

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, June 23, 2022 – 11:00 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 Vice-Mayor Harding at 11:00 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.*

**Present:** *Vice-Mayor Harding, Commissioner Sutton, Commissioner Ramsay-Vickrey. Excused: Mayor Trefry, Commissioner DeNeale.*

**Also Present:** *City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, City Attorney Ryan Benninger, Public Works Department Head Mike Guarino, Building Inspector Gerald Leggett, Chief Kris DiGiovanni, Code Enforcement Officer Stacy Stahl, CPA Jennifer Johnson, Administrative Assistant Christine McLeod.*

*Public: 8 Marble Hall, 12 Zoom*

**2. Citizen Comments and Correspondence:** *Mr. Mark Fine, 501 East Ocean Drive, current President of the Key Colony Beach Club, spoke to the Commission asking for a temporary certificate of occupancy due to insurance reasons. Mr. Fine read a letter from his insurance company explaining the current situation. (Please contact [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) for a copy of the letter). Mr. Fine and his financial representative explained that full funds are available to complete the project and that no occupancy will occur on the property until a full certificate of occupancy has been issued. Vice-Mayor Harding asked for legal guidance from City Attorney Dirk Smits since the item was not on the agenda. City Attorney Smits explained that no decision has to be made since the item was not on the agenda nor advertised. Building Official Gerard Roussin confirmed that a temporary certificate of occupancy has not been officially applied for. City Attorney Dirk Smits declared that at this point there is nothing to act on as the temporary certificate of occupancy has to be denied first before it can be heard before the Commission. Vice-Mayor Harding asked Building Official Roussin if he has reviewed the property and knows of the issues concerning a temporary certificate, which the Building Official confirmed of having done multiple inspections of the property during the construction process. Building Official Gerard Roussin further reported that the contractor informed them that the East building is waiting on cabinets which usually represents exposed outlets due to missing cabinets. The Building Official further explained that temporary certificates of occupancy are usually issued due to clerical issues, and not due to an insurance lapse or construction not being completed. Building Official Roussin further clarified that temporary certificates of occupancy usually represent a safe and complete structure for people to go in. Vice-Mayor Harding asked if in the past the Building Official has approved temporary certificates of occupancy without the building being able to be occupied out of safety reasons. Building Official Roussin explained that recently he approved a temporary certificate of occupancy with the house being completed and inspected, but they were waiting for a final inspection report. Commission Sutton asked the question on legality to City Attorney Dirk*

*Smits, to which Mr. Smits stated he cannot recommend an approval since the issue had not been presented prior and undergone due process. City Attorney Smits stated to Mr. Fine to apply for the certificate and go through the process. Vice-Mayor Harding followed up with the suggestion that perhaps limited units could be approved depending on being completed. Building Official Roussin stated that the temporary certificate of occupancy approval would be done only with Commission approval in this case.*

**3. Approval of Minutes:** *The City Commission Public Hearing and Regular Meeting Minutes from June 9, 2022, were accepted as written.*

**4. Agenda Additions, Changes, Deletions:** *City Administrator Dave Turner stated that he will be presenting the Marathon Fire/EMS report for Chief Johnson.*

**5. Special Requests – None.**

**6. Committee and Staff Reports:**

**A. Marathon Fire/EMS –** *City Administrator Dave Turner reported for Chief Johnson who attended a Hurricane Drill. The City Administrator reported 5 medical calls, 1 internal fire alarm, and 2 public assists. City Administrator Dave Turner further advised that Chief Johnson would like to remind everyone that storm season is here, to be prepared, and to stay safe.*

