

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, April 16, 2026 – 3:30 PM
Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The Key Colony Beach City Commission was called to order by Mayor Foster at 3:30 PM, 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, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Marathon Fire Chief James Muro, Sgt. Jamie Buxton, Administrative Assistant Par Darnall, City Clerk Silvia Roussin, OVID Solutions Member Kelly Gibson.

Public Attendance:

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 proposed agenda changes:

Under Item 8 for Discussion Action Items:

- a. Addendum of the Recommendation to Award RFP 2026-01 for Tax-Exempt Loan Financing Services
- b. Addendum of a Revised version of the RFP for Architecture and Engineering Services and the CCNA Continuing Contract
- h. Addendum of the proposal for the purchase of a bath trailer for \$25,000.00
- l. Deletion of Item i.
- L. A new Item L for Discussion/Approval of a proposal for Outdoor Furniture for \$16,234.32
- m. A new Item M for Discussion/Approval of a proposal for Palm Trees and Mulch for \$12,000.00
- n. A new Item N for Discussion/Approval of the polling place location for the 2026 Elections.

Under Item 12 Commissioner's Reports and Comments

- 12a. Commissioner Harding: The addendum to the Wastewater Report
- 12e. Mayor Foster: Comments on Electric Dirt Motorcycles

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

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

3. **Special Requests**

- a. **Proclamation: Florida Mosquito Control Awareness Week**

Mayor Foster read the Proclamation to the public on the importance of Mosquito Control and thanked the Mosquito Control members for attending the meeting and for the service they provide.

- b. A request by Pam Milbauer to extend Havana Jack's Music Hours to Midnight on October 3rd, 2026, for a private wedding event

Mayor Foster introduced the agenda item and invited the applicant, Pam Milbauer, to speak. Ms. Milbauer, attending via Zoom, stated that her family has owned property in Key Colony Beach for over 50 years and that her daughter will be married at Havana Jack's. She requested approval to extend music hours until midnight so guests can enjoy the sunset and dancing. The Mayor asked for any objections; none were raised. The Commission gave consensus approval of the request.

4. **Public Hearing:** City Commission will open the public hearing for comments and discuss any recommendations for the Small Cities Community Development Block Grant (CDBG).
 - a. Discussion/Approval to proceed with the CDBG application.

Mayor Foster opened the public hearing for comments and discussion on recommendations for the Small Cities Community Development Block Grant (CDBG) and asked Commissioner Harding to elaborate. Commissioner Harding reported on a potential grant application through Florida Commerce, noting that the City held a Citizen Advisory Task Force meeting earlier in the afternoon to gather public input. Commissioner Harding introduced Kelly Gibson of OVID Solutions to provide additional information. Ms. Gibson introduced herself and discussed the grant opportunity, the committee meeting, and the recommendation to prioritize improvements to the wastewater treatment plant. Commissioner Harding noted that the Task Force was very successful in providing ideas, that wastewater needs were the primary focus, and that he has been working with staff on the matter. Commissioner Harding recommended approval to proceed with the application. The Commission had no questions, and Mayor Foster asked for public comment. There was none, and Mayor Foster asked for a motion to approve.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

5. Citizen Comments and Correspondence

City Clerk Roussin informed of the following citizen correspondence:

March 20, 2026 – Justine Kinnick wrote to the City Commission expressing opposition to the construction of another basketball court and expressing concerns regarding the loss of green space.

March 21, 2026 – Barbara Baran-Cisna wrote to the City Commission and staff expressing concerns about providing her neighbor access to her roof and/or property, stating her opposition to granting such access. She also requested assistance in resolving the ongoing matter regarding repairs to her neighbor’s property.

March 22, 2026 – Bill Catto wrote to the City Commission regarding ongoing residents' concerns about the ICE agreement, urging the City to hold a workshop to discuss the matter and provided additional comments on the City’s agreement with ICE.

Mayor Foster asked for citizen comments.

Cindy Catto, attending via Zoom, expressed concern that no public workshop was held on the ICE agreement. She encouraged the Commission to vote against the agreement, noting that the City has fewer than 25 police officers and that officers’ time would be better spent addressing local issues such as Sunset Park, speeding, and other community matters. Ms. Catto stated that she does not believe ICE has a place in the community and that a public discussion should have occurred before the commitment was made.

