

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, August 21st, 2025 – 9:37 AM Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Call to Order and Roll Call:** The Key Colony Beach City Commission Regular meeting was called to order by Vice-Mayor Colonell at 9:37 AM, followed by Rollcall. **Present:** Mayor Freddie Foster (via Zoom), Vice-Mayor Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present:** Marathon Fire Chief James Muro, Chief of Police Kris DiGiovanni, Building Official Tony Loreno, Building Assistant Samantha Rodamer, Public Works Department Head Mike Guarino, Administrative Assistant Linda Jones, City Clerk Silvia Roussin, City Attorney Dirk Smits.

Vice-Mayor Colonell found good cause for Mayor Foster to attend the meeting via Zoom.

City Clerk Roussin informed that Vice-Mayor Colonell will preside over today's meeting proceedings.

2. **Approval of the Agenda** (*Additions, changes, and deletions can be made via one motion and a second to approve by a majority vote*)

City Clerk Roussin asked for the following agenda changes:

Item 3 for Special Requests

- **A new Item 3b.** Recognition of Sergeant Joe Burden for his performance and commitment to public safety and the city. **Under**
- **A new Item 3c:** Recognition of Sergeant Jamie Buxton and Officer John Buckwalter for their outstanding community service to the city.
- **A new Item 3d.** Presentation by the KCB Community Association for the donation of a \$5,000 check for the new Marble Hall Kitchen

Under Item 6 for Consent Action Items

- **A new Item 6c.** Approval for a permit extension for the installation of a 10-pound vertical boat lift for the property at 73 7th Street

Under Item 7 for Discussion Action Items

- **7a.** Addendum of the 8-19-2025 Utility Board meeting minutes on the discussion on a possible MOU with the City of Marathon
- **Deletion of Item 7d.** Discussion/Approval of an Interlocal Agreement for Fleet Maintenance & Repair Services
- **A new Item 7f.** Discussion/Approval of the Bid Package for the City Hall Design Project
- **A new Item 7g.** Discussion/Approval of a recommendation by the Utility Board for Billing Practices for the Marina
- **A new Item 7h.** Discussion/Approval of a recommendation by the Utility Board for changes to Wastewater Billing
- **A new Item 7i.** Discussion/Approval for Contract Amendment No. 1 for the Maintenance Dry Floodproofing project.

Under Item 11 for Commissioner Reports & Comments

- **11a (1)** Addendum of the Wastewater Sampling Report from August 18th, 2025

Additionally, Mayor Foster requested the deletion of Item 5c (3). Discussion/Approval of an Agreement with Ron Book for Lobbyist Services for \$50,000.00, to be placed on the September Agenda.

Vice-Mayor asked for a motion to approve.

MOTION: Motion made by Commissioner DiFransico to approve the agenda with changes. Mayor Foster seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

3. Special Requests

a. Recognition of Chief of Police DiGiovanni for 20 Years of Service to the City

Vice-Mayor Colonell read the letter of recognition for Chief DiGiovanni into the record and invited him to comment at the podium. Chief DiGiovanni thanked the Commission, staff, and residents for their support during his career and service to the city.

b. Recognition of Sergeant Joe Burden for his performance and commitment to public safety and the city **Agenda Addendum**

c. Recognition of Sergeant Jamie Buxton and Officer John Buckwalter for their outstanding community service to the city **Agenda Addendum**

Chief DiGiovanni recognized Sergeant Joe Burden, Sergeant Jamie Buxton, and Officer Buckwalter for their service and dedication to the city.

d. Presentation by the KCB Community Association for the donation of a \$5,000 check for the new Marble Hall Kitchen **Agenda Addendum**

Jennifer Hamil presented a donation check for \$5,000.00 on behalf of the Key Colony Beach Community Association to purchase a new refrigerator for Marble Hall. The Commission expressed gratitude to the Association for the donation.

4. Citizen Comments and Correspondence

City Clerk Roussin provided information on the following citizen correspondence:

Golf Course correspondence by:

- David Evangelista
- Doug Lipke
- Pat Childs
- Maria Edwards
- Steve Wenger
- Mac MacBride
- Richard Pflueger
- Larry Smoot
- Lynn Goodwin & Jimmy Padgett
- Michael & Bonnie Leto
- Jackie Low
- Joe Paskalik

- Bryan Atkinson
- Kerri Tolbert
- Kathleen Motichka
- Gail Alter
- Dave Nussdorfer
- Chip Herman

Additionally, the City Commission received the following correspondence:

- On 08-12-2025, Laurie Swanson provided various comments on the release of the 100% City Hall Design Drawings.
- 08-20-2025, Bill Catto wrote to the City Commission with concerns about changes to the Sunset Park Fishing restrictions.

Citizen Comments:

Melvin Arvis, 340 11th Street, expressed concerns about changes to the Sunset Park ordinance and the permission for fishing on the Sunset Park pier. He also voiced concerns about card access to the new fitness center in City Hall.

There was no further public comment.

5. Committee and Department Reports *(written reports provided; Staff and Board Chairs available for questions)*

- a. Marathon Fire/EMS** – Marathon Fire Chief James Muro delivered his monthly summary to the Commission, provided an update on current weather conditions, and noted no expected issues. Fire Chief Muro also reported that the CPR certification course will restart in October and confirmed that the county helicopters are back in service. Chief Muro also congratulated Police Chief DiGiovanni on his 20 years of service to the city.

Mayor Foster reminded staff and the Commission to pick up their Emergency Re-entry placards, which City Clerk Roussin confirmed to be ready at City Hall.

b. Police Department – Chief DiGiovanni

1. Discussion/Approval for the purchase of a 2021 Ford F150 Responder Truck for \$24,000.00

Chief of Police DiGiovanni presented his request for approval to purchase a used truck and explained its purpose and advantages for the Police Department and the city. The Commission reviewed the vehicle's high mileage, the costs involved in outfitting it, concerns about its durability, budget impacts, and the plan to use it solely for short-distance city driving.

Vice-Mayor Colonell asked for a motion to approve the purchase.

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

DISCUSSION: Commissioner Harding commented on insurance, maintenance costs, and the plan to remove an older vehicle from the fleet if purchased. He also discussed the upcoming budget cycle and supported removing the old vehicle in conjunction with the requested purchase.

ON THE MOTION: Rollcall vote. Unanimous approval.

Commissioner Harding asked Chief of Police DiGiovanni to speak on his staff report and concerns about Sunset Park fishing and trespassing. Chief DiGiovanni clarified that these activities are common, and officers have been instructed to document such incidents for the record.

Chief DiGiovanni confirmed to Commissioner DiFransico that an agreement with ICE has been signed and one officer has completed training for this purpose. Additionally, Chief DiGiovanni discussed the need for storage and personnel to monitor cameras in public places, expressing concerns about liability issues. Commissioner Harding mentioned that funds have been allocated in the next budget cycle and that the matter will be researched during the upcoming fiscal year. Mayor Foster agreed with the liability concerns, and the Commission further discussed potential liability issues and the possibility of coordinating with the Sheriff's Office for dispatch support in camera monitoring.

c. City Administrator's Report – John Bartus

1. **Grant Update** - Mayor Foster discussed the current and upcoming grants, qualifying expenditures, and reimbursement requirements. Mayor Foster provided an update on progress with individual current grants and requests for Stewardship monies. The Commission also discussed federal grant requirements for the minimum bid threshold, with City Attorney Smits confirming he will follow up on including this in the bid documents.
2. **Early Alert Memo** - Mayor Foster explained that there is no current cost for the proposal and that services will only be used during a storm event.
3. ~~Discussion/Approval for an Agreement with Ron Beek for Lobbyist Services for \$50,000.00~~
~~**deleted**~~

d. Building/Code Department – Building Official Loreno spoke about current events in the Building Department and informed that Building Assistant Rodamer will begin training to become a fire inspector. Building Official Loreno provided additional information on the asbestos removal in Marble Hall and noted that some spalling work needs to be addressed. He also updated that possible code amendments will be discussed at the next Planning & Zoning Board meeting and confirmed there is adequate staffing for inspections. Building Official Loreno commented on year-end budget expectations and contributions to the City Hall construction. The Commission discussed allowable contributions and allocations in the proposed budget. He also informed about changes to the responsibilities for filing milestone inspections.

e. Public Works – Public Works Department Head Guarino: Nothing further to report.

f. City Hall – City Clerk Roussin: Nothing further to report.

g. Beautification Committee – No report.

h. Planning & Zoning Board – No report.

i. Recreation Committee – Attorney Smits reported waiting for a proposal from Daryl Rice to support a public-private partnership with the existing vendor, and for the proposal to be presented to the City Commission when it becomes available.

j. Utility Board – Chair Fred Swanson: No report.

6. Consent Action Items *(Under the consent agenda, all action items will be voted on after one motion, and a second will be required to approve them without discussion. If a Commission member wants any action item discussed or voted on separately, the Commission member, at the beginning of the open session, must ask that the action be moved to the discussion action item section.)*

a. Approval of Warrant No. 0725 for \$ \$1,101,464.52

b. Approval of an Agreement with OVID for the Administration and Management of Existing and Future grants

c. Approval for a permit extension for the installation of a 10-pound vertical boat lift for the property at 73 7th Street ****Addendum****

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

7. Discussion Action Items

a. Review of the US Water Contract, per the Recommendation of the Utility Board

1. Discussion of entering an MOU Agreement with the City of Marathon

Vice-Mayor Colonell introduced the agenda item. City Clerk Roussin informed about the recommendation by the Utility Board to explore the possibility of an MOU with the City of Marathon to support the management of the Wastewater Treatment Plant. Mayor Foster provided additional details on cost-saving benefits. Chair Swanson also commented that the Utility Board agrees to investigate the possibility, but with no recommendation at this time.

b. Discussion/Approval of a Recommendation to Award ITB 2025-04 for the Shelter Bay Drive Wet Detention Pond Fountain System Phase 2.1

c. Discussion/Approval on a Recommendation to Award ITB 2025-05 for the Shelter Bay Drive Wet Detention System Landscaping Phase 2.2

City Clerk Roussin informed that Jason Shepler was not available for the recommendation to award but requested both recommendations be included in the agenda packet.

MOTION: Motion made by Commissioner Harding to approve the recommendation to award the Fountain System bid and the Landscaping Bid. Mayor Foster seconded the motion.

DISCUSSION: City Clerk Roussin clarified the motion to award the Fountain System Bid to CBT and the Landscaping bid to Blue Native of the Florida Keys. Commissioner Harding spoke about cash flow concerns, timing issues, reimbursement timelines, and the option to move funds from infrastructure accounts. He also discussed the possibility of delaying the contract to improve cash flow and confirmed the availability of grant funds. Vice-Mayor Colonell asked about potential liability for the city if there is no fence around the pond. Building Official Loreno confirmed there would be liability under Florida Statutes unless signs are posted. Commissioner Harding provided details about last year's transfer of funds from infrastructure to help with cash flow. Mayor Foster recommended proceeding with the project, commented on the proposed fencing, and emphasized the importance of closing out grants to apply for new ones. The Commission further discussed available funds and the possibility of borrowing to cover expenses and prevent cash-flow issues.

ON THE MOTION: Rollcall vote. Unanimous approval.

~~**d. Discussion/Approval of an Interlocal Agreement Between Monroe County and The City of Key Colony Beach for Fleet Maintenance & Repair Services**~~ ****deleted****

The Commission briefly discussed the deleted agenda item. No action was taken.

Vice-Mayor Colonell called for a 5-minute break at 10:54 AM.

