

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, September 22, 2022 – 9:35 a.m.
Temporary City Hall & virtually via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: *The Regular City Commission Meeting of the City of Key Colony Beach was called to order by Mayor Trefry at 9:35 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 Dirk Smits, City Attorney Janette Smith (virtual), Public Works Department Head Mike Guarino, Building Official Lenny Leggett, Chief Kris DiGiovanni, Deputy Fire Chief Cameron Bucek, Code Enforcement Officer Barry Goldman, Administrative Assistant Christine McLeod, Accountant Jen Johnson.*

Public: *7 Marble Hall*

2. Citizen Comments and Correspondence: *City Clerk Silvia Gransee reported receiving a letter from the Casa Clara Condominium that was shared with the Commission. (Please contact the City Clerk at cityclerk@keycolonybeach.net for a copy of the letter).*

There were no additional public comments nor citizen correspondence.

3. Approval of Minutes: *The First Budget Hearing Minutes and Regular & Public Meeting Minutes from September 8, 2022, were accepted as written.*

4. Agenda Additions, Changes, Deletions: *City Administrator Turner asked for Resolution No. 2022-13, a Resolution of the City Commission of the City of Key Colony Beach of Monroe County, Florida, authorizing City Administrator Dave Turner to negotiate and execute a lease with the United States Postal Service, to be added to the agenda. The Commission had no objections to the agenda addition. City Administrator Turner further asked for the Aeration Industries Internal Parts Quote for emergency acquisitions for the utility plant to be added to the agenda. The Commission had no objections to the agenda addition.*

5. Special Requests:

A. Proclamation: *National Red Ribbon Week October 23rd to October 31st, 2022.*

Mayor Trefry read the Proclamation in support of National Red Ribbon Week.

MOTION: Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to proclaim October 23rd to October 31st, 2022, as National Red Ribbon Week.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

B. Presentation by the Monroe County Department of Health: Health in All Policies.

Alison Kerr and Jody Gross presented the presentation to the Commission. (Please contact the City Clerk at cityclerk@keycolonybeach.net for a copy of the presentation).

6. Committee and Staff Reports:

*A. **Marathon Fire/EMS** – Deputy Fire Chief Cameron Bucek reported 0 fire calls, 4 EMS calls, 2 public assists, and 1 special hazard call since the last Commission Meeting. The Deputy Fire Chief reported that the storm is being watched to see where it is going and being overall busy with his position. The Commission had no further questions for the Chief.*

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** – Staff report submitted. The Commission had no additional questions.*

*I. **Building Department** – Staff report submitted. The Commission had no additional questions.*

a) Approval for 24,000 lb. Boat Lift Installation at 250 15th Circle, Key Colony Beach.

Building Official Leggett presented the request for the boat lift installation to the Commission. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner Sutton, seconded by Commissioner DeNeale, to approve the 24,000 lb. boat lift installation for 250 15th Circle, Key Colony Beach.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

*J. **Public Works** – Staff report submitted. The Commission had no additional questions.*

*K. **City Secretary/Treasurer** – City Secretary/Treasurer DeNeale gave the floor to City Accountant Jen Johnson. Jen Johnson gave the 11-month financial report on general fund revenues and expenditures, road fund revenues and expenditures, infrastructure funds, impact fee funds, building department funds, wastewater, and stormwater funds. Secretary-Treasurer DeNeale asked if the Fire & EMS invoice was paid which Jen Johnson confirmed. The Commission had no additional questions.*

L. City Clerk – Staff report submitted. The Commission had no additional questions.

M. Code Enforcement Officer – Staff report submitted. The Commission had no additional questions.

N. City Administrator Dave Turner – Report submitted. The Commission had no additional questions.

a) City Hall Update: City Administrator Turner reported that the City Hall drawings are still being reviewed by the Building Department and that a meeting is scheduled with LIVS to correct the adjustments. The City Administrator further reported that all temporary trailers for the city are in place and the portable bathrooms were removed, and the old police trailer scheduled to be picked up as well. City Administrator Turner continued saying that negotiations are underway with the Post Office for a long-term lease and for a move to the temporary trailer. City Administrator Turner explained the purpose behind the proposed resolution and that the Commission will have a legal contract to approve later on.

Mayor Trefry read the proposed Resolution No. 2022-13 authorizing City Administrator Dave Turner to negotiate and execute a lease with the United States Postal Service and asked for a motion from the Commission.

