

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday July 12, 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, Assistant Building Official Gerard Roussin, Public Works Greg Lawton and Eric Dunford, Assistant Fire Chief. Excused: Police Chief Kris DiGiovanni, Fire Chief John Johnson. – Public - 17.

2. **Approval of Minutes:**

- A. Approval of the Minutes of the May 24, 2018 Commission Meeting
- B. Approval of the Minutes of the June 14, 2018 Commission Meeting

Mayor DeNeale requested, unless there is a change or correction to be made, the minutes of the May 24, 2018 and the June 14, 2018 Commission Meetings be approved by acclamation. The minutes were approved by acclamation.

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

Mayor DeNeale stated City Clerk McCullough requested approval of the initial millage rate for Fiscal Year 2018-2019. Mayor DeNeale requested it be added as item C under Items for Discussion/Approval.

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

5. **Committee and Staff Reports:**

A. **Marathon Fire/EMS:** Assistant Fire Chief Eric Dunford explained Fire Chief Johnson is on vacation. Assistant Chief Dunford reported 2 fire alarms and 2 medical calls since the last meeting.

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

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

D. **Disaster Preparedness Committee:**

1. **Approval of Generator Rewiring in an Amount Not to Exceed \$3,500** - Building Official Roussin, reported Marcos Santos, Cimasus Technology, inspected the generator and determined it needs a new voltage regulator and that part of the generator and the City Hall electrical panel will need to be rewired. Additionally, control rewiring and programming may be necessary to accommodate the new voltage. It is estimated it

will cost \$3,200 to make the repairs. Paul Cole, 8th Street, highly recommended Cimasus Technology. They do all the work on his generator.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry, to approve the estimate, not to exceed \$3,500, for the repair of the generator.

ON THE MOTION: Roll call vote. Unanimous approval

Building Official Roussin reported that all supplies have been ordered for the hurricane season.

E. Planning & Zoning Board: - No report.

F. Utility Board: No report.

G. Police Department: Since the last meeting City Administrator Moonis reported, for Chief DiGiovanni, a drug arrest at Circle K, a warrant arrest at Circle K, recovered property at City Hall, found property at the Mobil station, trespassing on 8th Street, a warrant arrest on Coral Lane, a traffic arrest on US 1, a traffic arrest on Sadowski Causeway, a narcotics arrest on Sadowski Causeway and a narcotics investigation on US 1. During this time frame the Police Department also responded to 1 fire alarm call, assisted the MCSO 4 times and answered 15 miscellaneous calls. The officers issued 6 traffic citations, 45 traffic warnings, 22 code enforcement warnings and 1 code enforcement citation.

Officer Niemiec is doing well in his training. Chief DiGiovanni is still covering the vacant day shift position. Drive carefully as next weekend is the beginning of lobster mini season week.

H. Building Department/Public Works: Building Official Roussin reported Greg, Alan and Esteban trimmed the mangroves on the west side of the Causeway, manually with a hedge trimmer off the bucket truck. The bucket truck was recently repaired at Andy and Dave's. Everyday there is new issue with the John Deere. He is requesting bids for a new Kubota and two (2) new pickup trucks. These will be added to the budget for Commission approval.

I. City Secretary/Treasurer: - No report.

J. City Clerk: City Clerk McCullough reported Beverly Traeger has been hired for the Administrative Assistant position. She previously worked for the Keynoter, has been a resident of the Keys for 22 years and is very qualified. Ms. McCullough said the office has been very busy with boat trailers. The summer season has definitely started. So far this week, \$750 has been collected for temporary boat trailer parking.

K. City Administrator:

1. Appoint Gerard Roussin as Building Official at an Annual Salary of \$80,000, Effective July 1, 2018. - City Administrator Moonis said the Commission discussed the salary for Gerard at the budget workshop. He asked that Gerard Roussin be appointed Building Official at an annual salary of \$80,000 retroactive to July 1, 2018.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry, to appoint Gerard Roussin Building Official at salary of \$80,000 retroactive to July 1, 2018.
ON THE MOTION: Roll call vote. Unanimous approval.

2. Temporary Facilities/FEMA Update - City Administrator Moonis reported there is a ‘slight holding pattern’ on the temporary office facilities. Specifically he is waiting for direction from FEMA if an RFP is required to retro-fit temporary office facilities. He does not want to do anything to jeopardize FEMA reimbursement. On a positive note, all the City projects in the FEMA portal are moving forward. The mold remediation and safety inspection projects should be obligated for payment by the end of next week. The big issue is over \$1M in debris removal reimbursement which should be moving toward approval next month.

