

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

November 23, 2021 - 9:30 a.m.

Marble Hall & Virtually via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: The Regular Commission Hearing was called to order by Mayor Sutton at 9:30 am.
Present: Mayor Ron Sutton, Vice-Mayor Patricia Trefry, Secretary/Treasurer Kathryn McCullough, Commissioner DeNeale and Commissioner Tom Harding. *Also Present:* City Administrator Dave Turner, City Clerk Silvia Gransee, Executive Assistant Saara Staten, City Attorney Dirk Smits, Public Works Supervisor Mike Guarino, Building Official Gerard Roussin, Building Inspector Greg Lawton, Police Chief Kris DiGiovanni, and Code Enforcement Officer Stacy Stahl.
Public – 16 (Virtually), 9 Marble Hall
2. Citizen Comments and Correspondence
 - A. 6 Clara Boulevard – Owner: Mary E. McFadden submitted a document on a previous traffic study to the Commission via email. Mayor Sutton reported that new information is available, and that City Administrator Dave Turner will report on the issue.
 - B. 4th Street – Joe Schmidt: Mr. Schmidt expressed concern on landscapers blowing their debris in the water.
3. Approval of Minutes: Minutes from the City Commission Public Hearing and City Commission regular meeting, both from November 8, 2021, were accepted as written by the Commission.
4. Agenda Additions, Changes, Deletions: Commissioner DeNeale reported that he will take the lead on the discussion on the canal project listed under City Attorney Dirk Smits. The Commission approved the agenda change.
5. Special Requests: None:
6. Committee and Staff Reports:
 - A. Marathon Fire/EMS – No report.
 - B. Recreation Committee – No report.
 - C. Beautification Committee - No report.
 - D. Disaster Preparedness Committee – No report.
 - E. Planning & Zoning Board - No report
 - F. Code Enforcement Board – No Report
 - G. Utility Board – Freddie Foster. City Administrator Dave Turner reported on behalf of the Utility Board. The City Administrator reported that Spalling work has been completed. In addition, the SWAG review application should be completed in January with the possibility that funds will be received thereafter.
 - H. Police Department – Chief Digiovanni reported that since the last meeting the KCB Police Department had 2 reports, 1 arrest for driving with suspended license, 7 medical/alarm calls, 13 service calls, 18 MCSO backup, in addition to the road patrol and vacation watch program. Chief DiGiovanni reported on the traffic issue on Clara Boulevard. The Police Chief further reported that he talked to delivery trucks, as well as Marathon Garbage, on the usage of the road. Chief DiGiovanni asked Key Colony Beach resident Mrs. Mary McFadden, Owner of 6 Clara Boulevard, if the traffic has slowed down. Mrs. McFadden reported that the traffic indeed has become lighter. The Chief confirmed that he will follow up on the issue and suggested the possibilities of speed bumps on Clara Boulevard. Commissioner Harding asked about the ‘Do Not Block’ portion on the road. Chief DiGiovanni reported that it seems to be followed.
 - I. Building Department – Building Official Gerard Roussin reported that he received an email from the owner of 245 15th Circle asking for the requested approval of the boat lift to be pulled from the agenda. In addition, the Building Official reported on a resident who wishes to install solar panels on his property. Building Official Roussin informed, that most municipalities waive the permit fees for solar panel installations and asked if the Commission would be interested to waive the permit fee for the solar installation on the house.

MOTION: Motion made by Mayor Sutton, seconded by Commissioner Harding, to waive the permit fee for the solar panel installation for the resident.

DISCUSSION: Commissioner McCullough asked if future permit fees will be waived for solar panel installations, which the Commission agreed upon. City Attorney Dirk Smits asked if the Commission would like to amend the code which the Commission agreed upon. City Attorney Smits will bring the issue in front of the Commission next meeting.

ON THE MOTION: Roll call vote. Unanimous approval.

Building Official Gerard Roussin thanked the Commission for their approval. Furthermore, Building Official Roussin reported that interviews for the new Building Inspector will start next week. Building Official Roussin stated what qualifications the current applicants possess. Commissioner McCullough asked the Building Inspector if it would be possible to receive less paperwork from the Building Department regarding Boat Lift approvals. Building Official

Roussin stated that this will pose no problem and going forward, condensed packages will be sent. Commissioner Harding asked about the status on 820 10th street. Building Official Roussin reported that the contractors were scheduled to start, however, that they encountered staffing problems which do not look like to be resolved until the beginning of the new year. Mayor Sutton offered to contact the contractor to speed up the process.