The meeting was reconvened at 11:12 AM.

e. Discussion/Approval for an Amendment to the Contract Agreement with CPH

Vice-Mayor Colonell introduced the agenda item and asked for a motion to approve the agreement.

MOTION: Motion made by Commissioner DiFransico to approve. Commissioner Diehl seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

f. Discussion/Approval of the Bid Package for the City Hall Design Project **Addendum**

Vice-Mayor Colonell introduced the agenda item and asked for a motion to approve.

MOTION: Motion made by Commissioner Diehl to approve. Mayor Foster seconded the motion.

DISCUSSION: City Attorney Smits addressed questions that were answered, including revisions to wording, bonding payment and performance, insurance requirements, waiver of consequential damages, storm plan updates, management responsibilities, timing of the Post Office hardening, architect responsibilities, and the elimination of recycling requirements. City Attorney Smits indicated that all concerns have been addressed and clarified the contractor qualification requirements, explained the terminology of responsiveness and responsibility, and outlined the purpose of the criteria in the bidding process.

ON THE MOTION: Rollcall vote. Unanimous approval.

**g. Discussion/Approval of a recommendation by the Utility Board for Billing Practices for the Marina
addendum**

Vice-Mayor Colonell introduced the agenda item and asked for a motion to approve.

MOTION: Motion made by Commissioner Diehl to approve. Commissioner DiFransico seconded the motion.

DISCUSSION: Commissioner Harding suggested gathering more data before making a decision on the marina billing to ensure a fair assessment. The Commission discussed differences in usage for liveaboards and charter boats, compared these to condominiums, and considered obtaining data to determine equitable charges. The benefits and potential drawbacks of waiting for additional data were also discussed. Mayor Foster proposed tabling the matter until more information is available. Further discussion ensued on how to proceed with implementing the fees. City Clerk Roussin clarified that any changes would not take effect until October 1st, allowing the Commission to table the issue. City Attorney Smits explained the possibility of making a motion to postpone the decision until the data is received. Vice-Mayor Colonell asked for a motion to postpone.

MOTION TO POSTPONE: Mayor Foster made a motion to postpone to a date to be determined. Commissioner Harding seconded the motion.

FURTHER DISCUSSION: Commissioner DiFransico disagreed with the postponement. There was no further discussion.

ON THE MOTION TO POSTPONE: Rollcall vote. Vice-Mayor Colonell – yes. Commissioner Harding – yes. Commissioner Diehl – no. Commissioner DiFransico – no. Mayor Foster – yes. The motion passed.

**h. Discussion/Approval of a recommendation by the Utility Board for changes to Wastewater Billing
Addendum**

Vice-Mayor Colonell introduced the agenda addition and asked for a motion to approve the Utility Board's recommendation on changes to wastewater billing. City Clerk Roussin reported on the Utility Board's recommendation and referenced the meeting minutes from the August 19th Utility Board meeting, referring to Commissioner Harding for his recommendation on the wastewater billing changes.

Commissioner Harding highlighted the two different proposals and their impact on revenue with the removal of extra assessments.

MOTION: Motion made by Commissioner DiFransico to approve the Utility Board's recommendation. Commissioner Diehl seconded the motion.

DISCUSSION: Commissioner Harding provided background on research regarding assessments for washing machines and lavatories in condominiums within the city, which led to a revenue reduction, and he detailed his findings.

ON THE MOTION: Rollcall vote. Commissioner Harding – no. Commissioner DiFransico – yes. Vice-Mayor Colonell – yes. Commissioner Diehl – yes. Mayor Foster – no. The motion passed.

i. Discussion/Approval for Contract Amendment No. 1 for the Maintenance Dry Floodproofing project.

Commissioner Harding provided background on the project, including previous tasks and approval of payments. He explained FEMA documentation requirements and requested approval for the invoice of \$59,210.00 to fund engineering for Phase 2, which would be reimbursed at 90% by FEMA. Commissioner Harding also discussed available budget funds in the current and upcoming budgets and potential risks if the project is not approved.

MOTION: Motion made by Commissioner DiFransico to approve the invoice from K2M. Commissioner Diehl seconded the motion.

DISCUSSION: Mayor Foster requested clarification about the budget expenses. Commissioner Harding explained the use of infrastructure funds for the current and upcoming year, and expressed confidence in K2M's performance on the project and that the engineering costs will be refundable.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. Ordinances & Resolutions

- a. RESOLUTION 2025-07:** A Resolution of The City Commission of The City of Key Colony Beach, Florida, Approving A One-Year Extension of The Agreement, Between the City of Key Colony Beach and the City of Marathon for The Provision of Emergency Medical and Fire Rescue Services; Providing for An Effective Date.

Vice-Mayor Colonell provided the reading of Resolution 2025-07 and asked for a motion to approve.

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

DISCUSSION: Commissioner Harding provided background on significant cost increases over the past years and noted there are no guarantees of future increases, with possible considerations in the future to manage services for the city themselves. Mayor Foster commented that currently there are no other avenues or ideas, and such topics will be discussed at a later time.

ON THE MOTION: Rollcall vote. Unanimous approval.

- b. FIRST READING OF ORDINANCE NO. 2025-500:** An Ordinance of The City Of Key Colony Beach, Florida; Amending Chapter Fourteen Of The Code Of Ordinances, Entitled Sewers And Sewage Disposal, Section 14-6 Monthly Rates And Charges, And Providing For Codification; Repealing Any Inconsistent Provisions; Providing For Severability; And Providing An Effective Date.

1. Recommendation by the Utility Board from 08-19-2025
2. Recommendation by Secretary/Treasurer Tom Harding

Vice-Mayor Colonell provided the first reading of Ordinance 2025-500 and asked for a motion.

City Attorney Smits stated for the record the changes in the proposed ordinance following the approval of the recommendation from the Utility Board. City Attorney Smits noted the removal of verbiage on page 96, from bathrooms to sinks, and the reversion of the commercial fee from 2.57 to 2.47, along with a fee of \$74.00, with an effective date of October 1st, 2025. City Attorney Smits asked for a motion to approve with the described amendments.

MOTION: Motion made by Commissioner Diehl to approve. Commissioner DiFransico seconded the motion.

DISCUSSION: The Commission discussed changing the proposed fee and bringing the proposed ordinance back for a first reading and impact on the upcoming budget. Utility Board Chair Swanson commented that any potential change from \$74.00 to \$75.00 should not be deemed substantive and recommended that the Commission proceed with the approval of the first reading. City Attorney Smits advised that the Commission should determine whether the change is substantive.

ON THE MOTION: Commissioner Diehl withdrew his motion and restated his motion to \$75.00. Commissioner seconded the amended motion.

ON THE AMENDED MOTION: City Attorney Smits restated the deletion of verbiage from “laundry machines” and leaving commercial accounts at \$2.47 and changing \$74.00 to \$75.00. Commissioner Diehl moved the motion. Commissioner DiFransico seconded the motion. Rollcall vote. Unanimous approval.

City Clerk Roussin announced that the ordinance was approved on first reading and will return for a second reading in September.

- c. **FIRST READING OF ORDINANCE NO. 2025-503:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Code Of Ordinance, Chapter 12 Parks And Recreation Section 12-2 Recreation Committee Continued, 12-6 Meetings, Reports Of Committee, 12-8 Powers And Duties Of Committees, And 12-9 Limitations On Use Of Certain City Park Property; Repealing Conflicting Ordinances; Providing For Severability; And Providing For An Effective Date.

Vice-Mayor Colonell provided the first reading of Ordinance 2025-503.

City Attorney Smits explained the proposed changes to align all four volunteer groups and elaborated on the requirements for full-time residency, referral to the Commission if the groups cannot establish a quorum, and having all committees serve as a recommending authority. City Attorney Smits also discussed the differences in the proposed amendment for the Recreation Committee regarding changes related to swimming and snorkeling, fishing, and jumping from the observation deck.

City Attorney Smits asked to first address the streamlining of the groups, then to proceed with discussions on the use of the city park property, followed by individual approvals of the ordinances. Vice-Mayor Colonell asked for a motion.

MOTION: Motion made by Commissioner DiFransico. Commissioner Diehl seconded the motion.

DISCUSSION: Commissioner DiFransico discussed the requirement of full-time residency and whether to recommend being a full-time resident. City Attorney Smits explained the definition of

a full-time resident according to Florida law and advised the Commission to decide on the specific wording. Mayor Foster noted that most committee members are full-time residents and that the wording should not cause issues. Commissioner Harding recalled joining the Utility Board and previous residency requirements. He explained the changes made to promote volunteerism and highlighted the benefits of residents with experience from other cities. The Commission discussed whether to keep the term 'resident' and the quorum requirements for boards and committees. Ultimately, the Commission agreed to use the term 'resident' only, removing the phrase 'full-time'.

City Attorney Smits requested that the second part of the discussion be about referring a matter to the Commission if a quorum cannot be established by a committee. Commissioner DiFransico stated he had no objections to the change allowing virtual meetings. The Commission agreed.

City Attorney Smits commented that the next discussion item should be for all groups to be recommending authorities only. Commissioner Harding agreed, with no other Commissioners objecting.

City Attorney Smits noted that the next agenda item will specifically address the Recreation Committee's use of property. The Commission reviewed Section 12-8 and discussed the contracting abilities of a volunteer committee and the responsibilities of the city. The discussion included language revisions for consistency and focusing on recommending powers only.

City Attorney Smits announced that the next discussion item will focus on limitations for certain property uses under Section 12-9, including updates to snorkeling, swimming, fishing, and jumping from the dock. The Commission agreed on wording changes regarding jumping off the pier and swimming and snorkeling. A discussion then took place about permitting fishing from the pier. Mayor Foster spoke about the goal of allowing people to fish off the pier and mentioned grant funds that will help add a table and water station to address cleaning concerns, as well as for the Public Works Department to maintain the area. Mayor Foster expressed support for the proposed change and gave more details about a potential pier extension and a designated fishing zone. The Commission discussed establishing rules in collaboration with the Recreation Committee and possibly the Fishing and Boating Club, adding extra signage to warn against swimming, and addressing liability issues for the city. They also considered allowing wading in the water and ensuring proper implementation of city policies. The Commission agreed that staff should oversee the changes and report back with any negative effects.

AMENDMENTS TO THE MOTION: City Attorney Smits stated the changes to Ordinance 2025-03 as follows: 12-2, paragraph 2, deleting 'full-time' and leaving only 'resident'; 12-8, paragraph 2, observe and report to the city, not the city commission; and leaving all other suggested changes as is. City Attorney Smits asked for a motion to move. Commissioner DiFransico moved the amendment. Commissioner Diehl seconded the motion. Vice-Colonel re-read the ordinance header into the record.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin announced that the second and final reading will take place on September 18, 2025.

- d. **FIRST READING OF ORDINANCE NO. 2025-504:** An Ordinance of The City Of Key Colony Beach, Florida, Amending Article XIII Development Review Committees Section 101-186 Beautification Committee; Repealing Conflicting Ordinances; Providing For Severability; And Providing For An Effective Date.

Vice-Mayor Colonell gave the first reading of Ordinance No. 2025-504. City Attorney Smits explained the edits to remove the verbiage about full-time and to streamline the ordinances.

MOTION: Commissioner DiFransico made a motion to approve. Commissioner Diehl seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin announced that the second and final reading will be held on September 18th, 2025.

