

MINUTES

KEY COLONY BEACH CITY COMMISSION

REGULAR MEETING & PUBLIC HEARING

Thursday, January 22nd, 2026 – 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 City Commission Regular Meeting and Public Hearing was called to order by Mayor Freddie Foster at 9:30 AM, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Mayor Freddie Foster, Vice-Mayor Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present:** City Attorney Dirk Smits, Assistant City Attorney Jim Hicks, 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, Building Assistant Samantha Rodamer, 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 proposed agenda changes:

A new Item 7c. Discussion/Approval for a Request for Change Order by Pedro Falcon for ‘Additional Concrete Slabs at Doors’

1. Change Order Proposal COP-1
2. Original Deducts per Bid

A new Item 7d. Review of the use of Marble Hall: Recreation Committee Request for the use of Marble Hall every 2nd Thursday of the month, starting in February

Under 11a. Commissioner Harding: The addendum to the Wastewater Report

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

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

- 3. Special Requests:** None.
- 4. Citizen Comments and Correspondence**

City Clerk Roussin informed of the following citizen correspondence:

01-21-2026, David Evangelista wrote the City Commission with concerns about Golf Course Safety.

There were no citizen comments.

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 summary report to the Commission and thanked the Commission for its support of the Wounded Warrior Event. Chief Muro provided an update on the CPR program and noted that communication with the Pickleball Group regarding potential training opportunities is pending. Chief Muro also reported that the County’s Trauma Star helicopters are fully operational.

Mayor Foster thanked Fire Chief Muro for the invitation to the Wounded Warrior Event and requested that the CPR training invitation be extended to the Recreation Committee to determine interest. Chief Muro stated he would follow up with the City Clerk regarding scheduling.

b. Police Department – Chief DiGiovanni

1. Recognition of Code Officer Martha Dreyer
2. Recognition of City Staff

Chief DiGiovanni reported a strong turnout for the Sunset Park Welcome Back Party and thanked city staff for their support. Chief DiGiovanni also provided an update on speed monitoring within the City, noting that the Police Department is exploring the use of a mobile speed radar sign.

Chief DiGiovanni recognized Code Officer Martha Dreyer for her work in code compliance, noting her responsiveness and positive impact on the City.

Chief DiGiovanni also reported on the initiation of seawall inspections within the City, conducted in coordination with Building Official Loreno and Commissioner Diehl. Mayor Foster requested that photographs of the seawalls be taken and reviewed by a civil engineer to enable a professional assessment of conditions. Mayor Foster noted the need to document repeat code offenders, and Chief DiGiovanni confirmed this approach.

c. City Administrator – City Administrator Bartus thanked Marathon Fire Rescue staff and volunteers for their participation in holiday events and reported that the Rotary Club is willing to assist with grilling at future events at Sunset Park. City Administrator Bartus provided an update on discussions with the City’s lobbyist regarding Florida Keys Days and the upcoming legislative session, including proposed property tax reform and its potential impact on City revenues. Mr. Bartus noted that the issue will be closely monitored. Mayor Foster and Commissioners discussed the City’s opposition to the proposed property tax reform and confirmed that the City’s position has been communicated to legislators.

Commissioner Harding asked about invitations to bid, and Mr. Bartus confirmed that three bids are on track to be released. Mr. Bartus confirmed the shade structure for the pickleball courts and explained the differences between pickleball and tennis requirements. Commissioner Colonell commented positively on the city’s courts, with Mayor Foster concurring.

d. Public Works Department: Mayor Foster commended Public Works Department Head Mike Guarino and his staff for their work in the city and thanked him for his service.

e. Building Department – Building Official Loreno reported working on Seawall inspections alongside Commissioner Diehl and confirmed to follow-up with an electrical engineer. Mayor Foster asked for a follow-up on an ordinance for seawalls and a non-grass area on the Sadowski Causeway. Building Official Loreno reported working on the issue with the contractor and holding the cleanup bond until the matter is restored. Mayor Foster further requested a review of areas that slope into the canal system to determine whether berms or other measures are needed to prevent the shoulder from rolling.

Vice-Mayor Colonell requested a follow-up on tactical warning tracks for handicapped crossings.

Building Official Loreno identified possible areas for bump strips and confirmed they could be installed. Vice-Mayor Colonell further suggested restriping walkways to improve safety. Public Works Department Guarino confirmed to follow up.

