

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, October 20, 2022 – 9:38 a.m.

Temporary City Hall & Virtually Via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: *The Regular Meeting and Public Hearing of the City Commission of Key Colony Beach was called to order by Mayor Trefry at 9:38 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.*

Present: *Mayor Trefry, Vice-Mayor Harding, Commissioner Ramsay-Vickrey, Secretary-Treasurer DeNeale. Excused: Commissioner Sutton. Also Present: City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, City Attorney Janette Smith (virtual), Police Chief Kris DiGiovanni, Public Works Department Head Mike Guarino, Building Official Gerald Leggett, Building Assistant Trish McLeod, Code Enforcement Officer Barry Goldman, Administrative Assistant Christine McLeod, Accountant Jen Johnson, Fire Chief Cameron Bucek.*

Public: *15 Marble Hall*

Mayor Trefry asked for “Agenda Additions, Changes & Deletions” to be added back to the agenda format. The Commission had no objections.

Mayor Trefry further asked for Item 7a. to be moved ahead of Item 2. The Commission agreed to the agenda change.

Commissioner DeNeale asked for a Presentation of the Fishing & Boating club to be added to the agenda as Item 5d. The Commission had no objections.

City Administrator Turner asked for an agenda addition on the organizational meeting requirements per City Charter 6-2. The Commission had no objections.

1.b. (7a.) Presentation on Sunshine Law: *City Attorney Janette Smith gave a PowerPoint Presentation on Sunshine and Public Records Laws. Part of the presentation was a recommendation by the attorney to implement a best practice policy guideline for public decorum. A brief discussion followed on records retention laws for former public officials, social media records laws, and communication guidelines for the city commission.*

(Please contact the City Clerk at cityclerk@keycolonybeach.net for a copy of the presentation).

2. Citizen Comments and Correspondence: *Mr. Reynaldo Angulo, Mrs. Karen McKeehan, Mrs. Laura Salisburg, and Mrs. Elizabeth Barnett addressed the Commission with comments on egress requirements. Vice-Mayor Harding directed staff to work with the citizens that came before the Commission to provide reasonable time to provide changes.*

(Please contact the City Clerk at cityclerk@keycolonybeach.net for an audio recording).

Discussion followed by the commission and staff on how the egress issue came to light, consequent requirement per Florida Statue and Fire Administrative Code, and re-inspection fees. Code

Enforcement Officer Goldman further explained legal requirements and the city not having legal authority to grant extensions. City Attorney Smits expressed his agreement with the staff. Further discussion addressed questions on original bedroom configurations and requirements for sprinklers that rent more than 50% of their units. Commissioner DeNeale expressed his concern of the negative conception of residents and his displeasure with the prior Building Officials and the mistakes that were made. Code Enforcement Officer Goldman apologized for any perception of threats and stated that no fines have been issued. Vice-Mayor Harding voiced his support for Commissioner DeNeale's thoughts and directed City Attorney Smith to do a legal review of the matter to address reasonable time per law to enforce a new policy.

3. Approval of Minutes: *The Final Budget, Public Hearing, and Regular & Public Meeting Minutes from 09-22-2022 were accepted as written.*

4. Committee and Department Reports

(Only Department/Committees/Boards with submitted reports are listed.)

a. Marathon Fire/EMS – *Marathon Fire Chief Cameron Bucek reported 4 EMS calls, 4 fire alarms, and 1 powerline call. The Fire Chief shared a report with the Commission that provides detailed information on calls and the benefit of having this knowledge.*

b. Police Department – *Chief DiGiovanni updated the Commission that an application for the open Police Officer position has been received.*

c. Building Department – *Building Official Leggett*

d. Public Works – *Public Works Department Head Guarino*

e. City Clerk – *City Clerk Gransee.*

f. Code Enforcement Officer – *Code Officer Goldman*

g. City Secretary/Treasurer – *Jen Johnson gave a review of the September financials and final month in the fiscal year. Jen Johnson informed that some funds are over budget which will be amended next month. Commissioner DeNeale gave Jen Johnson direction to move monies into the infrastructure fund. Discussion followed on rules on ad valorem taxes, infrastructure funding and sales tax revenue, rollover funds, and finance laws.*

5. Items for Discussion/Approval

a. Approval for ~~24,000 lb.~~ 32,000 lb. Cradle Boat Lift Installation for 431 2nd Street: *Mayor Trefry asked for correction on the weight of the boat lift, which Building Official Leggett confirmed as being incorrect on the agenda but correct in the permit. The Commission had no objections to the request after brief discussion. Mayor Trefry asked for a motion.*

MOTION: *Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve the boat lift.*

DISCUSSION: *None.*

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

b. Approval of Property Insurance Invoice from Brown & Brown in the amount of \$6,000.00.

City Administrator Turner gave a brief explanation of the invoice.

