

# **MINUTES**

## **KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING**

Thursday, December 1, 2022 – 10:53 a.m.

Temporary City Hall & Virtually Via Zoom Conferencing

**1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** The Regular Meeting & Public Hearing of the City Commission of Key Colony Beach was called to order by Mayor Trefry at 10:53 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.

**Present:** Mayor Patricia Trefry, Vice-Mayor Beth Ramsay-Vickrey, Commissioner Tom Harding, Commissioner Freddie Foster, Commissioner Joey Raspe. **Also Present:** City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, City Attorney Janette Smith (virtual), Police Chief Kris DiGiovanni, Building Assistant Trish McLeod, Code Enforcement Officer Barry Goldman, Administrative Assistant Christine McLeod.

**Public:** 10 Marble Hall

**2. Agenda Additions, Changes & Deletions:** City Administrator Turner asked for the agenda addition of the CitizenServe Invoice. The Commission had no objection.

**3. Special Request:** Request from Havana Jacks for Extended Music Hours on 12/31/2022: The Havana Jacks Manager came before the Commission and asked for the approval of extended hours on New Year's Eve. After brief discussion, Mayor Trefry asked for a motion to approve the request by Havana Jacks to have music until 1:00 a.m.

**MOTION:** Motion made by Commissioner Raspe, seconded by Vice-Mayor Ramsay-Vickrey, to approve the request for extended music hours.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

Mayor Trefry thanked Havana Jack's Manager for coming before the Commission and reminded that in case of noise complaints the music will have stop.

**4. Citizen Comments and Correspondence:** Tom DiFransico, 171 8<sup>th</sup> Street, spoke before the Commission regarding citizen comments for Commission meetings, the new drawings for the City Hall, as well as financing plans for the new building.

City Clerk Gransee informed that the updated conceptual drawing would be uploaded to the website after the meeting.

Mayor Trefry informed that citizen comments were moved to the beginning of the agenda upon legal recommendation some time ago. City Attorney Smits informed that citizen comments have to be made before action items by law, but additional public comments could be made at the end of the meeting at the mayor's discretion. City Attorney Smits gave further explanation on the rules of public comment.

Mayor Trefry addressed the question on financing plans and asked for a recommendation from staff to clarify questions and if a workshop is needed. City Administrator Turner stated that the upcoming Townhall Meeting will address the LDR's and that the new plans are available for review at City Hall for anyone who wishes to see them. The City Administrator continued addressing the question on cost and the difficulties estimating actual cost. City Administrator Turner said that the city has met with all banks the city has relations with and further financing options are available. Commissioner Harding asked, in his role as new Secretary-Treasurer, to work with Jen Johnson and City Administrator Turner to work on financing questions.

**5. Approval of Minutes:** The minutes from the 11-17-2022 Public Hearing Minutes and Regular Meeting Minutes approved as written.

## **6. Committee and Department Reports**

- a. Marathon Fire/EMS – Marathon Fire Chief Cameron Bucek
- b. **Police Department – Chief DiGiovanni:** Mayor Trefry asked on an update on the accreditation process from the Chief of Police. Chief DiGiovanni gave a brief update on policy procedures and processes. Further discussion followed on the accreditation timeline, estimates for the city for completion, as well as upcoming conferences. Mayor Trefry asked for a better timeframe for completion which Chief DiGiovanni estimated to be two months. Mayor Trefry further asked for a 12-month review on trends based on the department head meeting during the summer with a breakdown on statistics. Chief DiGiovanni stated he will work on providing the requested report.
- c. Building Department – Building Official Leggett
- d. Public Works – Public Works Department Head Guarino
- e. City Clerk – City Clerk Gransee
- f. Code Enforcement Officer – Code Officer Goldman
- g. **Utility Board Report – Chair Toni Appell:** Commissioner Foster had a question regarding a proposed wastewater study which City Administrator Turner explained that the company will appear at the next Utility Board meeting and details were included in the bid package. Commissioner Harding further commented on the importance of the Utility Board's capital need for the next five year which City Administrator Turner explained was discussed with the Utility Board.
- h. Beautification Committee Report – Chair Greg Burke

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

- a. **Discussion/Approval City Attorney's Contract:** Mayor Trefry stated that all Commissioners had a chance to review the contract. City Attorney Smits explained that the rates are the same as the other governmental entities his law firm represents. The City Attorney continued saying that effective reductions in service costs have taken place with the help of City Administrator Turner and that the attorney will not charge time for questions from the Commission. Further discussion followed on billing and cost separation, and upcoming reviews on code, charter, and staff training.

Mayor Trefry asked for a motion to approve the City Attorney's contract.