- f. **City Hall:** Commissioner DiFransico suggested including property managers and owners in the release of public notices to residents to reach visitors staying in the city. City Clerk Roussin confirmed that property managers will be included in future public outreach.
- g. **Beautification Committee** – No report.
- h. **Planning & Zoning Board** – No report.
- i. **Recreation Committee** – Chair Catto thanked the Commission for moving forward with bids for the basketball courts, discussed golf course safety concerns and additional landscape needs to deflect golf balls. Chair Catto discussed adding benches and tables to the golf course, noting resident enthusiasm for additional seating areas. Mayor Foster advised working with Public Works Department Head Guarino on possible additions. Chair Catto advised that the Recreation Committee will assist with the Hot Dogs in the Park event and will send out notices regarding CPR training opportunities. Commissioner Colonell inquired about trees previously transplanted from City Hall and whether they could be utilized by the Recreation Committee. Further discussion focused on golf ball safety and impacts to nearby properties. Commissioner DiFransico asked whether a standard document addressing golf course safety was available. Additional discussion included potential mitigation measures such as netting, landscaping, and planting additional trees.
- i. **Utility Board** – 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 Meeting Minutes
 - 1. 12-18-2025 City Commission Organizational Meeting Minutes
 - 2. 12-18-2025 City Commission Public Hearing Minutes
 - 3. 12-18-2025 City Commission Regular Meeting Minutes
- b. Approval of Warrant No. 1225 for \$1,043,877.13
- c. Contract Renewal for 2026/2027 with The Southern Group for \$54,000 (same terms and conditions as before)
- d. Appointment of new Committee & Board Members
 - 1. Joe Schmidt to the Utility Board (Full Member)
 - 2. Peter Testa to the Utility Board (Full Member)
 - 3. Janie Byland to the Beautification Committee (Full Member)
 - 4. Janice Mueller to the Beautification Committee (Full Member)
 - 5. Larry Freels to the Planning & Zoning Board (Alternate Member)
 - 6. Jessica Borraccino to the CRS Committee

There were no changes to the Consent Action Items, and Mayor Foster asked for a motion to approve.

MOTION: Motion made by Vice-Mayor Colonell to approve. Commissioner Diehl seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

7. Discussion Action Items

a. Discussion/Approval for Amendments to Fee Schedules

1. Draft Resolution 2026-01 (2024-13)
2. Draft Resolution 2026-02 (2024-15)
3. Draft Resolution 2026-03 (2024-16)

Commissioner Harding presented a review of the proposed fee schedule amendments, including comparisons with other municipalities in the County. Commissioner Harding outlined key updates, including increases to minimum permit fees, adjustments to private inspection discounts, consolidation of fire safety inspection fees, minor changes to transfer fees, proposed increases to sewer connection fees, vacation rental fee increases for cost recovery, updates to property manager and condominium fees, and minor adjustments to include boat-on-trailer parking fees.

During discussion, Commissioners addressed adding alternate property manager contacts, eliminating fees for yard sale permits, and minor edits to the schedule of violations. Commissioner Diehl asked for an update on a review of wastewater consumption for the marina. Commissioner Harding reported that no pump-outs had been reported in the past three months and that the matter would be reviewed further. Commissioner Harding noted that the major portion of the changes in the fee schedules was the increase in vacation rental fees and the minimum building permit fee. Commissioner Harding noted that the vacation rental fees are still significantly lower than those of neighboring municipalities and that the proposed fees are comfortable and will be used to support City Hall funding. There was no further discussion.

MOTION: Motion made by Commissioner Harding to approve the proposed changes and return with Resolutions for a reading at the next Commission meeting. Commissioner DiFrancisco seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval of a Recommendation by the Recreation Committee to evaluate Safety Needs at the Golf Course, along the 9th Fairway and off the 1st Tee, for mitigation measures, particularly netting along the 9th Fairway and additional vegetation planted between the 1st Tee and the 2nd Green.

Mayor Foster emphasized the need for additional information and noted that the Committee could move forward with planting shrubs now, while deferring any decision on installing netting until a later evaluation, effectively tabling the item for the time being.

c. Discussion/Approval for a Request for Change Order by Pedro Falcon for ‘Additional Concrete Slabs at Doors’ ****Agenda Addendum****

1. Change Order Proposal COP-1
2. Original Deducts per Bid

Vice-Mayor Colonell spoke about the requested change order and asked to review the use of pavers first.

