

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Tuesday November 20, 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 10:40 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, Building Official Gerard Roussin, Police Chief Kris DiGiovanni. Excused:,. Fire Chief John Johnson Public - 25

2. **Approval of Minutes:** None

3. **Agenda Additions, Changes, Deletions:** - None

4. **Special Requests:** - None

5. **Committee and Staff Reports:**

A. Marathon Fire/EMS: No report.

B. Recreation Committee: No report.

C. Beautification Committee: Janie Byland, Beautification Committee Chairperson, updated the Commission on the activities of the Committee. She thanked Kimmeron Lisle for her organization of the Christmas decorations and the volunteers who helped put the decorations in place. She also thanked Building Official Roussin and the Public Works crew for getting all the electrical repaired and getting a lot of the decorations up. The 2 gardens at Key Colony Beach entrance have been rehabilitated. Gonzalez Landscaping did the plantings there. The Monument Garden on the east end of City Hall is being rehabilitated with private funds and is almost finished. The other gardens around the City, i.e. the post office, the tiki hut, the Coconut Pathway, and the Orchid Garden have all been rehabbed. The Beautification Award has been reinstated. Mario and Margitta DiGenarro at 390 13th Street received the first award. The Beautification Award will be awarded every 2 months. Pending projects are the park at the What's Your Hurry sign, partial restoration of Eastside Park and an areca hedge at the sewer plant and trailer parking yard. Most of these projects are waiting on the installation of an irrigation system. Trees that have been harvested from the Golf Course are in containers and ready to be planted at Sunset Park. Ms. Byland thanked the Commission for a generous budget this year. She wished everyone a Happy Thanksgiving, a Merry Christmas and a Happy New Year. City Administrator Moonis said the Beautification Committee is, again, very active and diligent. He will work with the Committee to get all their projects completed.

D. Disaster Preparedness Committee: Building Official Borysiewicz said the generator is being run once a month.

E. Planning & Zoning Board: No report.

F. Utility Board: No report.

G. Police Department: Chief DiGiovanni reported found property on the Causeway, a traffic arrest on the Causeway and 4 medical calls since the last report. The Police Department also assisted the Monroe County Sheriff's Office (MCSO) 13 times and responded to 14 miscellaneous calls. Chief DiGiovanni wished everyone a Happy Thanksgiving. Mayor DeNeale asked how many applicants there have been for Sgt. Griffith's position. Chief DiGiovanni answered he has 2 applications.

H. Building Department/Public Works:

1. Approval of a 30,000 # 4 Post Boat Lift at 44 7th Street Building Official Borysiewicz said the applicant has modified this request from a 30,000 # lift to a 24,000 # lift. Letters have been received from the property owners on either side with no objections to the lift.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Pettorini, to approve a 24,000 # 4 post boat lift at 44 7th Street.

ON THE MOTION: Roll call vote. Unanimous approval.

2. KCB Club and Ocean Front Condo Requesting FEMA 50% Substantial Damage Building Official Borysiewicz reported receiving many documents from the KCB Club and the Ocean Front Condo who are requesting a letter of substantial damage from the City. Building Official Borysiewicz would like to extend the time for issuing a permit until April 1, 2019 because of all the issues they are facing.

MOTION: Motion made by Commissioner Tracy, seconded by Commissioner Pettorini, to extend the date for issuing a permit to the KCB Club and the Ocean Front Condo to April 1, 2019.

ON THE MOTION: Approved by acclimation.

Building Official Borysiewicz reported Gerard Roussin has been studying books and taking tests since he started with the City. He just passed the State Fire Marshall Fire Safety Certification test and is now a Fire Safety Inspector for the entire State of Florida. Gerard received a round of applause.

Building Official Borysiewicz will be issuing a permit to Franco D'Ascanio to build a tiki hut on a 3rd Street vacant lot which joins him primary resident on 2nd Street. Attorney Wright said a unity of title tying the vacant lot to the lot with the main structure will be needed. Building Official Borysiewicz will get the unity of title before issuing the permit. A permit will be issued to Havana Jacks for 2 new entry canopies, one going in at the coffee shop and one going in where the suites are. Building Official Roussin said once a storm warning is issued for winds over 75 miles per hour the canvas covering the canopies will have to be removed. Congressman Ted Yoho, Coral Lane property owner,

asked what he could do to help the City. Building Official Borysiewicz explained the debris removal reimbursement problems with FEMA. Congressman Yoho said he could help with this. City Administrator Moonis will supply Congressman Yoho with the documentation next week.