- e. **FIRST READING OF ORDINANCE NO. 2025-505:** An Ordinance of The City of Key Colony Beach, Florida, Amending Article XIII Development Review Committees Section 101-185 Planning And Zoning Committee, Section 101-170 Appeals From Administrative Hearings, Section 101-171 Variances, And Section 101-172 Amendment To This Code; Repealing Conflicting Ordinances; Providing For Severability; And Providing For An Effective Date.

Vice-Mayor Colonell provided the first reading of Ordinance No. 2025-504 and asked for a motion to approve.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin announced that the second and final reading will take place on September 18, 2025.

- f. **FIRST READING OF ORDINANCE NO. 2025-506:** An Ordinance of The City of Key Colony Beach, Florida, Amending Code of Ordinance, Chapter 14 Sewers and Sewer Disposal, Article III Utility Board, Section 14-47 Membership And 14-49 Meetings; Repealing Conflicting Ordinances; Providing for Severability; And Providing for An Effective Date.

Vice-Mayor Colonell provided the first reading of Ordinance No. 2025-506 and asked for a motion.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. Secretary-Treasurer's Report

a. July 2025 Financial Summary

Commissioner Harding presented his July Financial Report, noting limited income and providing updates on expected grant reimbursements. He reported higher expenses than predicted and a more negative outlook than initially forecasted. Commissioner Harding answered questions from the Commissioners about expenses, revenues, grant costs, the reliability of reimbursements, and the possibility of obtaining a loan. Mayor Foster noted differences in understanding the current budget status and emphasized the importance of providing accurate information to clarify the finances. Further discussion followed regarding actual expenses and grant reimbursements.

Commissioner Harding continued his budget review, discussing wastewater funds, including expenditures, revenues, and grant expectations.

b. FY25/26 Budget Updates

Commissioner Harding requested feedback from the Commissioners on projected City Hall expenditures and provided updates on medical costs, EMS figures, and changes in the Utility Budget. He explained his calculations for the expected City Hall costs, and the Commission discussed their opinions on the expenses before agreeing on an estimated total of \$4.5 million.

10. City Attorney's Report

City Attorney Smits thanked staff and the Commission for their work on the City Hall bid preparation and provided an update on current city issues. The City Attorney also shared updates on ongoing litigation and progress on a new agreement for the Golf Course Lease, as well as work on multiple contracts, permitting issues, and the CPH contract amendment.

11. Commissioner's Reports & Comments

a. Commissioner Tom Harding

1. Wastewater Sampling Summary Report of August 18th, 2025

Commissioner Harding discussed his report and mentioned that COVID is still present, providing details on the data that was given.

2. Dry Floodproofing Update: Nothing further to report.

b. Commissioner Kirk Diehl: Nothing further to report.

c. Commissioner Tom DiFransico: Commissioner DiFransico reported on his meeting with Cindy Catto and Sandy Bachman, and mentioned that the Committees are currently prioritizing their lists of projects.

d. Vice-Mayor Doug Colonell: Vice-Mayor Colonell asked for an update on the brick program. No update was available, and Vice-Mayor Colonell stated to follow up with City Administrator Bartus.

e. Mayor Freddie Foster

- 1. TDC Grant Award for Pickleball Sail Shades**
- 2. TDC Grant Award for Improvements to the Sunset Park Fishing Pier: Mayor Foster discussed the project for shading the courts and the fishing pier grant that had been previously discussed.**
- 3. 7th Street Parking Lot: Mayor Foster announced plans to have the parking lot blacktopped using impact funds and noted that the city has nearly achieved ADA compliance.**
- 4. Update on Sunset Park Shades: Mayor Foster noted that the shades have been a good addition to the city.**

Mayor Foster reported on a meeting with Accountant Jen Johnson to review the current budget. Mayor Foster stated that the city has a surplus across the board and understands that grant monies reimburse expenditures. He explained the surplus and suggested obtaining a line of credit to cover upcoming expenses while waiting for grant reimbursements. The discussion then focused on the timing of securing a loan and waiting for a proposal for city hall to gather more information on what might be needed.

Mayor Foster expressed his dissatisfaction with the lack of communication from the golf course management and noted that the responsibility falls to the lessee according to his contract.

Commissioner Harding agreed that miscommunication was an issue and suggested assigning a Commissioner to serve as a liaison with the golf course management. Mayor Foster stressed the importance of keeping the Commission informed about golf course needs. Commissioner DiFransico confirmed he would assist with communications.

12. Citizen Comments: None.

13. Adjournment: The meeting adjourned at 2:11 PM.

Respectfully submitted,

Silvia Roussin

City Clerk

ADOPTED: October 16, 2025

Silvia Roussin

City Clerk

08-21-2025 Citizen Correspondence - Regular Meeting

The City Clerk's Office received various communications from residents about the Golf Course Lease. The messages included from:

- David Evangelista
- Doug Lipke
- Pat Childs
- Maria Edwards
- Steve Wenger
- Mac MacBride
- Richard Pflueger
- Larry Smoot
- Lynn Goodwin & Jimmy Padgett
- Michael & Bonnie Leto
- Jackie Low
- Joe Paskalik
- Bryan Atkinson
- Kerri Tolbert
- Kathleen Motichka
- Gail Alter
- Dave Nussdorfer
- Chip Herman

Additionally, the City Commission received the following correspondence:

- On 08-12-2025, Laurie Swanson provided various comments on the release of the 100% City Hall Design Drawings.
- 08-20-2025, Bill Catto wrote to the City Commission with concerns about changes to the Sunset Park Fishing restrictions.

All correspondence has been shared with the City Commission and will be attached to the meeting minutes for today's meeting.

Silvia Roussin

City Clerk

Additional correspondence was received late afternoon from Elynn Eiss with concerns on allowing swimming + fishing at Sunset Park

Silvia Roussin

Subject:

From: David Evangelista <dpevang1@gmail.com>

Date: July 22, 2025 at 10:28:58 PM EDT

To: KCB Mayor <Mayor@keycolonybeach.net>, Tom.Harding@keycolonybeach.net, Tom DiFransico <tom.difransico@keycolonybeach.net>, Doug.Colonell@keycolonybeach.net

Subject: Golf Course Lease

Gentlemen

In accordance with Chapter 12.8 of the KCB Code of ordinances, and with regards to any area that shall be leased for a recreational use, "the recreation committee shall ensure the protection of the city's interest in the drawing of the lease and the operation and performance of the lessee".

Accordingly, the Mayor and City Commissioners should refrain from negotiating or awarding any contract relative to the operation of the golf course until such time as the Recreation Committee has completed their work and made their recommendation.

Thank you for your consideration

David Evangelista
Recreation Committee Alternate

Sent from my iPad

Silvia Roussin

From: Jim and Pat Childs <patch27@sbcglobal.net>
Sent: Wednesday, July 23, 2025 9:44 PM
To: Silvia Roussin
Subject: KCB Golf Course

Dear Mayor Foster,

Daryl Rice has done his best to keep our golf course in good shape. Please renew his contract sooner than later.

Thanks for your prompt response.

Pat Childs
570 11th

[Sent from AT&T Yahoo Mail on Android](#)

Silvia Roussin

From: Maria Edwards <twofishpond@yahoo.com>
Sent: Thursday, July 24, 2025 10:20 AM
To: Silvia Roussin
Subject: KCB Golf Course

Dear Mayor,

I just want to say that I have been a member of the KCB Golf Course for many years. The course is well maintained with the limited recycled water supply. Please keep up the good work with the current manager, Darrel Rice.

Sincerely,
Maria J. Edwards
305.363.9013

Sent from my iPhone

Silvia Roussin

From: Steve Wenger <stevelwenger@gmail.com>
Sent: Thursday, July 24, 2025 8:02 AM
To: Silvia Roussin
Subject: GOLF COURSE DARYL RICE

Good Morning Silvia! I hope your summer is going well. This is a quick email that I support the City of KCB to extend the contract with Daryl Rice for an additional two years. He and his associates have done an excellent job running the golf course over the past several years. The number of people playing have seemed to increase every year. I do play each Tuesday with a group whose numbers are twenty or more each week!

Please pass this along to all commissioners!

Thanks,
Steve Wenger
100 13th Street
KCB

Silvia Roussin

From: Mac MacBride <macmacbride1@gmail.com>
Sent: Thursday, July 24, 2025 8:39 AM
To: Silvia Roussin
Subject: Golf course Daryl's lease

Hi Sylvia,

I was just informed that the council has not renewed Daryl's lease to operate the course.

I have played there for a number of years and just want to urge the council to renew his lease. He does an excellent job of operating the course, hires excellent people who make it fun and enjoyable to play there and I am very satisfied with his operation.

I'd be most appreciative if you would pass this along to the council members.

Many thanks.

Mac.

Mac MacBride

Retired... and loving it!

74 Seaborne Drive

Yarmouth, ME. 04096

Cell/text- 207-838-4441

macmacbride1@gmail.com

Silvia Roussin

From: Richard Pflueger <rlpflueger@bellsouth.net>
Sent: Thursday, July 24, 2025 9:35 AM
To: Silvia Roussin
Subject: Golf Course Lease

Greetings Commissioners,

This is express my support for a multi year lease with Daryl Rice for continued operation of the golf course. This should be done as soon as possible so there is no interruption in operation and maintenance of the facilities.

Thank you,

Richard Pflueger

Sent from my iPad

Silvia Roussin

From: Larry Smoot <smootepikc@gmail.com>
Sent: Thursday, July 24, 2025 9:47 AM
To: Silvia Roussin
Subject: Golf course Daryl support

Hi Sylvia,

I support Daryl's continued operation of the golf course. He does a great job. He keeps the course in great shape.

Please forward my comments to the Commission.

Thanks and take care,

Larry Smoot
Sales Engineer
816-550-8560

Sent from my iPhone, please pardon my brevity and spell check induced errors.

Silvia Roussin

From: camarojimmy@gmail.com
Sent: Thursday, July 24, 2025 9:03 AM
To: Silvia Roussin
Subject: Golf course

As full-time members of the Kcb, Golf Course Lynn and I request that the city sign a two year lease with Daryl Rice. He works very hard and does the best that he can with the funds provided. I thank you. Lynn Goodwin and Jimmy Padgett.
Sent from my iPhone

Silvia Roussin

From: chancetooo <chancetooo@aol.com>
Sent: Thursday, July 24, 2025 9:00 AM
To: Silvia Roussin
Subject: Golf course

Dear Silvia,

Daryl has our continued support to operate the golf course. Can you please forward our comment to the Commission. Thank you, Michael and Bonnie Leto

755 W.Ocean Dr.

KCB #9

Sent from my Verizon, Samsung Galaxy smartphone

Silvia Roussin

From: jackie low <jsnorkles@yahoo.com>
Sent: Thursday, July 24, 2025 11:38 AM
To: Silvia Roussin
Subject: Support for Daryl Rice's golf course contract.

To: Silvia Roussin

Please deliver the letter found below to KCB Mayor, City Commissioners and the KCB Recreation Committee.

Thank you,
Jackie Low
Marathon Fl

Dear Mayor Foster and City Commissioners,

I'm writing to express my strong support for Daryl Rice and to urge the city to issue him the two-year contract for the golf course without further delay.

Daryl has done an outstanding job managing and improving the golf course. It's in far better condition now than when he first leased it, thanks entirely to his hard work, care, and dedication. He's shown exceptional leadership after hurricanes, working tirelessly to restore the course and rallying volunteers to help get it back in playable shape—an effort that speaks to the respect he's earned. Daryl has also dug up and repaired the aging irrigation system countless times, ensuring the course remains healthy and playable. That kind of expertise and hands-on commitment is rare. Beyond all that, he is truly beloved by the golfers who play here—always greeting everyone with his wit and smile. When a player hits a good golf shot and Daryl happens to see it, he gives you a big shout out. No wonder he is beloved!