6. **Committee and Department Reports** *(written reports provided; Staff and Board Chairs available for questions)*
 - a. Marathon Fire/EMS – Marathon Fire Chief James Muro presented his statistical report on service calls for the month and discussed the alarm-silencing awareness stickers distributed to residents, emphasizing that this is a constructive notice and encouraging compliance by not silencing alarms. At the request of Mayor Foster, he advised that additional stickers will be provided for condominium buildings. Chief Muro also reported that he participated in a joint briefing with road construction staff and law enforcement, noting that the Injection Well project is one day ahead of schedule and will pause for certain holidays. He provided further details on the road closure. Fire Chief Muro also announced that Sgt. Jamie Buxton was recognized on Tuesday at the City of Marathon Council meeting and responded to a question from Vice-Mayor Colonell by providing additional information regarding traffic regulations during construction.

- b. Police/Code Department – Sgt. Jamie Buxton asked for permission to purchase the speed sign that was previously damaged, which Mayor Foster approved. Sgt. Buxton further asked for approval to implement the license plate readers for use by the Officers. Commissioner Harding supported the implementation and suggested holding a policy meeting with the Monroe County Sheriff’s Office, meeting once or twice a year. Mayor Foster asked for follow-up on the purchase of an additional police vehicle and on the allocation for which fiscal year.
- c. City Administrator – John Bartus updated on the legislative session to be called on April 28th, discussing redistricting and some other possible agenda items, with no budget talks planned at that time. Mayor Foster informed that the tax proposition does not have to pass the house.
- d. Public Works – Public Works Department Head Mike Guarino: Mayor Foster commended Public Works Department Head Mike Guarino on his department's work and the hiring of a new Public Works employee. Mayor Foster invited all attendees to a cookout at Public Works next Friday, with the Mayor providing hot dogs.
- e. Building Department – Building Official Loreno commented on the first month of safety inspections for the city having begun, with 700-plus inspections scheduled in the next few months.

Mayor Foster asked all Department Heads for an update on their departments’ budgets year to date. Commissioner Harding asked everyone to submit their budget drafts to him by June 1st.

- f. City Hall – City Clerk Roussin: Nothing further.
- g. Beautification Committee – Chair Bachman – No Report
- h. Planning & Zoning Board – Chair Lancaster – No Report
- i. Recreation Committee – Chair Catto – No Report
- j. Utility Board – Chair Swanson – No Report

7. 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. 3-25-2026 City Commission Emergency Meeting Minutes
- b. Approval of Warrant No. 0326 for \$1,273,548.52
- c. Approval to move the October City Commission meeting from Thursday, October 15th, 2026, to Thursday, October 22nd, 2026.

Mayor Foster introduced the Consent Action Items and asked for a motion to approve.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. Discussion Action Items

- a. Discussion/Approval of a Recommendation for Award for RFP 2026-01 Tax-Exempt Loan Financing

Mayor Foster introduced the agenda item. City Clerk Roussin reported the Review Committee's recommendation to award the Request for Proposals to First Horizon with a 15-year loan term. Commissioner Tom Harding elaborated on the Request for Proposals, reported that two proposals were received, and noted that the Review Committee reviewed both and recommended First Horizon as the preferred choice.

MOTION: Motion made by Commissioner Harding to award First Horizon with a target 15-year loan.

DISCUSSION: Mayor Foster asked for an estimated timeline for the execution of the contract with First Horizon. Commissioner Harding stated that it typically takes three months and that a rate reduction is possible if it occurs before the contract is executed.

MOTION: Vice-Mayor Colonell seconded the motion.

FURTHER DISCUSSION: Commissioner Harding explained the rationale for selecting a lump-sum loan instead of a line of credit, outlining the key differences between the two options, noting the potential cost savings of proceeding directly with a loan, and commenting on the City's anticipated cash flow needs.

ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval to approve the Request for Qualifications (RFQ) for Architecture and Engineering Services

Mayor Foster introduced the agenda item and detailed the need for the Request for Qualifications. City Attorney Dirk Smits spoke about a minor change to the bid schedule and provided additional details on the benefits of the request for qualifications for the city. Vice-Mayor Colonell asked City Attorney Smits about insurance requirements, which were confirmed to have been updated in the updated document. There were no further questions, and Mayor Foster asked for a motion to approve.

