MINUTES

KEY COLONY BEACH CITY COMMISSION
REGULAR MEETING & PUBLIC HEARING
Wednesday, June 11th, 2025 – 9:37 AM
Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, Roll Call:** The Key Colony Beach City Commission meeting 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, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Doug Colonell (via Zoom). **Absent:** Vice-Mayor Joey Raspe, City Administrator John Bartus **Also present:** City Attorney Dirk Smits, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Chief of Police Kris DiGiovanni, Marathon Fire Chief James Muro, Planning & Zoning Board Chair George Lancaster.

   Public Attendance: 3

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:

   Under Item 6 for Consent Action Items
   - Move Item 6g. Approval of the Budget Calendar' to Discussion Action Items as new Item 7c.

   Under Item 7 d for Discussion Action Items
   - Discussion/Approval of the Mutual Aid Agreement between the Monroe County Sheriff's Office and the City of Key Colony Beach.

   Under Item 9 for the Treasurer's Report
   - Addendum of the May 2025 Financial Summary at item 9b.

   Under Item 10 to the City Attorney's Report
   - Update on a Notice of Claim for Damages from Cay Condominium

   Under Item 11 for Commissioner Reports & Comments
   - 11a (1) Addendum to the Wastewater report
   - 11a (2) Addendum to the South Florida Water Management District
   - 11a (3) Addendum to the Monroe County Local Mitigation Strategy Update
   - 11e (1) Update on the Golf Course Lease

   There were no objections and Mayor Foster asked for a motion to approve.

   MOTION: Motion made by Commissioner DiFransico to approve. Mayor Foster asked for a second. Commissioner Harding seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

3. **Special Requests:** Mayor Foster and the Commission recognized Administrative Assistant Tammie Anderson for her dedicated service to the city and extended their best wishes for her new endeavor.

4. Citizen Comments and Correspondence

City Clerk Roussin informed of the following citizen correspondence:

On Monday, June 9th, 2025, Laurie Swanson wrote to the City Commission with questions on the publication of agenda packets, City Hall Renovations, and the boat ramp on 7th Street.

There was no citizen 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 provided his monthly report to the City Commission, detailing the monthly calls, countywide updates on trauma star delivery, the countywide EOC Hurricane exercise, vacancies, and the next CPR class planned for July.
- **b. Police Department** – Chief DiGiovanni commented on his report to the Commission and confirmed to give an update on the upcoming EOC Hurricane Exercise.
- ~~**c.** City Administrator's Report – John Bartus~~
- **d.** Building/Code Department – Building Official Loreno
- **e.** Public Works – Public Works Department Head Guarino
- **f.** City Hall – City Clerk Roussin
- **g.** Beautification Committee – Sandra Bachman
- **h.** Planning & Zoning Board – George Lancaster
- **i.** Recreation Committee – Cindy Catto
- **j.** Utility Board – Fred Swanson

There were no additional questions on the staff report. Mayor Foster informed that City Administrator Bartus will give an update on the Comprehensive Plan Amendments when available.

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.** City Commission Special Hearing Minutes 04-01-2025
- **b.** City Commission Special Meeting Minutes 04-14-2025
- **c.** City Commission Townhall Meeting Minutes 04-14-2025
- **d.** City Commission Special Meeting Minutes 05-05-2025
- **e.** City Commission Public Hearing Minutes 05-15-2025
- **f.** City Commission Regular Meeting Minutes 05-15-2025
- ~~**g.** Approval of the FY25/26 Budget Calendar~~ ****moved to 7c.****
- **h.** Approval of the Annual Service Agreement with Iguana Control
- **i.** Approval of a Building Permit Extension for the property located at 130 8th Street
- **j.** Approval of Warrant No. 0525 for $774,487.33

Mayor Foster introduced the Consent Action Items, with the exception of Item 7g, and asked for a motion to approve.

MOTION: Motion made by Commissioner Harding to approve. Mayor Foster asked for a second. Commissioner DiFransico seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

7. **Discussion Action Items**
   a. **Discussion and approval of a recommendation to award the bid and contract for the 7th Street and Shelter Bay Drive Drainage Improvements, Phase 1.**

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

MOTION: Motion made by Commissioner Harding to approve. Mayor Foster asked for a second. Commissioner DiFransico seconded the motion.
DISCUSSION: The Commission discussed the differences in the submitted bids and the contractors' understanding of the scope of work, the proposed basketball court, and the marking of the area for the contractor. A discussion followed regarding the construction's potential impact on the future basketball court project and outstanding questions about the scope and possible change orders.
ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval for the paving of the 7th Street Park parking lot.
1. Quote A: Affordable Asphalt $24,440.00
2. Quote B: Big D Paving Co Inc. $59,680.00

Mayor Foster introduced the agenda item and informed the Commission about the proposals received and the availability of impact funds for the project, which includes creating a level area for parking and ensuring ADA compliance. Mayor Foster requested a motion to award the project to Affordable Asphalt.