As a member of the KCB Women's Golf League for over 20 years, I can say that Daryl has consistently kept the course in excellent condition and has always made sure our group has everything we need. We tee off at 8:30 a.m. every Wednesday during the season, and without fail, the greens are freshly cut before we begin—just one example of his attention to detail and commitment to the players.

With the new membership season beginning October 1, it's time to finalize the contract. The repeated delays have gone on long enough.
Please do what's right for Daryl and for the many people who value this course.
We want to keep playing—and we want to keep playing under his leadership.

Sincerely,
Jackie Low
Marathon Fl

Sent from Yahoo Mail for iPad

Silvia Roussin

From: joseph paskalik <jpaskalik@msn.com>
Sent: Thursday, July 24, 2025 12:13 PM
To: Silvia Roussin
Subject: Golf course management

Dear Ms. Roussin,
Please deliver the below letter to the mayor, city commissioners and Rec Committee .

Dear Mayor Foster and City Commissioners,

My name is Joe Paskalik and I have been a member of the KCB golf course for over twenty years. My wife and I are daily golfers and we have been playing the course since before Daryl took over management.

Since he has taken over the course the daily upkeep has been very consistent and many improvements have been made under his leadership.

The first item that comes to mind is the maintenance of the irrigation system and its constant need of repair. Daryl has been working tirelessly on this and many other issues.

I was one of the volunteers after the last hurricane and Daryl was very determined to get the course back up to speed with the help of all the volunteers.

I feel that the city has the best opportunity to keep up the continued growth of the course with Daryl Rice at the helm. Please issue the two year contract with him as soon as possible.

Thank you,
Sincerely,

Joe Paskalik

Sent from my iPhone

Silvia Roussin

From: bayooper@aol.com
Sent: Thursday, July 24, 2025 3:21 PM
To: Silvia Roussin
Subject: The future of the KCB Par 3 Golf Course

To Whom it May Concern,

I am writing today to put my full support behind Daryl Rice and his thoroughly professional management of the KCB Par 3 golf course. I propose he is "signed" to lease and manage the course for at least three more years.

Daryl is many things. He is an expert golf course agronomist. He is an excellent small business person. He is a very personable and nice man. He is an incredibly hard worker and he is an accomplished golfer.

His experience combined with his creative ideas and diligent work has made this course better than it has ever been. And I bought into Key Colony Beach in the year 2000.

Daryl would not be a hard person to replace, Daryl would be an impossible person to replace.

Please do the right thing and sign up Daryl for at least three more years.

Sincerely,
Bryan Atkinson
Sunset Beach Club
581 E. Ocean
Key Colony Beach, FL 33051

Silvia Roussin

From: Kerri Tolbert <kerritolbert@gmail.com>
Sent: Friday, July 25, 2025 10:02 AM
To: Silvia Roussin
Subject: Contract for Daryl Rice golf course

Mayors office,

It has been brought to my attention that the golf course in KCB has not had their contract renewed. It is a big part of our choice in staying in KCB each year. There are few things to do without it. Please renew the contract.

Kerri Tolbert
Chambersburg, PA

Silvia Roussin

From: Kathy Motichka <kathya1027@gmail.com>
Sent: Friday, July 25, 2025 9:57 AM
To: Silvia Roussin
Subject: Key Colony Beach Golf Course

Please deliver this message to the mayor, city commissioners and recreation committee.

Please reinstate the contract for Daryl rice to continue to operate the Key Colony Beach Golf Course. This is something we enjoy for several months every year when we come to visit. It is a nice addition to Key Colony Beach. Thank you Kathleen motichka

Silvia Roussin

From: Doug Lipke <douglipke222@gmail.com>
Sent: Friday, July 25, 2025 8:25 AM
To: KCB Mayor; Tom Harding; Tom DiFransico; Doug Colonell; Silvia Roussin; Kirk Diehl; dsmits@keycolonybeac.net
Cc: Len Testa; Frank Tremblay; RICHARD JAN PFLUEGER; ctcatto@aol.com
Subject: Re: Key Colony Beach Golf Course - IMMEDIATE ATTENTION REQUIRED

Good morning Mayor, CityAttorney, and Commissioners,

This email follows my emails from April 22 and July 22.

I am confused and respectfully request an answer to the following. After 5 months of discussions, I understand the Mayor now insists, again on the advice of City Counsel, that a one year Lease with four one year options (which is really a one year lease because extensions must be mutual) which has not as yet been drafted , must go out for bid ?

This is notwithstanding that (1) Section 2-75 of the City's Code of Ordinances, which requires bidding for certain contracts, does not apply to the subject Golf Course Lease and a further review of Florida Statutes reveals that there are no requirements that the subject Lease have competitive bidding; (2) such action which would extend into the Fall, risks the loss of Daryl's continued good work , and who has indicated he would accept a two year Lease, which would give the City time to decide how it wants to manage the Course going forward; and (3) the KCB golf community, of which there are many, as well as the Recreation Department, have continued to express their overwhelming support in person and in writing for a two year Lease with Daryl.

My simple question is WHY ?

Best, Doug Lipke

Doug Lipke
312.909.7646
douglipke222@gmail.com

On Jul 22, 2025, at 10:17 PM, Doug Lipke <douglipke222@gmail.com> wrote:

Mayor Foster, Commissioners Harding, DiFransico, and Colonell and City Clerk Roussin (with a request to send to the new Commissioner and Members of the Recreation Committee),

- **A Two Year Lease Should be Entered into With Daryl Rice and D. Rice Management to Maintain the Integrity, Maintenance and Improvements of the KCB Golf Course**
-
- Cindy Cato, Chairman of the KCB Recreation Committee, reported at the July 17 , 2025 Commissioners' Meeting that the City has been in violation of Section 12.8 of the City's Charter by not including the Recreation Committee in discussions regarding the lease of the KCB Golf Course. At the end of the meeting , citizen Doug Lipke requested a status of an undisclosed 90 day temporary lease that he heard was entered into with Daryl with an expiration in August, a critical time for seeding and maintenance for the continued integrity and improvements of the Course. The obvious concern is the potential loss of Daryl's commitment to the expense and maintenance of the Course without a long term commitment from the City. Mayor Foster reported that he believed that the temporary lease had an automatic extension (likely 30 days) and assured that Daryl would not be mistreated by the City. However, leaving Daryl in limbo since March is mistreatment.
-
- Eighty one KCB citizens corresponded and/or appeared at the April 17 Commissioners meeting in full detailed support of Daryl's special excellent overall maintenance and improvements of the KCB Golf Course over the years and requested a new long term Lease to assure the integrity of this special asset and gem of the community. City Attorney Smits suggested the formation of a committee to identify the required needs for the continued maintenance and improvements of the course going forward and suggested the involvement of the Recreation Committee to form the committee. The Recreation Committee provided names for the committee, however four months later the committee has not been formed. The Recreation Committee has not been included in any discussions relating to the Course, and the City has done little if anything other than enter into a temporary 90 day Lease with Daryl with an August expiration with a possible 30 day extension.
-
- The return of the snow birds is approaching. There are no City Ordinances or Florida Statutes that prevent the City from immediately entering into a two year Lease with Daryl , which includes joint commitments of expenses and equipment of the City and Daryl for the maintenance and improvements of the course going forward.
-
- Daryl has expressed strong interest to enter into a two year Lease to maintain and improve the integrity of the Course, with an agreement to train a person or persons to continue after the two years. This gives the City, with the required involvement of the Recreation Committee, sufficient time to plan how it wants to proceed without Daryl to maintain the integrity of this special asset of the City.
-
- Very little has been done over the last four months since the April Commissioners meeting. KCB taxpayers have run out of patience and insist that the City finalize and enter into a new two year lease with Daryl. Also, as required by the City Charter the involvement and support of the Recreation Committee is the only clear and best all around option to maintain the integrity of the maintenance and improvements of the gem of the City heading into the fall and winter busy seasons.

Doug Lipke
312.909.7646
dougipke222@gmail.com
Monte Christo
Key Colony Beach, Fl

Silvia Roussin

From: Richard Pflueger <rlpflueger@bellsouth.net>
Sent: Friday, July 25, 2025 3:34 PM
To: Silvia Roussin
Cc: Doug Lipke; Len Testa; cynthia catto
Subject: KCB Golf Course

Greetings Commissioners, Administrator and City Attorney,

This is to encourage you to renew the existing lease with Daryl Rice. This lease, with renewals, has been in place at least 15 years. All without requiring competitive bids before renewing. What has changed? Are you wanting Daryl out because you have someone else in mind to operate the course?

I understand that none of us are here forever and that change is inevitable. However, I have heard that Daryl would like to operate the course two more years. That two years would give the city time to come up with a plan. The plan should have input from people who not only golf but golf on that course.

If Daryl wasn't doing a great job I would be the first to say "let's look at alternatives". However, Daryl is a real asset for this City. He knows golf course management as well as turf management (not to be confused with grass mowing).

I understand that Daryl currently pays the City \$40,000 per year. My impression is that the City has very minor expenses related to the course, primarily occasional debris removal and tree trimming. Daryl pays all labor costs associated with the course. Consider what your costs would be if the City operated the course. My knowledge of municipal courses is that they all lose money.

The fall/winter season will soon be here. The course generates a substantial percentage of annual revenues during this period which subsidizes the summer season when numbers of players drops off. It is important that the season starts with certainty on behalf of players and Daryl. Renew the lease!

The golfing community spoke up in April regarding this and were unanimous in their support of Daryl. Are you listening?

Best Regards,
Richard Pflueger
240 8th Street

Sent from my iPad

Silvia Roussin

From: Gail Alter <galter0908@gmail.com>
Sent: Friday, July 25, 2025 4:14 PM
To: Silvia Roussin
Subject: Key Colony Golf Course

Please forward this message to the Mayor, Commissioners, and Entertainment Committee:

My name is Gail Alter. I have been coming down to Key Colony for many years. One of the activities I enjoy most is playing golf on the Key Colony Beach 9-hole course with the Ladies League and several other days each week.

I understand that Daryl Rice (who does a wonderful job with the course) has not received a contract yet. Golf season is starting soon so please extend his contract so the Ladies League can continue nicely as it has in the past.

Thank you.

Silvia Roussin

From: Dave Nussdorfer <dave@capecamping.com>
Sent: Saturday, July 26, 2025 4:51 PM
To: Silvia Roussin
Subject: Golf

I support a new contract with Daryl for the operation of the golf course for the next two years.
Please let the commissioners know.
Thank you

Dave Nussdorfer
320 11th Street

Silvia Roussin

From: Chip Herman <chipherman@outlook.com>
Sent: Sunday, July 27, 2025 2:39 PM
To: Silvia Roussin
Subject: KCB Golf Course Management

My name is Chip Herman and I am an owner of two properties in Key Colony Beach and a frequent golfer at the KCB Par 3 course. I am contacting you about the management direction of the KCB golf course.

It is beyond me why the city would want to make a change from Daryl Rice's management of the KCB Par 3 golf course. During his numerous years of excellent management and personal effort the course itself has improved greatly, and his management of the course overall (with outstanding assistants he has hired) has been expertly managed.

I encourage the city to do the right thing and support Daryl with a long-term contract to continuing operating the course. His experience, dedication and personal commitment cannot be matched.

If I can be of any further assistance, just let me know.

