

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday January 12, 2017 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 Jerry Ellis at 9:30 A.M. followed by the Pledge of Allegiance and Prayer.

*Present:* Mayor Jerry Ellis, Vice Mayor Ron Sutton, Secretary/Treasurer Jim Pettorini, Commissioner John DeNeale and Commissioner April Tracy. *Also Present:* City Clerk Kathryn McCullough, City Attorney Thomas Wright, Police Chief DiGiovanni and Fire Chief John Johnson. *Excused:* Building Official Ed Borysiewicz. Public -7

2. **Approval of Minutes:**

**MOTION:** Motion made by Mayor Ellis, seconded by Commissioner Tracy, to approve the regular meeting minutes of Regular Meeting Minutes of 11/22/2016, Regular Meeting Minutes of 12/08/2016 and Special Meeting Minutes 12/22/2016.

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

3. **Agenda Additions, Changes, Deletions:** Mayor Ellis requested the addition of a discussion of the Marathon Resolution concerning TDC funding under City Administrator items.

4. **Special Requests:**

A. St. Patrick's Day Parade, March 17, 2017. Jack Crowley requested approval for the St. Patrick's Day parade on March 17, 2017 as he has done for the last several years. Parade participants will gather around 4:30 pm around the park at 15<sup>th</sup> Circle. The parade will start at 5:00 pm. The Police Chief and the Fire Chief will be involved again this year.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy, to approve the St. Patrick's Day Parade on March 17, 2017.

**ON THE MOTION:** Unanimous approval.

B. Interview City Administrator Candidates. Mayor Ellis reported three finalists for the City Administrator position will give a short presentation to the Commission. Commissioners may ask questions after which a ballot will be taken for the final selection. Mayor Ellis stated he selected the order of introduction for no particular reason other than someone had to do it.

1. **Christopher Moonis** thanked the Commissioners for the opportunity to come back and discuss his qualifications a little more. He stated his management style is as a passionate administrator. A passionate leader is someone that is engaged in the community in every facet. This passion raises the level of energy in local government which he has found very successful with regard to high performing teams. He is committed to environmental stewardship. This is a highly sensitive area and he pledges to do everything in his power to insure the environment is protected. Change is always difficult. Key Colony Beach has committed to change evidenced by the 3 candidates applying for the City Administrator position. He does not suggest radical change, rather well planned incremental changes to make sure the community and its citizens are getting everything needed. It needs to be well planned with discussions at every level. Citizen involvement is important. The City should

also pursue every grant possible, whether it be State grants or Federal grants. Additionally his main strength is motivating teams.

Commissioner Pettorini asked if Mr. Moonis understands the position is part-time with no benefits and if that causes him any concern. Mr. Moonis said he fully accepts it is a part-time position and he has made the necessary provisions to accept this position. Mayor Ellis stated to Mr. Moonis that during the interview on Monday he stated he would like to negotiate this into a full time position. Additionally the last page of his application states salary expectations of \$55,000 to \$65,000 dependent on the benefit package. Mr. Moonis explained the first application submitted to the City was for the City Clerk position. The salary expectation was for the City Clerk position. He was not considered for that position. He understands the City Administrator position is part-time with no benefits. He will supplement this compensation with part time consulting work. Mayor Ellis asked if the consulting would interfere with the City Administrator position or possibly cause a conflict. Mr. Moonis answered he is a professional with a very strict code of ethics. He would not put himself or Key Colony Beach in any position of conflict. Mayor Ellis asked which position would have priority where scheduling was concerned. Mr. Moonis answered it would absolutely be this City Administrator position.

2. **Kerry Willis** introduced herself as a Marathon resident for 10 years. She has over 20 years experience in municipal government both as an attorney and as a city manager in Palm Beach County. She is honored to be a finalist for the position and she is excited about the course that has been charted for the City's future. She would love to be a part of it.

