

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday June 14, 2018 9:30 a.m.
City Hall Auditorium

1. **Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The regular meeting of the Key Colony Beach City Commission was called to order by Mayor DeNeale at 9:30 a.m. followed by the Pledge of Allegiance and Prayer.

Present: Mayor John DeNeale, Vice Mayor Ron Sutton, Secretary/Treasurer Patti Trefry, Commissioner Jim Pettorini and Commissioner April Tracy. *Also Present:* City Administrator Chris Moonis, City Clerk Kathryn McCullough, City Attorney Tom Wright, Building Official Ed Borysiewicz, Police Chief Kris DiGiovanni, Assistant Building Official Gerard Roussin, Public Works Greg Lawton and Asst. Fire Chief Eric Dunford. *Excused:* Fire Chief John Johnson. – Public - 1.

2. **Approval of Minutes:**

The minutes of the April 12, 2018 Commission Meeting as corrected, the April 26, 2018 Commission Meeting, the May 10, 2018 Public Hearing and the May 10, 2018 Commission Meeting were approved by acclamation.

3. **Agenda Additions, Changes, Deletions:**

4. **Special Requests:**

5. **Committee and Staff Reports**

A. Marathon Fire/EMS: Assistant Chief Dunford reported 3 medical calls, 1 possible boat fire, 3 internal fire alarms and 1 service call since the last meeting. The boat fire was only an electrical odor, no fire.

B. Recreation Committee: - Mike Alexander reported bids of \$67,200 to complete the \$50,000 FRDAP Pickleball Grant. This leaves a shortfall of \$7,200 after applying \$10,000 allocated from Impact Fees. Mr. Alexander is very confident fund raising efforts will cover the shortfall. He asked Commission approval to move forward with the construction of the courts and also to access the Impact Fees for this project. City Administrator Moonis explained Impact Fees, if not used by a date certain, have to be refunded. Mr. Moonis is also confident the balance of the funds required can be raised by the Pickleball community. He, therefore, recommended approval.

MOTION: Motion made by Commissioner Tracy, seconded by Commissioner Pettorini to approve moving forward with the Pickleball project as requested by Mike Alexander and recommended by City Administrator Moonis.

ON THE MOTION: Motion approved by acclamation.

C. Beautification Committee: - No report.

D. Disaster Preparedness Committee: Building Official Borysiewicz reported ordering supplies for the upcoming season. The generator is scheduled for repair tomorrow.

E. Planning & Zoning Board: - No report.

F. Utility Board: - No report.

G. Police Department: Chief DiGiovanni recognized Officer Jefferson Rodriguez for his assistance to Monroe County Fire Rescue with a water emergency on Coco Plum. When Officer Rodriguez arrived on scene he found a woman in a canal having difficulty staying afloat and losing consciousness. At this point he put her life before his and went into the canal and saved the woman. On behalf of the City Commission and the Police Department, Chief DiGiovanni presented Officer Rodriguez with the Life Saving Award. Officer Rodriguez received a round of applause from the audience.

Chief DiGiovanni reported a trespassing arrest at Circle K, a traffic arrest on Sadowski Causeway, a theft on 2nd Street, a crash in the Circle K parking lot and a grand theft report of a floating dock on 12th Street since the last Commission meeting. He also reported 4 medical/alarm calls, 9 assistance calls from the Sheriff's office and 8 miscellaneous calls. The officers issued 10 code enforcement warnings and 15 traffic warnings during this period. Chief DiGiovanni said the 13th Annual Kids Fishing Derby was a huge success thanks to all the sponsors, the volunteers, the planning board and the kids. Chief DiGiovanni was on boat patrol last Sunday. He is committed to more boat patrols as long as there is available coverage of officers. The new officer, Nicholas Niemiec, will start on June 18, 2018 and will be sworn in at the next Commission meeting. Chief reminded everyone to check hurricane supplies and evacuation plans. Also pay close attention to the weather channels. He wished everyone a safe and Happy Father's Day.

Vice Mayor Sutton asked if the Police Department was able to remove a section of dock from the Coral Lane canal. Chief DiGiovanni reported he looked at it and determined it could not be accessed by boat. Assistant Building Official Roussin said the City Administrator approved a purchase order for AC/DC Electric to remove the dock with their crane.

H. Building Department/Public Works:

1. Approval of a 16K, 4 Post Boat Lift at 30 7th Street: Building Official Borysiewicz explained a 4 post boat lift requires Commission approval. Letters of approval have been received from the neighbors on both sides.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefrey, to approve a 16K, 4 Post Boat Lift at 30 7th Street.

