

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, May 26, 2022 – 09:57 a.m.

City Hall Auditorium & virtually via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: *The Regular Commission Meeting of the City of Key Colony Beach was called to order by Mayor Trefry at 09:57 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.*

Present: *Mayor Trefry, Vice-Mayor Harding, Commissioner Sutton, Commissioner Ramsay-Vickrey, Commissioner DeNeale* **Also Present:** *City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Ryan Benninger, Public Works Department Head Mike Guarino, Building Official Gerard Roussin, Officer Joe Burden, Code Enforcement Officer Stacy Stahl, Administrative Assistant Christine McLeod.*

Public: *7 Marble Hall, 6 Zoom*

2. Citizen Comments and Correspondence: *City Clerk Silvia Gransee reported on having received one letter of correspondence regarding the Townhall Meeting on May 24, 2022, from Mr. and Mrs. Avery, and one letter of correspondence from Mr. Donald Steamer in regard to the Code Board Hearing on May 11, 2022. (Please contact the cityclerk@keycolonybeach.net for a copy of the record).*

3. Approval of Minutes: *The City Commission Public Hearing and Regular Meeting Minutes from May 12, 2022, were accepted as written.*

4. Agenda Additions, Changes, Deletions – None.

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 – No report.

H. Police Department – Officer Joe Burden reported for Chief DiGiovanni. Officer Burden informed on 2 medical and alarm calls, 18 calls for service, and backed up MCSO 13 times, along with boat and road patrol, and the vacation watch program. Officer Joe Burden further reported that Chief DiGiovanni is thanking all his officers in moving forward in his absence. Officer Joe Burden informed that the ‘Click-it-or-Ticket’ program is currently underway and requested signs to

be placed on the Causeway for residents to be informed. Officer Burden reported on having received two additional radar signs that will be placed throughout the city, and the Police Department is working with Public Works Department Head Mike Guarino on locations for placement. Officer Joe Burden informed of the department having received an application for the open Police Officer position, who is currently undergoing the vetting process. Mayor Trefry asked Officer Burden if approval is needed for the 'Click-it-or-Ticket' campaign, which Officer Burden clarified the department is seeking approval for the signs and not the actual campaign. Commissioner Ron Sutton asked Officer Burden where the applicant is currently living as he is coming from Pennsylvania. Officer Burden replied that the applicant has bought a house in Marathon and is a resident. The Commission thanked Officer Joe Burden for his report.

I. Building Department – Building Official Gerard Roussin

a) Building Official Gerard Roussin gave an update on the marina sign and asked for approval on a permit application on a ground sign that measures approximately 24 square feet on each side, which the code calls for a ground sign for a business property of 60 square foot total, which makes this sign within the limits. Building Official Roussin stated that there is an existing signpost which has not been removed and that the Building Department is looking for Commission approval to approve the permit application. Mayor Trefry stated that she entertains a motion to approve the application for the sign.

MOTION: *Motion made by Commissioner Beth Ramsay-Vickrey, seconded by Commissioner Sutton, to approve the application for the sign.*

DISCUSSION: *None.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

b) Building Official Roussin reported on the issue of floating docks throughout the city. The Building Official reported that letters of violation had been send out to owners and a total of five floating docks were identified. Building Official Roussin further reported that one of the floating docks has been removed from the water. Building Official Roussin continued saying that one of the floating docks in question was not on the agenda but will be added to the following Commission Meeting agenda. The Building Official asked if the City Commission would like to address the three floating docks on the agenda as individuals or as one lump floating dock issue. Building Official added that he would like to address the floating docks individually which Mayor Trefry and the Commission agreed with.

265 13th Street – Owner: KCB 265 LLC. Building Official Gerard Roussin reported on the floating dock for the property at 265 13th Street. Building Official Roussin stated that the owners are seeking approval for the floating dock with an after-the-fact permit. Mayor Trefry asked if there was an approval or denial for 265 13th Street.

