

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday May 23, 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 Vice Mayor Sutton at 9:30 a.m. followed by the Pledge of Allegiance and Prayer.

*Present:* Vice Mayor Ron Sutton, Secretary/Treasurer Patti Trefry, Commissioner Tracy, and Commissioner Kimmeron Lisle. *Also Present:* City Administrator Chris Moonis, City Clerk Kathryn McCullough, Assistant City Clerk Rebecca Todd, City Attorney Tom Wright, Building Official Gerard Roussin, Police Chief DiGiovanni, and Public Works Supervisor Greg Lawton. Excused: Mayor John DeNeale, Fire Chief Johnson Public - 16

2. **Approval of Minutes:** The minutes of the April 25, 2019 Public Hearing and Regular Commission Meeting and were approved by acclamation.

3. **Agenda Additions, Changes, Deletions** – Vice Mayor Sutton requested addition of presentation from Lobbyist Jerry Paul, Capitol Access.

4. **Special Requests:**

**A. Coldwell Banker Charitable Trust Annual Ride & Roll Update:** Teri Hiller, Board Member for Coldwell Banker Charitable Trust Foundation, requested approval for the Annual Ride and Roll fundraiser on June 8<sup>th</sup>.

**MOTION:** Motion made by Commissioner Tracy, seconded by Commissioner Trefry to approve the Ride and Roll fundraiser.

**ON THE MOTION:** Unanimous approval.

**B. Capitol Access Presentation:** Jerry Paul reported on the outcome of the legislative session. The budget passed in a 61day session. The budget is similar to last year's budget with a slight increase. There were 3751 policy bills of which only 197 passed, most of which were agency or administrative bills. Most bills that pre-empt local authority failed including the one regarding vacation rentals. The budget being submitted to the Governor for approval is \$91.1 million. They succeeded in getting funding for Key Colony Beach City Hall in the amount of \$150,000 which is not as much as they hoped for but were fortunate to get as it was not a good appropriations year due to circumstances. The Governor decides what line items of the budget to veto which includes the City Hall funding. They will be actively defending the funding. Five million dollars has been budgeted for Area of Critical Concern Water Quality which includes all of Monroe County. Capitol Access is also pursuing additional funding for City Hall from Department of Emergency Management and Department of Economic Opportunity. He reported Community Development Bill 7103 passed which has a provision in it that for the first time ever a local government can recover attorney fees if

an action is brought against them alleging that a development order or permit was inconsistent with the Comprehensive Plan.

5. **Committee and Staff Reports:**

**A. Marathon Fire/EMS:** No Report.

**B. Recreation Committee:** No Report.

**C. Beautification Committee:** City Administrator Moonis presented requests for approval of plantings and improvements to parks including: 1. \$1400 for 10 additional Areca Palms along 8<sup>th</sup> Street tennis courts to be paid from Beautification budget. 2. \$1800 from impact fees to purchase shade trees at 7<sup>th</sup> Street playground. 3. \$1800 from impact fees to purchase shade trees for Eastside Park. 4. \$12,000 from budgeted infrastructure for water, electric and park enhancements at What's Your Hurry Park.

**MOTION:** Motion made by Commissioner Lisle, seconded by Commissioner Tracy to approve the requested purchases.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**D. Disaster Preparedness Committee:** Building Official Roussin reported all supplies are in stock, the generator is being tested monthly, and there is an agreement with Sunbelt Rental to supply additional generators for the trailers if needed.

**E. Planning & Zoning Board:** No Report.

**F. Utility Board:** No Report

**G. Police Department:** Chief Di'Giovanni stated since his last report they've had 2 reports, 2 medical calls, 15 MCSO assists, 7 miscellaneous calls, and 3 calls to the tipline. In addition to road patrol, water patrol and vacation watch program they are preparing for the annual Click it or Ticket campaign. He will be adjusting his schedule to assist with weekend boat patrol. The Kids Fishing Derby is on schedule for the June 12<sup>th</sup> outing.

**H. Building Department/Public Works:**

**1. Sherwood Construction Request for Foundation Permit for Key Colony Beach Club** – Marty Flynn, Sherwood Construction, presented a progress report on the replacement of Key Colony Beach Club. Assistant Building Official reported that the existing pilings for the foundation are 12' x 12' concrete pads in good condition which means a lot of the foundation work may already be existing as the engineering for proposed building provides for less load than the previous structure. Attorney Wright disclosed that he has performed work for the co-op for many years but does not represent them in this matter in any way. He stated that the correct procedure is for the project to be presented for approval to Planning and Zoning Board for approval before coming before the commission for approval. Due to the hurricane and their unusual circumstances they are presenting a special request to proceed with the foundation for a project that has not yet been approved by the City in order to speed up the project. He

strongly recommended if there is a motion to approve that it be stated that the approval for the foundation permit is in no way an approval of the project and provide for a waiver from Key Colony Beach Club for any claims or demands against the City based on future non approvals of the project. City Clerk McCullough stated if they are required to get Planning and Zoning approval first there is not a quorum available for the Planning and Zoning Board until August which would mean the request could not be placed before the commission until September.

