

# **MINUTES**

## **KEY COLONY BEACH CITY COMMISSION**

### **REGULAR MEETING & PUBLIC HEARING**

Thursday, December 18<sup>th</sup>, 2025 – 9:55 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 and Public Hearing was called to order at 9:55 AM, followed by Rollcall. **Present:** Commissioner Freddie Foster, Commissioner Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present:** City Attorneys Jim Hicks and Scott Black, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Chief of Police Kris DiGiovanni, Marathon Fire Chief James Muro, Administrative Assistant Par Darnall, City Clerk Silvia Roussin.
- 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 informed of the following agenda changes:

- A new Item 7 c. Discussion/Approval for Landscape Services with Brightview for \$34,998.00
- A new Item 7d. Discussion/Approval for Restroom Maintenance Services with Brightview for \$22,940.16
- Addendum to Item 11a. of the Wastewater Sampling Report

There were no other changes, and Mayor Foster asked for a motion to approve.

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

**DISCUSSION:** None.

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

- 3. Special Requests**
  - a. Request by Havana Jacks to extend the regular Music Hours to 1:00 AM for New Year's Eve**

Mayor Foster introduced the agenda item, noted that the request is a standard annual request, and asked for a motion to approve.

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

**DISCUSSION:** None.

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

- 4. Citizen Comments and Correspondence**

City Clerk Roussin informed that correspondence from the Golf Club League in support of reappointing Cindy Catto to the Recreation Committee had been received, with supporting signatures.

Chuck Gijanto, KCB Resident, requested approval for the 7-Meter Bridge Run, followed by a Food Truck Event on 7th Street on February 10th at 3PM. Mayor Foster stated that he would address the request under his report.

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

- a. **Marathon Fire/EMS** – Marathon Fire Chief Muro presented his November report, noting lighter activity than normal. Chief Muro spoke about partnering with the Building Department on inspections and mentioned attending the upcoming BBQ with the Police. Chief Muro also spoke about the upcoming Wounded Warrior event on January 11th and said invitations would be sent. Chief Muro confirmed that Santa Claus will make an appearance in KCB, with a full stop planned in the city. Mayor Foster emphasized the importance of safety and keeping residents away from vehicles. Chief Muro confirmed that Santa's sleigh is safe and ready for the visit. Chief Muro further advised that two County helicopters will be in place, with one additional anticipated to be in service in March. Mayor Foster wished all Fire Department and EMS staff happy holidays and expressed appreciation for their service.
- b. **Police Department** – Chief DiGiovanni thanked the Commission for his reappointment and asked for questions about his report. Mayor Foster commented on the importance of keeping access ways clear and of paying attention to contractors damaging neighbors' yards and right-of-ways. Chief DiGiovanni informed the Commission of Police Officer Coverage during Santa's Visit.
- c. **City Administrator John Bartus** reported on a quiet tropical event season and noted that the Disaster Preparation Committee will reconvene and seek the assistance of Marathon Fire Chief Muro in reviewing the Comprehensive Emergency Management Plan. Mayor Foster requested that KCB resident Carman Slusher be reinstated to the committee. City Administrator Bartus also spoke about the upcoming groundbreaking for the City Hall Project scheduled for the following day. Mayor Foster announced the upcoming Church Carolers event on December 21st at Sunset Park and expressed anticipation for the event. City Administrator Bartus stated that work is moving forward on the Basketball Court Request for Proposals, with the Recreation Committee confirming the correct location for the proposed courts. Mayor Foster raised concerns regarding the project and the potential loss of additional green space. Vice Mayor Colonell spoke about the completion of the Detention Pond and questioned the proposed basketball court location, citing aesthetic considerations related to the pond. Mayor Foster commented that work should move forward as currently proposed for the time being, with further discussion by the Commission on possible options for the basketball court, including use of a previous court location, alternative coloring, additional vegetation, and other potential locations.
- d. **Building/Code Department** – Building Official Loreno commented that the golf course looked exceptional and deferred to the project manager for the completion timeline for the Sadowski Causeway Restaurant. The project manager estimated a completion date of 60 to 90 days, noting that progress was moving in the right direction. Mayor Foster commented on current permit extensions and urged attention to approaching deadlines. Commissioner DiFransico asked for an update on bridge inspection. Mayor Foster reported a successful bridge inspection, clarifying that there are no concerns with the bridge, with only some minor items needing to be addressed.
- e. **Public Works** – Mayor Foster thanked Public Works Department Head Mike Guarino and his team for their work in the city. Public Works Department Head Mike Guarino answered questions about adding public restrooms near the Public Works Building. Mayor Foster spoke about the opening of the Pickleball Courts and the influx of people, and invited Diane Amato to speak about the event.