MOTION: *Motion made by Mayor Trefry, seconded by Commissioner Ramsay-Vickrey, to deny the floating dock permit for 265 13th Street.*

DISCUSSION: *Commissioner DeNeale stated his concern on all floating docks, that the city does*

not have an ordinance or regulations on floating docks for the City. Commissioner DeNeale continued saying that the city does not have specifications on what a floating dock has to be, how it has to be secured by, size, etc. like for a dock. Commissioner DeNeale asked Building Official Roussin if he is correct in his assumption. Building Official Roussin stated that he does not believe that there are specifications but rather that the floating dock requires approval from the Commission. Mayor Trefry stated that she does not believe that floating docks have a place in Key Colony Beach, considering the damage they can do. Commissioner Beth Ramsay-Vickrey added that they are also a hurricane hazard which Mayor Trefry agreed to. Commissioner DeNeale stated that he has seen very well-built floating docks, however, does not believe that there are specifications of that sort for Key Colony Beach, and that is why he is hesitant to approve floating docks until such time, when the City has such specifications. Building Official Roussin cited the city's code of ordinance on floating docks which read "any floating dock must be approved by the City Commission and shall be permitted subject to the same dimensional and locational restrictions as applicable to other docks". Building Official Roussin stated that there are restrictions to size and location, but it does require Commission approval. Commissioner Sutton stated that he does not recall approving any floating docks while he has been on the Commission in the last 18 years. Commissioner DeNeale stated that the reason why he never approved them is that a floating dock cannot be set up as floating dock unless it is secured like a dock with pilings and gets inspected the same. Commissioner DeNeale stated that unless the Commission comes up with specifications on how to properly set up floating docks, he cannot approve them. Vice-Mayor Harding asked Building Official Roussin to verify if there had been floating docks that were approved in the past. Building Official Gerard Roussin stated that he personally has not seen any. Building Official Roussin further stated that Building Inspector Lenny Leggett together with Officer Ross Bethard inspected the city via boat and found a total of five floating docks in total and stated that it is not a prevalent situation but nonetheless needs to be addressed. Building Official Roussin stated his understanding of the code, seeing as regular docks require Army Chore DEP approvals and floating docks are related to the same standards as other docks in the city, a floating dock would need to be approved by the Army Chore before the City Commission could entertain the motion of approval. Building Official Roussin stated that he will check with the legal team on his understanding of the city code. Commissioner DeNeale further stated that he would love to see some code specifications on floating docks that the Commission could consider. Commissioner DeNeale further stated that floating docks can be secured properly but has not seen this. Building Official Roussin stated that he will look at other municipalities and see how they address it and will bring back the topic to the next Commission meeting. Vice-Mayor Harding agreed with Commissioner DeNeale that he has seen other floating docks that would survive hurricane winds but suggested looking at the height of the piling poles which must be over six feet of the water level or similar. Mayor Trefry asked if there was further discussion which there was not.

ON THE MOTION: Roll call vote. Unanimous approval.

b) 103 Coral Lane – Owner: Ted & Carolyn Yoho. Building Official Roussin reported on the after-the-fact permit application by Mr. and Mrs. Yoho. The Building Official reported that the floating dock is rather substantial in size but looks to be well-made. Building Official Roussin stated that Commission approval is needed. Commissioner Sutton stated that this floating dock looks like a

well built one, but still would like to see mooring poles with straps so it would float up and down. Commissioner Sutton stated that he believes that this would be the safest way and for the city and the owner to continue with research for safety. Mayor Trefry accepted comment by Mr. Ted Yoho. Mr. Yoho was sworn in by City Clerk Gransee to testify. Mr. Yoho asked the Commission to accept the waiver after the fact. Mr. Yoho stated that they have a variance from the previous Building Inspector for the floating dock which is attached to the dock. Mr. Yoho further stated that it took them approximately two years after the hurricane to have their dock rebuilt and used the floating dock in question during that time. Mr. Yoho stated that the floating dock is secured by half inch steel cables. Mr. Yoho continued saying that the City of Key Colony Beach has used the floating dock in the past, but regardless of himself and his wife will abide with what the Commission decides. Mayor Trefry asked Mr. Yoho to confirm that he was given a variance that never came in front of the Commission for a vote. Mr. Yoho said that this was his understanding and that the previous Building Inspector stated that it was grandfathered in. Mayor Trefry asked for documentation of the statement which Building Official Roussin stated he will research previous records but confirmed that he believes the issue has never been in front of the Commission for a vote. Mayor Trefry asked if there was a motion to approve or deny the after-the-fact permit for 103 Coral Lane.

