

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday May 10, 2018 9:40 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 9:40 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 Fire Chief John Johnson. – Public - 31.

2. **Approval of Minutes:** N/A

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

Building Official Borysiewicz requested 2 issues be added under the Utility Board report. Approved by acclimation.

4. **Special Requests**

**A. Motorcycle Safety Awareness May 2018 Proclamation:** Mayor DeNeale read the Proclamation declaring May 2018 Motorcycle Awareness Month in Key Colony Beach.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini, to approve the Motorcycle Safety Awareness May 2018 Proclamation.

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

Byron (no last name given) thanked the Commission and accepted the Proclamation on behalf of the Southernmost Chapter of ABATE.

5. **Committee and Staff Reports**

**A. Marathon Fire/EMS:** Chief Johnson reported 3 medical calls and 2 false fire alarm calls since the last meeting. Chief Johnson reminded everyone that hurricane season starts in 3 weeks. He urged everyone to prepare their properties now as storms can develop quickly. He also said everyone should have a personal plan in the event of an evacuation order.

**B. Recreation Committee:** - No report.

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

**D. Disaster Preparedness Committee:** - Building Official Borysiewicz reported the problem with the generator continues to be an issue. He is trying to work out a resolution with the vendor.

**E. Planning & Zoning Board:** - No report.

**F. Utility Board:**

**1. Recommend approval of a Change Order to the Wastewater Contract:** - Mike Alexander, Utility Board member, requested approval of the Utility Board recommendation to purchase a stainless steel sluice gate for the MBR tank for \$15,850.54.

**MOTION:** Motion made by Commissioner Trefry, seconded by Commissioner Pettorini, to approve the purchase of a stainless steel sluice gate for the MBR tank in the amount of \$15,850.54.

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

Mr. Alexander reported the slab in the digester needs to be replaced at a cost of \$8,666.79 and a slab for the new stairs to the tank at a cost of \$2,304.50. Mr. Alexander has reviewed these with the Engineer, Building Official Borysiewicz and Dave Evans, Plant Manager, and all are in agreement this needs to move forward as quickly as possible as it is holding up construction at the Wastewater Treatment Plant. City Administrator Moonis explained a Utility Board quorum was not available for an emergency meeting. Vice Mayor Sutton said this has to be done to keep the project moving forward. Mayor DeNeale asked for a motion to the replacement of the slab in the digester. He said the slab for the new stairs can be approved by the City Administrator.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Mayor DeNeale, to approve replacing the slab in the digester at cost of \$8,666.79.

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

**G. Police Department:** Chief DiGiovanni said there were 2 reports since last meeting; a theft of tools on 9<sup>th</sup> Street and a battery case on 4<sup>th</sup> Street. The Police Department also responded to 5 medical calls, assisted the MCSO 13 times and answered 8 miscellaneous calls. He said the vacation watch list is growing daily as residents leave for the summer. Chief thanked City staff and his officers, especially Sergeant Griffith, for covering his shifts during his recent absence from the office. He graduated the Leadership Monroe program. He thanked the Commission for their sponsorship and Mayor DeNeale for his encouragement. The Kids Fishing Derby is set for June 13, 2018. For informational purposes, the Captains Meeting for the Habitat for Humanity Dolphin Tournament will be held at the Key Colony Inn on Saturday May 12, 2018.

**H. Building Department/Public Works:** Building Official Borysiewicz reported Public Works has completed the repairs to the park irrigation systems with the exception of one small section in City Hall park. Gerard Roussin and Greg Lawton have been doing the building inspections. All the permits are up to date. All the Hurricane Irma repair permits have been scanned. Mr. Borysiewicz said he will issue a new single family home permit this afternoon.

**1. Approval of a 20K Boat Lift at 120 13<sup>th</sup> Street:** Building Official Borysiewicz explained approval of the boat lift has been received from the owner of 130 13<sup>th</sup> Street, however, not from the owner of 110 13<sup>th</sup> Street. When Mr. Borysiewicz called the owner of 110 13<sup>th</sup> Street, this morning, he said he could not approve the boat lift without seeing the plans. City Administrator Moonis suggested, as a courtesy to the 110 13<sup>th</sup> Street owner, that approval of the boat lift be tabled until the next Commission meeting.

**MOTION:** Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton, to table the approval of a 20K boat lift at 120 13<sup>th</sup> Street until the next meeting.

**ON THE MOTION:** Motion approved by acclamation.

**I. City Secretary/Treasurer:** Commissioner Trefry reported the amended budget has been completed. She will have a full report when the April financial statements are received.

**J. City Clerk:** - City Clerk McCullough sadly reported Blanca Kulig has resigned her position, as Utility Board Clerk, effective June 1, 2018. Ms. Kulig is moving to Gainesville to pursue her education in anthropology.

**K. City Administrator:** City Administrator Moonis said he purchased a new police patrol vehicle. It is a motorized powered bicycle. Sergeant Griffith reported he can patrol the entire City, on the bike, in less than an hour. Chief DiGiovanni said the bike will be very effective moving through the crowd on Key Colony Beach Day. It can also be used at the condos. Mr. Moonis reported the Utility Board has been in discussions with US Water concerning contract renewal. Mr. Moonis met with the CEO of US Water to discuss the contract. He will report the meeting to the Utility Board. Vice Mayor Sutton asked if Mr. Moonis had an idea what the increase in the contract would be. Mr. Moonis answered he anticipated about a 4 ½% increase.