- J. Public Works – Public Works Supervisor Michael Guarino reported that the bridge expansion project has been completed with the help of the Police Department. Additionally, the Christmas ornaments were picked up and installed. The Sadowski Street lights were changed out and all lights are now LED lights which should reflect on the electric bill. Public Works will trim the mangroves next week in time for the Key Colony Beach Boat Parade.
- K. City Secretary/Treasurer – Commissioner Kathryn McCullough reported that the wrong budget was used in this month’ reporting which resulted in a lower number for the Police Department. In addition, Commissioner McCullough reported that the Beautification Committee is over budget, which City Administrator Turner explained, that additional expenses for the Beautification Board were approved. Commissioner McCullough reported that the numbers for the first month of the fiscal year look normal, and expenses and income will even out later in the year.
- L. City Clerk – City Clerk Silvia Gransee reported on completing classes on Sunshine Law and Public Records Law. City Clerk Gransee further stated that the internal staff directory was completed. In Addition, a public records request was submitted to the city which will be completed after Thanksgiving.
- M. Code Enforcement Officer – Code Enforcement Officer Stacy Stahl reported on completing 11 trailer lot calls, written 12 garbage violations, 10 calls to property managers/owners, 4 landscape violations, appliance warnings, multiple trailer violations and warnings. In addition, Code Enforcement Officer Stahl reported on working with CitizenServe on setting up the code enforcement section, as well as completing training on licensing. Code Enforcement Officer Stacy Stahl reported that residents appreciate the new code enforcement officer in the city, and are happy that they can report any issues they might have. Mayor Sutton asked about the situation with the property on 10th Street. Code Enforcement Officer Stahl reported that a warning sticker has been placed on the appliance, and that she will reach out to the contractor to follow up on the issues with the property. Building Official Roussin stated that he will work with Code Enforcement to clean up the property on 10th Street.
- N. City Administrator – City Administrator David Turner reported on attending the Beautification Meeting, the Utility Board Meeting, as well as local events over Veterans Day. In addition, City Administrator Turner met with the Monroe County Fleet Manager. The City of Key Colony is looking for a cost-effective partnership with Monroe County for their fleet management. City Administrator Dave Turner explained that this agreement would not be a contract but would be billed via invoice. The City Administrator explained that the concept of the Fleet Management is still in the works and that he will present a complete picture to the Commission in the future. In addition, City Administrator Turner attended the CRS Workshop with possible expectations, that future ratings can be brought down from a 7 to a 5, which will represent significant savings on flood insurance in Key Colony Beach. Furthermore, City Administrator Dave Turner reported on attending the BOCC meeting as well. Interviews for the Public Works position have started also. City Administrator Dave Turner reported on having received the Traffic Pattern Report from the Traffic Consultant for the City of Marathon. City Administrator Turner further explained the findings of the report and the detailed traffic flow that was observed. As last item, City Administrator Turner reported that a wake buoy has to be reinstalled to prevent boats from cutting the corner of a waterway.

7. Commissioner Items for Discussion/Approval

A. Legislative Travel for Commissioners to Tallahassee February 8-9, 2022 – Mayor Sutton reported that Tallahassee still has COVID restrictions in place and that this year only 2 people will be allowed in the Capitol Building from the City, which will be the City Administrator and the Mayor at the time. The expense of the trip between motels and airline tickets would not be cost effective for all Commissioners to fly to the Capitol since only two people are allowed in the Capitol Building. The Commissioners agreed with Mayor Sutton that only the two people should fly to Tallahassee unless something will change in the COVID restrictions.

B. Fishing & Boating Club New Year’s Eve Reservation for Marble Hall – Mayor Sutton shared with the Commission that the Fishing & Boating Club will be allowed to have their New Year’s Eve Party at City Hall. Mayor Sutton and the Commission further stated that the Club can continue to have their meetings as long as no asbestos removal has been scheduled yet. In addition, meetings after can be held in the Public Works Building.

C. FEMA Settlement Offer – City Administrator Dave Turner reported on reaching out to Senator Marco Rubio’s office in regards to the FEMA settlement offer. FEMA in turn presented the City of Key Colony Beach with an offer. City Administrator Dave Turner explained the numbers that are being presented in the report in addition to additional numbers, that have been applied for in the Harding Grant. City Administrator Dave Turner recommended to the Commission to accept this offer and to go forward with the project. The Commission further clarified details on the offer with the City Administrator and proceeded to agree with City Administrator Turner to go forward with the FEMA settlement offer.

