

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, November 16, 2023 – 9:30 am

Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Rollcall: The Key Colony Beach City Commission Regular Meeting & Public Hearing was called to order by Mayor Pro-Tem Ramsay-Vickrey at 9:30 am followed by the Pledge of Allegiance and Prayer. **Present:** Mayor Pro-Tem Ramsay-Vickrey, Commissioner Harding, Commissioner Foster, Commissioner Raspe. **Also present:** City Administrator Dave Turner, Assistant Fire Marshal Mike Card, Building Assistant Karl Bursa, Police Corporal Jamie Buxton, Code Officer Jamie Buxton, Public Works Department Head Mike Guarino, Assistant City Attorney Roget Bryan, Code Officer Goldman, Administrative Assistant Tammie Anderson, City Clerk Silvia Gransee.

Public Attendance: 24

2. Agenda Additions, Changes & Deletions:

a. Commissioner Harding asked for the addition of an update on the FDOT Grant under Item 10c. and the addendum of the Wastewater sampling under 13a.

City Administrator Turner asked for the addition of a special report by Toni Rosabal on the City Hall building. Commissioner Raspe asked for the addition of a discussion on the use of Marble Hall. Mayor Pro-Tem Ramsay-Vickrey confirmed the addition to ‘Commissioners Comments’ under Item 13 and asked Assistant City Attorney Bryan to advise on Commissioner Raspe’s objection on the placement on the agenda. Assistant City Attorney Bryan advised on the discussion item being under litigation but the agenda addition being at Mayor Pro-Tem Ramsay-Vickrey’s discretion. Mayor Pro-Tem Ramsay Vickrey did not change the placement on the agenda and there were no other additions.

Mayor Pro-Tem Ramsay-Vickrey asked City Clerk Gransee to perform rollcall. All Commissioners were present.

b. Toni Rosabal, Architect for LIV’s spoke on his fulfilled contractual agreement and his responsibilities to the City. Toni Rosabal explained that the project design was completed and approved, and there to be no gain for him on the project going forward. Toni Rosabal stated for there to be only two viable options if the City decides not to proceed with a new building. Toni Rosabal explained the first option to be the rebuilding of damaged portions to the existing building and the requirement to rebuild to the current building code. Mr. Rosabal talked about undamaged areas in the building and the original City Hall Building being too small to house the current staff. Toni Rosabal informed on cost to rebuild, code requirements for a complete renovation, and for a renovated building not being functional due to size. Toni Rosabal explained option number 2 to require a renovation of the entire building and gave estimates on costs. Toni Rosabal explained that a fully renovated building would also not be sufficient to hold all staff.

Toni Rosabal stated for these to be the only two options in order to follow Florida Statutes and Building Code requirements. Toni Rosabal talked on the cost difference between the lowest bid and complete cost to renovate, and stated his opinion on not making sense to spend money on a renovation for a building that is too small on the day of groundbreaking.

Mayor Pro-Tem Ramsay-Vickrey informed of no Commission discussion on the item due to litigation and thanked Toni Rosabal for his presentation.

3. Appointment of Vacant Commission Seat

a. Introduction of candidates by the City Clerk: Mayor Pro-Tem Ramsay Vickrey informed on the procedures of appointment to the City Commission and asked City Clerk Gransee to proceed. City Clerk Gransee introduced the candidates in order that their applications were received.

1. Tom DiFransico, 171 8th Street.
2. Joe Schmidt, 430 4th Street
3. Fred Swanson, 620 9th Street
4. John Dalton, 661 9th Street
5. Lynne Conkling Benton, 621 10th Street
6. Douglas Colonell, 381 8th Street
7. Mario Di Genaro, 390 13th Street

b. Candidate Statements: Each candidate introduced themselves to the City Commission and gave a statement with a request for recommendation. Applicant Joe Schmidt withdrew his application for City Commissioner. Applicant Lynne Conkling Benton appeared via Zoom.

c. Citizen Comments & Correspondence: Mayor Pro-Tem Ramsay-Vickrey asked for citizen correspondence from City Clerk Gransee. City Clerk Gransee informed of the following correspondence received regarding the appointment for Commissioner:

November 09, 2023	Mary Kohl, 1121 W. Ocean Drive
November 09, 2023	Dr. Renee H, 391 4 th Street
November 09, 2023	Dr. James Ha, 391 4 th Street
November 10, 2023	Toni & Randi Wheeler, 255 15 th Circle
November 11, 2023	Planning & Zoning Chair George Lancaster
November 11, 2023	Bob & Sandy Glassman
November 11, 2023	Toni Appell, 200 8 th Street
November 12, 2023	Richard & Jan Pflueger
November 12, 2023	Donald Steamer, 311 11 th Street
November 11, 2023	Chris Corso
November 12, 2023	Greg Burke
November 13, 2023	Sally Cherry, 601 W. Ocean Drive
November 13, 2023	Bill Cherry, 601 W. Ocean Drive
November 15, 2023	Andrey & Galina Nikiforov, 821 W. Ocean Drive
November 15, 2023	Cynthia Catto, 601 W. Ocean Drive
November 15, 2023	Ted Fischer, 195 13 th Street
November 15, 2023	William Catto, 601 W. Ocean Drive
November 16, 2023	Stan & Laurie Friend, E. Ocean Drive

Mayor Pro-Tem Ramsay-Vickrey asked for citizen comments in support or rebut of a candidate.

Janie Byland, 7th Street, spoke in support of Tom DiFransico.

Lynn Goodwin spoke in support of Mario Di Genaro.

Toni Marino, 271 7th Street, spoke in support of Mario Di Genaro.

Margitte Di Genaro, spoke in support of her husband Mario Di Genaro.

Sandy Bachman, 171 8th Street, spoke in support of Tom DiFransico.

There were no citizen comments online.

d. City Commissioner Questions/Comments:

Commissioner Harding had no comment.

Commissioner Foster thanked all candidates for their application and interest in serving on the City Commission.

Commissioner Raspe asked for candidates to be involved with other boards and show support for the City.

Mayor Pro-Tem Ramsay-Vickrey thanked all candidates for their application and advised all not chosen to apply to one of the City's advisory boards. Mayor Pro-Tem Ramsay-Vickrey spoke on her appointment to her position and consequent election as well as Commissioner Raspe's appointment. Mayor Pro-Tem Ramsay-Vickrey talked about the upcoming elections in November and fiscal responsibilities of the City Commission to fill the vacant seat. Mayor Pro-Tem Ramsay-Vickrey spoke on the Commission reaching a consensus for today's appointment and the electors making their decision in November. Mayor Pro-Tem Ramsay-Vickrey gave her support to Tom DiFransico for being the only candidate actively engaged in the community and active on several volunteer boards with experience and knowledge. Mayor Pro-Tem Ramsay-Vickrey informed not knowing of Tom DiFransico's position on City Hall and the vote for today being for a candidate on community knowledge, involvement, and experience to fill the vacancy.

e. Call for Nominations: Mayor Pro-Tem Ramsay-Vickrey nominated Tom DiFransico to the vacant Commission seat and asked City Clerk Gransee for rollcall.

NOMINATION: Mayor Pro-Tem Vickrey-Ramsay nominated Tom DiFransico for City Commissioner.

f. Vote by Commissioners:

ROLLCALL: Commissioner Raspe – Yes. Commissioner Harding – Yes. Commissioner Foster – Yes. Mayor Pro-Tem Ramsay-Vickrey – Yes.

Tom DiFransico was appointed to the vacant City Commission seat.

g. Swearing-in Ceremony: City Clerk Gransee administered the Oath of Office to newly appointed Commissioner Tom DiFransico.

h. ~~Tentative** If a majority of Commission members are unable to agree upon a candidate to fill the vacant seat, candidates will need to qualify between December 4th - 8th, 2023, noon to noon, for the March 19th, 2024, Election (dates provided by the Monroe County Supervisor of Elections Office). A majority vote is required for the agreement on dates.~~**

Newly appointed Commissioner DiFransico took his seat on the dais. Mayor Pro-Tem Ramsay-Vickrey thanked the City Commission and expressed appreciation for her fellow commissioners and working together in the best

interest of the City. Mayor Pro-Tem Ramsay-Vickrey stated the diversity of opinion being important and the Commission to continue to work as a whole to represent the City.

Mayor Pro-Tem Ramsay-Vickrey called for 10-minute recess at 10:37 am.

