

MINUTES
KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday March 28, 2019 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, Assistant City Clerk Becky Todd, City Attorney Tom Wright, Building Official Ed Borysiewicz, Building Official Gerard Roussin, Police Chief Kris DiGiovanni, and Fire Chief John Johnson.
Excused: Public - 48

2. **Approval of Minutes:** A. The minutes of the February 28, 2019 Regular Commission meeting were approved by acclamation.

3. **Agenda Additions, Changes, Deletions** – Recreation Committee Report by Chair Ted Fischer

4. **Special Requests:**

A. **Extension Approval of Temporary Storage – 680 11th Street – Dick Harper** Mr. Harper explained the engineering challenges required to repair the damages from Hurricane Irma. Darryl Osborne has completed the engineering drawings. Miller Construction, Inc. has the construction drawings and is preparing the cost estimate and time line. Six months is the estimate for the major part of the construction from the start date. Mr. Harper has approval from Ed Markle (sp ?) and Fred Weeks to park his trailers on their property. His party wall neighbor was told not to sign notarized approval to park on their property until after this meeting. Mr. Harper requested extension of the Commission's approval to park his camper and trailers. Building Official Roussin reported receiving telephone calls concerning the clutter around the property which have been answered citing the Commission's approval for him to park his trailers on the property. Mayor DeNeale asked why Mr. Harper's neighbor was told not to sign a notarized letter. City Clerk McCullough answered she advised the neighbor not to sign notarized approval to park on her property until Commission approval was given. Mr. Harper would have notarized permission to park if Commission approval is not given. Building Official Borysiewicz reported the Weeks property on Coury Drive already has issues maintaining the landscaping. Vice Mayor Sutton said he does not feel Mr. Harper has been trying, since Hurricane Irma, to keep the project moving. He said he feels sorry for Mr. Harper's neighbors who have to look at the eyesore of his property. Commissioner Trefry said when prior Commission approval was given Mr. Harper was asked to keep the property neat. She has been doing regular checks and has seen no progress in that area. Commissioner Pettorini reported he has not seen a sense of urgency from Mr. Harper. Commissioner Tracy asked why Mr. Harper couldn't put the things in the trailer into storage. Mr. Harper answered that would be a financial burden on him.

Mayor DeNeale said permission had been given to owners to live in trailers, on their property, if there was building permit and while the property was being repaired. Permission was not given for additional trailers to be parked on the property. He reported he has no problem with the travel trailer, for a couple more months, but everything else must be gone and the property cleaned up. Mr. Harper stated he has no place to put the cargo trailer. Commissioner Tracy answered Mr. Harper can rent space for the trailer. Mr. Harper said he is not a wealthy man. City Attorney Wright reported that is not a defense to code violations. Commissioner Tracy asked if Mr. Harper is currently living in the trailer. Mr. Harper answered yes. He will take the trailer with him when he leaves to go north, but will be bringing it back with him when he returns. Vice Mayor Sutton suggested Mr. Harper be given a week to remove the trailers from the property.

MOTION: Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton, to allow the travel trailer at 680 11th Street until December 31, 2019.

Discussion: Building Official Borysiewicz asked about the letter Mr. Harper has allowing the travel trailer on West Ocean Drive. Is that also being approved. Building Official Borysiewicz asked if the Commission was granting approval for the cargo trailer to be parked on the Weeks property and a trailer to be parked across the street. City Administrator Moonis reported those approvals were for 3 months and will expire soon. City Attorney Wright said approval cannot be given if the other property owners have not consented to the period of time in the motion. Commissioner Tracy asked if the other trailers were going to be moved to other properties. Mayor DeNeale answered yes, as long as the property owner allows it. Commissioner Tracy stated basically Mr. Harper is going to remove the trailers from his property and distribute them around the community. Commissioner Tracy said she has a problem with that. City Attorney Wright suggested the motion be withdrawn. Vice Mayor Sutton said he seconded the motion to allow the travel trailer only. Issues with the other trailers should go before the Code Enforcement Board.