MOTION: Motion made by Commissioner DiFransico to approve. Mayor Foster asked for a second. Commissioner Colonell seconded the motion.
DISCUSSION: The Commission discussed storage of materials and improvements to the City. City Attorney Smits clarified that the project had not gone out to bid.
ON THE MOTION: Rollcall vote. Unanimous approval.

c. Approval of the FY25/26 Budget Calendar

Mayor Foster introduced the agenda item and asked Commissioner Harding to elaborate. Commissioner Harding provided details on timelines and procedures, and Mayor Foster asked for a motion to approve.

MOTION: Motion made by Commissioner DiFransico to approve. Mayor Foster asked for a second. Commissioner Harding seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

d. Discussion/Approval of the Mutual Aid Agreement between the Monroe County Sheriff's Office and the City of Key Colony Beach **addendum**

Mayor Foster introduced the agenda item. City Attorney Smits commented on the agreement, noting that there were no changes from the previous agreement and that both the Union and Chief DiGiovanni agreed on it. Mayor Foster requested a motion to approve.

MOTION: Motion made by Commissioner DiFransico to approve. Mayor Foster asked for a second. Commissioner Harding seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

8. **Ordinances & Resolutions**
   a. **FIRST READING OF ORDINANCE NO. 2025-499:** An Ordinance Of The City Of Key Colony Beach, Florida; Amending Chapter Fifteen Of The Code Of Ordinances, Entitled Stormwater Utility System; And Providing For Codification; Repealing Any Inconsistent Provisions; Providing For Severability; And Providing An Effective Date.

      Mayor Foster provided the first reading of Ordinance No. 2025-499 and asked for a motion to approve.

      MOTION: Motion made by Commissioner Harding to approve. Mayor Foster asked for a second. Commissioner DiFransico seconded the motion.
      DISCUSSION: None.
      ON THE MOTION: Rollcall vote. Unanimous approval.

      City Clerk Roussin stated that the second reading and adoption of the ordinance will take place on July 17th, 2025.

   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.

      Mayor Foster provided the first reading of Ordinance No. 2025-500 and asked for a motion to approve.

      MOTION: Motion made by Commissioner DiFransico to approve. Mayor Foster asked for a second. Commissioner Harding seconded the motion.
      DISCUSSION: A brief discussion followed on the need for a list of commercial properties and commercial billing procedures, which was considered unnecessary.
      ON THE MOTION: Rollcall vote. Unanimous approval.

      City Clerk Roussin stated that the second reading and adoption of the ordinance will take place on July 17th, 2025.

   c. **FIRST READING OF ORDINANCE NO. 2025-501:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Code Of Ordinance Article Vi – Finance, Section 2-75 To Increase The Competitive Bidding Threshold To Align With Florida Statute; Repealing Conflicting Ordinances; Providing For Severability; And Providing For An Effective Date.

   Mayor Foster provided the first reading of Ordinance No. 2025-501 and asked for a motion to approve.

   MOTION: Motion made by Commissioner DiFransico to approve. Mayor Foster asked for a second. Commissioner Harding seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

   City Clerk Roussin stated that the second reading and adoption of the ordinance will take place on July 17th, 2025.

9. **Secretary-Treasurer's Report**
   a. April 2025 Financial Summary

Commissioner Harding presented his financial report, highlighting key points regarding revenue, expenses, and ad valorem taxes. Commissioner Harding reported a 6.6% increase in taxable value, which may raise average taxes by the same percentage if the millage remains unchanged. Additionally, Commissioner Harding noted that the Wastewater budget shows no significant income, resulting in a negative balance, although a grant reimbursement for a larger project is expected in the future. Commissioner Harding suggested reviewing phone expenses, expressed concern about rising electric costs, and stated that the General Fund shows good revenue, and building funds remain low. Commissioner Harding gave details on impact fees and explained the grant reimbursement process for projects and timelines for reimbursements. Mayor Foster provided information on expected Stewardship funding in July, and further discussion ensued regarding the possible use of solar energy, available federal funding, and grant opportunities.

10. City Attorney's Report

City Attorney Smits reported receiving a Notice of Intent to initiate litigation against the city concerning beach erosion caused by the removal of the jetty at 721 W. Ocean Drive and informed that the matter had been turned over to the Insurance Company. City Clerk Roussin confirmed the assignment of an adjuster and stated to be awaiting confirmation on insurance coverage. City Attorney Smits elaborated on how to proceed once the insurance adjuster has reviewed the issue, which Mayor Foster agreed with. City Attorney Smits explained Florida Statutes regarding litigation against municipalities, followed by a discussion regarding the potential sale of the property and possible liabilities for new owners.
City Attorney Smits discussed the award of the Stewardship funds and a meeting with the municipalities to address the distribution of these funds. A discussion ensued about the upcoming meeting, the allocation of shares, the previous Memorandum of Understanding, and the need for a list of shovel-ready projects. Mayor Foster asked for a follow-up with City Administrator Bartus and offered further comments on the funding requirements for the remaining stormwater projects.