6. Commissioners Open Discussion: - None

7. Items for Discussion /Approval:

A. Building Permit Restrictions, Issue Paper - Mayor DeNeale stated he wrote an issue paper for the Commission to ensure awareness of the position being taken with respect to the Critical Area of State policy and building permits. The State’s goal is to stop building in the Keys by 2023. There may be a policy change when a new governor is elected however, right now Key Colony Beach is down to 24 building permits. One issue being pursued is to get extra building rights for transient units that had initially been classified as market rate units. Governor Scott has approved an additional 1,500 of workforce housing units, of which Key Colony Beach is entitled to up to 50. Key Colony Beach may consider workforce housing units on some of the vacant lots. Key Colony Beach can also request workforce housing units from Monroe County. All this in an effort to get Key Colony Beach to full buildout by 2023. Mayor DeNeale asked the Commission for approval to continue to work toward this goal. A letter has been sent requesting the Department of Economic Opportunity (DEO) correct a “bookkeeping error”. If DEO agrees, it will solve the “buildout” issue. Commissioner Pettorini said Mayor DeNeale, with the assistance of City Administrator Moonis and Building Official Borysiewicz, did an excellent job of explaining the issue. Commissioner Pettorini said, in his opinion, this is the only course of action to pursue. Sandy Bauchman, 171 8th Street, asked how many building permits are needed by the City for full buildout. Mayor DeNeale answered the City probably needs about 50 more, if everybody wants to build on every lot. City Administrator Moonis estimated the City would be okay with an additional 37 building permits. City Attorney Wright said his concern has always been unintended consequences of this limitation. People will have an incentive to pull building permits with the idea if they don’t get the permit now, they may not be able to get one later. Building Official Borysiewicz said, for Commission information, he had a phone call yesterday, asking about building duplexes on 4 vacant lots.

Vice Mayor Sutton, on a different topic, stated he knows the City Administrator is waiting on word from FEMA so he is not moving forward on temporary office space. He had asked Mr. Moonis to talk to Attorney Wright to find out what would have to be done if this became an emergency situation. Attorney Wright said it is a multi-layer situation. It is not only the City procedure, but also what FEMA will require for reimbursement.

B. Update on Stormwater Project: Vice Mayor Sutton reported the asphalt has been completed on the 12th Street crossovers. The Public Works crew has put plates on the structures to keep small animals out. Toppino & Sons has agreed to reimburse the cost of the plates. A little more cleanup, especially at one driveway, needs to be completed. Vice Mayor Sutton has requested, in writing, the driveway be cleaned up. It will be more difficult to remove the asphalt from the driveway the longer it sits in the sun. The outflow flapper valves should be delivered the last week of July. It should take one day each to install. Vice Mayor Sutton is also waiting on the final ‘as builts’.

C. Approval of the Initial Millage Rate for Fiscal Year 2018-2019: Mayor DeNeale explained it has been difficult to prepare the budget this year. There are several unknowns, i.e., FEMA reimbursements, there is a lot to fix around the City and the State Truth-In-Millage (TRIM) system has had program difficulties. There has been one budget workshop to address the ‘big picture’. There will be a second budget workshop in August to put a fine pencil to the budget. The Commission needs to vote on a millage rate today. Once set the millage rate cannot be increased, but it can be reduced. Currently, the proposed millage rate is 2.4979, which is about a 12% increase over last year. Mayor DeNeale stated the best effort will be made to reduce this proposed rate, however, by State Law, it must be entered into TRIM now. Vice Mayor Sutton explained the rate must be entered, for TRIM, by July 16th. There will be another budget workshop on August 23rd. The Commission will sit down, at this time, with sharp pencils, to reduce this rate.

MOTION: Motion made by Commissioner Pettorini, seconded by Commissioner Tracy, to approve a 2.4979 millage rate.

ON THE MOTION: Roll call vote. Unanimous approval.

8. Approval of Warrants:

MOTION: Motion made by Commissioner Trefry, seconded by Commissioner Pettorini, to approve Warrant No. 62018 in the amount of \$618,447.12

ON THE MOTION: Roll call vote. Unanimous approval.

9. Ordinances and Resolutions:

1. Ordinance No. 454-2018 Adopting a New Ordinance Amending Chapter 6 of the Code of Ordinances Adding Section 6-21, Silt Fences, Second Reading - Attorney Wright read the ordinance by title only.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini, to approve the second reading of Ordinance No. 454-2018.

ON THE MOTION: Roll call vote. Unanimous approval.

2. Ordinance No. 455-2018 Consenting to the Inclusion of all of Key Colony Beach in the Middle Keys Health Care Municipal Service Taxing District – Attorney Wright read the ordinance by title only. This is the first reading.

MOTION: Motion made by Vice Mayor Sutton, seconded by Mayor DeNeale, to approve the first reading of Ordinance No. 455-2018.

ON THE MOTION: Roll call vote. Unanimous approval.

10. Commissioners Reports or Comments: - None

11. City Attorney Report: Attorney Wright reported the Campbell case was not resolved at the mediation so the case is moving forward.

12. Citizen Comments and Correspondence: Tom Tucker, 160 1st Street, read a prepared statement detailing the concerns of the ‘rumor mill’ related to City Hall. Mayor DeNeale acknowledged Mr. Tucker’s comments and advised him all Commission discussions concerning City Hall are in the minutes on the City website.

The meeting adjourned at 10:17 a.m.

Respectfully submitted,



Kathryn McCullough, City Clerk
