

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, March 11, 2021 9:35 a.m.
Marble Hall & 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 Sutton at 9:36 a.m. followed by the Pledge of Allegiance and Prayer.
Present: Mayor Ron Sutton, Vice Mayor Patti Trefry, Secretary/Treasurer Kathryn McCullough, Commissioner John DeNeale, and Commissioner Tom Harding.
Also Present: City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Dirk Smits, Police Chief DiGiovanni, Fire Chief Johnson (Virtually), Building Official Gerard Roussin, and Building Inspector Greg Lawton.
Public – 8 (Marble Hall) 20 (Virtual)
2. **Citizen Comments and Correspondence:** Kirk Diehl, 171 10th Street, expressed support for draft plan on canal maintenance. Mary McFadden, 6 Clara Blvd, recommended installing a traffic counter while waiting for the next budget season to conduct a traffic study. Greg Burke, 621 8th Street, recommended the City review and possibly increase temporary boat trailer parking fees to compete with surrounding fees.
3. **Approval of Minutes:** The minutes of the February 23, 2021 City Commission Special Meeting, February 24, 2021 City Commission Special Meeting, February 25, 2021 City Commission Public Hearing, February 25, 2021 City Commission Regular Meeting, and March 2, 2021 City Commission Special Meeting were approved by acclamation.
4. **Agenda Additions, Changes, Deletions:** None.
5. **Special Requests:**
 - A. **Request for Waiver of Park Rental Fee for Easter Sunrise Service:** Pastor Ray Laird of First Baptist Marathon requested a waiver of park rental fees for an Easter Sunrise service at Sunset Park. The Commission agreed to waive park rental fees, however, the refundable deposit is still required.
MOTION: Motion made by Mayor Sutton, seconded by Commissioner McCullough to approve waiving the park rental fee for Easter Sunrise Service.
ON THE MOTION: Roll Call Vote. Unanimous approval.
 - B. **Water Conservation Month Proclamation:** Mayor Sutton presented South Florida Waste Management's request for the City to consider proclaiming April 2021 as Water Conservation Month Proclamation. Mayor Sutton read the proclamation into record.
MOTION: Motion made by Vice Mayor Trefry, seconded by Commissioner McCullough to approve proclaiming April 2021 as Water Conservation Month.
ON THE MOTION: Roll Call Vote. Unanimous approval.
6. **Committee and Staff Reports:**
 - A. **Marathon Fire/EMS:** Fire Chief Johnson reported since the last meeting there has been 4 medical calls and 1 internal fire alarm. Fire Chief Johnson urged all to remain patient and safe during this busy season.
 - B. **Recreation Committee:** No Report.
 - C. **Beautification Committee:**
 1. **Approval of Trim on City Signage:** Chairperson Greg Burke reported at the last Beautification meeting a vote was made to approve the trim surrounding the signage at US-1, not to exceed \$1,500 from Giving Tree funds.
MOTION: Motion made by Mayor Sutton, seconded by Commissioner Harding to approve trim on City Sign, not to exceed \$1,500 from Giving Tree funds.
ON THE MOTION: Roll Call Vote. Unanimous approval.
 - D. **Disaster Preparedness Committee:** No Report.

E. Planning & Zoning Board: No Report

F. Code Enforcement Board: No Report.

G. Utility Board: No Report

H. Police Department: Chief DiGiovanni reported since the last meeting there was 2 reports: 1 petty theft and 1 baker act. They responded to 4 medical and alarm calls, provided backup to MCSO 8 times, and received 30 miscellaneous calls along with road patrol, boat patrol and vacation watch program. The Tipline received 4 phone calls and 3 texts. Chief DiGiovanni urged drivers to be patient with heavy pedestrian traffic. One Reserve Officer withdrew his interest in working with the City. The other Reserve Officer is awaiting a background check to proceed. Chief DiGiovanni thanked the Building Department, City Hall, and Casa Clara for notifying KCBPD of 3 illegal vacation rentals. Chief DiGiovanni reminded all that motorized scooters are prohibited on bike paths (Code of Ordinance Sec. 17-1-B). Chief DiGiovanni reported researching restrictions for motorized equipment on canals.

I. Building Department/Public Works:

1. Residential Sewer Line Inspection Specifications – Building Official Roussin reported the Building Department preparing to send out letters for residential sewer line inspections completed every 10 years. The specifications will be sent out with the next quarterly sewer invoice. The completion deadline is June 2023.

2. DEO Approval Update – Building Official Roussin reported receiving approval from DEO for the last new construction request from the City of Key Colony Beach confirming that they still approve new submissions.

3. Clara Blvd. Traffic Study Proposition for Fiscal Year 2021-2022 – Building Official Roussin reported receiving multiple requests from Clara/Coral area to conduct a traffic study to understand the impact the neighboring hotels new exit is having on the traffic in that area. Building Official Roussin stated a budget slot will probably be included in the next budget cycle to conduct the requested traffic study. Commissioner McCullough recommended conducting a traffic study throughout the entire City. Commissioner Harding will work with Building Official Roussin to receive grants from FDOT and plan a traffic study of the entire City in the next budget cycle. Commissioner DeNeale stated a recommendation was made to the City of Marathon to install an electric gate with a lockbox for the Police and Fire Department. Building Official Roussin and Mayor Sutton will contact the City of Marathon to follow up on the gate installation.