MOTION: *Motion made by Commissioner Sutton, seconded by Commissioner DeNeale, to deny the after-the-fact permit application for the floating dock for 103 Coral Lane.*

DISCUSSION: *Commissioner DeNeale stated that the Commission has to be consistent at this time and the issue needs to be researched.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

c) 210 14th Street – Owner: Douglas Messinger. *Building Official Gerard Roussin reported on the after-the-fact permit application for the floating dock which was explained to be primarily used for boat maintenance. Building Official Gerard Roussin stated that the owner is seeking approval of the permit. Mayor Trefry asked if there is a motion to approve or deny the floating dock for 210 14th Street.*

MOTION: *Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to deny the after-the-fact floating dock for 210 14th Street.*

DISCUSSION: *None.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

d) Building Official Gerard Roussin *gave an update on the property at 1000 W. Ocean and reported that the owners have complied with the findings of fact and have pulled the demolition permit. Building Official Roussin reported his belief that the demolition has to be completed by the end of June. Building Official Gerard Roussin further reported that the electric company discovered one weather head for both sides of the duplex. The Building Official further explained that the City has let both the contractor and both owners know of the problem and that they are responsible on how to correct this problem. Building Official Roussin continued by saying that the City gave the owner of the new duplex the option to have the electric underground or to install a*

temporary power pole at the corner of the building. The Building Official explained that he does not prefer the temporary power pole for a residential structure as an option since storm season is approaching. Building Official Roussin stated that the owners have done what is required by the findings of fact. Mayor Trefry asked for confirmation that the demolition has to be completed by the end of June, which Building Official Roussin stated he has to check, but believes that was the correct date otherwise there will be more fines attached to the property. The Commission agreed that the date on completion for the demolition was on or before the 10th of June. The Building Official reported that the permit has not been picked up yet but was ready for the contractors. Vice-Mayor Tom Harding asked Building Official Gerard Roussin if the 10th Street location house has to pull a permit to install new electrical which the Building Official confirmed, and stated, that the owners have been notified about.

e) Building Official Gerard Roussin updated on the property on 680 11th Street and reported that the Code Board addressed all issues that were associated with the property and had the finding of extending his permit to the end of December 30th. The Building Official further reported that Mr. Harper had paid the 7-month extension fees for the permit and has taken away the stop-work-order on the property. Building Official Roussin stated that the Building Department is looking for approval on what the Code Board had found on the property. Mayor Trefry asked if there is a motion to approve the findings from the Code Board pertaining to 680 11th Street.

MOTION: *Motion made by Commissioner Sutton, seconded by Commissioner DeNeale, to approve the findings by the Code Board for the property located at 680 11th Street.*

DISCUSSION: *Commissioner DeNeale complimented City Attorney Dirk Smits on his legal expertise and stated that he feels comfortable with the recommendation of council to ratify the findings.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

Building Official Gerard Roussin reported on having issued a temporary Certificate of Occupancy on 330 13th Street, which is a D'Asign Source house. Building Official Roussin reported that the house has been completed and the owners are ready to move in, however, the surveyor will not be on the property for another 4 weeks to give an as-built survey with a roof height certificate. The Building Official reported that the inspections are done and complete, except for the paperwork, and he is looking for a head-nod from the Commission that they understand why the Building Department is doing this with the property. The Commission gave their understanding to the Building Official.

Building Official Gerard Roussin reported that Monday is non-working holiday and to please let him know if anyone is working that day. Commissioner DeNeale asked for clarification, if even as a homeowner you are not allowed to work on building-permitted projects on your own house, which the Building Official confirmed.

Building Official Gerard Roussin reported that a new turtle nest has been reported in the city which is located between the Residences and Monte Christo.

