

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday September 28, 2017 9:30 A.M.  
City Hall Auditorium

1. **Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The first regular commission, post Irma, of the Key Colony Beach City Commission was called to order by Mayor John DeNeale at 9:30 A.M. followed by the Pledge of Allegiance and Prayer.

*Present:* Mayor John DeNeale, Vice Mayor Ron Sutton, Secretary/Treasurer Jim Pettorini, Commissioner Jerry Ellis and Commissioner April Tracy. *Also Present:* City Administrator Chris Moonis, City Clerk Kathryn McCullough, City Attorney Tom Wright, Building Official Borysiewicz, Police Chief Kris DiGiovanni, and Assistant Building Official Gerard Roussin. Excused: Fire Chief John Johnson. Public - 15

2. **Agenda Additions, Changes, Deletions** - None

3. **Special Requests:** -- None

4. **Committee and Staff Reports:**

A. **Marathon Fire/EMS** – No report.

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

C: **Beautification Committee** – No report.

**D. Disaster Preparedness Committee** -- Building Official Borysiewicz will follow up with a report at a later date.

**E. Planning & Zoning** – No report.

**F. Utility Board** – Building Official Borysiewicz reported the waste water treatment plant is up and running. The sewer pipes are being worked on daily by Dave Evans, US Water, and his crew. There is pump truck going from lift station to lift station where it's needed. Mayor DeNeale asked how many lift stations are out. Mr. Borysiewicz reported there are two (2). City Administrator Moonis spoke with Mr. Evans who reported all the lines had recently been cleaned and flushed, however, the lines are all silted again. Mr. Moonis recommend the Commission approve extending the contract with Clean Grounds, Inc. to clean the lines again.

**MOTION:** Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton, to extend the contract with Clean Grounds to clean and flush the sewer lines and the storm water lines.

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

G. **Police Department** – Chief DiGiovanni reported there was one vehicle fire and one house fire related to Hurricane Irma. There have been four (4) reports post Hurricane Irma. The officers continually stop and ID people that don't appear to live in Key Colony Beach or who are working on the island. Chief DiGiovanni also reported the new night patrol officer, Jefferson (Jeff) Rodriguez, started on September 18<sup>th</sup> and he is doing very well. Chief

DiGiovanni thanked Paul Cole, 8<sup>th</sup> Street, for providing food and water after the storm. Commissioner Tracy thanked Vinnie Marchese, Monte Christo Condo Manager, for letting everyone use the phone and anything else he could do. He was just outstanding. Mayor DeNeale said it is neighbors all around helping neighbors, it is great.

Mayor DeNeale reported a discussion with Chief DiGiovanni concerning the canals and how safe for they are navigation. Right now the canals are still officially closed, travel at your own risk. The police boat is currently inoperable due to a fuel leak. Chief DiGiovanni is working on that. Commissioner Ellis mentioned there are at least four or five 40' to 50' palm trees in the canal behind his house. He questioned who and when and when will they be removed from there. Building Official Borysiewicz said Marathon Seawall and Docks has their barge on Vaca Cut right now trying to straighten boats back up to lifts. That it the priority. Mr. Borysiewicz will try to get him down 13<sup>th</sup> Street if the barge fits. – Everyone needs to be patient with the canals. We will try and get those open as soon as we can.

**H. Building and Public Works:** Building Official Borysiewicz reported the Public Works crew has done a great job since IRMA. They have been working seven days a week since the storm subsided on Sunday afternoon. That was three weeks ago now. Right after the storm, Public Works turned off all the water meters in the city because there were so many leaks. Superior Electric, an approved FKEC contractor, turned off the power at each residence in the city. The City will be charged a fee for this otherwise FKEC wouldn't even consider turning the power back on. Most properties now have power except for the folks that haven't been back yet.

**I. City Secretary/Treasurer:** – Commissioner Pettorini reported the City is in good financial shape, however, the out of pocket hurricane expenses are at \$342,000 as of today. Hurricane expenses are coming in daily and are increasing exponentially. There is currently \$1.9 M in general fund cash accounts with an additional \$748,000 in restricted accounts. Vice Mayor Sutton said it may be time to activate the line of credit.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Mayor DeNeale, to authorize the City Administrator, to activate the line of credit.

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

**J. City Clerk:** - City Clerk McCullough reported all of the claims have been filed with the insurance companies. The flood insurance adjuster inspected all the buildings. Commissioner Pettorini and Building Official Borysiewicz accompanied the adjuster. The FMIT adjusters will be here tomorrow to inspect the vehicles. Adjusters from Public Risk Management (PRM) will be here on Monday. PRM covers excess flood damage. Ms. McCullough thanked the office staff for the phenomenal job they did first moving the City offices into Marble Hall, then from Marble Hall into the FEMA trailers. She sadly reported Staff Assistant Cheri Bombard would not be coming back. She and her husband are relocating back to New York. Ms. McCullough thanked Kitty Sutton for stepping up. Ms. Sutton has jumped in answering the phones, assisting residents and cooking every day for the debris removal contractors and their crews.

**K. City Administrator:**

1. Emergency Work Exempted from Permits. City Administrator Moonis provided the Commissioners with a memo from the County Building Official which details the work that will be exempted from building permits. He reported Building Official Borysiewicz was

generally going to follow Monroe County with respect to permitting. Mr. Borysiewicz reported the goal is to keep everything uniform throughout the Keys. Currently everyone is permitted to remove their contents, drywall and portions of their air conditioning systems or water heaters without a permit. Permits will be required for replacing the drywall, replacement of flooring, cabinetry installation, air conditioning repair/replacement, plumbing and electrical repairs. The contractor must be Florida licensed and insured. It is up to the Commission to decide what to do about the fees for these permits. Mr. Borysiewicz also reported FEMA has requested an estimate of the damages done to every property on Key Colony Beach. Although he told FEMA he and Gerard would do this, they have offered to help with the process. Therefore FEMA crews might be going door to door to do damage assessments.