J. City Secretary/Treasurer: No Report.

K. City Clerk: City Clerk Todd reported the Certificate of Deposit's for the general funds and enterprise funds were opened at .3% for 1-year at Iberia Bank. The refinance of Sunset Park and Sadowski Causeway is complete. Many inquiries were received regarding the proposed developments in Oceanfront Condos and Sadowski Causeway. The City Administrator interviews and hotel reservations for selected candidates are scheduled. City Clerk Todd questioned when the selection process for City Administrator will be held. The Commission agreed unanimously to schedule the selection/discussion of City Administrator on Tuesday, March 16th at 9:30 a.m. City Clerk Todd will begin preparing the financial reports for February. There were 9 property transfers in February. One residential sewer account is in arrears for three quarters and 13 accounts have not paid their January quarterly bill. Assistant City Clerk Rosado completed 1-year of employment. Public Reminder: If residents are interested in a copy of any agendas hung in the Post Office, please do not remove postings, visit City Hall where copies will be provided. Executive Assistant Staten is on vacation from March 12-17 and Utility Clerk Hyland is also on vacation from March 19-23. A blood drive is being held from 9:30 a.m. – 2:30 p.m. outside the parking lot of City Hall. The reentry stickers are available for Monroe County residents at the Tax Collectors Office.

L. City Administrator:

1. Loan Refinance Agreement Update: Mayor Sutton reported the refinancing of the loan has been completed. Mayor Sutton thanked City Clerk Todd and City Attorney Smits for their hard work.

2. City Hall Update: City Attorney Smits received revised agreement from LIVS Associates. After review, approximately 8 negotiation points and 1 needed change regarding indemnification remain. City Attorney Smits thanked Commissioner Harding for suggesting that all FEMA language and provisions be included. City Attorney Smits will distribute the final agreement to the Commission when available and schedule it for approval at the next Special Meeting.

7. Items for Discussion /Approval:

A. COVID-19 Update: Mayor Sutton reported from February 27th – March 10th there was an average of 20 cases per day in Monroe County. Monroe County totals 6,038 cases and 46 deaths. Marathon totals 676 cases, Tavernier totals 433 cases, and Key West totals 2,909 cases. Key Colony Beach has had 2 more cases totaling 41 cases. Governor DeSantis passed Executive Order 21-62 allowing long-term care facility residents and staff, persons 60 years of age and older, health care personnel with direct patient contact, K-12 school employees 50 years of age and older, sworn law enforcement officers 50 years of age and older, and firefighters 50 years of age and older to get vaccinated effective March 15, 2021.

B. Commission Meeting Holiday Schedule: The Commission unanimously agreed to make the following changes due to the holidays: The 2nd Regular Commission meeting scheduled for November 25th was changed to Tuesday, November 23rd. In December 2021, there will only be one Regular Commission Meeting held on December 9th, therefore cancelling December 23rd Regular Commission Meeting.

C. Flood & Erosion Mitigation Projects Grant Opportunities: Commissioner Harding reported corresponding with Jeff Manning of the Local Mitigation Strategy Work Group regarding available grants from FEMA for small mitigation projects. The 1st funding application deadline is May 10, 2021. The 2nd funding application deadline is May 24, 2021. The City would need to fund 25% and FEMA funds the remaining 75%. Commissioner Harding drafted ideas to use the funds and reviewed those with the Commission. The Commission agreed unanimously for Commissioner Harding to proceed in applying for these funds and thanked him for his research and hard work.

8. Approval of Warrant: Warrant 0221 in the amount of \$344,059.42.

MOTION: Motion made by Commissioner McCullough, seconded by Commissioner Harding to approve Warrant 0221 in the amount of \$344,059.42

ON THE MOTION: Roll Call Vote. Unanimous approval.

9. Ordinances and Resolutions: None.

10. Commissioner Reports: Mayor Sutton reported attending a teleconference with the County regarding mini season. Cities across Monroe County discussed ways to improve mini season 2021. They concluded that informing people of regulations will be beneficial by producing more flyers to hand out. Mayor Sutton recommended that all cities change their ordinance to one standard rule across the board. Another meeting will be held in 60 days. Commissioner DeNeale recommended at the next meeting to discuss a limit of 24 lobsters per boat. Commissioner McCullough also recommended changing the lobstering hours from sunrise to noon to help decrease double trips.

11. City Attorney Report: City Attorney Smits reported a lawsuit proceeding against Miami Dade Community College. A ruling from the lower circuit court was made and in the opinion of most government attorneys has seriously eroded the immunity afforded to local governments. The attorneys for the college asked local government attorneys to ask local governments if they will support it. Monroe County and Marathon have agreed to support it. City Attorney Smits requested approval to execute on behalf of the City in support subject to approval of its contents. City Attorney Smits will forward the document to the Commission. City Attorney Smits commented on development work and reminded all that developments are not presented to the City without Staff and Attorney review and recommendation. Commissioner Trefry reported a bill in Tallahassee that overrules the City and restricts Key West cruise ships. Neighboring municipalities are drafting a resolution in support of Key West to protect home rule. City Attorney Smits will research and follow up with the Commission.

The meeting adjourned at 10:47 a.m.

Respectfully Submitted,



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