Building Official Gerard Roussin reported that the Townhall Meeting for the residents was a big success and allowed for important information to be passed on. The Building Official reported that he looks forward to the next workshop to be held. Mayor Trefry thanked Building Official Roussin for all the work that was put into the Townhall Meeting. Commissioner DeNeale asked if this was a good time to discuss the topic of the building heights, which Mayor Trefry replied that more Townhall meetings will be held on the topic at the future. City Attorney Ryan Benninger stated that legal recommends that since the topic was not an agenda item, and the public was not informed on a possible discussion, to table the discussion to a later date. Commissioner DeNeale stated that he understands and that he will discuss the issue with staff.

J. Public Works Department Head Mike Guarino reported that the city-wide tree trimming is almost complete, repairs to the board walk by Waterfront Park were done, and yearly maintenance on the tractor and boat were completed. Public Works Department Head Mike Guarino further reported that next week the department will help with the installation of the speed signs. Commissioner DeNeale asked Public Works Department Head Mike Guarino if residents can be made aware of dangerous trees on personal property. Public Works Department Head Mike Guarino stated that he can do that. Mayor Trefry asked that an email blast can be send out to remind residents of Storm Season starting June 1st and asked City Clerk Silvia Gransee to send out the email.

K. City Secretary/Treasurer – Secretary-Treasurer John DeNeale yielded to Accountant Jen Johnson for the report and stated he reviewed the reports and that they look great. Accountant Jen Johnson reported that the city is doing great this time of year and reported on the April Financial Report. Accountant Johnson reported on revenues, expenditures, road fund, infrastructure fund, impact fee fund, building fund, wastewater fund, and stormwater fund. Accountant Jen Johnson reported that overall, all funds are looking strong this time of year. The Commission thanked the accountant for her report.

L. City Clerk – City Clerk Silvia Gransee reported that all newly adopted resolutions were added to the website, Office Staff trained on their Zoom meeting capabilities, as well as attending the Utility Board, and Planning & Zoning Variance Meeting. City Clerk Gransee stated that the Variance Hearing will go before the Commission on July 14th, since the new ordinance on time amendments has not been adopted yet. City Clerk Gransee reported on City Hall Staff attending a Citizenserve Meeting with the Building Department as well as the Code Officer, and that the meeting was very beneficial for all. The City Clerk continued by reporting on attending the Townhall meeting, completing the Annual Stewardship Report for Sunset Park, in addition to completing Commission, Planning & Zoning, and Clerks Association Meeting Minutes. Vice-Mayor Tom Harding asked on the expectations on assignment after the Citizenserve meeting which City Clerk Gransee confirmed

M. Code Enforcement Officer – Code Enforcement Officer Stacy Stahl reported on having created 33 new cases since the last meeting, with the majority of the cases being for trash. Code

Enforcement Officer Stahl reported on having one long-term rental case without a license that is in the process of being resolved. Code Enforcement Officer Stahl reported year-to-date 426 total cases with \$16,150.00 in total fines, \$9,000.00 in payments made, and \$7,200.00 in outstanding fines. Code Enforcement Officer Stahl reported 15 trailer lot calls, as well as preparing for the Property Manager Course which will be held June 2nd with approximately 45 participants expected. Code Enforcement Officer Stacy Stahl further reported on verifying account information between the Utility and Access database which will then verify the accuracy with information in Citizenserve. The Code Enforcement Officer continued by reporting that the renewal process will begin within the next few weeks, with Citizenserve hopefully being able to implement the calendar scheduling abilities for users to utilize. Code Enforcement Officer Stahl reported that the Citizenserve training was very beneficial for everyone. The Code Enforcement Officer additionally reported that Rentalscape is working well, and that currently an occupancy reporting glitch is being worked on. Code Enforcement Officer Stahl reminded of the upcoming storm season and storm preparation. The Code Enforcement Officer reported on having seen several properties that are not in violation but that have several items underneath their homes and asks for individuals to have a plan for a possible storm. Mayor Trefry asked if many of the properties described are rental properties and asked if the property managers could be contacted in that regard. Code Enforcement Officer Stahl agreed and stated that she was planning on adding the information to the renewal process, to ask managers to have a plan for securing items on properties. Mayor Trefry asked if the topic can be added to the email blast pertaining to the tree-trimming request since storm season starts June 1st. Code Enforcement Officer Stahl agreed and stated she will get with City Clerk Gransee on the request. Vice-Mayor Tom Harding asked if there is a policy on delinquent wastewater accounts on rental properties and how these licenses are being handled. Code Enforcement Officer Stahl explained that a procedure is in place, and that any outstanding fines or violations must be brought up to date before a new license is issued.