ON THE MOTION: Roll call vote. Unanimous approval.

Building Official Roussin said he would do his code enforcement rounds on Monday morning and cite Mr. Harper if there are code violations at that time. He asked if that is correct. Mayor DeNeale answered that is correct.

5. Committee and Staff Reports:

A. Marathon Fire/EMS: Fire Chief Johnson reported 4 medical calls, 2 internal fire alarms and 1 public assist since the last meeting. He reported there are several special events scheduled in the Keys which will cause travel delays. He asked everyone to be careful and to be patient.

B. Recreation Committee: Ted Fischer, Recreation Committee Chair, said he is also one of the Co-Chairs for the Pickle Ball Project. He requested approval to purchase an additional 161' fence to go around the pickle ball court. 100' of the fence will be 4' high the entire length between the tennis court and the pickle ball court to eliminate a potential hazard. The remaining 61' of fence will be 10' high and be constructed along the northeast golf course side of the pickle ball court. This will prevent pickle balls going on to the golf course and will allow for a full wind screen on the east side of the court. The cost is around \$10,000 which is in the budget.

MOTION: Motion made by Commissioner Pettorini, seconded by Commissioner Tracy, to approve \$10,000 to purchase 161' of fence for the pickle ball courts.

ON THE MOTION: Approved by acclamation.

C. Beautification Committee: No report.

D. Disaster Preparedness Committee: Building Official Roussin reported he received a proposal from Siemens Technology of \$55,000 to provide emergency power to the office and police trailers. Because this proposal is so high he has requested an estimate from Superior Electric for a transfer switch for each trailer. He has made arrangements with Sunbelt Rentals to be first on the list for emergency generators. The generators will cost \$1,400 each per week. He estimates generators would be needed for 1 to 2 weeks. City Hall was without power for 8 days due to Hurricane Irma.

E. Planning & Zoning Board: No report.

F. Utility Board: No report.

G. Police Department: Chief DiGiovanni reported 2 traffic arrests, a crash report and an identity theft report since the last meeting. The Police Department also responded to 2 medical calls, 6 medical\alarm calls, provided backup to the MCSO 18 times and answered 17 miscellaneous calls. The Police Officers issued 0 traffic citations, 16 traffic warnings, 1 code citation and 10 code warnings. There was one call to the Tipline reference a trash barrel in the road. The Officer on duty removed the barrel. Chief DiGiovanni reminded everyone the registration for the 7 Mile Bridge Run is being held at the Holiday Inn Express on April 5, 2019 from 5 p.m. to 9 p.m. This will cause a lot of traffic congestion in that area. The Police Department will cone off private properties at the top portion of Sadowski Causeway, Coral Lane and Clara Blvd during this time. The 7 Mile Bridge will be closed on April 6, 2019 from 6:45 a.m. until 9:00 a.m. Make your travel plans accordingly. Chief DiGiovanni stated he and all Police Officers, with the exception of Sgt. Smith, attended the Property Manager's Class.

H. Building Department/Public Works: Building Official Roussin reported the Public Works crew finished installing the irrigation at East Side Park. Extra sprinkler heads and extra misters have been installed and are up and running. He met with Beautification Chair, Janie Byland, and Gonzalez Landscaping regarding the landscaping for East Side Park. Building Official Roussin said the same sprinkler heads and sprinkler valves will be installed throughout the City. This uniformity will make future repairs and maintenance much easier. The new pickup trucks, ordered for Public Works, have been issued VIN numbers so hopefully they will arrive soon.

Building Official Borysiewicz reported road repairs are necessary on 8th Street, 10th Street, 11th Street and Sadowski Causeway. Much of the damage to the roadways was caused by lift station repairs. There are storm water repairs to be done on the Causeway. There are normal maintenance repairs required on several streets and damages caused by the cleanup of debris after Hurricane Irma. The repairs, estimated to cost of \$20,000 will be funded from the Wastewater Fund, the Stormwater fund and the Road fund. City Administrator Moonis reported reimbursement obligations, from FEMA, for Sadowski Causeway. There is a non-obligated FEMA package for the swales.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry, to authorize not more than \$20,000 for road repairs.