**MOTION:** Motion made by Commissioner Trefry, seconded by Commissioner Tracy to approve the foundation permit for Key Colony Beach Club with the condition that the project be presented to Planning and Zoning Board and Key Colony Beach Club provides a claim waiver.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**I. City Secretary/Treasurer:** Commissioner Trefry reported at the end of April the year to date budgeted income is \$4.3 million and the actual income is \$2.5 million. The year to date budgeted expenses are \$3.3 million and the actual expenses are 2.1 million. The year to date profit is \$376,000.

**J. City Clerk:** City Clerk McCullough reported George Lancaster has volunteered to serve on the Code Board effective immediately and she is volunteering to serve the Code Board effective July 1<sup>st</sup> after her retirement June 30<sup>th</sup>.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry to appoint George Lancaster effective immediately and Kathryn McCullough effective July 1s to the Code Board.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

City Clerk McCullough reported that the Utility Department has collected on 2 of 3 liens filed on seriously delinquent sewer bills. Debbie Nickel, who was hired as the new Assistant City Clerk, is working out very well. Accountant Jen Johnson has reviewed and approved the draft audit. Long term boat trailer parking permits have been issued to 17 residents that were on the waiting list. She is currently working on submitting the FRDP grant. A limitation of use must be signed and filed with the Clerk of Court. Attorney Wright made an immediate revision to provide for the Vice Mayor's signature in the absence of Mayor DeNeale.

**MOTION:** Motion made by Commissioner Trefry, seconded by Commissioner Lisle to authorize Vice Mayor Sutton to execute the site dedication for the 8<sup>th</sup> Street FRDP grant.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**K. City Administrator:** City Administrator Moonis reported 20 firms have downloaded the Architectural and Engineering RFQ. He expects 3 – 5 submissions will be received. Interested firms have expressed desire for more time to complete the RFQ therefore he

extended the submission deadline to June 21<sup>st</sup>. He expects to have 2-3 recommendations to present to the commission at the June 28<sup>th</sup> meeting.

**1. Website Financial Reporting by ClearGov:** City Administrator Moonis reported attending an online kickoff meeting with ClearGov. The company provides a service to ensure the City is in compliance with financial reporting on websites. The annual cost is \$2500 and they have agreed to waive the \$900 initial set up fee. He requested approval purchase the annual subscription.

**MOTION:** Motion made by Commissioner Tracy, seconded by Commissioner Trefry to approve the purchase of the ClearGov subscription.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**2. Travel Approval for League of Cities Committee Membership:** City Administrator Moonis stated was recently appointed to the Municipal Administrative Committee of the League of Cities. It will require his attendance at 2 meetings in Orlando. He requested permission to attend the meetings – one in June and one in July.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry to approve City Administrator Moonis’s travel and reimbursement up to \$1500 for League of Cities Committee Meetings.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**3. City Administrator Performance Review:** City Administrator Moonis requested the commissioners complete and submit his performance review individually and meet with him individually to discuss. Commission discussion resulted in a request for additional customization to the performance review to be more specific to his position and duties with the City. Administrator Moonis agreed to make further customizations and quickly present the updated performance review form.

**6. Commissioners Open Discussion:** Vice Mayor Sutton

**7. Items for Discussion /Approval:**

**8. Approval of Warrant:** None

**9. Ordinances and Resolutions:**

**A. Ordinance No. 2019-460 – Amending Chapter 12, Section 9, limitations of hours of use of Sunset Park – Second Reading**

**MOTION:** Motion made by Commissioner Tracy, seconded by Commissioner Lisle, to approve the second reading of Ordinance 2019-460.

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

**B. Ordinance No. 2019-461 Amending Chapter 6, Section 7 (1) aligning the failure to begin work with the Florida Building Code and eliminating Chapter 6, Section 7 (4) First Reading.** City Attorney Wright read the ordinance by title only.

Tabled until next committee meeting. Clarification required.

**C. Ordinance No. 2019-462 Amending Chapter 14, Section 5.1, removing connection fees for demolished and redeveloped properties – First Reading.**

**MOTION:** Motion made by Commissioner Trefry, seconded by Commissioner Tracy, to approve the first reading of Ordinance 2019-462.

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

**10. Commissioner Reports:**

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

**13. Citizen Comments and Correspondence:**

The meeting adjourned at 10:50 a.m.

Respectfully submitted,

Rebecca Todd, City Clerk

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