N. City Administrator Dave Turner reported that a temporary Trailer for the Building Department has been found and it should arrive in the next few weeks. City Administrator Turner further reported that a bid is out on DemandStar to clean all the city's storm sewers which is due June 15th. City Administrator Turner continued saying the bid for the resurfacing of the West Tennis Court is out on DemandStar and the money is in the budget for the project. The City Administrator further reported that the city session with residents on the flood maps and LDR's went well. City Administrator Dave Turner reported that the proposal from Tony Rosabal from LIVs for updated city drawings was sent out with a completion date between the 1st and 15th of June. City Administrator Turner stated that the needed changes were not the architects nor the city's fault but due to changes from FEMA and asked for approval of the proposal.

MOTION: *Motion made by Commissioner Sutton, seconded by Vice-Mayor Harding, to approve the proposal by LIVS Architects in the amount of \$32,000.00*

DISCUSSION: *None.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

City Administrator Dave Turner reported on the Vulnerability Study and the Planning and Mitigation Watershed Master Plan and stated that this is something the city needs to do. City Administrator Turner explained that after completion there is a possibility of the City having to pay out 25%, or \$36,000.00. The City Administrator further explained that he is working that number into the next budget, but it seems that everyone that has been granted this grant, reported that the Vulnerability Grant can be used as the match. The City Administrator continued saying that everyone has been able to use the first grant as a match for the second, and he is 90% sure that this will cost the City nothing but the \$1,250.00 that the City went in with the City of Layton as partners, but he will figure the \$36,000.00 into the next budget just in case. The City Administrator explained that in the future this study is needed for almost anything the city will be asking money for and further explained that in the past the city experienced roadblocks by not having hired engineers. City Administrator Turner explained that he feels confident with the percentages but will put the money away for it. City Administrator Dave Turner stated that this will be a good plan for the masterplan that is needed for more grants in the future. Vice-Mayor Harding asked if a motion is needed for approval which the City Administrator declined but explained, that this more of an update on the partnership with Layton which is a great opportunity to work together. Vice-Mayor Harding thanked City Administrator Dave Turner for a great initiative.

City Administrator Dave Turner reported that Iguana Control is doing a great job in the city and that interested residents can hire the same company for a discounted price of \$1,400.00 to receive service. The City Administrator informed that more information is available in the office.

7. Commissioner Items for Discussion/Approval:

A. Discussion/Approval of Mittauer Engineering Proposal for the 2023 WWTF Permit renewal – *City Administrator Turner explained that this is the permit for the Utility Plant with all paperwork to be done by Jason Shepler. The City Administrator further explained that some updates are being considered regarding the drying beds which were discussed with the Utility Board. The City Administrator continued saying that two of the drying beds are never used, and could be demolished and taken out to provide more cleanliness of the plant and other storage solutions for the city. City Administrator Turner stated that the Buttonwoods grew very quickly and would hide items from being stored there. Mayor Trefry entertained a motion to approve the Mittauer Engineering Proposal.*

MOTION: *Motion made by Vice-Mayor Harding, seconded by Commissioner DeNeale, to approve the Mittauer Engineering Proposal.*

DISCUSSION: *None.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

Commissioner DeNeale asked if there could be a safety reason to keep a drying bed for sludge hauling in the future. City Administrator Dave Turner explained that one drying bed will be saved that is being used occasionally for maintenance.