MOTION: *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to approve the invoice from Brown & Brown in the amount of \$6,000.00.*

DISCUSSION: *None.*

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

c. Approval of Warrant No. 0922 in the amount of \$797,950.23

MOTION: *Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve Warrant No. 0922 in the amount of \$797,950.23*

DISCUSSION: *None.*

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

d. Discussion/Approval - Key Colony Beach Fishing & Boating Club: *Commissioner DeNeale reported on the request from the Key Colony Beach Fishing & Boating Club to use the Public Works facility. After a brief presentation and a report by City Administrator Turner, the Commission voted on the consumption of alcohol and usage of the facility through April 30, 2023.*

Commissioner DeNeale excused himself from the vote. Form 8B, Memorandum of voting conflict for county, municipal, and other local public officers, has been provided to the City Clerk.

MOTION: *Motion made by Commissioner Ramsay-Vickrey, seconded by Vice-Mayor Harding, to allow the Key Colony Beach Fishing & Boating Club the use of the Public Work facility as well as the consumption of alcohol through April 2023.*

DISCUSSION: *None.*

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

City Administrator Turner reminded of the new smoking ordinance that was passed and brief discussion followed. Further discussion followed on overtime pay for staff during events. City Attorney Smith further provided legal advice on questions on legal privilege conveyed to the general public.

e. Discussion/Approval – Election Charter Regulations Chapter 6-2: *City Administrator Turner explained rules set in the charter with City Attorney Smith giving additional legal review. Discussion briefly followed on previous set meeting dates.*

MOTION: *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to move the Organization Meeting to December 1st, 2022, which also represents the only commission meeting being held in December.*

DISCUSSION: *Vice-Mayor clarified that there will be only one (1) meeting in December with the next Commission meeting being held in the third week in January. Brief discussion followed with legal reminding, that an additional meeting can always be held.*

ON THE MOTION: Rollcall vote. Unanimous approval.

6. City Administrator Items for Discussion

a. *City Hall Update* – City Administrator Turner gave an update on the city hall drawings and electrical updates that were made. The City Administrator further explained upcoming timelines and anticipated costs as well as what the new building will look like. The continued report included explanations on the new structure being the EOC building for Key Colony Beach, flood map lines, and building to the 500-year flood. Brief discussion on the use of the new marble hall followed.

Trish McLeod was introduced to the Commission and Public as Lenny's new assistant.

7. City Attorney's Report

~~a. Presentation on Sunshine Law~~ ****moved to the beginning of the meeting****

City Attorney Dirk Smits had no further report.

8. Ordinances & Resolutions – None

9. Commissioner's Reports & Comments

Commissioner Ramsay-Vickrey reported on attending the Beautification Meeting, the Chamber of Commerce Candidate Forum, the Marathon City Council Meeting, accepting a check from the 'Friends of the Sanctuary' for Marine Conversation Projects, attending the South Florida Regional Planning Committee, and thanked Sandy Bachman for hosting a Meet & Greet. The Commissioner further reported attending the EOC groundbreaking ceremony and informed on the Halloween Costume Party at Havana Jacks on October 28th with herself, John Bartus, as well as Sherriff Rick Ramsay attending as costume judges. The Commissioner further informed on early voting times, locations, and open commission seats.

Vice-Mayor Harding reported on attending the EOC meetings during Hurricane Ian as well as the city having some minor flooding during the event. The Vice-Mayor further reported that CRS provided good feedback and having attended the CRS meeting the day prior.

Commissioner DeNeale reported on a drafted letter intended for the Florida Director of Emergency Management and gave the intended purpose of the letter. Commissioner DeNeale further recalled the history of Mexico Beach after Hurricane Michael and what corrections were made in allocations for that area. Commissioner DeNeale gave further details and intentions on the letter.

(Please contact the City Clerk at cityclerk@keycolonybeach.net for a copy of the letter).

City Attorney Dirk Smits recommended for a motion for staff to work with the Commission to finalize the letter.

MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, for staff to work with the Commission to finalize the letter to the Florida Director of Emergency Management.

DISCUSSION: *None.*

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

Commissioner DeNeale closed his report by stating that this is his last meeting prior to the elections, and stated his thoughts and thanks for staff, citizens, and the commission for allowing him to serve.

City Administrator Dave Turner gave a follow-up on Hurricane Ian and reported on debris, some water damage, and thanked the Police Officers, Brightview Landscaping, and Public Works Department for the work they provided. Brief discussion followed on the upgraded police truck. The City Administrator further updated on progress being made with the post office regarding a new lease agreement.

Mayor Trefry reported on attending a luncheon for the Domestic Abuse Shelter which was destroyed during Hurricane Irma. The Mayor gave a brief overview on statistics on victims of domestic abuse and why a new shelter is needed. Mayor Trefry informed that information will be given to City Hall to be made available to the public. Mayor Trefry further reported on meeting Representative Jim Mooney during the luncheon and city hall discussions.

10. Adjournment: *The meeting adjourned at 11:34 a.m.*

Respectfully submitted,
Silvia Gransee
City Clerk

Adopted: *November 17, 2022*
Silvia Gransee
City Clerk