

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday February 27, 2020 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 April Tracy and Commissioner Kimmeron Lisle. *Also Present:* City Administrator Christopher Moonis, City Clerk Rebecca Todd, City Attorney Tom Wright, Police Chief DiGiovanni, Fire Chief Johnson, Building Official Gerard Roussin, Building Inspector Greg Lawton and Executive Assistant Saara Staten.
Public – 19

2. **Approval of Minutes:** The minutes of the February 13, 2020 Regular Commission Meeting were approved by acclamation.

3. **Agenda Additions, Changes, Deletions:** Building Official Roussin requested an addition for the approval of a 25,000 lb. boat lift. City Administrator Moonis requested an addition for the approval of purchasing golf course equipment.

4. **Special Requests:** N/A

5. **Committee and Staff Reports:**

A. Marathon Fire/EMS: Fire Chief Johnson stated since the last report there have been 10 medical calls, 1 motor vehicle accident, and 1 public assist.

B. Recreation Committee: No Report.

C. Beautification Committee: No Report.

D. Disaster Preparedness Committee: No Report.

E. Planning & Zoning Board: No Report.

F. Utility Board: Harn Proposal: R/O System Maintenance – Tom Harding presented a request to approve the Harn R/O Systems, Inc. proposal for \$29,184.62 for the replacement, delivery, and installation of stainless steel piping which is in the budget and approved by the Utility Board. The current R/O system was custom designed by Harn R/O Systems and installed approximately 7 years ago and provides reclaimed water to the golf course and city hall area gardens including Gazebo Park. The stainless piping has corroded to the point of needing replacement. The request was presented to the commission prior and it was suggested it be put out for bid. However, engineer Paul Jared has recommended not using any other company than Harn R/O because it is a custom system and the specified

prints for the system are controlled by Harn R/O, the original equipment manufacturer. The superior stainless steel quoted should remain corrosion free for 14 years. City Administrator Moonis reported conferring with Plant Operator Dave Evans, the Manufacturer, and Utility Board, and they determined it to be a sole source unit with sole source materials. Attorney Wright stated with that being the case the commission has authority to approve.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry to approve Harn R/O Systems proposal for \$29,184.62 for the replacement, delivery, and installment of concentrate stainless steel piping in Duplex 2205.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

G. Police Department: Chief DiGiovanni stated since the last meeting there were 3 reports: 1 fraud investigation, 1 fire extinguished by Officer Buxton, and 1 narcotics investigation. They responded to 7 medical and alarm calls, provided backup to MCSO 11 times, and received 11 miscellaneous calls. The new officer will begin training with Officer Buxton and Corporal Rodriguez on March 16th. Chief DiGiovanni reported he will attend emergency vehicle tech school for two days in May so he will be able to outfit the extra vehicle for the marine patrol position with lights and sirens. He expressed thanks for everyone's attendance at Sergeant Smith's retirement party.

H. Building Department/Public Works:

1. Approval of 30,000 lb. Elevator Lift (541 12th Street) – Building Official Roussin stated because the proposed lift is over 16,000 lbs. it requires Commission approval. The neighbor north of the property has verbally approved. The other neighbor also approves contingent on their agreement for the lift to be placed on the center of the dock.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Tracy to approve the 30,000 lb. elevator lift with the condition it will be located in the center of the dock.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

2. Approval of 25,000 lb. Boat Lift (101 11th Street) – Building Official Roussin stated the Commission had previously approved a 20,000 lb. lift and now the property owners want to replace it with a 25,000 lb. lift. All neighbors have approved. The lift will be within the same footprint with only the motors and cables being larger.

MOTION: Motion made by Commissioner Trefry, seconded by Commissioner Lisle to approve the 25,000 lb. boat lift within the same footprints as the previous approved lift.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Building Official Roussin reported the flood map review is progressing. Building Inspector Greg Lawton is close to completing dwelling 1 & 2 inspector testing. Building Official Roussin is working on obtaining a coastal inspector license. Public Works is trimming mangroves and preparing for Key Colony Beach Day. A Christmas star decoration modified by Dave McKeon to better withstand winds will be placed on a Sadowski Causeway light pole for a couple weeks to test its performance. The new UTV for public works has arrived and will be registered upon receipt of notice of origin.

I. City Secretary/Treasurer: Commissioner Trefry stated the City is at \$1.8 million income which is 46.5% of our year-to-date budget. Expenses are approximately \$1 million out of the \$3.5 million budget which is 30% of the year-to-date budget. The City is at a loss in January for \$154,000 in part due to the quarterly payments to EMS. The City has collected 80% of ad valorem taxes and the year-to-date profit and loss is \$797,000.

J. City Clerk: Opinion Survey Results – City Clerk Todd stated there was a submission to Mayor DeNeale at the Town Hall Meeting of an opinion petition circulated by Charles Spehrley to repair not replace city hall. The procedures from Key Colony Beach’s Code of Ordinances for submitting an official petition were not followed. The opinion petition listed 145 signatures, 35 of which were registered voters with Key Colony Beach, 82 checked they were residents, however, after comparing it to Monroe County Property Appraiser records, only 31 could be confirmed as homeowners. Per the Supervisor of Elections Office, Key Colony Beach currently has 735 registered voters, therefore if a referendum petition was filed it would require signatures from 184 registered voters. Mayor DeNeale stated efforts will continue to keep the community informed as progress on city hall develops. Sandy Bachman, 171 8th Street, inquired as to how group functions could be held without Marble Hall. Mayor DeNeale stated he spoke with the soon to be new owners of Key Colony Inn and they are excited to host events during the absence of Marble Hall. There will be challenges that will be worked through as best possible.