Commissioner Tracy asked how the public is being informed of the requirements to separate debris. Mr. Moonis said the information is being posted on the City website. He also reported FEMA will reimburse the cost of debris removal for the first 30 days. Vice Mayor Sutton reported the debris removal crews have been working 7 days a week and even at this rate it will not be possible to have all the debris cleaned up within 30 days. The Governor and/or the President may extend the time period. The City has an Inter-local Agreement with Monroe County for debris removal from the City stockpile sites. Condos have been permitted to stockpile debris in their parking lots as there is not enough room on the right of way. This debris will be picked up from the parking lots.

2. Boats on Upland Public Areas: City Administrator Moonis reported Monroe County will begin removing vessels and other marine debris from upland public properties. The County also advised removal of marine debris from upland public areas in the municipality will be the responsibility of the City. Mayor DeNeale asked Mr. Moonis to check with FEMA for reimbursement for this type of debris removal.

3. FEMA Public Assistance: Mr. Moonis reported the city has officially applied for FEMA public assistance and has been assigned a FEMA number.

4. Report on Top 10 Irma Recovery List: City Administrator Moonis reported Item One on the list was debris removal. He asked if there were additional questions concerning debris removal. There were no other questions. Item Two was damage assessment. A private structural engineering firm is preparing a report on the damage to City Hall. Mr. Moonis is also in contact with FEMA concerning City Hall. Mr. Borysiewicz, along with FEMA, will be doing damage assessments of the private properties. Item 3 – Insurance. City Clerk McCullough and Commissioner Pettorini have been working with the insurance companies and Brown & Brown, the City's insurance consultant.

Vice Mayor Sutton reported he was asked by a resident if the debris between 2<sup>nd</sup> and 3<sup>rd</sup> Street was being moved twice. Vice Mayor Sutton investigated and found this not to be true. Debris was being picked up from the street beginning at the Glunz property and going back toward Sadowski Causeway. He was also asked about the refrigerators and freezers. The refrigerators and freezers are being staged at the boat storage area. There were five trucks on island, this morning, working on debris removal.

Item 6. City Administrator Moonis reported the next item on the list is property owner contact. There was a consensus for City wide mailing to be sent to all property owners informing them of their responsibility to check their property, or have someone check it, for

storm damage including water damage, that may cause mold growth. This must be done immediately. Item 7 and 8, Business Taxes and Licenses. Mr. Moonis will meet with most of the business owners next week. Item 9, Comcast. Comcast continues to be an issue. Item 10, Vacation Rentals. City Attorney Wright cautioned against changing the requirements for vacation rentals. If the current ordinance is changed the State can step in with its rules for rentals. Mayor DeNeale questioned why not having the manpower to do rental inspections is considered changing the ordinance. Attorney Wright answered treating vacation rentals differently from other rentals, or private homes, is considered by the State as imposing regulations. Building Official Borysiewicz stated he will perform the rental inspections paying particular attention to electrical damage that may have occurred.

6. **Unfinished Business:** - None

7. **Commissioners Open Discussion:** - None.

8. **Items for Discussion /Approval**

A. **City Administrator Contract – Mayor DeNeale** reported he asked the Part-time City Administrator to work with the City Attorney to put together a contract for a full time employment. Mayor DeNeale stated Mr. Moonis has been working for us for six months. He has done a phenomenal job and the work he’s got ahead of him is monumental. He has been working for us for six months. He has done a phenomenal job and the work he’s got ahead of him is monumental. It was decided to start with Chuck Lindsey’s contract, for Marathon city manager. Mayor DeNeale asked Mr. Moonis to get together with Tom Wright and draw that up an agreement for commission review. Mayor DeNeale would like to bring him on board October 1<sup>st</sup> . Attorney Wright reported he is not an expert in employment law, however he has questions regarding the participation in the Florida Retirement System and offering dependent medical coverage at the expense of the city. Vice Mayor Sutton agreed Mr. Moonis has stepped up and worked very hard. Vice Mayor Sutton would like to make a motion to award a salary amount of \$110,000 however he is not in favor of all fringe benefits listed. Commissioner Tracy said Mr. Moonis has been working in excess of 20 hours per week since he stated, not just since Irma. And without complaint or asking for anything additional. Commissioner Ellis said he is not ready to vote on this contract since he just saw it this morning. Commissioner Ellis agreed with Vice Mayor Sutton for an increase on his existing contract to \$110,000. Mayor DeNeale suggested tabling the contract issue until the 2<sup>nd</sup> Commission Meeting in November. Mayor DeNeale suggested raising the compensation in the current contract from \$60,000 to \$110,000 retroactive to September 1, 2017.

**MOTION:** Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton, to increase the compensation from \$60,000 to \$110,000 retroactive to September , 2017 on the current part-time contract with City Administrator Moonis.

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

B. **South Florida Water Management District Amendment:** - Vice Mayor Sutton reported the South Florida Water Management District approved the amendment to the Stormwater grant to downsize the scope of work for the 12<sup>th</sup> Street project.

9. **Approval of Ordinances/Resolutions:** N/A

**10: Commissioner Reports or Comments:**

**11. City Attorney Report:** No report.

**12. Citizen Comments and Correspondence:** City Clerk McCullough reported numerous citizens have emailed and called complimenting the city on the all effort been put forth. Ms. McCullough said she has not received one negative comment.

The meeting adjourned at 11:25 A.M.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Kathryn McCullough', written in black ink.

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.**

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