MOTION: *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to approve Resolution No. 2022-13 Postal Lease Authorization.*

DISCUSSION: *None.*

ON THE MOTION: *Rollcall vote. Unanimous approval.*

Commissioner DeNeale stated that City Administrator Turner is making great strides by talking to the Lobbyist Firm to get things moving and is optimistic on how things are progressing.

b) Discussion on Property Insurance on old City Hall Building: City Administrator Dave Turner reported that he was going to have a discussion on the topic but that has found a resolution which saves the city about \$10,000.00.

c) Approval of Aeration Industries International Parts Quote in the amount of \$11,829.00 for emergency acquisition for the utility plant: City Administrator Turner thanked Utility Clerk Hyland and Plant Manager Dave Evans for being proactive and explained that the part is needed to keep the plant operational. Mayor Trefry asked for a motion from the Commission.

MOTION: *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner Sutton, to approve the quote in the amount of \$11,829.00.*

DISCUSSION: *None.*

ON THE MOTION: *Rollcall vote. Unanimous approval.*

7. Commissioner Items for Discussion/Approval:

A. Approval of Reece & Associates Invoice No. 22070705 in the amount of \$5,200.00 for Surveying Services provided for the new City Hall Building: City Administrator Turner explained the services that were provided. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve Invoice No. 22070705 in the amount of \$5,200.00.

DISCUSSION: Vice-Mayor Harding asked for confirmation that this work was completed which City Administrator Turner confirmed and explained further purpose for the survey.

ON THE MOTION: Rollcall vote. Unanimous approval.

B. Approval of KorKat Invoice No. K20395 in the amount of \$47,341.54 for the 50% deposit on the Playground Equipment Replacement: City Administrator Dave Turner explained the invoice pertains to the playground equipment bid that was put out on Demand Star and was awarded to KorKat. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner Ramsay-Vickrey, seconded by Commission Sutton, to approve the KorKat Invoice No. K20395 in the amount of \$47,341.54.

DISCUSSION: Commissioner Ramsay-Vickrey asked if the sail shade for the dog park was included in the price which City Administrator Turner explained was not included in this grant. City Administrator Turner stated that an additional grant for 1st Street Park was submitted for shades and mats.

ON THE MOTION: Rollcall vote. Unanimous approval.

C. Approval of Superior Electric Invoice No. 09-20841 in the amount of \$9,237.97 for electrical work on City Hall Annex trailer: City Administrator Turner explained the services that were provided and that the Post Office will take over the utilities once moved. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to approve payment of Superior Invoice No. 09-20841 in the amount of \$9,237.97.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

D. Approval of RMPK Invoice No. 2403 in the amount of \$6,000.00 for services provided on Resilient Grant Applications: City Administrator Turner explained the grant services provided by RMPK which services Vice-Mayor Harding supported. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner Sutton, to approve payment of RMPK Invoice No. 2403 in the amount of \$6,000.00.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Administrator Turner updated that the Watershed grant plan was approved which in turn will help with the CRS and the Vulnerability grant.

E. Discussion/Approval – Extension of Vernis & Bowling Legal Services Contract: Mayor Trefry explained the timeframe on the extension of the contract and asked for a motion from the Commission.

MOTION: Motion made by Commissioner Sutton, seconded by Commissioner Ramsay-Vickrey, to approve payment of RMPK Invoice No. 2403 in the amount of \$6,000.00.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. Approval of Warrants – Warrant No. 0822 in the amount of \$363,078.81: Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve Warrant No. 0822 in the amount of \$363,078.81.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. ORDINANCES & RESOLUTIONS

A. Proof of Publications: City Attorney Smits accepted the legal proof of publications as sufficient.

B. Ordinances – Second/Final Reading

a) Ordinance No. 2022-473 Building Recertification: An Ordinance Of The City Of Key Colony Beach, Florida, Relating To The Establishment Of A Certification And Recertification Process For Existing And Future Multistory Structures By Adding Section 6-37, As Authorized By Florida Law; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For Inclusion In The Code Of Ordinances; Providing For Severability, Repeal, Codification, And An Effective Date.

City Attorney Dirk Smits provided the Second/Final Reading of Ordinance No. 2022-473. Mayor Trefry asked for a motion from the Commission:

MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve the Second/Final Reading of Ordinance 2022-743.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

b) Ordinance No. 2022-478 Designated Smoking Areas: An Ordinance Of The City Of Key Colony Beach, Florida, Relating To The Establishment Of Designated Smoking Areas Within Municipal Parks And Beaches; Amending Article II, Chapter 12 Of The Code Of Ordinances Adding A New Section 12-10 Prohibiting Smoking, As Authorized By Florida Law Except Within Designated Smoking Areas Of A Municipal Park Or Municipally Controlled Beach And Beach Park; Providing Severability, Repeal, Codification And An Effective Date.