K. City Administrator:

1. Website Status – City Administrator Moonis stated the Commission’s instructions in the previous meeting were to take down the website immediately to reach ADA compliance. Although the webmaster, Cliff Rydell, did promptly take down the website, he has not fully cooperated in supplying the information needed by KCS Technical Solutions to bring the website into ADA compliance. Several attempts were made by himself and KCS to obtain the required information from Mr. Rydell with no success. For that reason, he terminated Mr. Rydell as webmaster yesterday with the help of the City Attorney but would like to possibly continue video productions with Mr. Rydell. Webmaster Cliff Rydell stated he received a request from KCS Technical Solutions to provide access the website. However, the website is hosted with Mr. Rydell’s hosting company and doing so would be a security violation, but he can send the website files into a Key Colony Beach website within a couple hour period. Mayor DeNeale advised Mr. Rydell to work with the City Administrator and Attorney to resolve any issues. Attorney Wright strongly suggested Mr. Rydell consider cooperating so an amicable resolution can be reached.

2. Retention Pond Update – City Administrator Moonis stated Engineers Jason Shepler and Mike Tibble have coordinated with Universal Engineering to perform hand auguring. Jason Shepler will provide information from that job prior to the next utility board meeting. The city is obtaining needed survey information. Jason Shepler had reported the original drawings indicate the pond bottom is at 2.5 feet. King tidal influences have affected the vegetation and root zone and the ground water level is being tidally influenced. The pond bottom may need to be raised. The engineers will continue to gather information. The geotechnical data and survey data will be reviewed once received. The problem of permeability is also an issue which must be addressed. Jason Shepler expects 3 options will be presented at the next utility board meeting including changing the pond bottom material, raising the pond system, or creating a swale system.

3. Legislative Update on Important Bills – City Administrator Moonis stated he will defer this discussion to the Florida League of Cities report for brevity. City Administrator Moonis stated his appreciation to the Commissioners for their interest and efforts in supporting important legislative bills. Mayor DeNeale requested a letter be drafted to the Governor’s Office and the Lieutenant Governor supporting their position regarding home rule on vacation rentals.

4. Personnel Policy Change – City Administrator Moonis stated rather than making a change to the personnel policy, it may work better for the Commission to waive the non-nepotism policy on a case by case basis. The current case under consideration is a public works candidate he would like to hire but doing so would breach the non-nepotism policy. Commissioner Tracy was recused from the vote.

MOTION: Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton to waive the non-nepotism section in the hiring of Jesse Peterson.

ON THE MOTION: Roll Call Vote. Commissioner Lisle – yes, Vice-Mayor Sutton – yes, Commissioner Trefry – yes, Mayor DeNeale - yes.

5. Golf Course Improvements – City Administrator Moonis stated the City has received compliments on the golf course overall with input the hitting mats need replacement. The Commission budgeted \$10,000 for golf course maintenance. City Administrator Moonis requested approval to spend \$5,568 to purchase 9 fiber-built golf mats and tees. Vice-Mayor Sutton suggested researching if there is a recreational grant available to reimburse the city for the purchase.

MOTION: Motion made by Vice Mayor Sutton, seconded by Mayor DeNeale to purchase 9 fiber-built golf mats and panels in the amount of \$5,568.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

6. Commissioners Open Discussion: Vice Mayor Sutton stated his concern with parking and traffic on Tuesdays because of the Farmers Market. Commissioner Trefry agreed, she has reached out to City Administrator Moonis and Chief DiGiovanni regarding the same issue.

Chief DiGiovanni stated Corporal Rodriguez was working until 11 am and then Chief DiGiovanni took over to clear the streets. He is trying to get as much coverage as possible to cover parking issues. City Administrator Moonis stated with only a month left, we are working closely with the Building Department and Police Department to not have to move the event with such a short period of time left.

Commissioner Lisle stated she would like to make sure in the future the City Staff is in control of all website passwords.

Commissioner Lisle stated the need for a Zoning 101 Class for the Commission before they consider any recommendations from Planning & Zoning regarding changes in height restrictions.

7. **Items for Discussion /Approval:** N/A
8. **Approval of Warrant:** N/A
9. **Ordinances and Resolutions:** N/A
10. **Commissioner Reports:** Commissioner Trefry thanked the Police Department for the opportunity to ride along with Corporal Rodriguez and Officer Buxton. It was a great experience and it allows her to do her job as a commissioner even better.
11. **City Attorney Report:** City Attorney Wright assured the Commission that he will be working diligently on the website situation. City Administrator Moonis stated he received an initial quote from KCS Technical Solutions to rebuild the website for \$4,800.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Lisle to spend up to \$5,000 from reserves to rebuild the city's website with KCS Technical Solutions.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

12. **Citizen Comments and Correspondence:** Ross Forbes, 581 East Ocean Drive, #11, stated his concern with the condition at 567 East Ocean Drive. There is broken rebar, debris, concrete, broken glass, no security fencing on or around the construction zone. Mr. Forbes stated someone should be responsible for keeping it clean. Building Official Roussin stated he will speak with the contractor to fence the rear part of the property and to clean it appropriately. If the instructions are not followed, it may have to go before the Code Board Committee.

The meeting adjourned at 11:05 a.m.

Respectfully Submitted,

Rebecca Todd
City Clerk