

**MINUTES**  
KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday August 22, 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 April Tracy, and Commissioner Kimmeron Lisle. *Also Present:* City Administrator Chris Moonis, City Clerk Rebecca Todd, City Attorney Tom Wright, Assistant Building Official Ed Borysiewicz, Police Chief DiGiovanni, Fire Chief Johnson, and Public Works Supervisor Greg Lawton. *Excused:* Building Official Gerard Roussin. Public - 10

2. **Approval of Minutes:** The minutes of the August 8, 2019 Regular Commission Meeting and Thursday July 11 Public Hearing were approved by acclamation.

3. **Agenda Additions, Changes, Deletions:** Attorney Wright reported a request to add to the agenda the approval of a building permit for the rebuild of 680 11<sup>th</sup> Street, owner Richard Harper. The architectural review was presented to the Planning & Zoning Board yesterday August 21, 2019 and Chairperson Raspe is present to report. The Ordinance requires that if it is voted on and approved by the Planning & Zoning Board it must also be voted on and approved by the City Commission. He stated the owner of the other half of the duplex has stated her objection verbally and written a letter to be read into record. She also expressed her desire to make an appearance before the Commission before a decision is made. Attorney Wright explained there are party wall agreements for many duplexes within the city but they do not affect the City's Land Development Regulations or Building Codes for which Mr. Harper's permit application is in compliance with and therefore does not require a variance. The enforcement of the party wall agreements is a matter for the courts. Mr. Harper's architectural plans are not building on the party wall. However, there are provisions in the Land Development Regulations that state construction within the city should be aesthetically harmonious with the patterns of existing construction. When the Building Department questions compliance with the Land Development Regulations they can refer it to the Planning and Zoning Board for architectural review which is what was done for Mr. Harper's building permit application. The City Commission declined to hear the review at that time and requested it be on the agenda for the next commission meeting.

4. **Special Requests:** None

5. **Committee and Staff Reports:**

**A. Marathon Fire/EMS:** Chief Johnson reported responding to 2 medical calls and 1 internal fire alarm. He suggested everyone secure loose items outside in preparation for stormy weather.

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

**C. Beautification Committee:** Chairperson Janie Byland presented a review for new signage at the Causeway Entrance for completion in this fiscal year. She stated that there is \$10,000 available for beautification landscaping that could be reallocated to the project. There is also approximately \$2000 left in the beautification budget and additional funds available in infrastructure budget. Beautification member Greg Burke reported receiving 2 quotes for a new sign and presented several options for the signage. A new box to support the sign will cost \$1200-\$1300. Assistant Building Official Borysiewicz stated new electrical will have to be installed by a licensed electrician. City Administrator Moonis suggested that any costs for the project over funds reallocated from landscaping be taken from Giving Tree Funds. Assistant Building Official Borysiewicz stated Public Works will not be available to assist for a couple months. Mayor DeNeale stated that the sign could be ordered in this fiscal year and installed after October 1<sup>st</sup> and requested the project be placed on the agenda for the next meeting to present a proposal for total project cost, funding allocations, and installation schedule.

**D. Disaster Preparedness Committee:** Public Works Supervisor Greg Lawton stated all disaster preparations are complete.

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

**F. Utility Board:** No Report

**G. Police Department:** Chief DiGiovanni reported since the last meeting there have been 2 reports – 1 vehicle crash at Circle K, and a disturbance on 9<sup>th</sup> Street. The Police Department responded to 2 medical calls, 18 miscellaneous calls, 8 Tip Line Violations and backed up the MCSO 11 times and assisted MCSO at the US1 boat ramp. In addition to road patrol, boat patrol, and vacation watch program they are still in the “Drive Sober or Get Pulled Over” Campaign. Chief DiGiovanni stated he will be on medical leave from August 29<sup>th</sup> through September 30<sup>th</sup> but will be able to perform administrative duties from home and the police department is prepared for his absence. Boat Patrol coverage is scheduled for this weekend and Labor Day weekend.

**H. Building Department/Public Works:** Assistant Building Official Borysiewicz reported 27 new dwelling permits issued and staff is extremely busy performing rental safety inspections and performing public works duties being short one public works staff member. The building department received via email revised plans for a proposed project on West Ocean Dr. which was forwarded to the Commissioners and City Attorney. Building Official Roussin will review the plans before submitting to the State for review. It will then be presented to the Planning & Zoning Board and Commission for site plan review and then structural plan review after that. The original proposal was for 22 unit allocations for the 2 Oceanfront Condo lots, purchase of the east vacant lot which has a permit density allowance of 5 ½ units, and the purchase of 2 single family lots to the east providing for an additional 5-1/2 units for a total of 33 units. The developer decided against the purchase of the 2 single family lots therefore requiring the new site plans for 27 units on 3 lots.