B. Discussion/Approval of GTEch Construction Bid For Sludge Hauling

City Administrator Dave Turner reported that the Sludge Hauling Bid was explained and discussed during the Utility Board Meeting and approved to be passed on to the Commission. The City Administrator further reported that the bid was on DemandStar and that all objectives were met, and it is the same company that currently is doing the sludge hauling. Mayor Trefry asked if there was a motion to approve the GTEch construction bid for sludge hauling

MOTION: *Motion made by Commissioner Sutton, seconded by Commissioner DeNeale, to approve the GTEch construction bid for sludge hauling.*

DISCUSSION: *None.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

C. Discussion/Approval of Haack Bid for 10th Street Stormwater Project:

City Administrator Dave Turner reported the item having been discussed during the Utility Board Meeting and stated that two contractors placed bids for the contract. The City Administrator stated that all questions were answered and recommended moving forward with the approval of the bid. Mayor Trefry asked for a motion to approve the bid for 10th Street Stormwater by Haack Construction.

MOTION: *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner Sutton, to approve the Haack Bid for the 10th Street Stormwater Project in the amount of \$699,560.00.*

DISCUSSION: *Commissioner DeNeale asked the question on the perforated pipe and brick paver driveway and stated that he did not think the city paid for this before but rather the homeowner. City Administrator Dave Turner explained that this is the amount the contractor feels costs to take care of it but explained that this is the overall bid. The City Administrator further stated that an informational session will be held on 10th Street for individual owners to explain costs with pavers, swells, or basic stone to the street. Commissioner Sutton asked if there will be a pre-construction meeting with the contractor which City Administrator stated will be planned after the contract has been awarded.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

D. Discussion/Approval of Traffic Study Investigation on US1 and Sadowski Causeway:

Vice-Mayor Harding explained that the agenda item is an update from the last Commission meeting and recounted that Chief DiGiovanni had provided the Vice-Mayor with a letter from a resident voicing concern of US1 and Sadowski, in particular the East to West portion of Sadowski to US1. Vice-Mayor Harding continued that a request was send to FDOT for a study and that the Vice-Mayor did an informal study over two weeks with seven samples of ten light cycles each. Vice-Mayor Harding reported that he was surprised that 13% of the time the red light was run with the majority of them blatant red light runs. Vice-Mayor Harding continued to report that he sent in recommendation to the FDOT individual that organizing the survey who has agreed to execute the survey and will let us know what their recommendation will be. Vice-Mayor Harding further reported that Chief DiGiovanni will talk to the County on the subject of enforcement and is waiting to see what information FDOT will return in far of timing of light, additional enforcement, or new technology. Commissioner Sutton stated that the intersection has always been a problem and he

has worked on the issue some years back. Vice-Mayor Harding stated that FDOT has digital cameras to possible link to, or suggested for regular cameras to be installed. Vice-Mayor Harding further explained that the findings that FDOT will return can be added to the Monroe County Transportation long-term plan with FDOT.

E. Discussion/Approval of FDOT 2022 Transportation Alternatives project awards.

Vice-Mayor Tom Harding reported that the FDOT grant for transportation alternatives, which refers to bicycle and pedestrian safety within the city, was awarded to the city in the amount of \$25,840.00 for the year 2025. Vice-Mayor Harding explained that this money will be allocated to the city with a \$7,000.00 match by the city. Vice-Mayor Harding further explained that projects include advanced crosswalk signage, pedestrian level lighting by West Ocean and Sadowski, flexible delineator bicycle racks, pedestrian bicycle path repaving, and the updating of one of the stop signs. Vice-Mayor Harding stated if there are ideas for next year for approval. The Vice-Mayor thanked Chief DiGiovanni and Public Works Department Head Mike Guarino for their input. Mayor Trefry thanked Vice-Mayor Harding for his work.

F. Discussion of Ordinance No. 2022-476 Utility Board Ordinance: An Ordinance of the City of Key Colony Beach, Florida, Amending Chapter 14 fo the Code of Ordinances of the City of Key Colon Beach Article III, Section 14-5-: Providing for the repeal of all Ordinances or parts thereof found to be in conflict.