Best,

Chip Herman

Silvia Roussin

From: Laurie & Fred Swanson <swansonfj@yahoo.com>
Sent: Tuesday, August 12, 2025 11:33 AM
To: Silvia Roussin; KCB Mayor; Tom DiFransico; Tom Harding; Doug Colonell; John Bartus; Kirk Diehl
Subject: Questions for "100%" Drawings Meeting

Dear KCB City Commission and City Manager,

"100%" Drawings

With the special meeting to finalize the city hall drawings by Brandan DeCaro only days away, we think it is important to zero in on a ball park number for construction costs, review the 100% design drawings for any errors before approval of the final bid package and before the contract is signed.

It is our understanding that we will be paying out in total five to six million dollars for the show piece of KCB. In addition, KCB is guaranteed approximately a two million dollar grant to bring KCB's share of the cost down to three to four million dollars. With that understanding, we have some concerns that we would like you to address in this final 100% of the design drawings meeting.

- Please share with us the results of the Planning & Zoning committee architectural review as it is our understanding that their review is required by city ordinance.
- Is it wise to close the "fitness room" off to the handicapped population after hours as people recovering from surgery may wish to use the equipment in their rehabilitation process? In the above scenario, could we rely on the police to allow the individual to gain entry through the main entrance after hours? Would that comply with ADA access law to avoid a lawsuit from individuals denied access after business hours and on weekends?
- Until all the city records are digitized, do you think it would be prudent to store the physical city records in a second-floor location in the unlikely case that the first floor is breached by water? With hurricane season bearing down on us, where are the physical and digital records now?
- Even with enhanced reflective paint, dark blue is not as reflective (heat protective) as a white standing seam metal roof. If we are planning to line the roof with solar panels to reduce

our electricity cost the roof color probably does not matter. Please explain the logic behind the dark blue roof.

- Do you have an alternate plan if the final drawings attract a construction bid well over the five to six million dollars budgeted for this project? If so, what is it?
- Please tell us again why you feel that the administration and the building departments must be walled off against the public. This set up, as depicted in the drawings, negates the feeling of openness and welcoming that is now and has always been a hallmark of the KCB city hall. A Dutch door and counter could separate the public from the staff. It would be so much more welcoming.

Please understand that the citizens of KCB appreciate the speed and dedication with which the commission and others have attacked the city hall project. We trust that you have applied much time and skill to the plans for our new city hall. We are excited to see the rewards of your hard work on a project that has been delayed for too many years.

Thank you,

Laurie Swanson for Concerned in KCB

Laurie Swanson
973-508-8741

 There is no power greater than a community discovering the truth and then taking action to ensure that injustices are not repeated.

People Power United

Dear KCB City Commission and City Manager

Silvia Roussin

From: Bill Catto <wacatto@gmail.com>
Sent: Wednesday, August 20, 2025 8:08 AM
To: KCB Mayor; Doug Colonell; Kirk Diehl; Tom DiFransico; Tom Harding; John Bartus; Silvia Roussin; letters@peopleareasking.org
Subject: Ordinance No. 2025-503, Sec. 12-9 Limitations on use of certain city park property, (b),(5).

Good Morning,

Virtually every day during the November through April season (weather permitting) I circumnavigate Key Colony Beach in my kayak. Almost every time I pass Sunset Park I see couples and families enjoying the serenity of the pier. I'll often offer a friendly "hello" or remark on the nice weather. They cite the quiet and scenic nature of the park, how much they're enjoying their peaceful time near the water and how fortunate we are to have such a wonderful asset in our community.

I fear that permitted fishing on, or near, the pier would dramatically change this and generally destroy this idyllic spot and its availability that make Key Colony Beach so unique. I can't even imagine the two initiatives coexisting in a positive manner on the pier.

I would ask that the council please consider the substantial detrimental manner in which adoption of this portion of the resolution would impact our Sunset Park. Please keep the no fishing prohibition in place for Sunset Park. Thank you for your consideration.

Bill Catto
601 West Ocean Drive
Key Colony Beach

Sent from my iPhone

Cook

Subject: Swimming and Fishing from Sunset Park

To: Mayor@keycolonybeach.net, kirk.diehl@keycolonybeach.net, Tom.difransico@keycolonybeach.net, Doug.Colonell@keycolonybeach.net, Tom.Harding@keycolonybeach.net, cityadministrator@keycolonybeach.net, cityclerk@keycolonybeach.net, letters@peopleareasking.org

Mayor Foster wants to change the city ordinance that forbids fishing and swimming from Sunset Park. The reasons for banning both are well documented in the ordinance and in the history leading up to the ordinance. The liability for swimming and fishing at Sunset Park is beyond belief.

SWIMMING:

Will the commission equip a lifeguard station and add life guards to the payroll? Will the commission add Public works employees to clean up the area?

A guest I met at the park said that our "no swimming" sign is nowhere near large enough in case of a lawsuit – It should be larger and in color.

FISHING PIER:

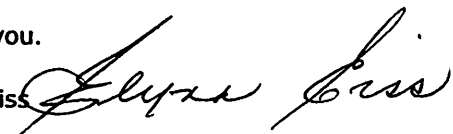
Aside from hooks lying around and cleaning up after the fisherman, making Sunset Park a fishing pier makes it even more of an "attractive nuisance." And "chumming" the waters of Vaca Cut with fish guts will just attract more predators. Because our park was funded by the state, it is open to all and everyone; it's not just for our KCB. The fishermen that I spoke with there were renters in Marathon (whose Real Estate agent told them that they could come and fish off of the pier here!!!)

That was the major disagreement in the late 90s. Susan McGarry was a City Commissioner during those months of work. She used to come home exhausted from the discussions with people on the street.

This is NOT Key West or Ocean Reef. Let us Enjoy Key Colony Beach as long as the Governor will let us !!!

Thank you.

Elynn Eiss



305-731-3050

Key Colony Beach

Subject: Swimming and Fishing from Sunset Park

To: Mayor@keycolonybeach.net, kirk.diehl@keycolonybeach.net, Tom.difransico@keycolonybeach.net, Doug.Colonell@keycolonybeach.net, Tom.Harding@keycolonybeach.net, cityadministrator@keycolonybeach.net, cityclerk@keycolonybeach.net, letters@peopleareasking.org

Mayor Foster wants to change the city ordinance that forbids fishing and swimming from Sunset Park. The reasons for banning both are well documented in the ordinance and in the history leading up to the ordinance. The liability for swimming and fishing at Sunset Park is beyond belief.

SWIMMING:

Will the commission equip a lifeguard station and add life guards to the payroll? Will the commission add Public works employees to clean up the area?

A guest I met at the park said that our "no swimming" sign is nowhere near large enough in case of a lawsuit – It should be larger and in color.

FISHING PIER:

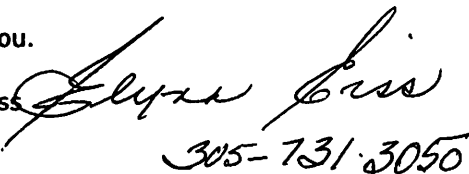
Aside from hooks lying around and cleaning up after the fisherman, making Sunset Park a fishing pier makes it even more of an "attractive nuisance." And "chumming" the waters of Vaca Cut with fish guts will just attract more predators. Because our park was funded by the state, it is open to all and everyone; it's not just for our KCB. The fishermen that I spoke with there were renters in Marathon (whose Real Estate agent told them that they could come and fish off of the pier here!!!)

That was the major disagreement in the late 90s. Susan McGarry was a City Commissioner during those months of work. She used to come home exhausted from the discussions with people on the street.

This is NOT Key West or Ocean Reef. Let us Enjoy Key Colony Beach as long as the Governor will let us !!!

Thank you.

Elynn Eiss



305-731-3050

Key Colony Beach

Silvia Roussin

From: Doug Lipke <douglipke222@gmail.com>
Sent: Tuesday, July 22, 2025 11:16 PM
To: KCB Mayor; Tom Harding; Tom DiFransico; Doug Colonell; Silvia Roussin
Cc: Len Testa; Frank Tremblay; RICHARD JAN PFLUEGER; ctcatto@aol.com
Subject: Key Colony Beach Golf Course - IMMEDIATE ATTENTION REQUIRED

Mayor Foster, Commissioners Harding, DiFransico, and Colonell and City Clerk Roussin (with a request to send to the new Commissioner and Members of the Recreation Committee),

- **A Two Year Lease Should be Entered into With Daryl Rice and D. Rice Management to Maintain the Integrity, Maintenance and Improvements of the KCB Golf Course**
-
- Cindy Cato, Chairman of the KCB Recreation Committee, reported at the July 17 , 2025 Commissioners' Meeting that the City has been in violation of Section 12.8 of the City's Charter by not including the Recreation Committee in discussions regarding the lease of the KCB Golf Course. At the end of the meeting , citizen Doug Lipke requested a status of an undisclosed 90 day temporary lease that he heard was entered into with Daryl with an expiration in August, a critical time for seeding and maintenance for the continued integrity and improvements of the Course. The obvious concern is the potential loss of Daryl's commitment to the expense and maintenance of the Course without a long term commitment from the City. Mayor Foster reported that he believed that the temporary lease had an automatic extension (likely 30 days) and assured that Daryl would not be mistreated by the City. However, leaving Daryl in limbo since March is mistreatment.
-
- Eighty one KCB citizens corresponded and/or appeared at the April 17 Commissioners meeting in full detailed support of Daryl's special excellent overall maintenance and improvements of the KCB Golf Course over the years and requested a new long term Lease to assure the integrity of this special asset and gem of the community. City Attorney Smits suggested the formation of a committee to identify the required needs for the continued maintenance and improvements of the course going forward and suggested the involvement of the Recreation Committee to form the committee. The Recreation Committee provided names for the committee, however four months later the committee has not been formed. The Recreation Committee has not been included in any discussions relating to the Course, and the City has done little if anything other than enter into a temporary 90 day Lease with Daryl with an August expiration with a possible 30 day extension.
-
- The return of the snow birds is approaching. There are no City Ordinances or Florida Statutes that prevent the City from immediately entering into a two year Lease with Daryl , which includes joint commitments of expenses and equipment of the City and Daryl for the maintenance and improvements of the course going forward.
-
- Daryl has expressed strong interest to enter into a two year Lease to maintain and improve the integrity of the Course, with an agreement to train a person or persons to continue after the two years. This gives the City, with the required involvement of the Recreation Committee, sufficient time to plan how it wants to proceed without Daryl to maintain the integrity of this special asset of the City.
-
- Very little has been done over the last four months since the April Commissioners meeting. KCB taxpayers have run out of patience and insist that the City finalize and enter into a new two year lease with Daryl. Also, as required by the City Charter the involvement and support of the Recreation Committee is the only clear and best all around option to maintain the integrity of the maintenance and improvements of the gem of the City heading into the fall and winter busy seasons.

