

# MINUTES

KEY COLONY BEACH

CITY COMMISSION REGULAR MEETING

Thursday, March 25, 2021 9:30 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 9:30 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, Building Official Gerard Roussin, and Building Inspector Greg Lawton.  
*Excused:* Fire Chief Johnson.  
Public – 4 (Marble Hall) 27 (Virtual)

- 2. Citizen Comments and Correspondence:** Tom DiFransico, 171 8<sup>th</sup> Street, voiced objection regarding the City financially supporting the canal dredging at 14<sup>th</sup>/15<sup>th</sup> Street.
- 3. Approval of Minutes:** The minutes of the March 11, 2021 City Commission Public Hearing, March 11, 2021 City Commission Regular Meeting, March 11, 2021 City Commission Special Meeting, March 12, 2021 City Commission Special Meeting, March 15, 2021 City Commission Special Meeting, March 16, 2021 City Commission Special Meeting, and March 16, 2021 City Commission Special Meeting were approved.

**MOTION:** Motion made by Commissioner McCullough, seconded by Mayor Sutton to approve the minutes listed.

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

- 4. Agenda Additions, Changes, Deletions:** Mayor Sutton added agenda item 5(a) Request for Approval of 7-meter Bridge Run. Mayor Sutton removed agenda item 11(a) Legal Report for Funding 14<sup>th</sup>/15<sup>th</sup> Street Canal.
- 5. Special Requests:**
  - A. Request for Approval of 7-meter Bridge Run:** Mayor Sutton reported the request to hold the annual 7-meter bridge run with the proper social distancing and masks. Chief DiGiovanni and Mayor Sutton had no objection. The Commission unanimously approved the 7-meter bridge run.

**6. Committee and Staff Reports:**

**A. Marathon Fire/EMS:** No Report.

**B. Recreation Committee:** No Report.

**C. Beautification Committee:**

**1. Appointment of Kimmeron Lisle:** Chairperson Greg Burke requested the approval to appoint Kimmeron Lisle to the Beautification Committee.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Mayor Sutton to approve the appointment of Kimmeron Lisle to the Beautification Committee.

**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:**

**1. Appointment of Anthony Fernandes:** Treasurer Freddie Foster requested approval to appoint Anthony Fernandes to the Utility Board.

**MOTION:** Motion made by Commissioner Harding, seconded by Vice-Mayor Trefry to approve the appointment of Anthony Fernandes to the Utility Board.

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

**2. Treasurer Report:** Treasurer Freddie Foster reported February's financial summary. In February 2021, 9 property transfers resulting in \$1,800 in transfer fees were paid, 1 residential account is in arrears 3 quarters, and 13 residential accounts have not paid the January quarter bill. The Utility Board is currently working on bids for equipment to use the \$139,869.80 grant. Wastewater Warrant 0221 in the amount of \$56,581.99 was approved at the last meeting. Overall, the 5<sup>th</sup> month of the 2021 fiscal year budget, Wastewater funds are in excellent shape. On the Stormwater end, a contract in the amount of \$24,000 for maintenance of the Retention Pond was paid. There are two outstanding contracts for improvements along the southern half of 10<sup>th</sup> Street: A \$15,500 contract to obtain Regulatory Permitting/Grant Funding Application Preparation and a \$19,500 contract to develop Engineering Design for drainage improvements; gravity injection wells and drainage collection system. The Storm Water Warrant 0221 in the amount of \$25,818.91 was approved at the last meeting. Overall, the 5<sup>th</sup> month of the 2021 fiscal year budget, Storm Water funds are in excellent condition. The Utility Board approved plants around Sewer Plant.

**H. Police Department:** Chief DiGiovanni reported since the last meeting there was 2 reports: 1 slow pursuit and 1 domestic disturbance at the Glunz hotel. They responded to 4 medical and alarm calls, provided backup to MCSO 2 times, and received 20 miscellaneous calls along with road patrol, boat patrol and vacation watch program. The Tipline received 4 tips. Chief DiGiovanni reported conferring with Valeri Kolessar Senior Planner for Monroe County Emergency Management regarding re-entry placards. The re-entry placards are expected to be delivered by mid-May. Chief DiGiovanni reported being in trial mode for Citizenserve. As a follow up, Chief DiGiovanni reported contacting FDOT regarding traffic counters who informed him the service is contracted out. Chief DiGiovanni is expecting a call back from the City of Marathon on whether they have traffic counters available for Key Colony Beach to use. Commissioner DeNeale recommended researching whether traffic counters can be rented and also contacting the contractor FDOT uses directly to get prices to present to the Commission.

#### **I. Building Department/Public Works:**

**1. Playground Equipment** – Building Official Roussin reported the current playground equipment has been used for a minimum of 15 years and is in rough condition. Therefore the Building Department is looking to replace the equipment. After research, Building Official Roussin determined the equipment is very expensive. A playground set similar to the current one is quoted at approximately \$27,000 without installation. Building Official Roussin estimates with installation it would cost approximately \$40,000-\$50,000. Public Works Supervisor Guarino contacted TDC, who informed him grants are not available unless the park is on a beach. The Building Department is researching different grant opportunities. Commissioner DeNeale stated possible eligibility may be found for the TDC Brick and Mortar Grant because it would improve tourism. Commissioner McCullough questioned whether the Commission would be interested in outlawing coconut palms. Mayor Sutton stated he enjoys the aesthetics of coconut palms and would not recommend banning them. Building Official Roussin stated coconut palms are not prohibited, however, when performing landscape review for new construction he recommends other similar trees for the majority of the design.

