

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday May 14, 2020 9:30 a.m.
Virtually via Zoom Conferencing

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 Virtually: Mayor John DeNeale, Vice Mayor Ron Sutton, Secretary/Treasurer Patti Trefry, Commissioner April Tracy, and Commissioner Kimmeron Lisle.
Also Present Virtually: City Administrator Christopher Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, Building Official Gerard Roussin and Building Inspector Greg Lawton.
Excused: Fire Chief Johnson and Police Chief DiGiovanni.
Public Virtually – 76.
2. **Approval of Minutes:** The minutes of the April 23, 2020 Regular City Commission Meeting, April 30, 2020 City Commission Special Meeting, and May 7, 2020 City Commission Special Meeting were approved by acclamation.
3. **Agenda Additions, Changes, Deletions:** Building Official Roussin requested an addition of political signs to his report. City Administrator Moonis requested an addition of an engineering study for City Hall to his report. Requested additions were approved.
4. **Special Requests:** Jupiter Realty Co. – “Oceanfront/Marina”. Jerry Ong introduced himself and the redevelopment opportunity in Key Colony Beach. Oceanfront Properties and the Marina will be architecturally similar where owners from either property can enjoy each other’s amenities (ex. rooftop pool, spa, summer kitchen, private beach access, etc.) The focus will be good design, quality construction, and high-end finishes introducing a bright, airy, clean, sophisticated design that will be in conjunction with the new City Hall. A PowerPoint presentation was given highlighting the proposed 27 Beachfront Condos and the proposed 16 marina units. The average size of the units will be 1,500 sq. ft.

MOTION: Motion made by Commissioner Lisle, seconded by Commissioner Tracy to proceed with further negotiations relevant to a development agreement.
ON THE MOTION: Roll Call Vote. Unanimous approval.
5. **Committee and Staff Reports:**
 - A. **Marathon Fire/EMS:** No Report.
 - B. **Recreation Committee:** No Report.
 - C. **Beautification Committee:** No Report.

D. Disaster Preparedness Committee: Building Official Roussin reported all disaster supplies have been ordered. The Building Department continues to research portable powered generators for the City Hall trailer and Police Department trailer. The storm drains continue to be checked and are scheduled for routine cleaning. In response to Vice-Mayor Sutton's concern regarding standing water in streets after the recent heavy rainfall Building Official Roussin stated he will instruct Public Works to open all storm drains that have been closed in preparation of the scheduled cleaning.

E. Planning & Zoning Board: No Report.

F. Utility Board: No Report.

G. Police Department: City Administrator Moonis reported Chief DiGiovanni is at training out of town and has requested the commission refer to his daily submitted reports. He will provide a detailed report at the next commission meeting. Mayor DeNeale reported the letter submitted by Mr. Rydell regarding the City Administrator was investigated by Chief DiGiovanni and submitted to the State Attorney's Office. The investigation concluded there was no probable cause and the case is closed.

H. Building Department/Public Works: Building Official Roussin reported Public Works has completed many irrigation repairs throughout the city. The fountain at Gazebo park have been drained, repainted, and a pump replaced. The light poles throughout all parks have been sanded and repainted. The crosswalks throughout the city and the "Do not Block" box at Clara Blvd. and Sadowski Causeway have been painted. Public Works will complete tree trimming in preparation for hurricane season prior to June 1st. Mayor DeNeale requested confirmation the complaints regarding unpermitted work being performed at Continental Inn regarding Commissioner Lisle have been investigated and resolved by the Building Department. Building Official Roussin confirmed they responded to the complaint and determined the work being performed was permitted by the contractor and the issue stemmed from the permit information not being updated in the software. Procedure has been put in place to prevent future issues. The Building Department is conducting multiple inspections throughout the city and the normal code enforcement routine will resume. Building Official Roussin stated he expects to have all plans for Key Colony Beach Club by the next day. Building Official Roussin reported receipt of several complaints regarding political signs and banners displayed prior to the date dictated by the Land Development Regulations. After much discussion the Commission requested City Attorney Wright to research and present proposed options at the next meeting.

I. City Secretary/Treasurer: City Treasurer Trefry reported as of April 30th the budgeted year to date income is \$3.9 million and the reported year to date income is \$3.01 million. 96% of ad valorem taxes have been collected and the city has received 79% of budgeted income for the year. Year to date budgeted expenses are \$3.4 million with reported year to date expenses at 1.78 million representing 51% of the budgeted amount. The profit and loss statement through April represents a positive 1.3 million versus last year to date was \$390,000. The City has \$2.4 million in the general liquid cash funds excluding any escrow, CD's, or payroll accounts.

J. City Clerk: City Clerk Todd reported Executive Assistant Saara Staten is updating the City's Comprehensive Plan. Administrative Assistant Holly Rosado is updating the Personnel Policy. City Clerk Todd is working with CitizenServe in respect to issuing business tax licenses. Utility Clerk Pat Hyland has scheduled a virtual Utility Board meeting for Tuesday, May 19th at 9:30 am.