Doug Lipke
312.909.7646
douglipke222@gmail.com
Monte Christo
Key Colony Beach, Fl

08-21-2025 Agenda Changes – Regular Meeting

Under Item 3 for Special Requests

- **A new Item 3b.** Recognition of Sergeant Joe Burden for his performance and commitment to public safety and the city. – Pg. 1
- **A new Item 3c:** Recognition of Sergeant Jamie Buxton and Officer John Buckwalter for their outstanding community service to the city. - Pg. 2
- **A new Item 3d.** Presentation by the KCB Community Association for the donation of a \$5,000 check for the new Marble Hall Kitchen – Pg. 3

Under Item 6 for Consent Action Items

- **A new Item 6c.** Approval for a permit extension for the installation of a 10-pound vertical boat lift for the property at 73 7th Street – Pgs. 4-5

Under Item 7 for Discussion Action Items

- **7a.** Addendum of the 8-19-2025 Utility Board meeting minutes on the discussion on a possible MOU with the City of Marathon – Pg. 8
- **Deletion of Item 7d.** Discussion/Approval of an Interlocal Agreement for Fleet Maintenance & Repair Services
- **A new Item 7f.** Discussion/Approval of the Bid Package for the City Hall Design Project
- **A new Item 7g.** Discussion/Approval of a recommendation by the Utility Board for Billing Practices for the Marina – Pgs. 6-7,
- **A new Item 7h.** Discussion/Approval of a recommendation by the Utility Board for changes to Wastewater Billing – Pgs. 7-8, 11
- **A new Item 7i.** Discussion/Approval for Contract Amendment No. 1 for the Maintenance Dry Floodproofing project. – Pgs. 12-13

Under Item 11 for Commissioner Reports & Comments

- **11a (1)** Addendum of the Wastewater Sampling Report from August 18th, 2025 – Pgs. 14-16

Key Colony Beach Police Department

Chief Kris I. DiGiovanni

P.O. Box 510141, 600 West Ocean Drive, Key Colony Beach, Florida 33051, Phone 305-289-1212

August 18, 2025

Honorable Mayor Foster

Key Colony Beach City Commission

It is with great appreciation that I formally commend **Sergeant Joe Burden** of the **Key Colony Beach Police Department** for his exemplary performance and unwavering commitment to public safety.

Sergeant Burden recently demonstrated exceptional vigilance and professionalism in the successful detection and apprehension of individuals trespassing within our city on two separate occasions. His swift response, sound judgment, and adherence to departmental protocols ensured that the situation was resolved efficiently and without incident. This action not only upheld the integrity of our community's security but also reinforced the public's trust in our department's ability to protect and serve.

Sergeant Burden consistently exemplifies the values of honor, duty, and service. His dedication to maintaining law and order, coupled with his proactive approach to enforcement, reflects the highest standards of law enforcement excellence.

On behalf of the Key Colony Beach Police Department, I extend my sincere gratitude and commendation to Sergeant Burden for his outstanding service.

Respectfully,



Chief Kris DiGiovanni
Key Colony Beach Police Department



Key Colony Beach Police Department

Chief Kris I. DiGiovanni

P.O. Box 510141, 600 West Ocean Drive, Key Colony Beach, Florida 33051, Phone 305-289-1212

August 18, 2025

Honorable Mayor Foster

Key Colony Beach City Commission

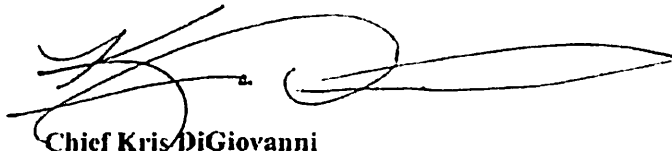
On behalf of the Key Colony Beach Police Department, I am proud to recognize **Officer John Buckwalter** and **Sergeant Jamie Buxton** for their outstanding dedication to community service and their exceptional efforts in strengthening the bond between law enforcement and the residents of our city.

Over the past three months, Officer Buckwalter and Sergeant Buxton have played a pivotal role in organizing and leading our **Community Cookout with the Cops** initiative. Through their enthusiasm, professionalism, and genuine care for the people they serve, they have helped create a welcoming space where neighbors can connect with their local officers, share stories, and build trust.

Their commitment to fostering positive relationships and open communication has not only enhanced public safety but has also brought our community closer together. The success of these events is a direct reflection of their leadership, warmth, and unwavering belief in the power of community engagement.

We are deeply grateful for their service and proud to have them as part of our department. Their work exemplifies the values we hold dear: integrity, respect, and unity.

With sincere appreciation,



Chief Kris DiGiovanni
Key Colony Beach Police Department



Silvia Roussin

From: jhamill@cbschmitt.com
Sent: Saturday, August 16, 2025 8:48 PM
To: Silvia Roussin
Cc: Jennifer Hamill
Subject: KCB Commission meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Silvia,
Hope all is well!
My name is Jennifer Hamill, I am part of the KCB Community Association.
We have a \$5000 check that we would like to present at the upcoming commission meeting.
Is it possible to present this at the next meeting? If so that would be wonderful!
Thanks so much,
Jennifer

LIFETIME

Dock & Lumber, Inc.

24536 Overseas Highway · P. O. Box 420794 · Summerland Key, FL 33042
Telephone: 305-745-2840
www.lifetimeboatlifts.com

To whom it may concern.

Here at Lifetime Dock and Lumber we are gracefully asking for an extension on Permit B24-000129 for the installation of a ten-thousand-pound capacity vertical boat lift with four post aluminum structural piles. The location of the installed lift is 73 7th St. Key Colony Beach, and our client is a Cully Kinnick.

We installed this lift back in September of 2024 but when the Boat Lift/Davit inspection was called our Inspector Tony Loreno failed the inspection due to the lift not matching the engineer drawings provided. The scope of work on the permit clearly states the use of four 4.5" OD aluminum structural piles, which is what we use regularly on this type of lift. Those specific piles match the strength of the 10" wood piles which you see often in Key Colony Beach and throughout the Lower Keys. Normally our engineer drawings include those specifications in print with the drawings, but this time they did not, and we were unaware of the change. When we went back to our Engineer and asked for a revision, unfortunately he was not comfortable changing the issue.

We are fully aware that we need to return to this address, uninstall the lift, change out the piles, and re-install the lift to match the drawings. Unfortunately, this includes getting our barge up to Key Colony Beach which is a time-consuming task and always weather permitting. We only have one barge, and many jobs that require it to be at location to install lifts as well as docks. Unfortunately, this is the reason our company has had issues getting the barge to Marathon to correct what is understandably our fault. Lifetime Dock and Lumber has a few jobs in Marathon coming up in our schedule, one specifically in Key Colony Beach and our intension is to handle this issue immediately once the barge is in place.

Again, we are asking for a little more grace in a situation where we knowingly have been given more than we probably should have. With this letter we promise a swift conclusion to the issue at hand and would be incredibly grateful for your understanding.

Best Regards,

Douglas Scheele
President
Lifetime Dock and Lumber

CITY OF KEY COLONY BEACH 305-289-1212		
WORKING HOURS: 7:30-PM. - 6:00 P.M. MONDAY SATURDAY "NO SUNDAYS OR HOLIDAYS	BUILDING PERMIT	ALL WORK TO COMPLY WITH FBC AND KCB REGULATIONS TYPE OF CONSTRUCTION/ ALTERATION: Douglas Scheele / Lifetime Dock & Lumber, Inc. Installation of a 10,000# capacity vertical boat lift w/ (4) 4.5" OD aluminum structural piles. No electric on this permit. A licensed electrician is to apply for a separate electrical permit if needed on this project. 00078270-000000 \$22,000.00
WARNING TO OWNER; YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. Code of Ordinances 6-6 Subsection (9) Permits display: The Building permit shall be permanently displayed at the site to which it is pertinent from the start of construction until the completion of construction. Failure to post on site shall be subject to subject to a maximum fine of \$250.00 per day. FOR INSPECTIONS, PLEASE CALL 305-289-1212 EXT. 3 OR EMAIL INSPECTION REQUESTS TO CLERK4@KEYCOLONYBEACH. NET PLEASE NOTE ALL INSPECTIONS MUST BE EMAILED OR CALLED IN NO LATER THAN 2PM FOR NEXT DAY INSPECTIONS.		Lot: _____ 38 _____ Block: _____ Street Address: <u>73</u> <u>7TH ST</u> Subdivision: Key Colony Beach Yacht Property Owner: <u>MATTHEW AND</u> <u>JUSTINE KINNICK</u> Date Issued: <u>05/17</u> <u>/2024</u> Expiration Date: <u>08/17</u> <u>/2025</u> Permit No. <u>B24-000129</u>
Inspection Type	Date Approved	Inspector
Comment		

Posted Rules

This building permit must be displayed at this job site, visible from the street. *Name/phone number of the permit holder must also be posted at this job site.*

MINUTES

Key Colony Beach Utility Board

Tuesday, August 19th, 2025 – 9:30 am

Marble Hall, 600 W. Ocean Drive, Key Colony Beach & via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, & Rollcall:** The Key Colony Beach Utility Board Meeting was called to order by Chair Fred Swanson, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Chair Fred Swanson, Vice-Chair Ed Carey, Donald Steamer, Gil Gilbertson. **Absent:** Joe Turgeon. **Also present:** Plant Operator Shane Ellis, Building Official Tony Loreno, Building Assistant Samantha Rodamer, Administrative Assistant Linda Jones, City Clerk Silvia Roussin, Commissioner Tom Harding, Commissioner Tom DiFransico, Vice-Mayor Doug Colonell, Mayor Freddie Foster (via Zoom), Commissioner Kirk Diehl. **Absent:** City Administrator John Bartus.

2. **Approval of Agenda** (*Additions, changes, and deletions can be made via one motion and a second to approve by majority vote*)

City Clerk Roussin asked for the following agenda additions:

Under Item 5a: The addendum of a recommendation by City Administrator John Bartus for Marina Billing.

Under Item 5c.: Replace Discussion Items 1 and 2 with a discussion of entering into an MOU Agreement with the City of Marathon – Mayor Foster will speak on the matter.

A new Item 5d. Discussion/Approval for a service estimate from Pantropic Power in the amount of \$2,882.00 for Fuel Polishing/Cleaning

A new Item 5e. Discussion/Approval for the Annual Maintenance Service on the R/O Train #1 in the amount of \$7,500.00

Under Item 8a. The addendum of the July Operator's Report

Under Item 9a. (1 & 2) The addendum of the Wastewater Financial Report

Under Item 9a (3). The addendum of Wastewater Warrant #0725 for \$186,519.42

Under Item 9 b (1 & 2) The addendum of the Stormwater Financial Report

Under Item 9b (3) The addendum of Stormwater Warrant #0725 for \$26,325.00

Chair Swanson asked for a motion to approve.

MOTION: Motion made by Gil Gilbertson to approve the agenda. Donald Steamer seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

3. **Citizen Comments and Correspondence:** None.

4. **Approval of Minutes:** None.

5. **Items for Discussion & Recommendation of Approval**

- a. **Discussion/Recommendation on Billing Practices for the Marina**

****Addendum of a Recommendation by City Administrator John Bartus**

Donald Steamer discussed the recommendation from City Administrator Bartus and recalled that this recommendation was based on previous and recent meetings. Donald Steamer provided details about boat slips,

liveboards, and the methods for collecting fees for wastewater usage. Donald Steamer explained the process of wastewater use and treatment at the marina, as well as the agreement made regarding fee assessments. The Board talked about common practices for wastewater disposal on boats, and Donald added comments on the proposed fee assessment.

Donald Steamer made a proposal to accept the recommendation from City Administrator Bartus as written.

MOTION: Motion made by Donald Steamer to approve the recommendation made by John Bartus on the disposition of marina billing. Gil Gilbertson seconded the motion.