Building Official Roussin reported Public Works has been working on Christmas decorations for the past 2 weeks, trying to get all the power sources working. The brand new M62 Kabota tractor and the 72" deck Kabota mower arrived last week. He requested approval to purchase a 3 point hitch hedger/trimmer with a 18' reach and with a 6' sickle blade at a cost of \$4,135 which includes shipping. The hedger trimmer will be used for the mangroves along Sadowski Causeway and 13th Street and for the hedge on East Ocean Drive.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini, to purchase the hedger/trimmer at a cost of \$4,135.

ON THE MOTION: Approved by acclamation.

Building Official Roussin reported the new bathrooms were delivered Saturday and have been hard plumbed into the City sewer line. They are very nice and have air conditioning and music playing. City Administrator Moonis said the portable handicapped porta-potty is scheduled to be removed tomorrow.

I. City Secretary/Treasurer: Commissioner Trefry reported it is hard, this early in the fiscal year, to get a feel for how things are going to go. She said the profit and loss statement shows a negative income of \$341,500. This looks really bad, but it is because it is October. Ad valorem tax receipts have started to come in therefore the November income statement will look a lot better.

J. City Clerk: City Clerk McCullough reported the audit has started. Julio was here last week and left a long list of things he wants to look at. Becky is on vacation this week but came in today for the Thanksgiving lunch. Ms. McCullough wished everyone a Happy Thanksgiving.

K. City Administrator:

1. US Water Contract – Tabled from 11/08/2018 City Administrator Moonis requested approval to extend the existing US Water contract to December 31, 2018 to give the City an opportunity to bid the work. City Attorney Wright explained because there have been substantial revisions and changes to the contract with US Water it is difficult to characterize it as an extension of the current agreement. He recommended the project be put out to bid to avoid any potential legal liability.

MOTION: Motion made by Vice Mayor Sutton, seconded by Mayor DeNeale, to extend the existing US Water contract to the end of 2018 and to direct staff to put the contract out for bid.

Discussion: Dave Schoffel, US Water, said US Water is willing to work with the City on the extension. US Water has an established relationship and proven track record with Key Colony Beach. He asked the bid process be expedited. Dave Evans, US Water, said the City Administrator put a lot of work into negotiating the contract with US Water.

He suggested if it goes out to bid the prices may come back higher. Mayor DeNeale said that is understood, however, there are a lot a changes and more work the City will have to take on. Commissioner Tracy said the concern is the legality of not putting it out to bid. Attorney Wright agreed. This is not because of US Water or the negotiations. The City needs to comply with State law.

ON THE MOTION: Roll call vote. Unanimous approval

2. TDC Grant Extension City Administrator Moonis asked approval for Mayor DeNeale to sign the grant extension with the TDC for the restrooms in Sunset Park. The original grant with TDC for the restrooms in Sunset Park expired. An extension was requested and approved. Vice Mayor Sutton asked when the original grant expired. City Administrator Moonis answered the extension runs from December 13, 2018 through April 30, 2019.

MOTION: Motion made by Commissioner Pettorini, seconded by Commissioner Trefry, to approve the Mayor signing the TDC grant extension.

ON THE MOTION: Motion approved by acclimation.

3. FKAA Tower/Gateway Installation City Administrator Moonis reported he was approached by the Florida Keys Aqueduct Authority (FKAA) to build a tower in the City not to exceed 70' in height. If the FKAA is allowed to construct a tower, at their cost, they would be able to view water meter readings in as little as 15 minutes. It would also allow customers to track their water consumption, on line, and promote conservation awareness. City Administrator Moonis discussed co-locating an antenna, or 2, on the tower to provide better City coverage. The tower would be built to storm specifications. The main problem after Hurricane Irma was communications. This tower would provide an alternative way of communicating between staff and elected officials via radios that would communicate with that tower. The cost to the City would be for repeaters, antennas, and radios. There is a spot behind the public works building, far enough away from parking, pickle ball courts and the equipment area, to locate the tower. Vice Mayor Sutton asked about the cost. City Administrator Moonis answered the cost of tower would be borne by FKAA. The City would provide the location and a very low wattage electrical connection. FKAA states this tower would give coverage to every edge of KCB. Commissioner Tracy reported several water leaks at her business on re-opening after Hurricane Irma. FKAA personnel had to keep returning to read the meter in order to locate the leaks. This feature would allow for faster location of leaks. Commissioner Trefry stated the technology this will provide to the residents is amazing.

MOTION: Motion made by Commissioner Tracy, seconded by Commissioner Trefry, to approve the construction of a FKAA tower, not to exceed 70', in a location approved by the City.

ON THE MOTION: Roll call vote. Unanimous approval.

City Administrator Moonis reported he has been in contact with Darryl Rice. He will have a golf course lease at the December Commission meeting. He and Darryl will get on the details of that lease immediately after Thanksgiving.