Mayor Trefry stated that the ordinance is strictly for discussion and turned the dialog over to City Attorney Ryan Benninger. City Attorney Benninger explained the draft ordinance to the Commission and purpose behind it. City Attorney Benninger explained that the ordinance is to support the Utility Board in times when the Board would be unable to have a quorum and to allow the Utility board to complete its business. City Attorney Ryan Benninger asked the Commission to consider the ordinance, and to provide any discussion and recommendations. Commissioner Beth Ramsay-Vickrey suggested two changes, on Page 90 which read “under the supervision of the City Administrator” to change to “under the guidance of the City Administrator”, and on Page 91, last paragraph, last line, after the word “quorum”, to insert “should such inability to meet or to establish a quorum occur.” Commissioner DeNeale stated that he had the same concerns on language with the board being a public board and agreed with the language of ‘guidance’. Vice-Mayor Harding agreed with the change of verbiage as well and further stated, that in the city code of ordinances it states that no member of the Utility Board shall be a city commissioner or employee of the city. Vice-Mayor Harding explained that the Utility Board is an independent group and stated, that there are times when the Utility Board does not have to follow directions by the Commission, which is the reason why it is important to be independent. City Attorney Ryan Benninger asked Commissioner Beth Ramsay-Vickrey for a repeat on the request changes in verbiage which the Commissioner supplied. City Attorney Benninger asked the Commission for a motion to accept the changes in verbiage for the ordinance to be up for the first read at the next Commission meeting.

MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Sutton, to accept the changes in verbiage for Ordinance No. 2022-476 Utility Board Ordinances.

DISCUSSION: The City Attorney verified the verbiage change details with the Commission.

ON THE MOTION: Roll call vote. Unanimous approval.

G. Discussion/Approval: Cancellation of August 11th Regular Commission Meeting due to FLC Annual Conference.

Mayor Trefry reported that the Commission will be attending the Annual Florida League of Cities Conference in August and asked the Commission's opinion on cancelling the meeting or rescheduling. Commissioner Sutton stated that he would like to cancel the meeting since rescheduling would present a very short time between the meetings. Mayor Trefry agreed with Commissioner Sutton and stated that she would prefer cancelling the meeting as well. The Commission agreed on cancelling the first meeting in August.

8. Approval of Warrant – Approval of Warrant No. 0422 in the amount of \$509,689.02.

MOTION: Motion made by Commissioner DeNeale, seconded by Vice-Mayor Harding, to approve Warrant No. 0422 in the amount of \$509,689.02.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

9. Ordinances and Resolutions

A. Ordinances – First Reading - None.

B. Ordinances – Second Reading

a) Ordinance No. 2022-474 Parking Ordinance: An Ordinance Of City Of Key Colony Beach, Florida, Amending Chapter 17 – Traffic And Parking Of The Code Of Ordinances Of The City Of Key Colony Beach By Amending Section 17-6. – Parking Restricted On Right-Of-Way In Key Colony Beach Subdivision And Section 17-7. - Parking Restriction On City Parking Lots/City Right-Of-Ways.

City Attorney Ryan Benninger explained that the ordinance was drafted on behalf of the Police Department in an effort to coordinate and clarify some of the parking restrictions within the city. City Attorney Benninger explained that the ordinance came before the Commission last month and that at that time the ordinance was read as a first reading due to content changes. Mayor Trefry entertained a motion to approve Ordinance No. 2022-474.

MOTION: Motion made by Vice-Mayor Tom Harding, seconded by Commissioner Beth Ramsay-Vickrey, to approve Ordinance No. 2022-474.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

C. Resolutions

a) Resolution 2022-05 Stormwater Budget 2022-2023

Mayor Trefry read Resolution 2022-05, a resolution by the City of Key Colony Beach, Florida, imposing the annual stormwater utility special assessments for fiscal year commencing October 1, 2022; approving the assessment roll; providing for collection of the assessments, and providing for an effective date. City Administrator Dave Turner explained that the rates are the same rates as last year with no change and that the stormwater collection and budget is fine, and he recommends keeping it the same. Mayor Trefry asked for a motion to approve Resolution 2022-05.