Diane Amato, Chair of the Pickleball Club, provided an update on current renewals, shared the turnout for the Pickleball Welcome-Back Party, discussed new members buying property in the city because

of the sport, and expressed appreciation to the Commission. Mayor Foster commented on older and younger people playing, exercising, and socializing with neighbors.

Commissioner Harding asked Public Works Department Mike Guarino to review the state of the Detention Pond, noting weeds growing and trash left over from the contractors. Mayor Foster stated that he would meet with the contractor the following week and further suggested that Public Works hold a lunch for his department. Vice-Mayor Colonell questioned the need for Mike Guarino to be involved in the project cleanup and expressed displeasure with the contractors' workmanship. Vice-Mayor Colonell further explained that the contract was not closed out and not completed satisfactorily.

- f. City Hall – City Clerk Roussin. The Commission had no questions.
- g. Beautification Committee – Chair Bachman had no report.
- h. Planning & Zoning Board – Chair Lancaster. Mayor Foster thanked George Lancaster for his service as Chair of the Planning & Zoning Board.
- i. Recreation Committee – Chair Catto had no report.
- j. Utility Board – Chair Swanson had 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 the following City Commission Special Meeting Minutes
  - 1. 11-14-2025 City Commission Public Hearing Minutes
  - 2. 11-19-2025 City Commission Workshop Minutes
  - 3. 11-20-2025 City Commission Regular Meeting Minutes
  - 4. 12-01-2025 City Commission Workshop Minutes
- b. Approval of Warrant No. 1125 for \$650,591.92
- c. Approval to move the January 15<sup>th</sup> Regular Meeting to January 22<sup>nd</sup>, 2025
- d. Approval of an Amendment to the Employment Agreement with the City Administrator
- e. Approval of the Legal Services Contract with Vernis & Bowling for 2026

Mayor Foster asked the Commission whether any consent action items should be moved to discussion action items. Commissioner DiFransico questioned the need to bid the legal contract. Assistant City Attorney Black explained that legal services do not need to be put out to bid and that the contract is renewed annually. There were no other questions on the Consent Action Items, and Mayor Foster asked for a motion to approve.

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

**DISCUSSION:** None.

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

**7. Discussion Action Items**

- a. **Discussion/Review of the Comprehensive Agreement for the Management of the Golf Course**
  - a. Draft Comprehensive Agreement
  - b. Draft Golf Course Lease Agreement
  - c. Attachment A

Mayor Foster introduced the agenda item and asked Assistant City Attorney Jim Hicks to elaborate on the topic. Jim Hicks spoke about the comprehensive agreement, explained its purpose, and commented on the revised lease agreement and on comments received the day before from Daryl Rice's attorney, noting that additional guidance from the Commission was needed to finalize the agreement.

Mayor Foster voiced dissatisfaction with approving the agreement without apparent effort to ensure compliance, noting the mounting cost of legal services and asking the Commission for a recommendation on how to proceed with discussions. Vice-Mayor Colonell commented on time constraints in reviewing the comments from Daryl Rice and suggested tabling the discussion. Commissioner DiFransico suggested holding a Workshop for the Commission to discuss the purpose and benefits of the proposed agreement. The Commission agreed to hold a Workshop followed by a Special Meeting to finalize discussions and reach a Commission consensus on the proposed agreement.

**b. Discussion/Approval for the appointment of a designee for the Florida Keys Transportation Coordination Committee**

Mayor Foster introduced the agenda item and asked Commissioner Harding to continue representing the city on the Committee. There were no objections, and Mayor Foster asked for a motion.

**MOTION:** Motion made by Mayor Foster. Commissioner DiFransico seconded the motion.

**DISCUSSION:** None.

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

**c. Discussion/Approval for Landscape Services with Brightview for \$34,998.00 \*\*Addendum\*\***

Mayor Foster introduced the agenda item and asked Public Works Department Head Guarino for comment. Mike Guarino supported continuing the contract and the company's provision of excellent services. Public Works Department Head Guarino provided further comment on a possible addendum to services and confirmed that he would follow up on outstanding questions regarding property ownership in the city. There was no further discussion, and Mayor Foster asked for a motion to approve.

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

**DISCUSSION:** None.

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

**d. Discussion/Approval for Restroom Maintenance Services with Brightview for \$22,940.16  
\*\*ADDENDUM\*\***

Mayor Foster introduced the agenda item and asked for a motion to approve.

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

**DISCUSSION:** Public Works Department Head confirmed satisfaction with the services provided and that the price provided was satisfactory. The Commission discussed the possibility of obtaining pricing from competitive companies in the future, but had no further changes.

