that begins with meetings in August via Zoom. The Comprehensive Plan must be completed by mid-next year.

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

A. **Extend Declaration of Local Emergency:** Mayor DeNeale presented the City of Key Colony Beach 20<sup>th</sup> Declaration of Local State of Emergency for COVID-19.

**MOTION:** Motion made by Commissioner Trefry, seconded by Vice Mayor Sutton to approve the City of Key Colony Beach 20<sup>th</sup> Declaration of Local State of Emergency (10:04 a.m.).

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

7. **Approval of Warrant:** None.

8. **Ordinances and Resolutions:**

A. Ordinance 464-2020 Amending Chapter 5, Article III, Section 5-43 Elevator Lifts – Second 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 Vice Mayor Sutton, seconded by Commissioner Tracy to approve the second reading of Ordinance 464-2020.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

9. **Commissioner Reports:** Commissioner Tracy questioned how KCB will enforce the vacation rental mandate for posting Property Manager information outside of rental. City Attorney Wright recommended the Commission to consider opting out of the County ordinance. The Commission agreed.

Commissioner Trefry questioned whether sufficient staff is available for the upcoming week of mini season. City Administrator Moonis stated all departments are staffed appropriately.

Commissioner Lisle reported the Monroe County Transportation Committee is meeting on August 20<sup>th</sup> to begin preparing the master plan for US-1 in Monroe County. MCTC has requested for any feedback to be presented at that meeting. If the Commission & Staff have any concerns or comments, advise Commissioner Lisle.

10. **City Attorney Report:**

A. **Emergency Mask Ordinance** – City Attorney Wright stated after review of Monroe County’s mask ordinance, his opinion is that it is a very good ordinance that is enforceable in Key Colony Beach. City Attorney Wright further discussed procedures for violations. Chief DiGiovanni and City Administrator Moonis recommend not opting out of the County mask ordinance.

**11. Citizen Comments and Correspondence:** City Clerk Todd read a correspondence received from Ken Jones, 620 10<sup>th</sup> Street, recommending a reduction of vacation rental occupancy. City Clerk Todd read a correspondence received from Jeff & Lesley Rider supporting the closure of vacation rentals. City Clerk Todd read a correspondence received from Lee Lebron supporting the closure of vacation rentals. City Clerk Todd reminded residents the Blood Drive is scheduled for July 28<sup>th</sup> from 11 a.m. – 5 p.m. on the Post Office parking lot. Paul Cole, 701 8<sup>th</sup> Street, questioned the City’s vacation rental ordinance regarding occupancy limits.

The meeting adjourned at 10:25 a.m.

Respectfully Submitted,

*Saara V. Staten*

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