3. **Mike Puto** introduced himself as having broad experience and a compulsive dedication to public service. He has experience as local businessman, a politician, an Emergency Manager and City Manager for Marathon. He is a fiscal conservative. He believes in the concept of a team. He surrounds myself with smart, competent, intelligent individuals who work as a team to get things done. Because of Hurricanes George and Wilma, and various other small events, he is acutely aware of the difficulty of managing a city during the time of crisis. His work with the fire department and EMS gives him the ability to help in the protection of Key Colony Beach during day to day emergencies. His experience gives him the ability to negotiate and find the best compromises for Key Colony Beach in interactions with other governments and jurisdictions. He has lived a life of selflessness and endless service to the public. He will bring his experience and dedication to the position of City Administrator for Key Colony Beach.

Commissioner Pettorini asked if Mr. Puto would continue to do consulting work as this position is part time? Mr. Puto responded there would be no conflict with this position. Mayor Ellis asked if the various Boards Mr. Puto sits on would have any impact on Key Colony Beach? Mr. Puto indicated this would not be a problem. Some of the Boards he is on would be helpful Key Colony Beach, such as the FKEC.

C. Ballot for City Administrator. City Attorney Wright explained the balloting procedure. Each Commissioner will mark the ballot for one candidate and sign the ballot. When the ballots are ready Mr. Wright will collect and tally the ballots. If there is no one with at least 3 votes, the candidate with the lowest number will be removed and the Commission will follow the same procedure to vote again. The Commissioners cast their ballots which were collected by Mr. Wright. He tallied the ballots and announced the results as follows: 3 ballots for Christopher Moonis, 2 ballots for Mike Puto.

## **5. Committee and Staff Reports:**

**A. Marathon Fire/EMS** –Fire Chief John Johnson reported 5 responses to Key Colony Beach since the last Commission meeting; 1 public assist, 2 false alarms and 2 medical calls. Chief Johnson reminded everyone to take extra caution as the County is full again. The Department is doing some advanced training for newly promoted officers so you will see them coming in and out of the City. Commissioner DeNeale indicated Mr. Moonis will be a new trainee for evacuation and emergency management. Chief Johnson said he would definitely get him involved.

**B. Recreation Committee** – No report.

**C. Beautification Committee** – David McKeehan, Beautification Committee member, reported the committee is planning a hot dog event on Saturday February 25, at Waterfront Park from 2:00 pm to 5:00 pm. It is similar to the event last year. The cost for the event is covered by a private donor and includes beer, wine, hot dogs and entertainment by Chiara Machado. Mr. McKeehan asked approval to add Kimmeron Lisle and Sandy Bauchman as new members to the Beautification Committee. This will bring the committee back to a full complement of members.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Vice Mayor Sutton, to appoint Kimmeron Lisle and Sandy Bauchman to the Beautification Committee.

**ON THE MOTION:** Unanimous approval.

Mr. McKeehan also reported Janie Byland has stepped down as Chairperson of the committee. She is being replaced by Co-Chairpersons Bill and Patti Trefry. Janie will remain on the committee.

**D. Disaster Preparedness Committee** –No report.

**E. Planning & Zoning Committee** –No report.

**F. Utility Board** – Tom DiFransico, Utility Board Member, recommended the Commission approve award the contract to clean and camera sewer gravity main line to Clean Grounds, Inc. in the amount of \$26,000. The Utility Board researched Clean Grounds, Inc., a small company, and are satisfied they have the capabilities and equipment to perform the work. The Utility Board also recommends cleaning the sewer gravity lines every 5 years. Commissioner DeNeale stated this action is appropriate before the upgrades to the sewage treatment plant are completed.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Commissioner Pettorini, to award the contract to clean and camera sewer gravity main line to Clean Grounds, Inc. in the amount of \$26,000.

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

**G. Police Department** – Chief DiGiovanni said there have been 3 reports, 5 medical/alarm calls, 14 Sheriff Department assist calls and 26 miscellaneous calls since the last meeting. The Police Department also issued 5 code enforcement warnings and 35 traffic warnings in this time period. He reported the City was fairly quiet over the New Year holiday. Chief DiGiovanni presented a request from the Fishing and Boating Club to allow angled parking on 7<sup>th</sup> Street for their annual Clam Bake on President's Day. This has worked well in the past. Chief DiGiovanni congratulated Christopher Moonis and offered him, any of the Commissioners and interested members of the public a 'ride-a-long' to see how the Police Department operates.