8. Approval of Warrants: Approval of Warrant 1021 in the amount of \$594,416.21.

MOTION: Motion made by Commissioner McCullough, seconded by Vice-Mayor Trefry, to approve Warrant 1021 in the amount of \$594,416.21.

ON THE MOTION: Roll call vote. Unanimous approval.

9. Ordinances and Resolutions:

A. Citizen Comments & Correspondence: Laura Solsburg - Community Association Manager Casa Clara Condominiums 201 East Ocean Drive. Mrs. Solsburg voiced concern on being on the Agenda under the City Attorney's items. City Attorney Smits reported that it was an error in the agenda and the condominium was listed under the wrong name.

B. Proof of Publications: None.

C. Ordinances:

a) Ordinance No. 2021-471: A Proposed Ordinance by the City of Key Colony Beach Amending Land Regulation Section 101-172

MOTION: Motion made by Commissioner McCullough, seconded by Vice-Mayor Trefry, to approve Ordinance No. 2021-471 amending Land Development Regulation 101-172.

ON THE MOTION: Roll call vote. Unanimous approval.

D. Resolutions:

a) Resolution No. 2021-16: A Resolution by the City of Key Colony Beach Opposing the Proposed Comprehensive Development Master Plan (CDMP)

MOTION: Motion made by Vice-Mayor Trefry, seconded by Commissioner DeNeale, to approve Resolution No. 2021-16 opposing the proposed CDPM.

ON THE MOTION: Roll call vote. Unanimous approval.

b) Resolution No. 2021-17: A Resolution by the City of Key Colony Beach in Support of the FWC and its Officers.

MOTION: Motion made by Vice-Mayor Trefry, seconded by Commissioner McCullough, to approve Resolution No. 2021-17 in support of the FWC and its Officers.

ON THE MOTION: Roll call vote. Unanimous approval.

c) Resolution No. 2021-18: A Resolution by the City of Key Colony Beach Providing Recommendations on FDOT Improvement Projects on US1 throughout Monroe County.

MOTION: Motion made by Commissioner Harding, seconded by Commissioner McCullough, to approve Resolution No. 2021-18 providing recommendations on traffic improvement projects.

ON THE MOTION: Roll call vote. Unanimous approval.

E. First Reading (Public Hearing): No First Reading.

F. Second Reading: No Second reading.

10. Commissioner's Reports or Comments: Commissioner Harding reported on attending the CRS workshop and making good progress on it. Commissioner Harding further reported that the COVID-19 grant application for flood proofing the maintenance building is due December 21st, 2021 and asked for the Commissions and Mayors agreement to proceed with the application. The Mayor and Commission proceeded to give their agreement on the grant application.

11. City Attorney – Dirk Smits

A. Canal Plan Project – Commissioner DeNeale reported that the City of Key Colony Beach currently has no plan on the maintenance on the city's canals. One of the main reasons for the plan is to have FEMA support in case of a storm. Commissioner DeNeale continued to detail the reasons why a canal plan maintenance is important to have and presented a slide show on city canal pictures. Commissioner DeNeale stated that city involvement is needed for the dredging of the canals and explained the different responsibilities within the city by the Public Works, Code Enforcement, and Police Department, as well as the city's residents. Mayor Sutton asked the Commission for a vote to support the Canal Plan Maintenance. City Attorney Dirk Smits recommends a policy to implement the plan.

MOTION: Motion made by Mayor Sutton, seconded by Vice-Mayor Trefry, to support the Plan on Canal Maintenance submitted by Commissioner DeNeale.

ON THE MOTION: Roll call vote. Unanimous approval.

B. Legal Update on ~~Casa Clara~~ Ocean Front/Marbella JJO vs. Casa del Sole. City Attorney Dirk Smits called a closed session for the Commission to ask for advice on how to proceed in the case. City Attorney Smits explained the details on why this closed

session is necessary.

C. Update on KCB Trademark – City Attorney Smits reported that the City of Key Colony Beach should have ownership of the trademark by the beginning of the Year 2022.

The meeting adjourned at 10:54am.

Respectfully Submitted,

Silvia Gransee

City Clerk