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

FURTHER DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

c. Discussion/Approval on going out to bid for electronic document archiving and/or alternative storage options

Mayor Foster discussed the need to address the cleanup and organization of documents currently stored at the Public Works building, noting that the current storage poses a safety concern. Mayor Foster emphasized the need to explore electronic document archiving and alternative storage options, including anticipated costs and space requirements. Discussion followed on the importance of understanding records retention rules and the potential for using technology, including AI-assisted search capabilities, to improve document access and management. Commissioner Harding provided information on available funds in the current budget, prior attempts at electronic archiving, and discussions on off-site storage. Commissioner Harding agreed to obtain proposals on available options, which Mayor Foster supported. Mayor Foster directed staff to obtain bids for consideration and reiterated that storage is a safety issue and that correct archiving is important. Mayor Foster asked for a motion.

MOTION: Motion made by Vice-Mayor Colonell to collect bids for the electronic document archiving and alternative storage options. Commissioner Diehl seconded the motion.

DISCUSSION: Commissioner DiFrancisco recommended requesting qualifications rather than bids to ensure the city's needs are met.

ON THE MOTION: Rollcall vote. Unanimous approval.

d. Discussion/Approval of the Commission Summer Attendance Schedule

Mayor Foster spoke about the upcoming summer schedule and the Commissioners' attendance plans. City Clerk Roussin noted that only one meeting is questionable. Vice-Mayor Colonell confirmed the ability to attend the August and September meetings in person. The Commission gave consensus on the schedule.

e. Discussion/Approval to Procure Early Alert Agreement

Mayor Foster requested information on the cost of the proposed agreement and details on its use in the event of a storm. Commissioner Harding also asked for clarification on costs, and Mayor Foster inquired whether other municipalities have used the service. City Administrator Bartus confirmed that the City of Marathon, Monroe County, and the Village of Islamorada have used the service and referred to William Wagner for more detailed information. Commissioner Harding asked for three examples from past years to support the proposal.

Early Alert Founder William Wagner joined the meeting via Zoom and responded to questions from the Commission. Mr. Wagner explained that the agreement is a standby contract under which an initial assessment would be conducted if a storm event occurs. He stated that services would be activated only upon approval by the City Administrator. He provided background on his professional background and stated that Early Alert has been in operation for approximately 25 years and currently holds contracts with several jurisdictions, including Monroe County, Islamorada, and Marathon, as well as other entities in South Florida. He also provided further details on references and work done. Marathon Fire Chief Muro spoke favorably of Mr. Wagner's expertise and experience as an emergency manager, including his involvement during Hurricane Irma. Mr. Wagner addressed questions about the scope of the agreement and the documentation process for reimbursement requests, and confirmed that he would provide hypothetical examples of how the service would be used during a storm. The Commission gave consensus for William Wagner to bring examples to the next Commission meeting. William Wagner recommended, regardless of the Commission's final decision, engaging a qualified professional to assist the City with storm preparedness and response planning. Mayor Foster informed the Commission that the matter would be tabled until the next Commission meeting in May.

f. Discussion/Approval of a Comprehensive Emergency Management Plan for the City of Key Colony Beach

Mayor Foster introduced the agenda item. Commissioner DiFransico commented on the document, including information related to financial readiness. He emphasized that the document should serve as a plan rather than detailed procedures for an emergency event and recommended approving the plan with the understanding that supporting protocols will be developed.

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

DISCUSSION: City Administrator Bartus advised that Commissioner comments had been incorporated into the latest draft and requested that Chief Muro provide comments on emergency procedures specific to storm events. Chief Muro described the City's scalable emergency management framework, including standardized roles, task-based assignments, logistical needs, and the operations team's structure. He noted that the City Administrator would operate from the Emergency Operations Center (EOC) and that the elected body would remain involved in major decision-making. Chief Muro explained that debris management is typically the most difficult variable to predict and discussed plans for monitoring locations and deploying services as needed. He further stated that Station 14 would serve as the primary operations hub for the upcoming storm season. Commissioner DiFransico added comments regarding hurricane procedures, and Chief Muro provided additional information regarding the City of Marathon's pre-storm preparations and staffing strategies based on storm location.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Administrator Bartus confirmed that the edited document will be shared before it is sent to Emergency Operations Management.

Mayor Foster called for a break at 4:46 PM.