DISCUSSION: Chair Swanson asked Commissioner Harding for his opinion. Commissioner Harding reminded of Sunshine Law and not being able to comment on the matter, but confirmed not to have any questions on the matter.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin informed that the recommendation will be added to the upcoming City Commission meeting.

b. Discussion/Recommendation on a Change to Wastewater Billing

a. Recommendation by Donald Steamer

b. Discussion/Approval of a proposed Code Amendment for Ordinance 2025-500 per Recommendation by Commissioner Harding

Commissioner Harding discussed his research on the assessment of fees for lavatories and washing machines, and shared his calculations of typical usage along with proposed new assessment fees. Commissioner Harding recommended updating the calculation sheet every three years to ensure it stays current. Chair Swanson commented on the Golf Club Condominiums and the assessment of fees for washing machines. Commissioner Harding explained his research on common area machines and his findings. Discussion followed on the usage of machines.

Donald Steamer spoke about his recommendations regarding Section 14-6 of the Code of Ordinances and the recovery of costs for the city. Donald Steamer questioned the current methodology used to determine fees for washing machines and lavatories for residents. Donald Steamer agreed with the city's budget needs and suggested revising the approach to assessing wastewater fees.

The Board continued the discussion on this matter, with Commissioner Harding providing further comments. The Board discussed how to ensure a fair assessment of fees and discussed recommendations presented by Commissioner Harding and Donald Steamer. Commissioner Harding gave additional explanations on these calculations for the assessment of fees.

MOTION: Motion made by Gil Gilbertson to approve Draft Ordinance 2025-500. Vice-Chair Carey seconded the motion.

DISCUSSION: Chair Swanson suggested an alternative to eliminate all additional fees and to adjust the base rate to accommodate everyone. Donald Steamer commented on wanting to address the assessment of commercial accounts. City Clerk Roussin reminded of the nature of the discussion. Chair Swanson called for roll.

ON THE MOTION: Rollcall vote. Gil Gilbertson – yes. Ed Carey – yes. Fred Swanson – no. Donald Steamer – no. The motion failed.

Chair Swanson expressed his disagreement with the proposed ordinance, citing a high assessment of flow per gallon. Chair Swanson suggested a lower figure, comparable to other cities in the Keys, and an increase in the base rate, though he could not provide specific numbers. Donald Steamer suggested maintaining the existing

commercial billing for the time being. City Clerk Roussin advised that adjustments to the number of washing machines and lavatories based on research by the Building Department will be implemented by staff starting in October. Mayor Foster recommended a workshop for the Board to work on finding a solution and to be on the right track. City Clerk Roussin informed the Board that they could make a motion to approve the draft ordinance with no changes to the commercial accounts.

MOTION: Motion made by Donald Steamer to revise Section 14-6 to have a flat rate charge for everyone for residents and condominiums, and to eliminate extra costs, and to be treated the same as residents, and no changes to the commercial bill structure. Chair Swanson asked for a second. Gil Gilbertson seconded the motion. **DISCUSSION:** Donald Steamer commented on his suggested calculation for the flat rate for wastewater assessment for residential, condominium, and commercial accounts. Chair Swanson called for roll. City Clerk Roussin restated the motion 'to accept Ordinance 2025-500 with the change Section 14-6 to charge a flat rate for condominiums and apartments, the same as residential living units, with no extra fees, and no changes to commercial billing'.

ON THE MOTION: Rollcall vote. Ed Carey – no. Donald Steamer – yes. Gil Gilbertson – yes. Fred Swanson – yes.

City Clerk Roussin informed that the recommendation would be presented to the City Commission on Thursday.

c. Discussion/Recommendation on a Review of the US Water Contract

1. Possibility to Mirror Marathon's Wastewater Program

2. Possible MOU with the City of Marathon for Operator Assistance

1. Discussion of entering into an MOU Agreement with the City of Marathon

Mayor Foster discussed the idea of developing an MOU with the City of Marathon to facilitate resource sharing. Mayor Foster commented on the reduced time allocation for the city due to the Plant Operator having to perform two jobs and mentioned exploring other options, including the possibility of eliminating US Water, similar to how the City of Marathon operates its plant. Mayor Foster emphasized the need for a backup to meet regulatory sampling requirements, suggesting the City of Marathon could serve as a stopgap and provide backup if needed. Mayor Foster offered further details on the proposal but noted that no specifics are available yet. Mayor Foster clarified that support is requested for an investigation into a possible MOU, with the Board to receive a draft agreement once it is prepared. Plant Operator Ellis confirmed that he is no longer working at two locations and is now fully available to the city. Mayor Foster stated that the city was not informed of this change and emphasized the importance of researching a possible MOU, especially regarding the cost of service to the city, and to prevent being in a similar situation as before. Chair Swanson requested confirmation to explore the possibility of the city operating the plant and developing a memorandum of understanding with the City of Marathon for support, if needed. Mayor Foster confirmed Chair Swanson's request. Chair Swanson and the Board gave support for researching the possibility of an MOU, with the understanding to be involved in the process.

d. Approval for a service estimate from Pantropic Power in the amount of \$2,882.00 for Fuel Polishing/Cleaning
****Agenda Addition****

The Board discussed the purpose and benefits of the proposed service as well as the city's plan to have its own cleaning system in the future.

MOTION: Motion made by Donald Steamer to accept the proposal. Vice-Chair Carey seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin confirmed that Donald Steamer can provide research on fuel polishing systems to Plant Operator Ellis for discussion.

- e. **Approval for the Annual Maintenance Service on the R/O Train #1 in the amount of \$7,500.00 **Agenda Addition****

Chair Swanson asked for a motion to approve the proposal.

MOTION: Motion made by Vice-Chair Carey to approve. Chair Swanson seconded the motion.

DISCUSSION: Plant Operator Ellis explained the purpose of the annual maintenance contract for the R/O system. Commissioner Harding noted that former Plant Operator Evans had previously contracted the same company and had the work done on a regular basis. The Board discussed the scope of the agreement and included services.
ON THE MOTION: Rollcall vote. Unanimous approval.

6. **City Staff Report:** There were no questions on the report.

7. **Sewer and Stormwater Grant update**

Mayor Foster spoke on the current work on the retention pond and the upcoming awards for the fountain and landscaping contracts. Mayor Foster provided further updates on grant funding requests for the sewer plant, awaiting additional information.

8. **Operator's Monthly Report**

- a. July 2025
- b. Maintenance Budget for re-use

Plant Operator Ellis informed that he will meet with Commissioner Harding to discuss upcoming funding for capital projects. Shane Ellis further confirmed that the current sludge hauling cost is slightly higher than usual. There were no questions about the Maintenance Budget.

9. **Treasurer's Report**

- a. **Wastewater Financial Reports**

- 1. Balance Sheet
- 2. Statement
- 3. Discussion/Approval of Wastewater Warrant 0725 for \$186,519.42 ****Addendum****

- b. **Stormwater Financial Reports**

- 1. Balance Sheet
- 2. Income Statement
- 3. Discussion/Approval of Stormwater Warrant No. 0725 for \$26,325.00 ****Addendum****

There were no questions on the Financial Reports, and Chair Swanson asked for a motion to approve both warrants.

MOTION: Motion made by Chair Swanson to approve. Donald Steamer seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

10. Any Other Business: Plant Operator Ellis confirmed that the repair work on the sewer pipes had been completed. City Clerk Roussin confirmed that payment for the service had been made.

11. Next Meeting: September 16th, 2025

12. Adjournment: The meeting was adjourned at 11:04 AM.

Respectfully submitted,

Silvia Roussin
City Clerk

City of Key Colony Beach

PO Box 510141 Key Colony Beach, Florida • Phone= 305-289-1212 • Fax= 305-289-1767



Date: August 14, 2025
To: Utility Board Members
Subject: Marina Report
From: Donald Steamer, Utility Board

Donald Steamer and City Administrator John Bartus met with James Figuerado, owner of the KCB Marina. Here are our observations and recommendations:

- 1) Boats available for rental do not have holding tanks and are not a consideration.
- 2) There are currently two occupied floating structures. There will eventually be a total of 14 floating structures – seven workforce housing units, and seven vacation rental units.
- 3) Boats at the marina can request pump-out services and pay a state-mandated fee of \$5.00 per pump-out.
- 4) Proposed Marina Billing, non-residential slips: These will be collectively assigned as one Dwelling Unit and would be assessed at \$74.00 total. The marina will record the number of pump-outs and gallons of wastewater that are put into the City's wastewater system. This number of gallons will be assessed at the City's current rate of \$2.47 per 100 gallons, as established in Section 14-6. That amount of money will then be compared in accordance with section 14-6 to the base rate and the higher amount will be added to the vacation rental fees and that will be the monthly wastewater bill for the Marina.
- 5) Proposed Marina Billing, residential/vacation rental slips: The seven vacation rental units and seven workforce housing units will be billed the standard residential fee of \$74.00 per unit per month as they come online. The two existing floating structures (and any new rental units) will also be billed the standard \$74.00 per unit per month. The Marina will keep the City apprised of the number of rental units as they come online.
- 6) Because the data collected will be for the previous month, we will be billing the Marina in arrears. It is proposed that this process start with the new fiscal year on October 1, 2025.



Date: August 20, 2025

Client: Councilman Tom Harding
City of Key Colony Beach
P.O. Box 510772
Key Colony Beach, FL 33051 sent via email to: Tom.Harding@keycolonybeach.net
kcbtomharding@gmail.com

Re: Key Colony Beach Maintenance Building Dry-floodproofing – Phase 2
Contract Amendment Number 01 - REVISED
Project No. 24077

Dear Councilman Harding,

This letter is Amendment Number 01 to the Agreement ("Agreement") between K2M Design, Inc. ("Architect / Engineer") and Key Colony Beach ("Client") for the performance of services in connection with Maintenance Building Dry-floodproofing ("Project"). The purpose of this letter is to request funds for the additional Phase 1 work requested by Client and FDEM, and for Phase 2 work including Construction Document development, Permitting & Bidding and Construction Administration. This Amendment is effective as of the date of this letter. All other terms and conditions of the Agreement not previously amended or specifically modified by this Amendment remain in effect.

Architect / Engineer and Client modify the Agreement as follows:

Additional work for Phase 1 included providing (4) different options to meet the project goals, participating in meetings with FDEM and responding to FDEM additional design directives. Phase 2 will further develop initial schematic design documents into full Construction Documents for the project. Architect/Engineer will provide Permitting and Bidding support and Construction Administration services.

Phase 2 services include:

General / Architectural

- Seals that prevent the entrance of floodwater through joints and utility penetrations.
- Removable or permanently installed, substantially impermeable panels to cover doors, and other openings.
- Paints, membranes, gaskets, and other sealants to reduce water seepage.

Structural Engineering

- Design improvements as required to the existing wall structure, including reinforcing walls and slabs to resist water pressure and floating debris impact.

A fixed fee of FIFTY-NINE THOUSAND TWO HUNDRED TEN DOLLARS (\$59,210.00) is requested to complete these services per below.

PROF. REG. AA26001059

CA NO. 30945

Page 1 of 2

BUILDING RELATIONSHIPS BASED ON TRUST AND RESULTS

www.k2mdesign.com

FEE SCHEDULE	TOTAL
Phase 1 Additional Work	\$ 28,760.00
Phase 2	
Construction Documents	\$ 14,930.00
Permitting & Bidding	\$ 6,960.00
Construction Administration and Closeout	\$ 8,560.00
	\$ 59,210.00

Stipulations:

- All stipulations from the Base Agreement and Amendments remain intact.
- Future changes beyond scope above will constitute an additional Amendment.

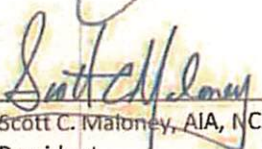
If the terms of this Amendment meet with your approval, please indicate by signing and returning one copy of this letter to us. If you have any questions, please do not hesitate to call. Thank you.