**MOTION:** Motion made by Vice-Mayor Ramsay-Vickrey, seconded by Commissioner Foster, to approve the City Attorney's contract.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**b. Discussion/Approval of DRAFT Resolution 2022-15 Rules and Procedures for Volunteer Boards & Committees:** City Attorney Smith addressed scriveners' errors in the draft resolution to the Commission and asked for questions and comments of review.

Mayor Trefry asked for comments from the Commissioners.

Mayor Trefry stated that Commissioner Raspe did not have a chance to review the draft resolution which precludes the ability for any decision making today.

Vice-Mayor Ramsay-Vickrey agreed with Mayor Trefry to bring the resolution back at the next Commission meeting for approval.

Commissioner Harding gave his feedback including comments on emergency meetings, attendance, extended absences, and purchasing procedures.

Commissioner Foster gave his feedback including comments on multiple boards, verbiage on meetings and workshops. Discussion followed between the Commissioners and City Attorney.

Mayor Trefry stated that protocols are needed for emergency meetings, workshops, and stated the importance of training.

Commissioner Raspe gave his thoughts on emergency meetings for the Code and Planning & Zoning Meetings. Mayor Trefry stated the importance of the clerk taking minutes for workshops and meetings. Vice-Mayor Ramsay-Vickey further suggested changes in verbiage to include approval by the City Administrator. City Attorney Smith explained the purpose and meaning of emergency meetings and workshops. Mayor Trefry asked for legal definitions to be included. Commissioner Foster stated his thoughts on the verbiage on emergency meetings and suggested to include flexibility to have additional meetings if needed. Mayor Trefry stated agreement with Commissioner Harding on a better definition on attendance and alternate members. Commissioner Foster stated he will give additional comments to City Attorney Smith. City Attorney Smith gave further suggested changes to purchasing requirements. Commissioner Foster asked on clarification for sole source purchasing requirements. The Commission had no further discussion.

## **8. City Administrator Items for Discussion**

**a. City Hall Update:** The City Hall update was addressed during citizen comments.

**b. CitizenServe Invoice in the amount of \$14,700.00 (Agenda add-on):** City Administrator Turner explained the services provided CitizenServe and added that future training classes will be provided for residents use. The City Administrator stated that the city has a new representative and the staff is doing good with the program. City Administrator Turner further stated that a software upgrade is included with the invoice.

Mayor Trefry asked for a motion to approve Invoice #4899 in the amount of \$14,700.00.

**MOTION:** Motion made by Commissioner Raspe, seconded by Commissioner Harding, to approve

the CitizenServe invoice.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

Commissioner Foster asked if City Administrator Turner had any additional updates on FEMA funding which the City Administrator had not.

**9. City Attorney's Report:** City Attorney Dirk Smits no additional report.

**10. Ordinances & Resolutions:** None.

**11. Commissioner's Reports & Comments:**

**Commissioner Raspe** commented on the prior Commission request on the setback requirements for the R2B zone. After brief discussion, it was agreed that the subject will be addressed at the next Planning & Zoning meeting.

**Vice-Mayor Ramsay-Vickrey** reporting attending the Marathon City Council meeting, the Utility Board Meeting, joining the BPW, attending a VFW Christmas fundraiser, and working with an organization to help out less fortunate children.

**Commissioner Harding** updated on FDOT recommendations for the traffic study, and a free hurricane inspection that is being offered by the State of Florida for single family residential homes with eligible grants for single family homeowners. Commissioner Harding further reported on reinspection fee requests for smoke detector locations for rental licenses and stated that the City Administrator and staff are looking into the issue. Commissioner Harding continued saying meeting with staff on short and long-term rental licenses and informed that staff is doing a great job. City Administrator Turner informed that the new report will be provided monthly.

**Commissioner Foster** congratulated all elected and appointed officials and stated he is looking forward to working with all.

**Mayor Trefry** stated that the Commission has a great group of people on the dais and good government is diverse opinion and she is looking forward to the next year.

Mayor Trefry asked for a brief recess to wait for the arrival of Captain David Dupree from the FWC.

City Administrator Turner introduced David Dupree from the FWC to speak on questions on migrant vessels.

Captain Dupree addressed the Commission and explained the process the FWC has to follow prior to removing migrant vessels. Captain Dupree continued explaining property owner's rights and the fact that derelict vessels will not be removed from private property. Captain Dupree described the importance of 'at or below mean high tide' in the removal of a vessel. Captain Dupree continued explaining the process of cost reimbursement and the nature of the boating community in the Keys. Captain Dupree continued answering questions from the Commission, City Administrator, and residents. Mayor Trefry and the Commission thanked Captain Dupree for his time.

**12. Adjournment:** The meeting adjourned at 12:16 p.m.

Respectfully submitted,  
*Silvia Gransee*  
City Clerk

**ADOPTED:** *January 19, 2023*  
*Silvia Gransee, City Clerk*