The meeting continued at 10:51 am.

4. Special Request

a. Proclamation - Ron Sutton Day: A Proclamation in honor of late Commissioner Ron Sutton proclaiming every second day of October of each and every year to be named “Ron Sutton Day”.

Mayor Pro-Tem Ramsay-Vickrey provided the reading of the Proclamation in honor of late Commissioner Ron Sutton.

5. Citizen Comments and Correspondence: Mayor Pro-Tem Ramsay-Vickrey asked for citizen correspondence.

City Clerk Gransee informed of the following citizen correspondence:

November 11, 2023, Laurie Swanson, 620 9th Street: Mrs. Swanson wrote to the City Commission with a request on agenda additions to today’s meeting.

There was no other correspondence.

Mayor Pro-Tem Ramsay-Vickrey asked for citizen comments.

Laurie Swanson, 620 9th Street, congratulated the Commission on the Commissioner appointment and spoke on concerns of Key Colony Beach residents on the ongoing litigation on City Hall, the received bid, the Post Office, and the use of Marble Hall.

Tim Husel, 680 9th Street, spoke to the Commission with concerns on rising taxes and insurance increase and to consider concerns of residents with fixed income.

There were no other comments in person or online.

6. Approval of Minutes

a. October 19th, 2023 - City Commission Regular Meeting & Public Hearing Minutes: Mayor Pro-Tem Ramsay-Vickrey asked for corrections or changes to the minutes. There were none and the minutes were accepted as written.

7. Committee and Department Reports

a. Marathon Fire/EMS: Marathon Assistant Fire Marshal Card apologized for not having supplied the monthly report and informed to provide it via email after the meeting. Assistant Fire Marshal Card reported on flooding in the City of Marathon and to be cautious with flooded roads. The Assistant Fire Marshal continued giving his monthly report on received Fire and EMS calls and a decrease in calls. Assistant Fire Marshal Card reminded for slower traffic to drive in the right lane and for the Fire Department planning to spend more time in the City of Key Colony Beach for the annual Christmas Parade.

b. Police Department – Chief DiGiovanni

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. Beautification Committee
- h. Planning & Zoning Board
- i. Recreation Committee
- j. Utility Board

The City Commission had no questions on the submitted Department Head reports.

8. City Administrator Items for Discussion/Approval

a. Discussion/Approval of the Florida Coast Equipment quote in the amount of \$16,795.16 for the purchase of a Kubota Mower.

City Administrator Turner informed on the need and purpose of the proposed purchase and informed of the use of surplus money for the expenditure, with no cost to the taxpayer. City Administrator Turner confirmed for Public Works to be able to handle the anticipated workload and explained how upcoming projects are being managed.

MOTION: Motion made by Commissioner Foster to approve the purchase of the mower. Commissioner Raspe seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval of the installation of signage for pickleball sponsor recognition: City

Administrator Turner spoke on a suggested recognition sign for Pickleball donations and a staff recommendation for approval.

Commissioner Raspe stated his opposition to a sign and for the City to solicit for donations. City Administrator Turner clarified the signs purpose to be for received donations. After discussion on size, location, and design, the City Commission agreed to table the agenda item until the following month. City Administrator Turner agreed to bring back the matter at the following month with more details.

c. Discussion/Approval of calendar of events for the KCB Community Association for the 2023/2024 season: City Administrator informed on the planned events for the upcoming season and recommended approval. Commissioner Raspe informed of a scrivener's error on the calendar for the first event. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Foster to approve the events. Commissioner Raspe seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

d. Discussion/Approval of CitizenServe Invoice No. 5308 in the amount of \$16,800.00 for 2024/2025: City Administrator Turner spoke on the use and purpose of the licensing software and recommended approval. City Administrator Turner confirmed the ability to look up licenses in the system and for the software having been updated to address prior issues. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Harding to approve the invoice. Commissioner Foster seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

e. Discussion/Approval to go forward with Request for Bids for the tennis courts: City Administrator Turner spoke on the project being funded by donations and to be ready to go out to bid. Commissioner Foster reminded on timelines to abide by when working with bids. City Administrator Turner confirmed for grant monies having been applied for with a possible award by July of next year. The City Commission gave a head-nod to go forward with the bidding process.

f. Update on the ‘Smart City’ Townhall Meeting on November 20th, 2023: City Administrator Turner informed of the upcoming Townhall Meeting and encouraged all residents to attend. Commissioner DiFransico asked on other companies offering the same service and putting out a request for proposals for comparison. City Administrator Turner informed on prior requests having been declined by the two competitors in the Keys. City Administrator Turner further informed on his prior visit to the City of Golden Beach to research the benefits of a ‘Smart City’ and explained the structure and benefits to the City.