City Attorney provided the Second/Final Reading of Ordinance No. 2022-478. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner Sutton, to approve the Second/Final Reading of Ordinance 2022-478.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

c) Ordinance No. 2022-479 Chapter 2 Amendment: An Ordinance Of The City Of Key Colony Beach, Florida, Amending Chapter 2, Article VII, Sections 2-86, 2-88, And 2-93 Of The Code Of Ordinances Of The City Of Key Colony Beach Related To Meetings Of The City Commission; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

City Attorney Smits provided the Second/Final Reading of Ordinance No. 2022-479 and explained the proposed amendments. Mayor Trefry asked for a motion from the Commission.

MOTION: Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to approve the Second/Final Reading of Ordinance 2022-479.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

10. Commissioner's Reports or Comments

A. Noise Ordinance Review Comparisons & Recommendations: Vice-Mayor Harding presented a summary of noise ordinance review comparisons and recommendations. (Please contact the City Clerk at cityclerk@keycolonybeach.net for a copy of the document). The Vice-Mayor explained how the City of Hollywood implements their rules and regulation for noise ordinances in conjunction with property management classes. Commissioner DeNeale stated that the importance of having the

same rules for vacation rentals and residents. Vice-Mayor Harding clarified that there are no differences but that the education process is what is different. Commissioner DeNeale further stated that renters are supposed to sign the regulation sheet which also has to be posted on the rental property. Vice-Mayor Harding stated that renters might sign the sheet but not read it properly. The Vice-Mayor continued saying that the City of Hollywood takes extra steps for communication and suggested that if the city is seeing problems to take additional steps for communication. Commissioner DeNeale stated his understanding that the document has to be signed by renters and has to be shown to the police if asked for. The Commission continued discussions on how complaints are being handled and if the document has to be produced. Chief DiGiovanni explained that his directions and understanding is that the violator is the homeowner and continued explaining difficulties with noise ordinances as well as anonymous calls. The Chief further explained common reactions by renters to noise ordinance complaints and misconceptions on what represents a violation. Vice-Mayor Harding stated his observation on renter behaviors over the years. Mayor Trefry stated that rules are in place, which property managers know about, and that it is the property manager's responsibility to manage the rental. Code Officer Goldman explained the process for addressing noise complaints and how violations will be enforced via Code Enforcement. Mayor Trefry stated her understanding that the current ordinance is working which Code Enforcement Officer Goldman supported. Commissioner Sutton agreed that the current ordinance is working and that a lot of times renters do not understand how sound travels over the water. City Attorney Dirk Smits explained the problems with addressing boat violations due to regulations on water signage and statues for protecting fishermen on the water. City Attorney Smits further stated that the issue is not off the table and still could be addressed by the Code Board. The Commission discussed on having no knowledge of past or current code cases on noise violations, and if citations are being written on noise. Chief DiGiovanni explained problems with issuing citations in the past and that the new direction of holding the homeowner responsible will help. The Commission continued talking about improving the citation process and recording repeat offenders.

Commissioner Ramsay-Vickrey reported touring the city with Code Enforcement Officer Goldman and Building Official Leggett and the positive interactions with residents the Commissioner observed. The Commissioner further reported attending the Best of Marathon Awards and Sunset Park winning 'Best Place for a Wedding', attending the Utility Board Meeting and the Chamber of Commerce Luncheon.

Commissioner Sutton updated on the fencing that was put up on 8th Street and W. Ocean for safety reasons for the Haack equipment for the Stormwater Project on 10th Street. Commissioner Sutton updated that the project will start on Monday, September 26th. The Commissioner updated on attending the Best Of Marathon as well as the FIRM meeting and his thoughts on the presentation.

Commissioner DeNeale asked on the availability of generators in case of emergency. City Administrator Turner updated that the electric company will transfer the switch from the old to the new police trailer for power. The Commissioner further talked about the challenges associated with working out of temporary trailers and storm evacuations.

Mayor Trefry reported increases on new liability property insurance rates as well as not being able to attend the events over the weekend due to personal reasons. Mayor Trefry updated that the Storm Preparation Letter was send out to the residents and reminded everyone to sign up for 'Alert Monroe' from Monroe County and 'Code Red' with the Aqueduct Authority for important alerts. Mayor Trefry further updated that storm updates will be given on the Facebook page, the City website, and via email blasts.

11. City Attorney Dirk Smits reported that some individual work with Commissioners was completed and explained the reasoning behind the extension for the legal contract for three months only. The Commission had no further questions for the City Attorney.

12. Adjourn: The meeting adjourned at 10:49 a.m.

*Respectfully Submitted,
Sylvia Gransee
City Clerk*

*ADOPTED: October 20, 2022
Sylvia Gransee
City Clerk*