Sincerely,

Authorization:
Key Colony Beach


Heather Carruthers, Director

Signature Date


Scott C. Maloney, AIA, NCARB, LEED AP
President

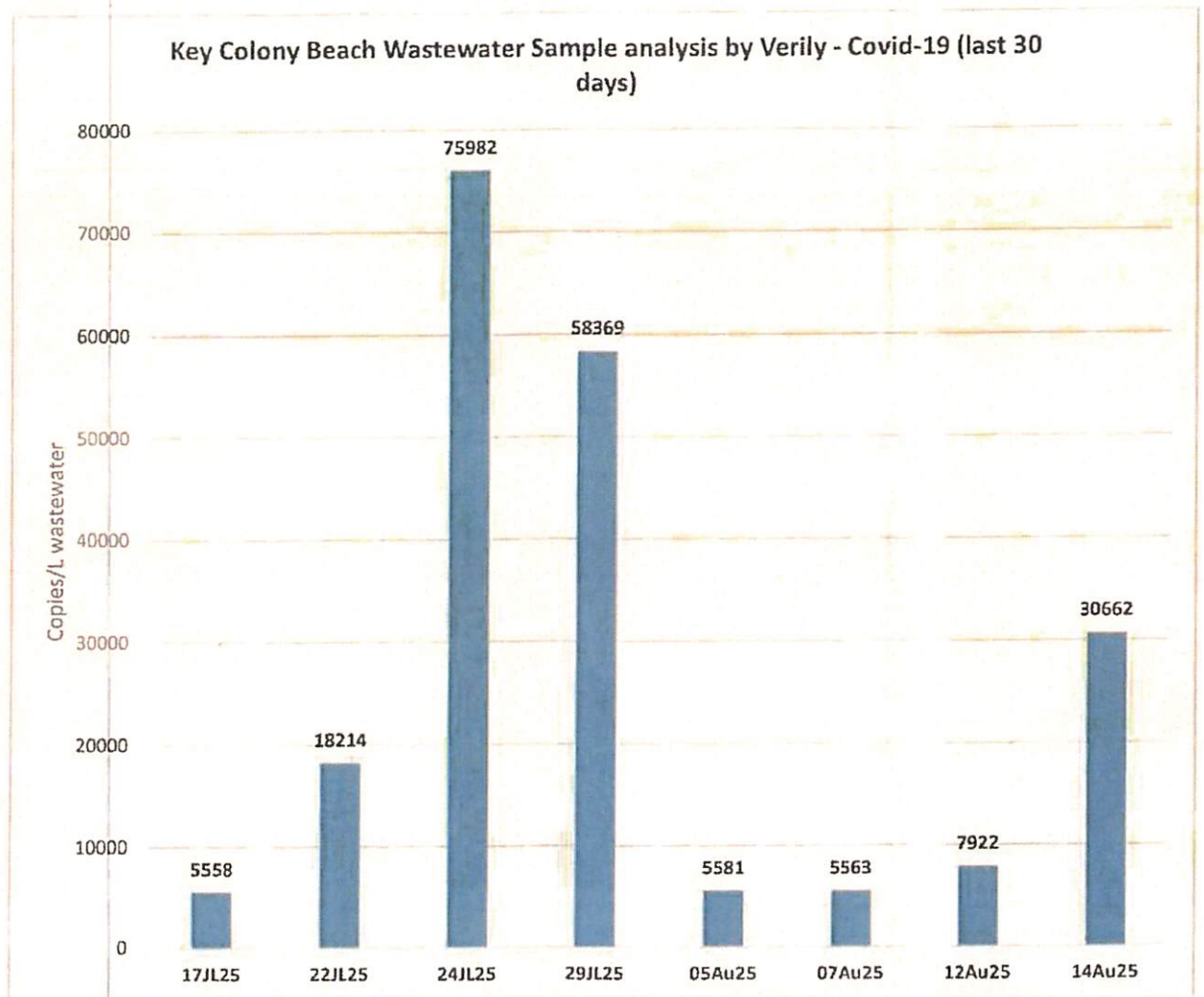
Printed Name Title
(Signer represents he/she is legally authorized to sign on behalf of Client)

City of Key Colony Beach

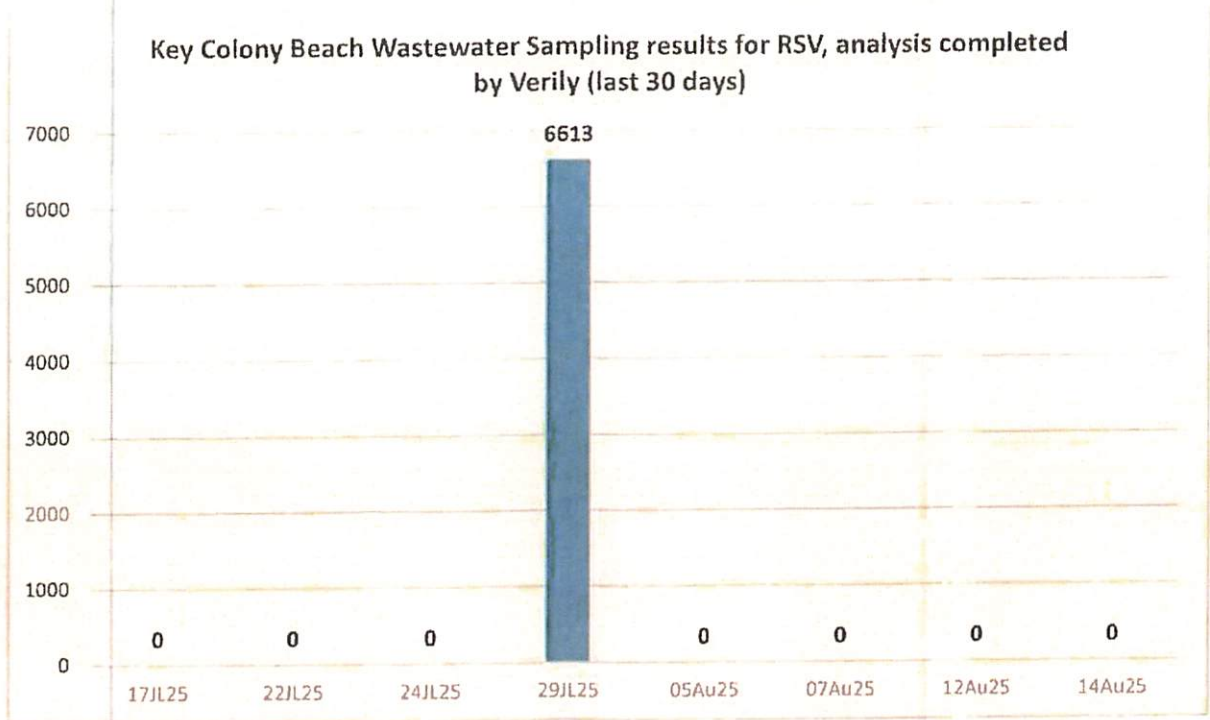
Wastewater Sampling Update for Concern Virus's – August 18, 2025

Specific data for Key Colony Beach – wastewater sampling:

No Detections were found for the following viruses in the last 30 days for KCB: AH5, NVO, MPX Clade 1, Inf B, Measles (started 29JL25) therefore plot was not included. Detections for the viruses below in the last 30 days for KCB (raw data):



Specific data for Key Colony Beach – wastewater sampling August 18, 2025:



Reference Data for Monroe County, Overall State of Florida, and Miami-Dade County

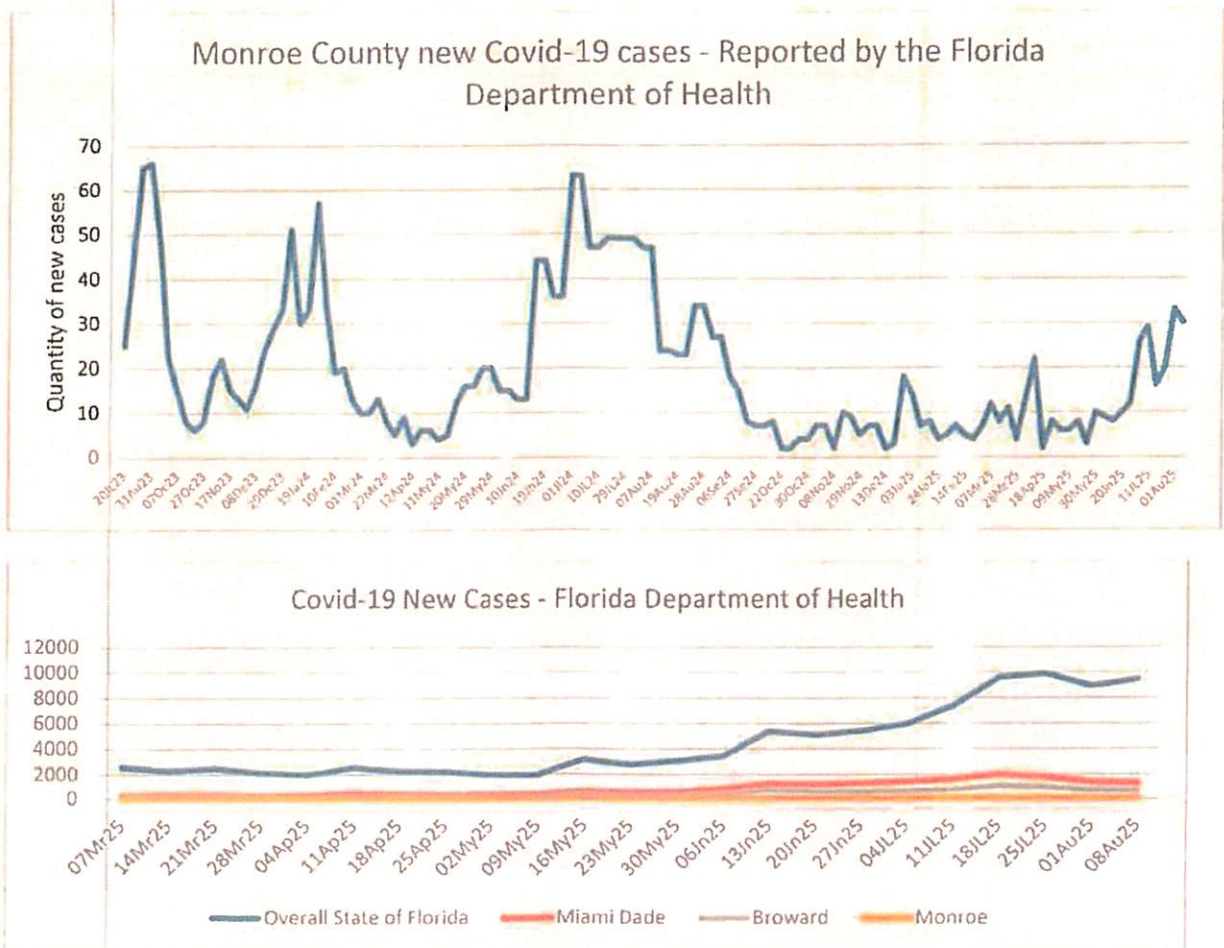
State of Florida Health Department Covid 19 data through 08Au25

Updated death numbers from Covid for 2025:

State of Florida averaging 42 per week for 2025, total year to date, 1,374

Miami Dade averaging 3.56 per week for 2025, total year to date 115

Monroe County total for 2025 – 6



Report by Tom Harding, based on CDC/Verily and the State of Florida Health Department for Monroe County new Covid-19 cases - data through 16Au25.