11. Commissioner's Reports & Comments

a. Commissioner Tom Harding

1. Wastewater Sampling Summary Report of June 9th, 2025

Commissioner Harding reported no viruses, except for a slight increase in COVID cases, while the City of Marathon and the State of Florida are also experiencing a gradual, small rise.

2. South Florida Water Management Resiliency Update

Commissioner Harding provided the quarterly update on resiliency, highlighting the need to prepare projects for possible upcoming grant funding. Commissioner Harding provided updates to the flood models for Florida to track excessive rain and storm event modeling, and to expect additional increases in water temperatures and sea level rise in the upcoming decades.

3. Monroe County Local Mitigation Workgroup Update

Commissioner Harding provided an update on the Mitigation Workgroup and the submission of the final mitigation plan to the state of Florida in July. Commissioner Harding explained the purpose and benefits of comparisons to show gaps and possible improvements for storm planning mitigation.

b. Commissioner Doug Colonell

Commissioner Colonell commented on the release of the 90% design drawings expected in July, with City Clerk Roussin confirming the expected release for July 7th and the Special Meeting on July 17th.

c. Commissioner Tom DiFransico

Commissioner DiFransico commented on the previous discussion about the boat ramp and provided an update on the matter. He detailed technical and operational problems, including a drop-off causing difficulties in launching boats, as well as the lack of a substantial staging area. Commissioner DiFransico noted the need for serious modifications to the ramp and recommended not to pursue the matter further at this time. Mayor Foster agreed about the difficulties in using the ramp at low tide and expressed no concerns regarding staging, with possible assistance from the Code Officer. He also spoke about potential grant funding and the requirements for public use. Mayor Foster stated that repairs would eventually be necessary and that addressing the issue further would be considered if a grant becomes available.

~~**d. Vice-Mayor Joey Raspe**~~

e. Mayor Freddie Foster

Mayor Foster provided an update on the executed golf course lease and remarked that the courts look very good. Mayor Foster suggested cutting down trees by the course and asked for comments. Commissioner Colonell commented on the trees causing debris, being non-native, and maintenance issues with recurring costs. Public Works Department Head Guarino confirmed substantial costs and stated a preference to have the trees removed. After discussion, the Commission gave consensus for the trees to be removed.

Mayor Foster addressed Laurie Swanson's citizen correspondence. Mayor Foster inquired about the current procedures for uploading agenda packets. City Clerk Roussin explained the current procedure and saw no issue with changing the upload to Fridays. After discussion, the Commission directed that future agenda packets be uploaded on Fridays.

Mayor Foster clarified that the building would be two stories and emphasized the necessity of the elevator and stairwell, noting no issue with costs. Discussion followed, with the Commission agreeing on the aesthetics of the building.

Mayor Foster commented on the purpose of the EOC in City Hall and explained the procedures during a potential storm event. He also detailed the grant's use for hardening the building and outlined the planned improvements that will be made.

12. Citizen Comments

Donald Steamer, 311 11th Street, Treasurer of the Utility Board, spoke about the prior evaluation by the Utility Board and their recommendations on the matter. Donald Steamer elaborated on possible cost savings and expressed his dissatisfaction with how the recommendation was handled.

Cindy Catto, 601 W. Ocean Drive, Recreation Committee Chair and Golf Course President, inquired about the timeline for the golf course going out to bid and the formation of a review committee. Mayor Foster informed that Daryl Rice had expressed uncertainty about staying on and that the city needed to determine the best way to transition. Cindy Catto raised further concerns about the termination of memberships and potential price increases. Mayor Foster stated to expect only slight increases eventually, but expressed uncertainty about whether prices could be controlled if the course is bid out. Mayor Foster provided further details regarding different options for moving forward and considering various scenarios for transitioning from Daryl Rice to a new entity. Cindy Catto believes it would be beneficial for Daryl Rice to work for a few more years and mentioned previous membership options from the past year, expressing concerns about a quick turnaround.

Joe Schmidt, 430 4th Street, suggested changing the style of microphones to improve audio quality for Zoom participants and thanked the Commission for their service.

13. Adjournment: The meeting adjourned at 11:01 AM.

Respectfully submitted,

Silvia Roussin
City Clerk

***ADOPED*: July 17, 2025**
Silvia Roussin
City Clerk