Building Assistant Karl Bursa informed on the recently completed Community Rating System (CRS) Report and gave details on the current class and anticipated savings if upgraded to a lower rating. Building Assistant Bursa further informed on attainable future goals and to be working closely with FEMA for compliance.

Commissioner Foster thanked Building Assistant Bursa for his report and asked when additional documentation has to be provided. Building Assistant Bursa informed to have the documentation completed by the first week of December. Commissioner Foster further asked to remind property owners to give this information to their insurance company to receive the discount. Building Assistant Bursa confirmed to provide documentation.

Commissioner Harding thanked Building Assistant Bursa and the staff for his report and work on CRS.

Mayor Pro-Tem Ramsay-Vickrey thanked Building Assistant Bursa and Commissioner Harding for their work.

9. City Commissioner Items for Discussion/Approval

a. Discussion/Approval of a renewal agreement for legal services with the Firm of Vernis & Bowling of the Florida Keys, P.A., for a period of one year beginning December 1, 2023, to December 1, 2024.

Mayor Pro-Tem Ramsay-Vickrey introduced the agenda item and asked for a motion to approve the agreement.

MOTION: Motion made by Commissioner Harding to approve the agreement. Mayor-Pro Tem Ramsay-Vickrey seconded the motion.

DISCUSSION: Commissioner Foster suggested to table the agenda item until the following month to give Commissioner DiFransico time to be informed and further asked City Administrator Turner on possible improvements with billing breakdowns and classifications. City Administrator Turner stated for there always to be room for improvement and to work with City Attorney Smits on the concern.

Commissioner Harding stated satisfaction with the breakdown on billing items and encouraged a timelier submittal of invoices.

Commissioner Raspe expressed agreement with the increase in the hourly rate for legal fees and asked for clarification on the language in the contract. Assistant City Attorney Bryan confirmed the correct amounts in the contract.

Commissioner Raspe further expressed disagreement with the hourly rate for travel expenses. Assistant City Attorney Bryan gave his understanding on the billing for travel and language in the retainer agreement. Mayor Pro-Tem Ramsay-Vickrey confirmed the language in the proposed agreement to specify the hourly rate for travel. After discussion, the City Commission agreed to table the item until the following month.

Assistant City Attorney Bryan confirmed for legal services to continue until the following month.

ON THE MOTION: No action taken.

Commissioner DiFransico commented on adequate time to discuss an extension of a contract and in addition asked for a letter from City Attorney Smits on the continuance of services. Assistant City Attorney Bryan confirmed for City Attorney Smits to prepare a letter and to reach out to Commissioner DiFransico to answer questions. Mayor Pro-Tem Ramsay-Vickrey reminded of Sunshine Law and protocol, and City Administrator Turner explained the chain-of-command and for the City Attorney to work for the Commission.

b. Discussion/Approval of Grant Agreement H1033 for the Dry Floodproofing of the City Maintenance Building: Commissioner Harding spoke on the proposed grant agreement and for FEMA having given approval to execute the contract. Public Works Department Head Guarino and Police Chief DiGiovanni informed on history of prior storms and water intrusion to the building. Commissioner Harding explained the purpose and future benefits behind the proposed project.

MOTION: Motion made by Commissioner Harding to approve the grant agreement. Mayor Pro-Tem asked for a second. Commissioner Foster seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

10. Secretary-Treasurer's Report

a. October 2023 Financial Summary

b. Approval of Warrant 1023 in the amount of \$476,168.08

Commissioner Harding gave his financial report for October and reported on the general budget and standing of accounts.