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

## **8. Ordinances & Resolutions**

- a. FIRST READING OF ORDINANCE 2025-507:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article III, Chapter 101 Of The Land Development Regulations Related To Reduction Of Setbacks For Residential Pools; Specifically Amending Sections 101-13 And 101-26 Of The Land Development Regulations To Provide For Reduced Setbacks For Pools Within The R-2b Zoning District; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Code Of Ordinances; And Providing For An Effective Date.

Mayor Foster gave the First Reading of the Ordinance and asked for a motion to approve.

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

**DISCUSSION:** Commissioner DiFransico asked for clarification of zones affected by the Ordinance Amendment. Building Official Loreno confirmed that the change would only affect the R2B Zone and variances would apply to other areas.

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

City Clerk Roussin informed that the Second and Final Reading is to be provided on January 22<sup>nd</sup>, 2026.

- b. RESOLUTION 2025-16:** A Resolution Opposing The Inclusion Of New Offshore Oil And Gas Leasing Off The Coast Of Florida In The Five-Year National Outer Continental Shelf Oil And Gas Leasing Program; And Providing For An Effective Date.

Mayor Foster read the Resolution and asked for a motion to approve.

**MOTION:** Motion made by Vice-Mayor Colonell to approve. Commissioner Harding seconded the motion.

**DISCUSSION:** None.

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

The Resolution was adopted.

## **9. Secretary-Treasurer's Report**

- a. November 2025 Financial Summary**

Commissioner Harding provided the November 2025 Financial Summary and reported on incoming ad valorem taxes, legal expenses and monthly irrigation costs. Commissioner Harding reported receiving grant reimbursement for 8th Street and Sunset Park and provided further information on Wastewater and Stormwater reimbursements, incoming revenue, and expenses. Commissioner Harding also provided calculations for the city hall building loan needs, suggested a loan timeline, and discussed meeting with the city's financial advisor regarding the use of fees as revenue streams. Commissioner Harding also provided a spreadsheet with options for next month.

- 10. City Attorney's Report** – Assistant City Attorney Scott Black thanked the Commission for the reappointment of the City Attorney and the renewal of the contract. Mayor Foster commented on the city's ability to resolve questions on its own and to be mindful in the future of expenditures for code issues. Vice-Mayor Colonell commended the legal team for the work they have provided and for being an assist to the city.

## 11. Commissioner's Reports & Comments

### a. Commissioner Tom Harding

#### 1. Wastewater Sampling Summary Report of December 15<sup>th</sup>, 2025

Commissioner Harding gave his Wastewater Sampling report and reported that COVID numbers are low and that Flu and RSV numbers are increasing as the season returns.

#### 2. Reminder on Landscape Irrigation Schedules: Commissioner Harding reminded everyone on entering the dry season and to be mindful of the irrigation schedule and complying with code requirements.

### b. Commissioner Kirk Diehl

#### 1. Waterway safety and marine structure inspections – Commissioner Diehl spoke about the email notification on Waterway Safety and Marine Structure Inspections and explained the necessity for seawall inspections, engineering requirements, and the process for repairs or replacement. Commissioner Diehl discussed timelines and the seriousness of the issue, and offered guidance to residents. Mayor Foster shared personal experience with collapsing seawalls and the city's dereliction in enforcement, and emphasized the need to improve the inspection process to protect the canal system and neighbors. Commissioner Diehl provided further information on the upcoming estimated inspection schedule, and Chief DiGiovanni noted that the Code Officer is providing inspections from the Waterway. Commissioner Diehl confirmed the Army Corps of Engineers' involvement and explained the approval process. Building Official Lorenzo gave additional comments on the process. Building Official Lorenzo also commented on the use of foam in seawalls and on Building Department requirements for engineering plans and issued permits for that type of work.

### c. Commissioner Tom DiFransico had nothing further to report.

### d. Vice-Mayor Doug Colonell had nothing further to report and reminded everyone about next day's Groundbreaking Ceremony and to be excited for the event.

### e. Mayor Freddie Foster reminded of the 7-Meter run on February 10<sup>th</sup> at 3:00 PM, followed by Food Trucks by the Bocce Courts.

## 11. Citizen Comments:

Carman Slusher, 411 12th Street, asked about the city's intention regarding the Boat Ramp repair, which Mayor Foster confirmed, noting that further research and plans for grant applications are needed.

Barry Wray congratulated the Commission on the Resolution opposing Offshore Drilling, informed the Commission of support from State Representative Mooney and of unity in the State, shared County Commission comments and support, and thanked the Commission for its support.

## 12. Adjournment: The meeting adjourned at 11:09 AM.

Respectfully submitted,

*Silvia Roussin*

City Clerk

**ADOPTED: January 22, 2026**

*Silvia Roussin*

City Clerk