ON THE MOTION: Roll call vote. Unanimous approval

2. Award of Debris Removal Contracts: Mr. Borysiewicz reported 7 bids were received in response to the RFP for hurricane debris removal. The contractors who submitted bids are Gonzalez Landscaping, Henry's Trucking, Mid Keys Rock and Sand, Marathon Seawall, Sims Contracting, DRC Emergency Services and Custom Tree

Services. He recommended the Commission approve all the bids received to insure enough equipment and manpower is available in the event of another disaster. Mayor DeNeale commented this is a good group.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Pettorini to award the debris removal contract to all the contractors who responded to the RFP.

ON THE MOTION: Roll call vote. Unanimous approval.

Building Official Borysiewicz reported a new FEMA group has been formed, throughout Monroe County, Key West, Marathon and hopefully Key Colony Beach and Layton. The group is called the Program for Public Information and is comprised of government officials and volunteers. It was formed to deliver unified information to residents and business so they can take effective actions to reduce the danger and property damage caused by floods. An important aspect of this group is it can help the City receive a higher community rating which can lower flood insurance premiums for residents. He would like the Commission to approve Gerard Roussin as the City representative and John Dalton and Karen Raspe as the volunteers of this group.

MOTION: Motion made by Commissioner Pettorini, seconded by Commissioner Trefrey, to approve Gerard Roussin, John Dalton and Karen Raspe for the Program for Public Information.

ON THE MOTION: Roll call vote. Unanimous approval.

Building Official Borysiewicz reported the Building Department is 'wrestling with' the Key Colony Beach Club and Ocean Front Condos, with respect to substantial damage. Attorney Wright put together a letter defining substantial damage. He knows there are issues between the owners at the Key Colony Beach Club. He is trying to be very clear on the standards the City needs to apply so there is no misunderstanding. Commissioner Tracy asked if there was anyway the City could get the property owners to clean up the street side because it looks so bad. Mr. Borysiewicz answered it is private property, but he will talk to them about getting the street side cleaned up.

Commissioner Tracy asked about the pool sitting in the marina parking area on Sadowski. Mr. Borysiewicz reported the owner of 1 Sadowski wanted to install a fiberglass pool but could not because of the wave action in that area. So they had a concrete pool built. The owner should be moving that pool shortly and also getting the fill out of there.

I. City Secretary/Treasurer: Commissioner Trefrey reported there will be a constitutional amendment on the ballot in November which will raise the homestead exemption. She asked Ms. McCullough to contact the Property Appraiser to determine the percentage of homes on Key Colony Beach that are homestead. She would also request the impact on the ad valorem taxes going forward.

J. City Clerk: - City Clerk McCullough reported Julio Buzzi should have the final draft audit completed by next week. A decision was made to expense the loss of the center part of City Hall based on the damages received from Hurricane Irma. The sewer bill will be mailed next week with an insert from the City Administrator reminding the residents that code enforcement is being re-initiated, so please clean up the exterior of

your properties. Becky Todd had 13 participants in a property manager's class last week. She will also be mailing out vacation rental renewal reminders next week.

K. City Administrator:

City Administrator Moonis announced Monroe County is implementing a placard program for the re-entry of essential personnel after a disaster. Mr. Moonis will apply for re-entry placards for the Commissioners and for City staff.

1. Bid Results Temporary Office Facilities: One bid was received in response to the RFP for temporary office facilities. The bid amount was in excess of \$1M for a 3 year period. Mr. Moonis reported the bid will be submitted to FEMA as a benchmark for temporary housing costs. Gerard Ducote said FEMA would also accept the cost for the construction of a temporary facility or the cost to rent a temporary facility. Mr. Moonis has been in discussion with a Causeway property owner and has some preliminary costs for renting there.

2. Key Colony Beach 457(b) Plan Recommendation: The 457(b) Plan, a voluntary tax deferred retirement plan, is currently administered by Nationwide. City Administrator Moonis is recommending moving the City's current 457 (b) Plan to AXA. Although AXA is a national company it has local representation. AXA is the 457 (b) Plan administrator for the Monroe County School Board and the Monroe County Sheriff's Office. Mr. Moonis has met with the AXA representative twice. He has reviewed the plan documents and investigated AXA's S & P rating and their funds on hold. Vice Mayor Sutton asked if there had been an entire staff meeting. Mr. Moonis answered there has not been a general staff meeting to discuss the transfer as only a very few employees are in the 457 Plan. Commissioner Pettorini asked if only annuities were offered with the AXA plan. Mr. Moonis answered there are a wide variety of investment options available. He also stated the fees are lower with AXA than with Nationwide.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini to approve moving the 457(b) Plan from Nationwide to AXA after a staff meeting with all employees explaining the move.