The meeting readjourned at 4:55 PM.

g. Discussion/Review of ICE Agreement

Mayor Foster introduced the agenda item and asked for Commissioner comment. Commissioner Harding stated that he had reviewed the ICE agreement in full and was comfortable with it, with no concerns regarding its substance. He emphasized, however, that the agreement had not been formally approved by the City Commission and cautioned that the City Charter and all required approval procedures must be followed. Commissioner Harding noted that the situation serves as an important reminder to ensure proper Commission action is taken and that referenced documents are fully reviewed and appropriately documented. He recommended that the City Commission take formal action to approve the agreement.

MOTION: Motion made by Commissioner Harding to formally approve the agreement with ICE. Commissioner Diehl seconded the motion.

DISCUSSION: Mayor Foster agreed with Commissioner Harding on the importance of proper Commission review and said he did not anticipate future issues. Commissioner Harding explained that there had been a miscommunication regarding a statutory reference in the §287 agreement, noting that cities with fewer than 25 sworn officers are not

required to enter into such an agreement. Commissioner Harding further clarified that the referenced bill was never enacted into law and that a small number of municipalities have chosen not to execute the agreement.

Commissioner DiFransico acknowledged that ICE has a controversial reputation due to the actions of some individuals but stated that the agency's role is defined by existing law. He noted that if laws are to be changed, that responsibility lies with lawmakers. Commissioner DiFransico commented that while the agency's work may at times be imperfect, communities should speak up if concerns arise. Commissioner DiFransico stated that ICE has a responsibility to perform its duties and that cooperation is necessary.

ON THE MOTION: Rollcall vote. Unanimous approval.

h. Discussion Approval for the purchase of a used Mobile Restroom for \$25,000.00

Mayor Foster introduced the agenda item and explained its purpose, noting that with an increase in City celebrations and events, the use of portable restrooms is not an ideal or comfortable option for attendees. Mayor Foster also commented on further use of the mobile restroom and the savings for the City. Mayor Foster asked for a motion to approve the purchase.

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

DISCUSSION: Commissioner Diehl asked whether the purchase will replace construction of additional bathrooms on 7th Street or the Pickleball courts. Mayor Foster stated that it will not replace construction. Building Official confirmed a holding tank and a sewer connection. Discussion followed on pricing, the current lease agreement, benefits for various events, and features of hot water and electricity options.

ON THE MOTION: Rollcall vote. Unanimous approval.

~~**i. Discussion/Approval for Building Permit Extensions: **Deleted****~~

- ~~1. 1250 Coury Drive Expired~~
- ~~2. 200 13th Street 04-23-2026~~
- ~~3. 260 15th Circle 04-23-2026~~
- ~~4. 300/400 Sadowski Causeway Restaurant 05-22-2026~~

~~**j. Discussion/Approval of a Potential Change Order for the Slab Rebuilt **Deleted****~~

Vice-Mayor Colonell reported that no additional information is available at this time.

k. Discussion/Approval of a Recommendation by the Recreation Committee for the remainder of the Committee funds to be applied toward completing the Bocce Court Paving Project. The Commission will determine: (1) whether the City can afford to complete the project, and (2) who will perform the work.

Mayor Foster asked Commissioner Harding for his opinion on holding the approval item until the next budget cycle in September. Commissioner Harding declined and stated he would like to move before July 1st. Mayor Foster elaborated on the Recreation Committee's request, noting that prior completed work has satisfied ADA compliance requirements, and that the current request is for proposed work to encase the entire bocce court area. Mayor Foster reported that the Recreation Committee is proposing to allocate their remaining \$4,000.00 to the project, with the Commission required to contribute \$11,000.00 to complete the work around the courts.

MOTION: Motion made by Commissioner Harding to approve. There was no second.

ON THE MOTION: The motion failed.

l. Discussion/Approval of a proposal for Outdoor Furniture for \$16,234.32

Mayor Foster introduced the agenda item and requested confirmation of the quality of the proposed outdoor furniture. Public Works Department Head Mike Guarino confirmed that the furniture met quality standards. Commissioner Harding commented on ADA compliance and a price increase due to furniture adjustments, noting that prices are expected to rise over the summer. Commissioner Harding stated that the proposed furniture would be used for several years, reported good quality, and noted that ADA compliance and pricing had been reviewed

with staff. Commissioner Harding also noted a potential cost increase of approximately \$1,500 and suggested approving the purchase with the expected increase.