Commissioner Harding informed on revenue and expenses for the Wastewater budget and informed of a lower level of electricity charges. Commissioner Harding further informed of having organized a package for the Utility Board to review cost saving potentials on solar panels. Commissioner Harding talked on the report and information on the Key Largo Sewer Plant using solar for alternative energy. Commissioner Harding closed his report by reporting on a positive net-revenue for wastewater, no concerns for stormwater, and no further updates on City Hall financing due to litigation.

c. FDOT Grant Application (Addendum): Commissioner Harding continued his report by informing on the FDOT application cycle for the alternate transportation grant process and explained its purpose for pedestrian, bicycle, and disability benefits and not to be road related. Commissioner Harding informed on having worked with Public Works Department Guarino and Police Chief DiGiovanni on possible improvement projects and informed of the 2024 application cycle which applies to projects in the year 2030. Commissioner Harding informed of current projects being funded and asked for approval to apply for the 2024 application cycle. Commissioner Harding further informed for the City Attorney having advised to bring the matter back via a Resolution for the December meeting. Commissioner Harding continued informing on suggested projects including ADA improvements in the parks and the removal of invasive species and replacement of vegetation. Commissioner Harding further informed of Public Works Department Head Guarino's suggestion on the purchase of wheelchairs for public use at Sunset Park and additional signage in the City. Commissioner Harding informed of a total cost of \$90,000.00 and a suggested share of 25% by the City.

Commissioner Harding asked for comments.

Commissioner DiFransico asked for clarification on the removal of invasive species. Commissioner Harding explained for the invasive species removal to apply to the entrance of the City and parts of Clara Boulevard and gave further details on the application cycle.

Commissioner Foster asked for a review for the City to have the space and footprint requirements needed for solar panels. Commissioner Harding explained that the next step should be a proposal by the Engineering Firm Mittauer to inform on possibilities for the City.

Mayor Pro-Tem Ramsay-Vickrey asked Assistant City Attorney Bryan what is needed in terms of the transportation agreement.

Assistant City Attorney Bryan asked for affirmative Commission directive in form of a motion and a formal resolution to be supplemented at the next meeting to have as an addendum to the application.

Mayor Pro-Tem Ramsay-Vickrey asked for a motion.

MOTION: Motion made by Commissioner Harding to approve the 2024 FDOT grant application for transportation alternatives per the spreadsheet that was provided. Mayor Pro-Tem Ramsay-Vickrey asked for a second. Commissioner DiFrancisco seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Administrator Turner informed that the Engineering Firm Mittauer will be working on a survey on the possibilities of solar energy for the City and to give an update at the next Utility Board meeting. Commissioner Harding talked further on the next steps in the process.

Commissioner Harding introduced Warrant 1023 for approval. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Harding to approve the warrant. Mayor Pro-Tem Ramsay-Vickrey asked for a second. Commissioner Foster seconded the motion.

DISCUSSION: Commissioner Foster asked Commissioner Harding to look at a breakdown of expenses out of the Road Reserve account. Commissioner Harding agreed.

ON THE MOTION: Rollcall vote. Unanimous approval.

11. City Attorney's Report

a. Discussion: Naming/Renaming of city facilities or roads: Mayor Pro-Tem Ramsay-Vickrey introduced the agenda item and asked Assistant City Attorney Bryan to continue. Assistant City Attorney Bryan explained prior City Commission discussion and the purpose behind the consideration of a formal policy. Assistant City Attorney Bryan further explained for the matter being before the Commission for review only for the purpose of consideration and feedback. The Commission had no further comment and Mayor Pro-Tem Ramsay-Vickrey asked Assistant City Attorney Bryan to come back to the Commission with a formal policy when ready. Assistant City Attorney Bryan agreed.

12. Ordinances & Resolutions

a. Resolution 2023-18: A Resolution of the City Commission of the City of Key Colony Beach, Florida, authorizing and approving designated email addresses for the City of Key Colony Beach Commissioners; providing for an effective date.

Mayor Pro-Tem Ramsay-Vickrey provided the reading of Resolution 2023-18 and asked Assistant City Attorney Bryan for comment. Assistant City Attorney Bryan stated for this Resolution to have been drafted based on discussion on the dais to have a policy in place to consider and for Assistant City Attorney Smith to available online for further questions. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Harding to approve. Mayor Pro-Tem Ramsay-Vickrey asked for a second. Mayor Pro-Tem Ramsay-Vickrey seconded the motion.