Discussion: City Attorney Wright asked if there was a penalty to move the funds. Mr. Moonis said he will confirm if there is a penalty. Commissioner Pettorini would like to talk to the AXA Representative.

ON THE MOTION: Roll call vote. Unanimous approval.

3. Letter to Congress: Mr. Moonis requested approval of a letter he drafted to the City's Federal Representatives requesting their assistance with FEMA. The letter has been reviewed by City staff, Attorney Wright, and Lobbyist Jerry Paul. It will be copied to the City's State Representatives. In addition to the initial requests submitted to FEMA the letter also requests assistance to move the City Hall request forward. Mayor DeNeale reported he is very happy with the mix of general and specific information in the letter.

4. Vehicle Leasing: Mr. Moonis reported the 2 totaled police vehicles have been ordered, however, there are other vehicle needed, post Irma. Gerard Rousin's truck was damaged by Irma but has not been totaled by the insurance company. Greg Lawton is using his personal vehicle. He said the short term goal is to find a leasing company with municipal provisions, for the necessary vehicles. A lease would not require the capital

outlay however the vehicles could be purchased anytime during the lease, or at the end of the lease. He will provide details at the next meeting. Vice Mayor Sutton said he was not generally in favor of leasing but would listen to Mr. Moonis' proposal.

5. Line of Credit: Centennial Bank has approved an increased line of credit of \$1.5M with the same terms as the current line of credit. The City started payments of \$25,000 per month, in addition to the interest, to the principal of the \$500,000 borrowed for Irma.

MOTION: Motion made by Commissioner Pettorini, seconded by Vice Mayor Sutton, to execute the \$1.5M line of credit, with Centennial Bank, at the same terms.

ON THE MOTION: Roll call vote. Unanimous approval

6. Commissioners Open Discussion: - None

7. Items for Discussion /Approval

A. Update on Stormwater: Vice Mayor Sutton reported the stormwater project on 12th Street is going well. Wells 1 and 2 are complete with the exception of grouting the casing to the boxes and the installation of the flapper valves. The contractor is starting on well 3 today.

B. City Hall Design Concept: Mayor DeNeale reported receiving comments from many residents concerned about the look of a City Hall on stilts. To alleviate some of the concern Mayor DeNeale prepared 2 sketches of what City Hall may look like on stilts. The sketches, not to scale, include an architectural design complimenting the surrounding community. The first sketch is one story on stilts, the second is two stories on stilts.

9. Approval of Warrants:

MOTION: Motion made by Commissioner Trefrey, seconded by Mayor DeNeale to approve Warrant 52018 in the amount of \$459,680.

ON THE MOTION: Roll call vote. Unanimous approval.

10. Ordinances and Resolutions:

Resolution No. 2018-2 Expressing Opposition to Offshore Oil and Gas Drilling including Seismic Airgun Blasting: Attorney Wright read the Resolution by title only. Mayor DeNeale objected to the paragraph "WHEREAS, the City Commission recommends that it would be more economically and ecologically responsible to pursue non-polluting sources of renewable energy such as solar and wind that pose less risk to the coastal environment and economic health, before using uncertain methods of seismic airgun blasting for offshore oil and gas deposits; and" because the City does not know if it would be more economically and ecologically responsible. The Commission agreed to remove the paragraph.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini, to approve Resolution No. 2018-2 as amended.

ON THE MOTION: Roll call vote. Unanimous approval

11. Commissioners Reports or Comments:

Commissioner Trefrey reported she learned a lot at the new commissioner training session she recently attended. She thanked Commissioner Pettorini and City Clerk McCullough for explaining the City's finance structure before she attended.

Mayor DeNeale recognized today as Flag Day. He also wished everyone a Happy Fathers Day.

12. City Attorney Report: No Report.

13. Citizen Comments and Correspondence: City Clerk McCullough reported an email from Laura Bacon expressing concern of the number of boats not respecting the no wake rule. This is the second email she has sent on this subject.

The meeting adjourned at 10:42 a.m.

Respectfully submitted,



Kathryn McCullough, City Clerk