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

DISCUSSION: Commissioner Harding addressed concerns about the quality and durability of the proposed furniture and expressed confidence in the manufacturer, materials, and product. He confirmed that the tables meet ADA requirements and commented on their intended use at the golf course clubhouse. Vice-Mayor Colonell cautioned against piecemeal purchasing, noting that additional furniture may not be available later. Commissioner Harding stated that staff would review how the furniture is used and noted that it would enhance the outdoor environment for patrons. Commissioner Harding added that if the furniture proves successful, additional pieces could be purchased in the future. Mayor Foster asked about responsibilities for hurricane preparations for the furniture and suggested asking Golf Course Manager Daryl Rice whether the furniture could be stored inside the clubhouse. Discussion followed regarding staff assistance and labor considerations. Commissioner DiFransico inquired about Recreation's consideration of expanding the clubhouse. Commissioner Harding explained that the consideration had been put on hold, with feedback suggesting proceeding with the purchase while monitoring its success, and noted that future grant funding could be considered. Mayor Foster clarified the motion to approve up to \$17,735.00.

ON THE MOTION: Rollcall vote. Unanimous approval.

m. Discussion/Approval of a Proposal for Palm Trees and Mulch for \$12,000.00

Mayor Foster introduced the agenda item and asked for a motion to approve the Proposal for \$12,000.00.

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

DISCUSSION: Commissioner Harding provided feedback on the proposal to provide screening protection for airside golf balls and, after evaluating locations with Recreation Committee Chair Cindy Catto and Golf Course Manager Daryl Rice, identified twenty to thirty trees to address the areas in question. Commissioner Harding explained that it would be best to start with a smaller number of trees and noted that different proposals had been received. Commissioner Harding further described the tree type, confirming it was a good choice for its purpose. Mayor Foster commented on the possibility of raising funds through tournaments to purchase additional trees, which Commissioner Harding supported for the Fall. Vice-Mayor Colonell commented on previous landscape improvements and expressed concerns about the cost of the current proposal. Further discussion followed on location and cost comparison, with Public Works Department Head Mike Guarino noting that the proposal was comparable. A brief discussion followed on where to plant the new trees.

ON THE MOTION: Rollcall vote. Unanimous approval.

n. Discussion/Approval of the Polling Place location for the 2026 Elections.

Mayor Foster introduced the agenda item, with City Clerk Roussin confirming that the locations would be provided to the Supervisor of Elections Office by May 1st. Mayor Foster advised using the Golf Pro Shop for both 2026 Elections. The Commission had no objections.

9. Ordinances & Resolutions:

a. SECOND and FINAL READING OF ORDINANCE 2026-510: 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. Ordinance 2026-510
2. Business Impact Statement
3. Proof of Publication

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 Harding seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

- b. **FIRST READING OF ORDINANCE 2026-511:** An Ordinance Of The City Of Key Colony Beach, Florida; Amending Chapter Five Of The Code Of Ordinances, Entitled Boats, Boat Trailers, Marine Facilities And Waterways; Article I. Operation Of Vessels; Amending Section 5-9 Fishing From Sadowski Causeway Bridge Prohibited; And Providing For Codification; Repealing Any Inconsistent Provisions; Providing For Severability; And Providing An Effective Date.

Mayor Foster provided the first reading of Ordinance 2026-511 and asked for a motion to approve.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin informed that the second and final reading will be held on May 21st.

10. Secretary-Treasurer's Report

a. March 2026 Financial Summary

Commissioner Harding provided a March 2026 financial update, noting that the City is six months into the fiscal year. He reviewed year-to-date revenues and expenditures, infrastructure funds, and city departments. Commissioner Harding updated on City Hall project expenses, remaining grant funds, and pending reimbursements, and relayed bond counsel guidance that post office-related costs are not eligible for the federal grant. He also suggested that furniture, fixtures, and equipment be paid from City funds. He noted that funding for the additional police vehicle does not appear in the original budget, resulting in a negative budget on paper. Discussion followed regarding cost separation for the post office, use of remaining grant funds, and the lease of building space.

Commissioner Harding continued to provide updates on utility funds, including revenues and expenditures for the month. Commissioner Harding reported that operating expenses are trending below budget overall, with sludge hauling over budget and electricity costs lower than expected. Commissioner Harding noted that the loan payment was made in March and that Stormwater revenues were approximately 97% of budget.