**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 –***Chief DiGiovanni reported on 2 reports, including 1 burglary on the Causeway, and 1 case of driving with a suspended license. Chief DiGiovanni further reported receiving 2 alarm calls, 21 calls for service, and having provided back-up to MCSO 9 times, along with boat and road patrol, and the vacation watch program. Chief DiGiovanni thanked everyone that helped with the Fishing Derby and reported on having had 48 children, 14 adults, three parents, and overall, 20 volunteers attending the event on June 15<sup>th</sup>. The Chief of Police further reported that Officer Niemiec completed his Field Officer training, and Corporal Buxton and Officer Burden are currently attending Active-Shooter training which also allows them to train future officers themselves. Chief DiGiovanni continued saying that Reserve Officer Bethard has been covering the day shift and helping writing code violation tickets. Chief DiGiovanni further reported that Officer Berklund has been continuing boat patrol and handing out Rules and Regulations flyers as well as Manatee Safety flyers. Chief DiGiovanni stated that he will be working with Commissioner Beth Ramsay-Vickrey on new manatee safety signage. The Chief updated on the new Police Officer for the city, and that he is planning on posting the Police Departments new policies and procedures by the end of September which in return will allow for accreditation from the State of Florida. Vice-Mayor Harding thanked Chief DiGiovanni for his report and the positive feedback from the Fishing Derby.*

**I. Building Department** – Building Official Gerard Roussin reported on having attended the Building Officials Association Conference and thanked the Commission for having been able to attend. The Building Official further reported that the move into the temporary trailer office is planned for next week which might limit inspections during the week. The Commission had no questions for the Building Official and thanked him for the report.

**J. Public Works Department Head Mike Guarino** reported that his department has been busy with mowing due to all the rainfall, and further reported Public Works Worker Darrin Smith had begun building the new horseshoe at 7<sup>th</sup> Street Park. Public Works Department Head Mike Guarino continued saying that his department has been assisting the Golf Course with maintenance and having started rail repairs at Sunset Park.

**K. City Secretary/Treasurer** – Accountant Jen Johnson reported on the May Financial report and reported on the general, road, impact, infrastructure, building, wastewater, and stormwater funds. Commissioner Sutton asked Accountant Jen Johnson on clarification on two line items which Mrs. Johnson explained were part of a bonus payout and vehicle purchase. Commissioner Sutton had no further questions. Vice-Mayor Harding asked Mrs. Johnson on a report on long-term liabilities between April and May and what changes had occurred. Vice-Mayor Tom Harding further asked on the business-tax income being heavily loaded towards September which Mrs. Johnson confirmed.

**L. City Clerk** – City Clerk Silvia Gransee reported preparing for the upcoming July Variance Meetings. The City Clerk further reported that Municode uploaded the recently adopted city ordinances and that the prior delay resulted from being short staffed on their side. City Clerk Gransee continued reporting on having applied for a small Safety Grant through FMIT. The City Clerk further reported on attending the Beautification meeting, preparing for today's meeting, and completing the prior meetings minutes. City Clerk Gransee updated on having added an inspection calendar to the city's website, and having completed the Code Hearing minutes, preparing advertisements for the ordinances scheduled for the July 14<sup>th</sup> meeting. The City Clerk further reported that the Comprehensive Plan has been submitted by LaRue Planning to all agencies, having completed the June employment statistics, and having prepared the paperwork for the new Police Officer. City Clerk Gransee thanked the Commission and City Administrator Dave Turner for enabling her to attend the FACC Conference in Orlando and stated that it was a great educational and networking opportunity. In closing, City Clerk Gransee reported that Administrative Assistants Barbie Morales and Christine McLeod have been in training to help with entering citations, and processing payments to help with Code Enforcement Officer Stacy Stahl's administrative workload.

**M. Code Enforcement Officer** – Code Enforcement Officer Stacy Stahl Officer Stahl reported 72 new cases with varying ordinance violations. Code Enforcement Officer Stahl further reported on training the administrative assistants with daily code administrative tasks as well as working on completing the business tax renewal packets. Code Enforcement Officer Stahl continued reporting

*on having worked with the Building department and legal team on the emergency egress procedures. The Code Enforcement Officer further reported on having been in contact with Airbnb regarding occupancy rules for the city. In closing, Code Enforcement Officer Stacy Stahl reported having received 6 trailer lot calls and having issued several trailer lot citations as well. The Commission thanked Code Enforcement Officer Stahl and had no additional questions.*