DISCUSSION: Commissioner Harding informed on FEMA requiring the use of official email addresses for grant applications. Commissioner Foster asked how previous grant applications were completed. Commissioner Harding explained his experience and gave his support for the implementation of the email policy. Commissioner DiFransico stated his thoughts on the email addresses being impersonal. Mayor Pro-Tem Ramsay-Vickrey explained the purpose behind the use of city-issued email addresses including continuity of city business and fulfillment of public records requests. Discussion continued on access to emails on the server and the possibility of forwarding emails to the city-issued email address. Mayor Pro-Tem Ramsay-Vickrey further talked on the importance of accessing emails in case of the resignation of a Commissioner. Commissioner Foster expressed his support for keeping his own email address and his opposition to a city-issued email address. Commissioner Harding explained his involvement with FEMA over the last three years and the possibility of all the knowledge being lost if there is no access to his emails if he decides not to run again.

Commissioner Foster asked for Commissioner DiFransico to get familiar with the matter and to bring back next month for a discussion. Commissioner Harding and Mayor Pro-Tem Ramsay-Vickrey gave further comments of support for city-issued email addresses. Mayor Pro-Tem Ramsay-Vickrey asked Commissioner DiFransico on his preference to vote or defer to the following month. Commissioner DiFransico informed to prefer a vote the following month.

ON THE MOTION: Commissioner Harding withdrew his motion for approval. Mayor Pro-Tem Ramsay-Vickrey withdrew her second.

The Commission agreed to bring the agenda item back the following month and for the City Attorney's office to reach out to Commissioner DiFransico of the proposed policy.

Assistant City Attorney Bryan informed for the matter to deal with State Law requirements, public records retention, and an obligation for City Commissioners for retainment of records. Commissioner DiFransico stated no objection to using the City's domain but disagreement with the suggested impersonal numbering of the city-issued email addresses. Commissioner Foster asked Assistant City Attorney Bryan to take care with the language requirements on records retention.

13. Commissioner's Reports & Comments

a. Commissioner Harding

i. Monthly Covid Wastewater Report: Commissioner Harding provided his monthly report on wastewater sampling and explained data provided on Covid-19, Influenza-A, and RSV. Commissioner Harding informed that the contract between the CDC and Biobot ended and the onboarding with Verify was completed. Commissioner Harding informed that sampling was on hold for a short period due to litigation matters but is being continued with the help of an interim sampling contract.

Commissioner Harding informed of the sampling to include testing for Covid, Monkey Pox, RSV, and Influenza A & B and informed of a current hospitalization rate of 115 cases for the three South-Florida Counties. Commissioner Harding stated this to represent no change from last week and a slight decrease to the death rate, with an overall decrease of cases in the State of Florida. Commissioner Harding continued explaining the data that was provided in his report.

ii. Update on the FDOT Tentative 5-year Plan 2024-2029: Commissioner Harding reported on attending the FDOT 5-Year Planning Public Meeting and gave background on timelines for planning and budget funding. Commissioner Harding talked on projects for Monroe County including the project of pedestrian bicycle safety improvements and for the implementation of the project over the next two years. Commissioner Harding gave further information on planned projects including bridge repairs, bridge replacements, and anticipated construction timelines. Commissioner Harding informed on workforce transportation between Homestead to the

Keys as well as planned improvements for the airport in Key West. Commissioner Harding continued talking on the importance of abiding by timelines for funding requests.

Commissioner Harding gave his general update and reported attending a South Florida Water Seminar, a FEMA class on flood insurance, the DOAH Hearing, and the Monroe County Delegation meeting alongside City Administrator Dave Turner which included discussions on workforce housing, Stewardship acts, and vacation rentals. Commissioner Harding further updated on attending the Beautification Meeting, the Monroe County Evacuation Model Meeting and suggested to give directions to consider additional improvements for 7th Street. Commissioner Harding asked for a head-nod from the Commission to Dave to bring forward 7th Street improvements for discussion and extra money being available until the year 2024.

The Commission gave a head-nod to City Administrator Turner to bring the item back for review and discussion. Commissioner Raspe asked for a review of the area by West Ocean and 9th and 10th Street as well. Discussion continued on the amount of flooding due to the rain over the last day.