ON THE MOTION: Roll call vote. Unanimous approval.

Building Official Roussin reported Underwater Contractors has submitted a proposal to redo the buoys around the island. In the meantime a marina owner reported the channel markers, inside Bonefish Bay area, are missing. He is researching if Public Works can make the repairs. He will report his findings at the next meeting.

I. City Secretary/Treasurer: Commissioner Trefry reported \$1.58M of \$4M budgeted income has been received through the end of February. Budgeted expenses for the fiscal year are \$3.375M. Expended expenses through the end of February are \$1.604M. The profit and loss statement for February shows a net income of \$131,000+ with a year to date income of \$557,000+. Commissioner Trefry reported the City is doing okay.

J. City Clerk: City Clerk McCullough reported Administrative Assistant, Bev Traeger, is making phone calls to 30 people who have not responded to the long term boat trailer renewal letter. Utility Clerk Pat Hyland has mailed out the April wastewater invoices. Assistant City Clerk Becky Todd had great attendance at the recent Property Manager's Class. Data input to Citizenserve is almost complete. This program should be up and running by the end of April. City Clerk McCullough reported she will be out of the office on April 5 for an infusion at Cleveland Clinic, April 15 – April 19 for a cruise to Cuba and April 25 and 26 to attend a friend's Memorial Services in Folkston Georgia.

K. City Administrator:

1. Illegal Project on 14th/15th Street Canal City Administrator Moonis reported an illegal outcropping at the opening of the 14th/15th Street Canal. Building Official Roussin reported sending emails to the local office of the Department of Environmental Protection (DEP) and the Army Corps of Engineers (COE) describing the situation. DEP reported sending a certified letter to the property owner to get access for an inspection. COE has not yet responded. City Attorney Wright recommend Code Enforcement take pictures from a vessel to determine if the structure would have required a permit.

2. Sunset Park Recognition Sign City Administrator Moonis reported he and Mayor DeNeale are working on the final parts of the sign. The sign should be ready for presentation at the last concert in the park this Sunday.

3. Letter to Lot Owners City Administrator Moonis provided a draft of the letter to be sent to owners of vacant lots within the City. He asked City Attorney Wright and the Commissioners for any comments, questions, additions or deletions to the letter. City Attorney Wright said he suggested some proposed edits. Mayor DeNeale asked it be ready for the next Commission Meeting.

4. RFQ/RFP Status City Administrator Moonis reported the Request for Qualifications for an Architectural Engineer for City Hall will be advertised on April 18, 2019 to be opened on May 21, 2019 in time for last Commission Meeting in May. A workshop concerning City Hall has been scheduled for April 23, 2019 at 9:30 a.m. Mayor DeNeale said a lot of good input has been received on City Hall. Staff will provide information on

code requirements, funding and staff requirements. Mayor DeNeale asked City Administrator Moonis to determine if this workshop could be webcast. Chet Dunn, 20 12th Street, asked if the RFQ is to rebuild City Hall. Mayor DeNeale answered it is to repair or replace City Hall. Architectural designs and engineer drawings are required no matter which decision is made. Mr. Dunn expressed concern about receiving funding from the State or Federal governments. Sally Flagg, 641 12th Street, expressed concern about the April 23rd workshop because so many residents will have left by then. Mayor DeNeale said he wished it could be faster. He promised residents will have a voice in all decisions regarding City Hall.

City Administrator Moonis reported the specifications for Request for Proposals (RFP) for the ADA restrooms at Sunset Park are just about completed. The RFP will be advertised on April 11, 2019 and bids will be opened on May 16, 2019. He will meet with the Tourist Development Council (TDC) on April 8, 2019 to formally request an extension of the grant.

6. Commissioners Open Discussion:

A. Report of Florida Keys Days – Mayor DeNeale reported the appropriation for City Hall was less than expected, however, it will be several months before the final appropriations are passed. Disaster relief funds may be available. There is a conference call scheduled for today at 1:30 p.m. with the Department of Economic Opportunity, Disaster Relief, to determine what funding they may be able to help with. The major focus of this year's State budget is Hurricane Michael and water quality.