**J. City Secretary/Treasurer:** City Secretary McCullough reported receiving \$8,800 in Cares Act funding. Mayor Sutton reported approximately \$330,000 from a relief fund expected to be received in two cycles. A webinar on how those funds need to be used is approaching which City Secretary McCullough, Mayor Sutton, and City Clerk Todd will attend. Expenses are in line with the budget or under budget. Income and loss for February were down \$52,000. Commissioner McCullough reviewed the Road Funds which we are negative because of the expenses of road striping throughout the City. Commissioner DeNeale recommended considering a budget amendment if the expected FEMA funds do not arrive this fiscal year. City Secretary McCullough does not recommend doing a budget amendment in the middle of the budget year, however, a meeting to discuss reducing expenses may be beneficial. Mayor Sutton will contact FEMA consultant Norry Lynch regarding funds expected.

**K. City Clerk:** City Clerk Todd reported continued advancement with Citizenserve. The migration meeting is scheduled for Monday, March 29<sup>th</sup>. City Clerk Todd is researching different credit card processing companies to utilize with Citizenserve. Administrative Assistant Christine Burri continues to scan archived documents and will begin scanning old building plans as well. The quarterly sewer invoices will be mailed out next week along with the sewer inspection requirements. LIVS Associates forwarded the expected timeline for the completion of the new City Hall.

**L. City Administrator:**

**1. Appointment of City Administrator:** Mayor Sutton requested a motion to cease all negotiations with John Barkley.

**MOTION:** Motion made by Vice Mayor Trefry, seconded by Commissioner Harding to cease all negotiations with John Barkley.

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

**MOTION:** Motion made by Commissioner McCullough, seconded by Commissioner Harding to discuss the filling of the City Administrator position.

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

Commissioner McCullough would like to interview several other qualified candidates, one being Mary Noe. Mayor Sutton, Commissioner DeNeale, and Commissioner Harding feel comfortable offering David Turner the position. Vice Mayor Trefry expressed concern in making the wrong decision because of expediency. City Attorney Smits requested adding that the employment offer is subject to the final contract and final approval of the contract by the City Commission. Commissioner McCullough recommended the Commission change the Personnel Policy to compensate all employees who opt out of health insurance. The Commission stated it would not be appropriate for a contracted employee, however, agreed it should be considered during the Personnel Policy update. Mr. Turner thanked the Commission for welcoming him to the Key Colony Beach family.

**MOTION:** Motion made by Mayor Sutton, seconded by Vice Mayor Trefry to offer David Turner the position of City Administrator with the annual salary of \$80,000, 3 weeks of vacation starting after the 1<sup>st</sup> year of employment, standard sick leave, standard death in family leave, standard holiday leave, with the start date of April 12, 2021.

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

**2. City Hall Update:** Mayor Sutton reported LIVS Associates forwarded the expected timeline for the completion of the new City Hall. It is an estimated 2.5 years until completion. The Commission requested the timeline get added to the website. Commissioner Harding requested City Clerk Todd to forward timeline to FEMA Consultant Norry Lynch, Lobbyist Jerry Paul, and Laurie Lane from Brown & Brown.

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

**A. COVID-19 Update:** Mayor Sutton reported since the last meeting there has been 246 new cases in Monroe County, averaging approximately 17.5 new cases daily. As of Monday, March 22<sup>nd</sup>, all persons over 50 years of age are eligible for the COVID-19 vaccine. Key Colony Beach totaled 41 cases, Marathon totaled 707 cases, Key West totaled 2,993 cases, Tavernier totaled 458 cases, and Monroe County totaled 6,284 cases. 9,209 vaccines have been administered in Monroe County. The positivity rate is 5.85%.

**B. Boat Trailer Parking Rates:** Commissioner Harding reported conferring with 8 local facilities which only 2 allow short-term trailer parking. The average cost was \$150-210 per week. Commissioner Harding recommended increasing the temporary boat trailer parking fee to \$100 per week and \$200 per month. Commissioner McCullough suggested raising the monthly short-term parking fee to \$300. The Commission expressed concern with raising the price of the monthly fees and affecting snowbirds more than short-term vacation rentals. The Commission's consensus was to increase the temporary boat trailer parking fee to \$100 per week and \$200 per month.

**8. Approval of Warrant:** None.

**9. Ordinances and Resolutions:**

**A. Resolution 2021-04 Urging Members of the Florida Legislature to Support Home Rule:** Vice Mayor Trefry read Resolution 2021-04 into the record. City Clerk Todd will forward Resolution 2021-04 to the appropriate parties.

**MOTION:** Motion made by Mayor Sutton, seconded by Commissioner Harding to approve Resolution 2021-04.

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

**10. Commissioner Reports:** Commissioner Harding reported attending the Monroe County Local Mitigation Working Group meeting and the initiatives to improve flood and erosion were approved. Commissioner Harding will begin working on submitting the grant application. The Local Mitigation Working group suggested flood proofing the Public Works building. Commissioner Harding will work with Building Official Roussin to find the needed

documents. Commissioner Harding reported Monroe County was approved as level CRS4 resulting in lower flood insurance rates and reported that John Rizzo will begin reporting storm potentials for the Atlantic starting May 15<sup>th</sup>.

**11. City Attorney Report:** No Report.

The meeting adjourned at 11:01 a.m.

Respectfully Submitted,

Rebecca Todd  
City Clerk