Commissioner DiFransico asked Commissioner Harding on the City's role in the Monroe County Traffic Study. Commissioner Harding explained the purpose of the study including evacuation models, infrastructure, and evacuation criteria. Mayor Pro-Tem Ramsay-Vickrey and Commissioner Harding gave further information on the correlation between undeveloped properties, allocations, and cost sharing between the State and the County.

Commissioner Foster had no report.

Commissioner Raspe spoke on having received many questions from residents on the possibility of the use of Marble Hall. Commissioner Raspe stated that the building was used until 16 month ago and stated disagreement with not being able to use Marble Hall. Commissioner Raspe stated for Mable Hall to be safe and suggested for volunteers to clean the building. Commissioner Raspe stated for the City not having a place to hold social events and asked for an answer on the use the building.

Mayor Pro-Tem Ramsay-Vickrey thanked Commissioner Raspe for his comments and advised to contact City Attorney Smits and Assistant City Attorney Bryan for further discussion due to being in litigation on the subject. Mayor Pro-Tem Ramsay-Vickrey declined taking comment from Commissioner Foster.

Commissioner Foster asked for point of order on his ability to comment.

Commissioner Foster asked for agreement from Assistant City Attorney Bryan to comment.

Assistant City Attorney Bryan advised for the subject matter to be under litigation and advised all City Commissioners to be careful in their comments.

Commissioner Foster suggested the possibility of a safety inspection to determine the temporary use of Marble Hall.

Commissioner DiFransico expressed the need for communication between citizens and the City and suggested for Toni Rosabal from Livs to come back to give another presentation on City Hall. Commissioner Harding commented on having attended several presentations prior to becoming a Commissioner 4 years ago. Commissioner DiFransico gave his thoughts on the benefits of Toni Livs giving another presentation to residents.

Assistant City Attorney Bryan stated to have given his legal advice to the Commission and advised on the ongoing litigation and liability issues associated with open discussion.

Assistant City Attorney Bryan stated for questions to be valid but not the right time for the discussion due to litigation.

Commissioner DiFransico asked for a way to facilitate a communication between both sides.

Mayor Pro-Tem Ramsay-Vickrey suggested for Commissioner DiFransico to meet with the City Attorney's to get updated on the current situation.

Commissioner DiFransico asked about the issuance of a building permit for the old City Hall building. Mayor Pro-Tem Ramsay-Vickrey asked Commissioner DiFransico to stop the open discussion on ongoing matters of litigation and stated for questions to be directed to the City Attorney's office. Mayor Pro-Tem Ramsay-Vickrey asked Commissioner DiFransico for comments any other than on City Hall. Commissioner DiFransico stated that communications have to be improved. Commission Raspe commented (inaudible). Assistant City Attorney Bryan advised Commissioner Raspe and DiFransico to communicate with City Attorney Smits on questions. Assistant City Attorney Bryan further explained for the City to be defending a lawsuit and a resolution will be achieved through the court or through a settlement.

Mayor Pro-Tem Ramsay-Vickrey reported judging this year's Boo-Bash Halloween Contest alongside Sheriff Rick Ramsay, and Alex Rickert from the Key Weekly Newspaper. Mayor Pro-Tem Ramsay-Vickrey further reported attending the FKSPCA November Fundraiser, the County's Townhall meeting regarding the move forward to a Charter County, the Chamber After-Hours event, the Beautification November Award, the County's Hurricane Evacuation Modeling Workshop, as well as the Marathon City Council meeting. Mayor Pro-Tem Ramsay-Vickrey congratulated Robyn Still on her appointment to Marathon Mayor, Lynn Landry for his appointment to Vice-Mayor, and Holly Raschein for her appointment as Monroe County Mayor and Jim Scholl for his appointment as Vice-Mayor.

Commissioner Harding asked for consideration of closing City Hall the Friday before Christmas. City Administrator Turner asked to make the decision as the operational leader and to further look at the County for guidance. The Commission gave a head-nod to City Administrator Turner to make the decision.

14. Adjournment: The meeting adjourned at 12:48 pm.

Respectfully submitted,
Silvia Gransee
City Clerk

ADOPTED: December 14, 2023
Silvia Gransee
City Clerk