MOTION: Motion made by Commissioner Beth Ramsay-Vickrey, seconded by Commissioner DeNeale, to approve Resolution No. 2022-05.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

b) Resolution 2022-06 Resilient Florida Planning Grant Resolution

Mayor Trefry read Resolution 2022-06, a resolution of the City Commission of Key Colony Beach, Florida, authorizing the City Administrator to submit, execute and enter into a grant agreement with the Florida Department of Environmental protection for implementation of a resilient Florida Planning Grant, providing an effective date, and for other purposes.

City Administrator Dave Turner explained that the grant was discussed earlier in the meeting and asked if there were any additional questions, which were none. Mayor Trefry asked for a motion on Resolution No. 2022-06.

MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Sutton, to approve Resolution No. 2022-05.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

10. Commissioner's Reports or Comments

Commissioner Beth Ramsay-Vickrey reported that in the last two week's she attended the Utility Board meeting, met with Utility Clerk Pat Hyland, attended the Planning & Zoning Meeting, toured the city with Planning & Zoning Board Chair Joey Raspe, met with KCB Community Leaders, and toured the city with Building Official Gerard Roussin. Commissioner Ramsay-Vickrey further reported on having attended the Townhall Meeting with her fellow Commissioners and meeting with Code Enforcement Officer Stacy Stahl. The Commissioner further reported that she will be participating in the Walk-for-Wag Charity Event at Sunset Park at 7:30 a.m.in the morning which will be dedicated to children with cancer. Commissioner Ramsay-Vickrey invited everyone with well-behaved dogs to attend.

Vice-Mayor Harding had no further report.

Commissioner Sutton had no further report.

Commissioner DeNeale reported that he has made the decision not to retire and to re-run for office. Commissioner DeNeale stated that he received many phone calls telling him that it is not time to leave and that there are still issues to face. Commissioner DeNeale continued saying that he will run one more time because he feels it is the right thing to do.

Mayor Trefry updated that Saturday starts the Sales Tax Holiday for disaster preparedness, and pet supplies needed to evacuate are included this year. Mayor Trefry stated that the Sales Tax Holiday will run from May 28th to June 10th. Mayor Trefry encouraged everyone to take advantage of the tax break and to have the City Clerk to publish the information on their website. Mayor Trefry reported on having a conversation with Mosquito Control and reported that the CDC has asked Mosquito Control to place traps on properties in Key Colony Beach. Mayor Trefry reported that these are not GMO mosquitos, and these are strictly traps to catch mosquitos for genetic testing for diseases. The Mayor continued saying that they are looking for full-time residents from 8th Street to 11th Street to put traps out for the CDC. In closing, Mayor Trefry wished everyone a good Memorial Day Weekend and asked everyone to be careful on the roads.

11. City Attorney Ryan Benninger apologized for not having been able to address the question on ex-Parte communication earlier on the fly. The City Attorney stated that, after further research, he found supporting evidence that according to AGO 94-71 that no ex-Parte communication took place between Commissioner Beth Ramsay-Vickrey and Building Official Roussin, however, the e-mail matter posed by Commissioner DeNeale and Mayor Trefry remained unanswered at that point. The Commission had no further questions for City Attorney Ryan Benninger.

Mayor Trefry recognized Joey Raspe to address the Commission. Joey Raspe addressed the Commission and stated that the Fishing Derby Committee is requesting to use Marble Hall on June 14th for two hours in the afternoon to load backpacks for the kids. Mayor Trefry deferred the request to City Administrator Dave Turner. City Administrator Turner asked Mr. Raspe if the Public Works building could be used which Mr. Joey Raspe confirmed. Mayor Trefry also suggested the Golf Pro Shop Building as an alternative. City Administrator Dave Turner stated either one will work. Mr. Joey Raspe thanked the Commission.

12. The meeting adjourned at 11:19 a.m.

Respectfully Submitted,

Silvia Gransee

City Clerk

ADOPTED: June 9, 2022

Silvia Gransee

City Clerk