**H. Building and Public Works** – No report.

**I. City Secretary/Treasurer** – Commissioner Pettorini reported the revenues for November are ahead of projections with ad valorem taxes flowing in. Expenses exceed projections with an \$81,000 expense in Parks and Recreation. City Clerk McCullough will investigate and report back to the Commission on this expense. (*After the meeting*

*Ms. McCullough provided the following information to the Commissioners: The two large expenses in November, contributing to the total \$81,818 expenses in November for Parks and Recreation was \$14,500 paid to Joe Duggan for upgrading the electrical connections in City Hall Park for the Christmas decorations and \$60,000 transferred to Stormwater for reuse water. Both expenses were budgeted. The balance of the expenses consisted of normal monthly expenses.)* Commissioner Pettorini asked about 2 maturing certificates of deposit.

**J. City Clerk** - Ms. McCullough reported two certificates reached the maturity date after the last commission meeting in December. Mayor Ellis and Ms. McCullough made the decision to cash the certificates rather than let them renew due to the low interest rates. Ms. McCullough will be requesting terms and rates from the local banks and report back to the Commission. Attorney Wright reported an email from TD Ameritrade reporting an FDIC insured CD at 2.4%. He will forward the information to the City. Ms. McCullough reported the successful switch from AT&T to Comcast for telephone service. Very soon the City will be able to provide WIFI connection to the residents and a faster internet connection for the office. Just a little more wiring needs to be completed for these services. Ms. McCullough congratulated and welcomed Mr. Moonis.

6. **Unfinished Business:** N/A

7. **Commissioners Open Discussion:**

Commissioner Pettorini said he was disappointed to hear of Steve's resignation. He did feel Steve's actions were unprofessional at Monday's meeting. He has since spoken with Steve. Commissioner Pettorini was surprised the Commission had not been informed of the issues. He suggested a Special Meeting to conduct an exit interview. Mayor Ellis reported he has a problem with that as the meeting would have to be held in the Sunshine. City Hall was well aware of the issues with Steve. He tried many times to resolve the issues with him. Steve left on agreeable terms and has agreed to come back and help with the transition to Ed with any processes he may not be familiar with. Mayor Ellis reported Steve is in pursuit of happiness in his job and he was not happy with his job here. Commissioner Pettorini indicated he would hope the City Administrator would communicate problems with any employee with the Commission. Commissioner Pettorini asked Attorney Wright if there are any exemptions to the Sunshine requirements for meetings concerning employee issues. Attorney Wright answered no, however, the new City Administrator will be able to communicate individually with the Commissioners. Mayor Ellis reported, because of the Sunshine rules, he was not able to inform the Commission of issues.

**MOTION:** Motion made by Commissioner Pettorini, seconded by Commissioner Tracy, for the entire Commission to conduct a public exit interview with Steve.

**DISCUSSION:** Commissioner Pettorini stated, from an operational standpoint, an exit interview may allow the Commission to avoid issues in the future. Commissioner DeNeale stated his background is Federal and this was standard practice in the Federal system. Attorney Wright asked the Commission if it was their intent to bring Steve into a public meeting to air all his grievances with the City? Attorney Wright suggested the Commission think about it before a vote. Commissioner DeNeale indicated he would be satisfied with direction given to Mr. Moonis to conduct an exit interview with Steve and report back to the Commission. Commissioner DeNeale suggested a policy be established to direct the new City Administrator to conduct exit interviews for all employees leaving City employment and report to the Commission the findings for process improvement.

Resident Yuna Leary, 421 8<sup>th</sup> Street, introduced herself as being on the ballot for the City Commission. She stated she is confused because the Commission is discussing an employee who is not present. She indicated she knows Steve very well and that they are great friends. She described him as a man of integrity. The suggestion made by the Mayor about Steve's professionalism, his ability and his job description was 'mind boggling'. She reported Steve took his job very seriously and put his heart and soul into everything he did for the City. Things were not done properly for generations or decades. She asked the Commission to consider Steve before the motion for an exit interview is voted on. "The City owes him that".

**ON THE MOTION:** Roll call vote. Commissioner Pettorini, yes. Vice Mayor Sutton, no. Commissioner DeNeale, yes. Commissioner Tracy, yes. Mayor Ellis, no. Motion passes.