*N. City Administrator Dave Turner*

*a) City Administrator Dave Turner updated on City Hall and reported anticipating having a set of drawing plans by the first week of July. City Administrator Turner further reported on having been in contact with the FEMA Infrastructure Branch Director who indicated on possible developments within the next weeks.*

*b) Interlocal Agreement for BIF (Boat Improvement Funds)*

*City Administrator Dave Turner further reported on the ILA with Monroe County and explained that it is a grant program that will allow for purchases for marker buoys for the city.*

***MOTION:*** *Motion made by Commissioner Sutton, seconded by Vice-Mayor Harding, to approve the Interlocal Agreement for Boat Improvement Funds with Monroe County.*

***DISCUSSION:*** *None.*

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

*The Commission thanked City Administrator Turner and had no additional questions or comments.*

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

### ***A. Discussion/Approval: Amendment Two To Local Option Gas Tax Sharing Interlocal Agreement***

*City Administrator Dave Turner reported on the agreement and stated that he is not in agreement with it, however, recommended the approval by the Commission.*

***MOTION:*** *Motion made by Commissioner Sutton, seconded by Commissioner Ramsay-Vickrey, to approve Amendment Two to local option gas tax sharing Interlocal Agreement.*

***DISCUSSION:*** *None.*

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

***B. Feedback on Hazard Mitigation Grant request - Hurricane Dorian.*** *Vice-Mayor Harding reported on the grant request from a little over a year ago and updated that the City of Key Colony Beach should not expect any funding from the grant due to the city being in tier 3 and no money being available in that tier. Vice-Mayor Harding gave further details on the possibility of other funding opportunities in the future.*

### ***C. & D. Appointment of Toni Appell and Greg Burke to the Utility Board***

***MOTION:*** *Motion made by Commissioner Ramsay-Vickrey, seconded by Vice-Mayor Harding, to appoint Toni Appell and Greg Burke to the Utility Board.*

**DISCUSSION:** None.

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

**8. Approval of Warrants** – Approval of Warrant No. 0522 in the amount of \$358,446.05.

**MOTION:** Motion made by Commissioner Sutton, seconded by Vice-Mayor Harding, to approve Warrant No. 0522 in the amount of \$358,446.05.

**DISCUSSION:** None.

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

**9. ORDINANCES & RESOLUTIONS** – None.

**10. Commissioner’s Reports or Comments**

Commissioner Sutton reported on having attended the pre-construction Stormwater meeting for 10<sup>th</sup> Street along City Administrator Dave Turner, Utility Clerk Pat Hyland, as well as the contractor Chris Haack, and stated that it was a positive meeting that addressed future expectations. Commissioner Sutton further reported that City Administrator Dave Turner set up a future meeting with residents on the 10<sup>th</sup> Street site in the afternoon, to enable working residents to attend the meeting to ask questions and receive information on the project. Commission Sutton continued to speak about the project and possible issues to avoid.

Commissioner Beth Ramsay-Vickrey reported on having attended the KCB Beautification Committee meeting, having toured the city with the Beautification Committee Chair and new Utility Board Member Greg Burke, having met with Community Leaders, and having attended the Marathon City Council meeting. Commissioner Ramsay-Vickrey further reported on having helped with the Kids Fishing Derby along her fellow Commissioners and gave special praise to Chief DiGiovanni, Joey Raspe, and Commissioner Sutton’s wife Kitty Sutton for their help with the event. Commissioner Beth Ramsey-Vickrey further reported on having attended the Lobbyist meeting alongside the Commission and having met with Chief DiGiovanni to discuss the Manatee Awareness program, and Hurricane and Emergency Preparedness.

Vice-Mayor Tom Harding reported on having attended the Florida Quarterly Meeting, the SFWM workshop for flood mitigation, an FDOT meeting on rail and transit needs for the county, as well as attending a CRS meeting alongside City Administrator Dave Turner.

**11.** City Attorney Dirk Smits reported on the Harper case and stated he will inform the Commission of any developments.

**12.** The meeting adjourned at 11:43 a.m.

Respectfully Submitted,

*Silvia Gransee*

City Clerk

**ADOPTED: July 14, 2022**

*Silvia Gransee*

City Clerk