**I. City Secretary/Treasurer:** Commissioner Trefry reported year to date income is at 63% of budgeted amount, expenses are 74% of budgeted amount, and profit of \$412,000 is 63% of budgeted amount.

**J. City Clerk:** City Clerk Todd reported the Blood Drive Bus will be at City Hall parking lot on August 27<sup>th</sup> 11:30 – 4:30 and the ground breaking ceremony for Fishermen’s Hospital is September 20<sup>th</sup> at noon. Parking for the ceremony is at the Hyatt Hotel where guests will be shuttled to the hospital. RSVP is required by September 13<sup>th</sup>.

**K. City Administrator:**

**1. 11<sup>th</sup> Street Stormwater Well Engineering:** City Administrator Moonis presented a proposal from Mittauer & Associates for 11<sup>th</sup> Street stormwater well engineering for \$17,500 which is recommended by the Utility Board. In response to Vice-Mayor Suttons inquiry the City Administrator confirmed the engineering for projected stormwater wells on 9<sup>th</sup>, 10<sup>th</sup>, and 12<sup>th</sup> Street has been completed and once engineering is complete for 11<sup>th</sup> Street the Utility Board will make recommendations on scheduling and funding.

**MOTION:** Motion made by Vice Mayor Ron Sutton and seconded by Commissioner Trefry to approve.

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

**2. Appointment to Monroe County Transportation Committee:** City Administrator Moonis reported Monroe County Transportation Committee has requested one staff and one commissioner representative be appointed to the committee. Previously Building Official Roussin was appointed from the staff. Currently, Commissioner Lisle has volunteered to join the committee as well.

**MOTION:** Motion made by Mayor DeNeale and seconded by Commissioner Tracy to approve appointing Commissioner Lisle to the Monroe County Transportation Committee.

**ON THE MOTION:** Unanimous approval.

**3. Sunset Park Fence:** City Administrator Moonis reported receiving a letter and a check for \$1500 from Key Colony Point Condominium Association contributing to the purchase and installation of the fence at Sunset Park.

**4. Florida League of Cities Legislative Agenda:** City Administrator Moonis reported on priorities of the Florida League of Cities which include sales tax fairness, digital divide, local business tax protection, private property rights, annexation, short-term rentals, cybersecurity, medical marijuana, smoke-free zones in city parks, transportation funding, affordable housing, water resources, and resiliency. Copies of the policies are available at City Hall. Legislative Committee Meetings begin in September.

**5. Dog Defecation Fine:** City Administrator Moonis reported receiving a request to review and consider revising the animals and fowl article of current code of ordinances specifically as it relates to fines for dog defecation on public and private properties. The maximum fine outlined in Section 4-10 is \$10 for the first offense and \$15 for each subsequent offense. He recommends an increase of \$50 for first offense and \$100 for second offense. Attorney Wright noted the fines in the ordinance were set 26 years ago. The Commission recommended ordinance change be submitted for approval at the next meeting.

In response to an inquiry from Commissioner Tracy on the Architectural & Engineer interview scheduling Administrator Moonis reported he is presenting two dates to the firms for the interviews to be scheduled in proximity to the September 12<sup>th</sup> Commission Meeting.

**6. Commissioners Open Discussion:**

**A. Florida League of Cities/Mayor Update:** Mayor DeNeale and the Commission gave an overview of the commissioner's trip to the Florida League of Cities Conference. Emphasis at the conference was on South Florida water quality, sea level rise and new FIRM maps. The League of Mayors is going to make vacation rentals a top priority and look at options for recycled glass that is ending up in landfills because there is no market for it. One option presented is a glass crusher that turns glass into usable sand. Seminars attended and topics covered included effective use of social media, community redevelopment agencies, and a water seminar reporting the town of Altamont Springs is converting storm water to drinking water, smart cities seminar highlighting creating an underground wireless network, and ADA compliance.

**7. Items for Discussion /Approval:** None

**8. Approval of Warrant:** None

**9. Ordinances and Resolutions:** None

**10. Commissioner Reports:** None

**12. City Attorney Report:** Attorney Wright stated he is representing the purchaser of the West Ocean Drive proposed redevelopment project in the 22 closings and will have to reclude himself from any involvement in any development approvals. He recommends the city engage an alternative attorney that wouldn't have an apparent conflict to represent in that matter.

**13. Citizen Comments and Correspondence:** City Clerk Todd reported no correspondence other than the ones in relation to the Planning & Zoning hearing for the 680 11<sup>th</sup> Street redevelopment project that have been forwarded to the Commissioners, Planning and Zoning Board and read at Planning and Zoning meeting.

The meeting adjourned at 10:55 a.m.

Respectfully submitted,

Rebecca Todd, City Clerk

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