Commissioner Harding noted the remaining grant funds and reminded of upcoming annual stormwater assessment reviews with the City Commission.

11. City Attorney's Report

a. Code Vulnerability Assessment

City Attorney Smits provided an overview of the City's Code Vulnerability Assessment and discussed the implications of Senate Bill 180, noting that the legislation will require certain ordinance amendments and process updates. He summarized that the bill addresses, among other items, emergency-related permitting and administrative procedures, limitations on local government actions following storm events (including moratorium-related restrictions), milestone inspections, and fire prevention considerations. City Attorney Smits advised that the City will proceed incrementally, beginning with emergency-related items, and that his office will assist staff with implementation and track related expenses. He noted that the legislation may limit local government authority in certain areas and commented that no municipality in the County has yet completed its work on these issues. Mayor Foster suggested sharing work with the City of Marathon on these issues. City Attorney Smits stated that he has provided copies of the relevant materials to the Commissioners.

b. SB 180 Training Requirements

City Attorney Smits discussed the training requirements under Senate Bill 180, noting that elected officials and certain top administrative personnel must complete training every two years, with the current deadline set for July 1, 2026. He advised that proof of completion must be provided. He also discussed the possibility of a hardship waiver if the training

is not completed by the deadline and outlined available course options. City Attorney Smits confirmed that the training information would be provided to the Commission, and City Administrator Bartus advised that he would follow up as well.

Mayor Foster commented on a pending code enforcement matter involving a property on 11th Street. Commissioner DiFransico noted that the home was damaged during Hurricane Irma over eight years ago, that construction has been ongoing, and that a stop-work order was issued in January 2023. Commissioner DiFransico further stated that the property owner has exercised legal rights, that the matter is at a standstill, and that the owner has contacted the City Commission in an effort to find a solution. The Commission discussed potential next steps, including whether to continue on a legal path or to initiate discussions with the owner to reach an agreement that would address compliance. Mayor Foster suggested that the City Administrator and Building Official meet with the owner to determine whether an agreement can be reached; if no agreement is reached, the City would continue with legal remedies. The Mayor also noted impacts on neighboring property owners. Commissioner Colonell suggested involving a neutral third party to assist in evaluating what work is needed and how it could be accomplished. City Attorney Smits confirmed he will provide guidance on permissible options. The Mayor directed staff to explore the discussed approach and bring the matter back to the Commission for further consideration.

12. Commissioner's Reports & Comments

a. Commissioner Harding

1. Wastewater Sampling Weekly Report for April 13, 2026: Commissioner Harding presented the Wastewater Sampling Weekly Report for April 13, 2026, and reported that COVID-19 activity was low, influenza activity had declined, and RSV remained present. The report also included guidance from the Florida Department of Health on vaccinations and noted low levels of COVID-19 in Monroe County.
2. 2027 Budget Prep Information due 06-01-2026: Commissioner Harding reminded that all draft budgets are due by June 1st to begin work with City Accountant Jen Johnson and City Clerk Silvia Roussin on the 26/27 draft budget.
3. Update on water levels: Commissioner Harding reported that rainwater levels have returned to normal and that the South Florida Water Management District has rescinded the water shortage order, so standard irrigation can resume. Commissioner Harding also confirmed that the June 1st deadline for draft budgets applies to volunteer boards and committees as well.

b. Commissioner Diehl

1. Final package for the City's First Annual Seawall Inspections – Commissioner Diehl reported that the seawall inspections had been completed, and the results will be reviewed by the marine engineer, with owners to be notified. Commissioner Diehl informed that the inspections will be conducted annually in the February-March timeframe. Commissioner Diehl thanked Building Assistant Samantha Rodamer and Building Official Tony Lorenzo for their help on the project. Commissioner Diehl informed that no notifications have been given until after the marine engineer has completed his review. Further discussion followed on engineering needs, the purpose of seawall inspections, and communications with property owners regarding needed repairs.
2. Future management of the Key Colony Beach Golf Course – Commissioner Diehl expressed satisfaction that the Recreation Committee had started the conversation on future Golf Course Management and shared his view on the different options the city has. Commissioner Diehl discussed the ability to continue leasing the facility, having a corporation run the golf course, or the City taking over the course and operating it. Commissioner Diehl stated that the City has all the equipment needed to maintain the course, and the open question is which direction management should take. Commissioner Diehl asked for residents' suggestions to be sent to the clerk for sharing with the Recreation Committee. Commissioner Diehl offered further comments on timelines and preferred transition periods.
3. 2027 - 70th Anniversary of Key Colony Beach: Commissioner Diehl spoke about the upcoming milestone event, suggested working with the Key Colony Beach Community Association on organization and planning, and asked for citizen comments and ideas to be sent, with responses to be shared with the commission to make it memorable.