City Administrator Moonis pointed out the appliances in the back of Marble Hall which were donated to the City by Windswept Appliances. He asked the Commission to consider some sort a bid, or possibly an auction to sell these appliances. City Attorney Wright said it would be a good fund raiser. He noted the appliances are extremely valuable. Corky Spehrley, 12th Street resident, suggested auctioning them on KCB Day. City Administrator Moonis suggested establishing a minimum bid. City Attorney Wright suggested approval of the bid by the City Commission. Mayor DeNeale requested a recommendation, from Staff, by the next meeting.

Mayor DeNeale thanked the Commission and the staff for all the work putting together the Comp Plan/Building Rights Workshop. He thanked Commissioner George Neugent for attending and offering his input and expertise. He thanked Commissioner Trefry for her input concerning the economic development of the City. The outcome was staff was tasked with workforce housing, finding land trust money to help purchase lots in the City and answering the letter from the Department of Economic Opportunity. And finding a long term solution to building what we want, when we want.

6. Commissioners Open Discussion: None

7. Items for Discussion /Approval:

A. Update on Retention Area Vice Mayor Sutton reported the retention area is completed. Now the slopes and the other side of the sidewalks to the street need to be sodded. This area is 22,730 square feet rounded to 24,000 square feet. Vice Mayor Sutton requested price proposals from Cristian Landscaping, Best Landscaping, Gonzalez Landscaping and Ed Sims Construction. Cristian Landscaping quoted a price of \$12,400. Best Landscaping quoted a price of \$16,740. Both Gonzalez and Sims reported being too busy to take on additional work at this time. Vice Mayor Sutton recommended the Commission approve the Cristian Landscaping quote to get this project totally completed. Building Official Borysiewicz reported, based on soil samples, grass seed is not an option for this area. The sod in the retention area is already taking root. City Administrator Moonis asked about the trees on the corner. Vice Mayor Sutton recommended planting the trees first. Janie Byland requested \$3,000 for the trees. The Beautification Committee will be responsible for securing the trees and their installation.

MOTION: Motion made by Mayor DeNeale, seconded by Commissioner Tracy, to approve \$3,000 for the purchase and installation of trees on the 8th Street/Shelter Bay corner of the retention pond.

ON THE MOTION: Roll call vote. Unanimous approval.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Pettorini, to approve \$12,500 to Cristian Landscaping for prepping and installation of 24,000 square feet of sod from the edge of the retention area to the edge of the street.

ON THE MOTION: Roll call vote. Unanimous approval.

B. TDC Grant Vice Mayor Sutton reported asking the City Clerk for a copy of the original TDC grant. She did not have it. He then asked City Administrator Moonis for a copy going back for over 2 months. The Administrator did supply a copy of the grant application but not the approved grant. This grant is a public record and the City Clerk is responsible for the retention of public records. City Administrator Moonis explained

when he sent the grant to TDC for signature he did not realize the City signatures had to be in blue ink. That has been corrected and sent to the County Clerk for their signatures. He will let Vice Mayor Sutton know as soon as it is received.

8. Approval of Warrant: N/A

9. Ordinances and Resolutions N/A

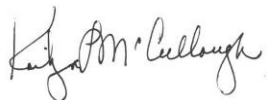
10. Commissioner Reports Vice Mayor Sutton wished everyone a Happy Thanksgiving. Commissioner Pettorini wished everyone a Happy Thanksgiving. Commissioner Tracy asked if some attention could be paid to East Side Park. It lost several trees to Hurricane Irma and some that survived have not been trimmed. She also reported several of the electrical outlets are still not working in the park. Building Official Roussin said he will contact Superior Electric to look at them. He said short of completely rewiring all the parks we will continue to have these issues. Janie Byland reported asking Building Official Roussin to look at the hedge on East Ocean Drive that turns the corner onto 2nd Street. She also reported requesting money in the budget to rehab all the gardens including East Side Park. There is no specific plan for the trees that were lost. Commissioner Tracy wished everyone a Happy Thanksgiving.

12. City Attorney Report: City Attorney Wright reported his research of the Florida Ethics Code on City Administrator Moonis' significant other working for IBTS. He found no violation of the Ethics Code on this issue. He also spoke with a Senior Attorney at the Florida Commission on Ethics who agreed with his opinion. She did caution Mr. Moonis to be careful about communications and not to discuss any confidential matters of the City with his significant other. City Attorney Wright wished everyone a Happy Thanksgiving.

13. Citizen Comments and Correspondence: City Clerk McCullough reported an email for Paul Cole saying he is pleased with the job done at the retention pond. He urged the City to complete the project. She reported emails from Bill Fahs, Gary Furtak, Dave McKeehan and Denise Lawhorn supporting John DeNeale for Mayor. A letter was received from FIRM asking the City to appoint a staff member to serve on the Flood Map Revision Task Force.

The meeting adjourned at 11:43 a.m.

Respectfully submitted,



Kathryn McCullough, City Clerk