K. City Administrator:

1. **COVID-19 Testing for City Employees:** City Administrator Moonis recommended COVID-19 testing for city employees and commissioners prior to the opening of city offices which would equate to 22 tests purchased for \$2,310. The City of Key West has opened additional testing through the Community Health Organization and reported 75 people attended. The Islamorada Commission approved \$50,000 for the purchase of tests for residents. Mayor DeNeale stated he has spoken with the Health Department Administrator regarding the availability of setting up a testing sight in Marble Hall when they have tests available.
2. **Norry Lynch Consulting Contract:** City Administrator Moonis presented the proposed contract from Norry Lynch for proposed services through the end of the fiscal year to manage insurable exposures to the City and represent, monitor, and advise on all claims as it relates to insurances including public assistance disaster relief with FEMA. She would also assist in preparing for a public assistance disaster claim with FEMA ensuring operations are designed and conducted to maximize federal reimbursement. Her hourly rate will be \$145 per hour. Risk Management services, which require substantial updates, are not to exceed \$2900 per month. Disaster recovery services are not to exceed \$3000 per month which is predicated upon two unpredictable issues: State of Florida procedures for project closeout and a potential hurricane landfall. City Administrator Moonis stated the quote is liberal and he does not expect the monthly cost to reach the not to exceed amounts.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry to approve the contract with Norry Lynch Risk Recovery Advisors.

ON THE MOTION: Roll Call Vote. Unanimous approval.

3. **Shelter Bay Retention Pond:** City Administrator Moonis reported the Utility Board will be meeting virtually Tuesday, May 19th at 9:30 a.m. to discuss this issue among other agenda items. The Commission had several questions and comments that City Administrator Moonis will relate to the Utility Board at Tuesday's meeting.

4. **Engineering Inspection for City Hall:** City Administrator Moonis stated Norry Lynch reported the necessity of an additional engineering and inspection report for the City Hall project. She reviewed and vetted two proposals and is recommending the City approve the proposal from PE Group Consulting Engineers with a not to exceed cost of \$5,000. City Administrator Moonis stated Norry Lynch advised this is a necessary step in the process with FEMA and reimbursable. Commissioner Lisle expressed concern with language in the contract related to indemnification, mediation, and document ownership and requested

Attorney Wright review the document. The Commission tabled the discussion until the next regular commission meeting.

City Administrator Moonis reported he has submitted recommended changes regarding the proposed City Hall design to LIVS & Associates and they are prepared to present the revised plan after May 26th. The Commission agreed to the scheduling of a public meeting to review the new plans the afternoon of May 28th.

City Administrator Moonis reported additional information requested by the consultant has been submitted to the Florida Department of Emergency Management. He expects receipt of the remaining debris removal reimbursement within a reasonable timeframe.

City Administrator Moonis reported application guidelines on a couple grant opportunities for City Hall and comprehensive planning are being reviewed as well as finance options with local banks to provide the Commission with a source of funding plan for the City Hall project.

6. Commissioners Open Discussion: N/A

7. Items for Discussion /Approval:

A. COVID-19

1. 2020 Lobster Mini season: Mayor DeNeale reported there will be a May 20th County Commission Meeting discussing 2020 lobster mini-season. Key Colony Beach Commissioners stated unanimously it is too early to send the County a recommendation. Further analysis will be considered and the recommendation is to follow.

2. Concerts/Music in the parks (Sunset and Gazebo): City Administrator Moonis reported receipt of a request for a musician to play music at Gazebo for onlookers and passerby's without congregation and a request from a musician to provide a concert in Sunset Park at no charge. After discussion, the Commission agreed unanimously it is premature to allow concerts or music in the park.

3. Phased-in Strategy Update: Mayor DeNeale reported meeting with the mayors to discuss reopening plans. Phase 1 began less than 2 weeks ago and according to the Department of Health they require at least 2 weeks to analyze the effects of phase 1. The mayors collectively believe it is premature to make any further decisions on reopening until the completion of 2 weeks in phase I, testing results, and receipt of the Governor's standing. Mayor DeNeale stated he has advised the City Administrator to devise a plan to reopen city hall and have commission meetings in Marble Hall because once Phase II is implemented commission meetings will require an in person quorum. Mayor DeNeale requested the Utility Board consider and provide recommendation on issuing a 50% discount to property owners on the next quarterly utility billing.

4. Extend Declaration of Local Emergency: Mayor DeNeale presented the City of Key Colony Beach 10th Declaration of Local State of Emergency for COVID-19.

MOTION: Motion made by Commissioner Tracy, seconded by Vice Mayor Sutton to approve the City of Key Colony Beach 10th Declaration of Local State of Emergency (11:30 a.m.).

ON THE MOTION: Roll Call Vote. Unanimous approval.

8. Approval of Warrant: Warrant 0420 in the amount of \$511,273.68.

MOTION: Motion made by Commissioner Trefry, seconded by Commissioner Lisle to approve Warrant 0420 in the amount of \$511,273.68.

ON THE MOTION: Roll Call Vote. Unanimous approval.

9. Ordinances and Resolutions: N/A

10. Commissioner Reports: Mayor DeNeale reported the Congresswoman requested his signature on a letter to Congress requesting the next stimulus distribution for COVID-19 distribute monies to municipalities and counties less than \$500,000 directly instead of through the State. He and all other county mayors will sign the letter.

11. City Attorney Report: Attorney Wright stated the various governmental attorneys he meets with daily are working on procedures to allow owners of LLC's and Trusts to get through the checkpoint easily. The county requirements were significantly eased two days ago allowing city attorneys to issue permits for multiple entries. Attorney Wright has processed 15 applications. City Attorney Wright will contact the individuals who received single entry permits to inform them a multiple entry permit is available.

12. Citizen Comments and Correspondence: City Clerk Todd stated Pat Day on 7th Street reported concerns about the retention pond and was relieved to hear the issue is being addressed. The Key West Citizen is temporarily reducing their print schedule starting May 18th to Wednesday, Fridays, and Saturdays and will only provide online editions on Tuesdays and Thursdays. The Florida Executive Office of the Governor issued a directive for United States flags to be at half staff from sunrise to sunset Friday, May 15, 2020 in honor of Peace Officers Memorial Day.

The meeting adjourned at 11:42 a.m.

Respectfully Submitted,



Rebecca Todd
City Clerk