Vice Mayor Sutton reported everyone was disappointed with the outcome of the Florida Keys Days trip. Representative Raschein and Lobbyist, Jerry Paul, will continue to work to get funding for City Hall. He said it may help if the bill was for new/rebuild City Hall rather than just for a new City Hall. He asked City Administrator Moonis to call Jerry Paul to have him start working on including 'rebuild' in the bill. Mayor DeNeale said he would not make a motion to amend the bill. It is too far down the road now. Mr. Paul's talking points do include repair. Vice Mayor Sutton asked for a motion to have City Administrator Moonis call Mr. Paul. Mayor DeNeale said he has no problem with a telephone call. He said there is both repair and replace in Mr. Paul's talking points. Mr. Moonis said he would make the telephone call to Mr. Paul.

Tom Tucker, 160 1st Street, reported a lot of rumors are going around indicating the Commission went to Florida Keys Days looking for \$2M but only received \$200K. Mayor DeNeale answered the legislative session is about half way through their process. Representative Raschein has negotiated \$250K so far. It has not gone to committee yet where the final numbers are worked out. The initial bill was for \$1.7M. Mayor DeNeale reported he was hoping for a 50/50 split, about \$800,000 or \$900,000, or zero. Representative Raschein is still working on it. Mr. Tucker said, from sitting in the audience, it seems Mayor DeNeale is predisposed to a new building. Mr. Tucker wants to insure rebuilding is given a fair chance. Mayor DeNeale answered his opinion is to keep Marble Hall and the Post Office. He thinks better and safer offices are needed. He proposes a new stilted office building. This will all be discussed again at the April 23rd workshop. Commissioner Pettorini said there seems to be the presumption the Commission has made the decision to build a brand new City Hall. The conversations the Commission had also included a lot of presumptions based on information it had, i.e.,

there would be funding from FEMA, from insurance and from the State. Now, based on the Tallahassee, meeting among other things, the presumption has changed. He said as a representatives of your government, we are your voice and what you have to say is very important to us. Everyone on this Commission has the best interest of the City at heart. The Commission is not going to do anything stupid or short sighted. The workshops are when the Commission can get together and work on problems. The workshop on April 23rd will provide the Commission the opportunity to work toward a solution for City Hall.

7. Items for Discussion /Approval:

A. Resignation of Commissioner James Pettorini Commissioner Pettorini thanked everyone. He said has been in KCB for 15 years and has moved 17 times in his life. He said always he goes away with feelings. He is leaving here with feelings for this Commission and for the City staff and all the wonderful people he has met. Mayor DeNeale invited Commissioner Pettorini to the front of the dais where he thanked him for his service to the City and presented him with a plaque recognizing his time on the Commission. City Administrator Moonis presented Commissioner Pettorini with a basket of fun gifts from the Staff.

B. Nominations/Election to Fill the Unexpired Term Mayor DeNeale invited each candidate to come to the podium and present themselves to the Commission.

1. Mike Alexander -- introduced himself as a resident since 2011. He is a member of the Utility Board, the Recreation Committee and he has been involved with the Pickle Ball project. His background is construction, land development and concrete construction. His biggest interest now is to continue to help the City as Commissioner. He asked for the Commissions support.

2. Chuck Griffith – introduced himself as an 8 year resident recently retired from the City’s Police Department as Sergeant. He said he loves the City and everyone in the City. He knows the City codes. He was here for Hurricane Irma with Chief DiGiovanni. He would love to continue to be a voice for the City.

3. Tom Harding – introduced himself as a part time resident for 16 years. He is in the process of changing that. He has been President of the Sea Isle Condo Association for 11 years. He has been the Treasurer of the Utility Board for 3 years. He has recently retired so has more time to spend in Key Colony Beach. When he became aware of this position, a few weeks ago, he took the initiative to become a full time resident. He registered to vote in KCB today. He has engineering skills and management skills to offer the City.