Vice-Mayor Colonell discussed patio needs, paver pricing, and cost-effectiveness, and suggested rejecting the change order. Vice-Mayor Colonell suggested staying with stamped concrete and rejecting the use of pavers. The Commission discussed the cost of the deducts for the patio slabs, adding the previously rejected deduct back into the contract and rejecting the proposed change order.

MOTION: Motion made by Mayor Foster to reject the change order request and approve putting the original designs for the staff and marble hall patio as per the original design and described in the deduct sheet. Vice-Mayor Colonell seconded the motion.

DISCUSSION: The Commission discussed whether the contractor would accept the original price.

ON THE MOTION: Rollcall vote. Unanimous approval.

d. Review of the use of Marble Hall: Recreation Committee Request for the use of Marble Hall every 2nd Thursday of the month, starting in February **Agenda Addition**

Mayor Foster introduced the agenda item and spoke about the need for a predictable schedule for Committee meetings. Discussion followed on the upcoming demolition, the lack of a construction schedule, possible interruptions due to construction noise and dust, staging areas, access to the Post Office, including the handicapped ramp, a construction entrance, and a parking area.

Vice-Mayor Colonell spoke about the need to move the Farmers Market and the need for space for the contractor. Mayor Foster deferred to the contractor's timeline for moving the market's location. Vice-Mayor Colonell also addressed the mail truck for post office access and the possibility of access from 7th Street. Vice-Mayor Colonell further reported on truck delivery times and the public's need to load and unload packages. Mayor Foster reiterated that backing the post office truck into 7th Street for access to the post office is not an option. Commissioner Diehl spoke about times when the parking area will not be accessible to the truck and agreed that backing the truck into 7th Street is not an option. Commissioner Diehl further commented on congestion during the Farmers Market and agreed with moving the event to 7th Street.

MOTION: Motion made by Vice-Mayor Colonell to move the Farmers Market in the beginning of February. Commissioner Diehl seconded the motion.

DISCUSSION: The Commission discussed adequate electricity, facilities, and the start date of the new location, and the upcoming Food Truck Jamboree, interacting with a move on February 10th.

AMENDED MOTION: Vice-Mayor Colonell amended his motion to move the Farmers Market asap. Commissioner Diehl seconded the amendment.

FURTHER DISCUSSION: None.

ON THE AMENDED MOTION: Rollcall vote. Unanimous approval.

Further discussion followed on the continued use of the AC, electricity, and access to water for Marble Hall during construction, alternate meeting places, the release of the construction schedule, and possible interruptions to meetings.

8. Ordinances & Resolutions

- a. SECOND and FINAL READING OF ORDINANCE 2025-497:** An Ordinance of the City of Key Colony Beach, Florida, Amending The Goals, Objectives And Policies Of The Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservation, Recreation And Open Space, Intergovernmental Coordination, And Capital Improvements, Elements Of The Comprehensive Plan; Adding A Property Rights Element And Accompanying Goal, Objective

And Policies; As Mandated By Florida Statutes 163.3177; Providing For Transmittal To The State Land Planning Agency; Providing A Conflicts Clause And Severability Clause, Providing An Effective Date.

1. Ordinance No. 2025-497
2. 2025 Comprehensive Plan
3. Comprehensive Plan Edits Guide
4. Business Impact Statement
5. Proof of Publication(s)

Mayor Foster provided the second and final reading of the ordinance and asked for a motion to approve.

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

DISCUSSION: City Clerk Roussin informed of a scrivener's error on page 112.

ON THE MOTION: Rollcall vote. Unanimous approval.

Ordinance 2025-497 was adopted.

- b. SECOND and FINAL 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.

1. Ordinance No. 2025-507
2. Business Impact Statement
3. Proof of Publication

Mayor Foster provided the second and final reading of Ordinance 2025-507 and requested a motion to approve.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

Ordinance 2025-507 was adopted.

Mayor Foster called for a 10-minute break.

The meeting reconvened at 11:03 AM.M.

9. Secretary-Treasurer's Report

- a. December 2025 Financial Summary**

Commissioner Harding presented the Treasurer's Report, noting that revenues and expenses remain generally on track with no major concerns. Commissioner Harding reported that legal costs were slightly above budget, water usage in City parks is being monitored, and building funds remain in good condition despite lower revenues and expenses. Commissioner Harding further reported that wastewater revenues were negative for the third consecutive month, which was noted as typical. Revenues remain slightly under budget and will

continue to be monitored. Commissioner Harding informed that Stormwater funds were reported to be in good standing, pending outstanding reimbursements.