4. Sunset Park: Commissioner Diehl commented on improvements at Sunset Park and noted that it is a pleasure to see the activities taking place and the park being used and enjoyed.

Commissioner DiFransico commented on the City's 70th anniversary and on it being a Community Association event. Commissioner Diehl acknowledged this and expressed a desire to give support and attention to the special event.

- c. **Commissioner DiFransico:** Commissioner DiFransico spoke about his recently completed online ethics training with Speaker Randy Moss and commented that the speaker was very knowledgeable and well understood, with humor given.

Commissioner DiFransico suggested obtaining a comprehensive list of Wastewater Plant needs. Commissioner Harding informed that the Wastewater Plant needs are included in the City's Comprehensive Plan, based on engineering and Utility Board Members' input.

A brief discussion followed on the possibility of using The Inn's facilities for meetings.

- d. **Vice-Mayor Colonell** provided an update on the City Hall project, reporting that paperwork is progressing well. He outlined completed work, upcoming tasks, change orders, material orders, and efforts to obtain proposals for audiovisual needs. Vice-Mayor Colonell reported that the project is currently on day 128 of 273, representing approximately 46% of the allotted time, while billings are at approximately 10%. He noted that a significant amount of time has been required to complete the initial 10% of the work.

Vice-Mayor Colonell expressed concern regarding the stipulation to exclude work on the Post Office and inquired about cost segregation for the Post Office roof, siding, and hardening. Commissioner Harding confirmed that such segregation is needed. Mayor Foster questioned whether loan proceeds could be used for this work; however, Commissioner Harding clarified that federal grant funds cannot be used for improvements to a federal building. He further referenced guidance from bond counsel on this matter, and Mayor Foster requested additional research.

Vice-Mayor Colonell provided further details on project progress and reported that Kings Construction has been placed on formal notice for failure to perform, with the matter now in legal proceedings. Commissioner Harding added comments regarding the bank's stipulation that loan proceeds must be used specifically for the City Hall project.

City Clerk Roussin confirmed that two site visits by the Grant Manager are scheduled for May and June. Commissioner Harding emphasized the importance of proper progress inspections. Vice-Mayor Colonell confirmed that inspections are being conducted appropriately and commended Samantha for diligently following up on the inspection schedule.

- e. **Mayor Foster**

1. **City Administrator Evaluation:** Mayor Foster reported having completed the review with the City Administrator and asked the Commission to complete a review for each department head, recommending that constructive feedback be provided.

13. Citizen Comments: None.

14. Adjournment: The meeting adjourned at 6:30 PM.

Respectfully submitted,

Silvia Roussin

City Clerk

ADOPTED: May 21, 2026

Silvia Roussin

City Clerk

04-16-2026 Citizen Correspondence - Regular Meeting

The City Clerk's Office received the following correspondence:

March 20, 2026 – Justine Kinnick wrote to the City Commission expressing opposition to the construction of another basketball court and expressing concerns regarding the loss of green space.

March 21, 2026 – Barbara Baran-Cisna wrote to the City Commission and staff expressing concerns about providing her neighbor access to her roof and/or property, stating her opposition to granting such access. She also requested assistance in resolving the ongoing matter regarding repairs to her neighbor's property.

March 22, 2026 – Bill Catto wrote to the City Commission regarding ongoing residents' concerns about the ICE agreement, urging the City to hold a workshop to discuss the matter and provided additional comments on the City's agreement with ICE.

All correspondence has been distributed to the City Commission and will be included in the official minutes for today's meeting.