4. George Lancaster -- introduced himself as a resident since 1992. He has a law background and a business background. He retired from the Post Office 4 years ago. He loves the whole concept of Key Colony Beach. He has been on the Planning and Zoning Board for 3 years where he really got a taste of what it is to be involved in City government. He said it is time for him to help the City with the challenges ahead.

5. Kimmeron Lisle -- introduced herself as a full time resident since 2012. She believes Key Colony Beach is the most unique and special place in the Florida Keys if not the entire state of Florida. It is the Commission’s responsibility to keep the integrity

and charm of the City for decades to come. She has a strong professional background in accounting, finance and business management. She has an MBA, from Harvard, where she gained a good focus on critical thinking and big picture analysis. Through her volunteer efforts she has seen the City is hundreds of moving parts. She has watched as the City Commission makes sure all these moving parts fit together, like a puzzle, on a day to day basis. She would hope to bring an open mind and an objective view point on all the issues the Commission faces.

Mayor DeNeale thanked everyone for stepping up. He called for nominations for Commissioner of Key Colony Beach. Vice Mayor Sutton nominated Chuck Griffith. Commissioner Trefry nominated Kimmeron Lisle. Nominations were closed. Mayor DeNeale asked for a show of hands for Chuck Griffith. Mayor DeNeale and Vice Mayor Sutton raised their hands. Mayor DeNeale asked for a show of hands for Kimmeron Lisle. Commissioner Trefry and Commissioner Tracy raised their hands. City Attorney Wright reported a 2/2 vote has happened before when the deadlock went on for 2 months. He said the vote could be put off until the next meeting. Mayor DeNeale asked the Commissioners for the reason for their vote. Commissioner Trefry reported it was very difficult choice as the candidates are all well qualified. She reported asking Chuck Griffith if he could be objective with any controversies with the Police Department. His very fair answer was that his loyalty was with Chief DiGiovanni. She commended Mr. Griffith, however, his answer put a little doubt in her mind. Vice Mayor Sutton reported working hand in hand with Chuck for a long time. He is a community person not just a police officer. He feels Chuck is the best choice. Mayor DeNeale said the City has a young police force at this time. He looked to Chuck as being able to assist the Chief with training the new officers. Mayor DeNeale said this is a tough decision. Every candidate really cares about the City and have different skill sets to offer. Commissioner Tracy said this is an extremely challenging situation. She thinks every one of the candidates would do an outstanding job. She said when reviewing the candidates she was looking for someone who had the time and the intelligence to research the challenges facing the City. Every time she has been involved with Kimmeron she has been incredibly impressed with what she has to offer. Mayor DeNeale called for another vote. He asked for a show of hands for Kimmeron Lisle. Commissioner Tracy, Mayor DeNeale and Commissioner Trefry raised their hands.

C. Swear In New Commissioner – City Attorney Wright administered the oath of office to Kimmeron Lisle. Commissioner Lisle took her seat on the dais.

8. Approval of Warrant: N/A

9. Ordinances and Resolutions - N/A

10. Commissioner Reports Commissioner Trefry thanked Jim Pettorini for this service to the City. Commissioner Tracy said she will truly miss Jim Pettorini. Commissioner Lisle thanked the Commission for the opportunity to serve.

12. City Attorney Report: City Attorney Wright reported no pending or threatened litigation at this time.

13. Citizen Comments and Correspondence: City Clerk McCullough reported receiving several emails. An email was received from Susan McKee, 8th Street, concerned about the amount of dog feces in retention pond area. She suggested installing posts with bags. An email was received from Tom Tucker concerning an incident report and complaint about the Police Department. Emails were received from Chet Dunn, Ron and Connie Foster and Marilyn and William Avery supporting the repair of City Hall. City Administrator Moonis said having bags near the retention pond makes sense. Building Official Roussin reported it will be done. Chief DiGiovanni reported he is working on the complaint from Mr. Tucker.

The meeting adjourned at 11:29 a.m.

Respectfully submitted,

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

Kathryn McCullough, City Clerk