**1. Discussion of Sunset Park Restrooms – Corky Spehrley** To provide background, City Administrator Moonis said the City was awarded a grant, by the Tourist Development Council, for a sustainable, ADA restroom at Sunset Park. He also said there was no objection if Corky and the Community Association wanted to façade the restroom as a tiki hut.

Corky Spehrley presented a plan for a tiki hut restroom. He reported discussions with many residents and visitors who all told him they loved Sunset Park. They indicated, to him, the park was only lacking in two areas, parking and public restrooms. Everyone he spoke with also preferred the tiki hut construction rather than concrete. Mr. Spehrley explained the design of the tiki hut restroom in detail. Vice Mayor Sutton said there was no way a tiki hut structure would withstand a Category 5 hurricane. He had no problem adding a tiki hut look to the outside of a concrete facility. Commissioner Trefry asked if clarification had been received from FEMA on the type of structure it considered the tiki design. Building Official Borysiewicz answered FEMA would define the restroom as a structure and therefore it would have to comply with all the flood zone regulations. Commissioner Pettorini said he supports Mr. Spehrley's idea however the City cannot move in that direction without FEMA approval. City Administrator Moonis asked a final decision be made, as soon as possible, so as not to jeopardize the grant. Commissioner Pettorini said if Mr. Spehrley could get an approval from FEMA there would be a level

playing field. In the absence of that the only decision that can be made is for the Cat 5 ADA restroom. He suggested the Commission make an assumption then take a vote. Mayor DeNeale recapped “after Irma structures that were built to code had no issues”. Mayor DeNeale also has concerns about the privacy provided by a tiki hut restroom. Vandalism, June through August, is an issue. Mayor DeNeale asked the Attorney Wright if the project would have to go to bid. Mr. Wright agreed that it would have to go to bid. Mayor DeNeale asked if there was a motion to change the previous approval and proceed with the tiki hut restroom contingent on approval from FEMA and contingent on the project would have to go to bid.

**MOTION:** Motion made by Commissioner Pettorini, seconded by Commissioner Tracy, to proceed with the tiki hut contingent on a receiving a signed FEMA approval letter and bid specifications, no later than the next Commission meeting.

**Discussion:** Sandy Bauchman, 171 8<sup>th</sup> Street, asked if there was a similar bathroom, in the Keys, they could visit. Paul Cole, 701 8<sup>th</sup> Street, reported living in the Caribbean through many hurricanes, and never seeing a tiki hut that could withstand winds in excess of 100 mph.

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

**2. Approve City Administrator as the Emergency Management Coordinator:** City Administrator Moonis reported an Emergency Management Coordinator needs to be appointed for the City. Mayor DeNeale said Building Official Borysiewicz and Chief DiGiovanni would both be a good fit for this position, however, they are both very busy after a storm. Mr. Moonis suggested Gerard Roussin be appointed as the alternate Emergency Management Coordinator.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy, to appoint City Administrator as the Emergency Management Coordinator.

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

Mayor DeNeale reported he and Mr. Moonis met with the Department of Economic Opportunity (DEO) in Tallahassee last week seeking support in the recovery of Key Colony Beach. Although DEO is not responsible for recovery, the staff were very supportive. He and Mr. Moonis also met with the Department of Emergency Management (DEM). The DEM will send staff here to take the information from the FEMA grant portal and upload it to the programs the State has. DEM will also call FEMA to question any area being help up Federal level.

**7. Commissioners Open Discussion: N/A**

**8. Items for Discussion /Approval**

**A. Update on the Stormwater Project:** Vice Mayor Sutton called the Toppino Project Manager concerning the status of the storm water boxes. The Manager reported no problem with the boxes, however, Toppino is on a project in Key West and will not return to Key

Colony Beach until May 21, 2018. The Manager assured Vice Mayor Sutton the project would be completed on time.

**9. Approval of Warrants:**

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry, to approve Warrant No. 42018 in the amount of \$642,031.13.

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

**10. Ordinances and Resolutions:**

**A. Resolution 2018-4 Amending the City's Fiscal Year 2017-2018 Budget.** City Clerk McCullough reported the reason for the Budget Amendment was to more accurately reflect the impact of Irma on the budget. She stated a budget amendment may be adopted as many times as necessary and must be done in November 2018 after the close of the Fiscal Year. City Administrator Moonis agreed with the resolution. Mayor DeNeale recognized that many projects were eliminated such as the \$130,000 that had been committed to road improvements.

**MOTION:** Motion made by Commissioner Pettorini, seconded by Commissioner Tracy to approve Resolution 2018-4 amending the City's Fiscal Year 2017-2018 budget.

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

**11. Commissioners Reports or Comments:**

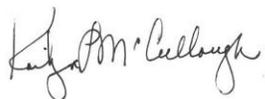
Commissioner Tracy thanked everyone who attended the Iguana Workshop. The Department of Health and the Fish and Wildlife Commission put on a very good program and shared a lot of valuable information.

**12. City Attorney Report** - Attorney Wright reported the Campbell case has been scheduled for mediation on July 11, 2018. He said it would be good if the Mayor was available, at least by telephone, as the Settlement Authority. Mayor DeNeale said he would attend the mediation with Attorney Wright.

**13. Citizen Comments and Correspondence** City Clerk McCullough reported 5 emails concerning the restrooms in Sunset Park, 4 in favor of the restrooms and 1 opposed. An email was received from Tom Tucker complimenting the Public Works crew that trimmed the bushes at the 2<sup>nd</sup> Street Park.

The meeting adjourned at 11:15 a.m.

Respectfully submitted,



Kathryn McCullough, City Clerk