Thank you,

Silvia Roussin

City Clerk

Silvia Roussin

From: **Justine Kinnick** <jkcreativexp@gmail.com>

Date: Fri, Mar 20, 2026 at 3:44 PM

Subject: Green Space in KCB

To: <mayor@keycolonybeach.net>, <doug.colonell@keycolonybeach.net>, <tom.harding@keycolonybeach.net>, <tom.difransico@keycolonybeach.net>, <kirk.diehl@keycolonybeach.net>

Good Afternoon.

My husband and I own 73 7th Street in Key Colony Beach. We purchased on 7th Street because it is across the street from a park and what that would mean for our family. To be clear we are directly across the street from the tennis/basketball court.

We have been informed that there is a plan to build another basketball court plus extra hardscape. We do not want this. We do not want any more blacktop, pavers or concrete.

We DO NOT want to lose one more square inch of green space.

Thank You for your time and attention to this matter.

Sincerely,
Justine Kinnick

Silvia Roussin

From: Barbara <mbcco@comcast.net>
Sent: Saturday, March 21, 2026 1:45 PM
To: Silvia Roussin
Subject: Cisna 690 11th vs Harper 680 11th

>> Good morning Silvia,

>

>> I would appreciate it if you would pass the following information to the City Commissioners and other Department Officials.

>>

>> I deny Dick Harper access to my roof and/or property in order to complete any work on his home. My concern is that there could be possible damage due to people traffic and/or staging. I know he has done this in the past without asking my permission. If this type of access is the ONLY way he can complete any work, I want the City to inform him that he needs to ask my permission through you. I would consider granting permission with specific conditions like that done during the initial construction. For roof access the contractor put down a plastic layer with plywood. After completion of work requiring roof access, an inspection would be done, in conjunction with a City representative present, to insure there is no damage. If there is damage, he would be responsible for any repairs.

>>

>> I previously spoke with Chief Digiovanni about enforcing my dictate that people were not allowed on my roof or property. I was told that if the officers saw someone, they could do nothing but tell them to leave unless I have a No Trespassing sign posted on the property. I have had a sign posted since that conversation.

>

>> Also, I want everyone to be aware that I have been trying to reach the original contractor since I've been here this season to schedule the repairs that were agreed to be completed after the initial damage to my property. To date, I have been unsuccessful. Since the City officials were involved in the meeting with Mr Harper and the contractor, is there anything the City can do to assist me in this matter? I have not been in contact with Mr Harper since that meeting because I have concerns of possible retaliation on his part.

>

>> My husband (until his passing in November 2025) and I have been extremely patient, allowing the City to control the situation. During the last 3 1/2 years, while fighting cancer, Martin had to put up with this aggravation. As you can understand, after over 8 1/2 years of this process with no clear results from the City and the owner, this has caused much undue stress on me. I need answers and solutions to this quickly.

>

>> Mr Harper lost his original case and subsequent appeals. With this

>> legal outcome what could possibly need to be "negotiated" to enforce the dictates of the Court?

>>

>> I ask that you please keep me in informed of any actions taken by the City regarding this situation.

>>

>> Barbara Baran-Cisna

Silvia Roussin

From: Bill Catto <wacatto@gmail.com>
Sent: Sunday, March 22, 2026 7:45 PM
To: Silvia Roussin
Subject: Key Colony Beach Police/ICE agreement

Sylvia,

Please share this letter with the Mayor and City commissioners. Thank you for your help.

Bill Catto

To the Commissioners of Key Colony Beach,

Having heard the concerns about the ICE agreement with the KCB police department at the most recent council meeting, I'm writing to respectfully urge you to offer an interactive workshop to discuss the matter. It was suggested that it be put on the agenda for the next council meeting, but I think that would be an inadequate forum for the residents.

There is much local public opinion that this agreement was executed "under the cloak of darkness", without any public notice or open discussion by the council. This has prompted an elevated lack of trust in our elected officials. As you surely know, this topic is one that divides many communities. While many law enforcement agencies must comply based on Florida law, it appears that, with fewer than 25 officers, the KCB police department is not required to participate in this agreement. In fact, many cities in the state have not signed the voluntary agreement.

A public workshop will allow residents to air their concerns with, or support for, the agreement, while allowing the council members and police to present their thoughts in an open forum. This should be a wonderful opportunity to bring the community closer in the spirit of open communication and cooperation.

Thank you for your consideration.

Bill Catto

601 West Ocean Drive

Key Colony Beach, FL 33051

Sent from my iPhone