Commissioner Harding provided an update on potential funding options for the City Hall project, including discussions with financial and banking advisors. Commissioner Harding outlined several financing alternatives and recommended that a line of credit be considered, with future funding to be addressed through the annual budget process.

City Attorney Smits advised caution regarding certain financing structures and recommended further review with banking and financial advisors. Commissioners discussed fees, legal costs, and grant requirements. Mayor Foster concurred that additional legal and financial review is warranted and directed that further analysis be conducted, with a follow-up meeting scheduled.

10. City Attorney's Report: City Attorney Smits thanked the Commission for the renewal of the contract with the city.

11. Commissioner's Reports & Comments

a. Commissioner Harding

1. US1 and Sadowski Causeway Pedestrian Crossing: Commissioner Harding discussed resident concerns regarding pedestrian crossings. He reported that FDOT reviewed the issue and redesigned the crossings, and that the County will modify the hardware to restrict left-hand turns at pedestrian crosswalks. Commissioner Harding suggested that the crosswalks be repainted and reminded the public that state law requires drivers to stop for pedestrians in crosswalks, regardless of whether a signal is present.

2. Speed Limit suggestion: Commissioner Harding discussed resident concerns regarding reducing the speed limit, including a proposal to lower it to 20 mph, particularly near parks. Mayor Foster suggested tabling the matter for now, noting that any change should be considered citywide, and requested that Commissioner Harding bring the item back for further discussion. Commissioner Diehl agreed with the recommendation for further research.

3. Emergency Generators' summary: Commissioner Harding provided an update related to prior City Hall discussions, including research on generator run times and fuel usage based on data from previous storms and power outages. Commissioner Harding recommended planning for fuel resupply in the event of post-storm restrictions, including coordination with Marathon or the County for diesel access. Commissioner Harding noted that the Wastewater Plant has approximately 4.9 days of generator capacity at full usage.

4. Wastewater Sampling weekly report for January 19th, 2026: Commissioner Harding noted that COVID-19 levels are moderate within the City and lower at the state level. He reported that Influenza A has peaked, with moderate levels in the City, while RSV remains low at both the county and state levels.

Mayor Foster asked not to lose sight of the fuel tank and the need to understand fuel polishing and capabilities for fuel turnovers each year. Commissioner Harding commented on the benefits of moving the fleet to diesel trucks to address the issue of access to fresh fuel.

b. Commissioner Diehl: Commissioner Diehl thanked Chief DiGiovanni for the Sunset Park Welcome Back event as well as Vice Mayor Colonell for overseeing preconstruction activities for the City Hall project. Commissioner Diehl noted that he will continue monitoring seawall conditions in the upcoming weeks and advised that possible effects to the Post Office from City Hall construction efforts will be coordinated with the Post Office.

- c. **Commissioner DiFransico:** Commissioner DiFransico thanked Chief DiGiovanni for the Hot Dogs with the Cops event and suggested introducing officers before the event to encourage community interaction. Commissioner DiFransico asked about the need for signage by the detention pond, and Mayor Foster noted that a fence is not required and that signs will be posted. Vice Mayor Colonell commented that natural barriers may also be a viable option.
- d. **Vice-Mayor Colonell**
 - 1. **City Hall Update:** Vice-Mayor Colonell provided a City Hall construction update, noting that the project is on day 44 with preconstruction underway. Vice-Mayor Colonell reported that some trees have been relocated, coordination meetings have been held, and contractor paperwork is progressing. Vice-Mayor Colonell reported that contractors are submitting submittals and provided further information on change orders, RFIs, and responses, and reported minimal questions from contractors. Vice-Mayor Colonell further reported that the bond and builder’s risk insurance have been issued and that four progress meetings have been held.
 - 2. **Farmers Market Location Move:** See under 7d.
- e. **Mayor Foster:** Mayor Foster expressed appreciation for Commissioner Harding’s work on financial matters and Vice Mayor Colonell’s diligence and flexibility regarding the City Hall project. Mayor Foster noted the importance of coordinating with the Post Office in a timely manner and of favorable weather for Sunday’s event.

12. Citizen Comments: There were no additional citizen comments.

13. Adjournment: The meeting adjourned at 11:58 AM.

Respectfully submitted,

Silvia Roussin

City Clerk

ADOPTED: February 19, 2026

Silvia Roussin

City Clerk