Attorney Wright informed the Commissioners the exit interview could be done at a Regular or a Special Meeting. He asked if the Commissioners wanted to schedule that meeting now. Commissioner DeNeale stated he thought the motion was to direct the City Administrator to conduct an exit interview and report back to the Commission. Attorney Wright informed Commissioner DeNeale that was not the motion on the table.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Mayor Ellis, to reconsider the previous motion.

**ON THE MOTION:** Roll call vote. Vice Mayor Sutton, yes. Commissioner Pettorini, no. Commissioner DeNeale, yes. Commissioner Tracy, yes. Mayor Ellis, yes. Motion passes.

Attorney Wright informed the Commission, based on Robert's Rules of Order, a re-vote of the original motion is required. After that the Commission is free to make another motion if so desired.

**ORIGINAL MOTION:** Motion made by Commissioner Pettorini, seconded by Commissioner Tracy, for the entire Commission to conduct a public exit interview with Steve.

**DISCUSSION:** Commissioner Pettorini stated Steve is a person of integrity and as such would not 'trash' the City or any employee. Information can be gleaned from the process on how to do things better in the future and to avoid an abrupt situation like this.

**ON THE MOTION:** Roll call vote. Commissioner DeNeale, no. Commissioner Pettorini, yes. Commissioner Tracy, yes. Vice Mayor Sutton, no. Mayor Ellis, no. Motion fails.

Commissioner DeNeale questioned if the Commission is comfortable with directing the City Administrator to conduct an exit interview with Steve and report. The Commissioners indicated agreement with this direction. Commissioner DeNeale also requested a policy for the new City Administrator, going forward to conduct exit interviews, with a report to the Commission, for process improvement. The Commissioners indicated agreement with these directions.

8. **Items for Discussion/Approval:** N/A

9. **City Administrator Items for Discussion/Approval:** Mayor Ellis called the Commission's attention to a City of Marathon Resolution which he had placed in each Commissioner's mailbox. Mayor Ellis is requesting Commission consensus authorizing him to write a letter supporting the 4 points listed on the last page of Resolution. This supports Monroe County Mayor George Nuegent's campaign concerning changes to TDC funding options. Mayor Ellis does not want to write a resolution, rather, he prefers a letter supporting Mayor Nuegent's position. Attorney Wright suggested a motion authorizing

the letter from the Mayor supporting Marathon's position as stated in the resolution. Mayor Ellis explained Key Colony Beach has never received a penny from the TDC in the past and is not eligible for any funding based on the TDC requirements. Commissioner Tracy requested time to read the resolution.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Vice Mayor Sutton authorizing and directing Mayor Ellis to issue a letter supporting Marathon's position in connection with the TDC and the resolution promulgated by the City of Marathon.

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

10. **Ordinances and Resolutions:**

A. Approval of Resolution No. 2017-01 amending the Fee Schedule for Building Department Permits and Services. Mayor Ellis explained this Resolution deals with impact fees specifically. The Resolution aligns the City with the Impact fees charged by Monroe County.

**MOTION:** Motion made by Commissioner Pettorini, seconded by Commissioner DeNeale, to approve Resolution No. 2017-01 amending the Fee Schedule for Building Department Permits and Services.

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

11. **Warrant Approval:**

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini, to approve Warrant No. 112016 in the amount of \$271,067.47

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

12. **Commissioner's Reports or Comments:**

Commissioner Tracy congratulated Chris Moonis. She is looking forward to working with him. Commissioner Tracy stated she was also sorry to see Steve leave the City. Mayor Ellis said everyone was sad to see Steve go. The City had a lot of money invested in Steve and Steve put a lot of his time and energy all over the City. The time, the energy, the knowledge and the computer expertise Steve brought to the City was very much appreciated. He was the perfect person for the position, but it just did not work out.

13. **City Attorney Report:** Attorney Wright reported he will expedite drafting a contract for Mr. Moonis. He would like to meet with the Mayor and City Clerk after the meeting to get some direction.

14. **Correspondence & Citizen Comments:** N/A

The meeting adjourned at 11:30 A.M.



Respectfully submitted,  
Kathryn McCullough, City Clerk

**Note: These minutes are unofficial and have not been formally approved by the Commission. The approval will be at the next scheduled Commission meeting.**