MINUTES

KEY COLONY BEACH CITY COMMISSION
REGULAR MEETING & PUBLIC HEARING
Thursday, June 18th, 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 Rollcall:** The Key Colony Beach Regular Meeting & Public Hearing 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 (via Zoom), Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl (via Zoom). **Also present**: City Attorney Jim Hicks, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Chief of Police Kris DiGiovanni, Acting Chief Jamie Buxton, Acting Fire/EMS Chief Shana Rogers.

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

   Public Attendance: 30

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:

   - 5i. Addendum to the Recreation Chair Report
   - 6f. Approval of the City Commission Special Meeting Minutes from April 1st and April 27th, Emergency Meeting Minutes from May 5th and May 21st, and Regular Meeting Minutes from May 21st.
   - 7o. Discussion/Approval for CPH invoice No. 177905 for $149,175.75
   - 11a. Commissioner Harding: The addendum to the Wastewater Report

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

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

3. **Special Requests**
   a. Chief DiGiovanni Service Recognition

   Mayor Foster recognized Chief DiGiovanni for 20 years of service to the City and noted that he had advanced from officer to Chief of Police. Mayor Foster stated that Chief DiGiovanni would be missed, wished him good health, and read the service recognition into the record. Mayor Foster then presented Chief DiGiovanni with the signed recognition placard and a $10,000.00 check in appreciation of his service. Mayor Foster also recognized Chief DiGiovanni for founding the Kids Fishing Derby 19 years ago with an initial budget of $2,000.00.

   Chief DiGiovanni thanked Mayor Foster and the Commission for the recognition and provided an update on his back surgery and ongoing physical therapy. He thanked the volunteers, Public Works Department, Police Department, Mayor, and the Sutton family for their support of the Kids Fishing Derby, noting that 45 children participated and that the following year would mark the event's 20th anniversary. Chief DiGiovanni reflected on his nearly 21 years of service, including 15 as Chief, describing the occasion as humbling and emotional. He spoke about serving the citizens and residents of Key Colony Beach, the friendships formed, working through holidays, and his commitment to public service. Chief DiGiovanni thanked Sgt. Buxton for serving as Acting Chief during his absence, as well as the Commission, City staff, the Monroe County Sheriff's Office, his family, and the community for their support. He acknowledged Mayor Foster, Vice-Mayor Colonell, and the Commission for significant advancements and projects, and expressed confidence that progress would continue. Chief DiGiovanni concluded by thanking his family for their patience, sacrifice, and support, stating that Key Colony Beach would always hold a special place in his heart.

Mayor Foster thanked Chief DiGiovanni for his service and stated that he would be missed.

Commissioner Diehl apologized for not being able to attend in person and congratulated Chief DiGiovanni on his retirement. Commissioner Diehl wished him a speedy recovery and thanked Chief DiGiovanni for welcoming him to the City when he first started and for his service.

b. Promotion of Sergeant Jamie Buxton to Chief of Police

Mayor Foster stated that it was his pleasure to introduce Sergeant Jamie Buxton for promotion to Chief of Police and requested a motion for approval.

MOTION: Motion made by Commissioner Harding to approve the promotion of Sergeant Jamie Buxton to Chief of Police. Commissioner DiFransico seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

Mayor Foster congratulated Jamie Buxton on her promotion to Chief of Police. He noted the historic significance of her appointment as the City of Key Colony Beach's first female Chief of Police and stated that her promotion was based on merit, character, leadership, and dedicated service to the City and its officers.

Monroe County Sheriff's Office Captain Derek Paul administered the Oath of Office to Chief Jamie Buxton and then pinned the Chief of Police badge.

Chief Buxton addressed the Commission and expressed appreciation to Chief DiGiovanni, the Commission, City staff, her family, and the community for their support. She stated that she looked forward to the future and intended to lead with integrity. She also thanked her family for their patience, sacrifice, and continued support.

Mayor Foster thanked all attending for the special occasion.

c. Letter of Commendation to Scott Stanfield, Manager of the Key Colony Beach Marina

Mayor Foster asked Sgt. John Buckwalter to speak about the commendation for Scott Stanfield. Sgt. Buckwalter described an emergency in which a man was struggling to stay afloat in the water and noted that, with assistance from other agencies, the man was safely removed from the water. Sgt. Buckwalter stated that Scott Stanfield, Manager of the Key Colony Beach Marina, came to the rescue and that, without Mr. Stanfield's assistance, the outcome may have been very different.

Mayor Foster read the letter of commendation into the record and presented the plaque to Sgt. Buckwalter to present to Mr. Scott Stanfield.

4. Citizen Comments and Correspondence

City Clerk Roussin informed on the following citizen correspondence:

May 21, 2026 – Cindy Catto wrote to the City Commission, expressing concerns about the tourism grant for the sunshades at the pickleball courts and the City's matching funding obligation.

May 22, 2026 – Skip Helme wrote to the City Commission, commending Commissioner Diehl and Mayor Foster for their assistance with dumpster placement.

May 25, 2026 – Michelle Smoot wrote to the City Commission describing negative experiences with vacation rentals and related noise complaints.

May 27, 2026 – Lynne Benton wrote to the City Commission requesting an amendment to the ordinance governing restrictions on citizen comments.

May 28, 2026 – Michelle Smoot wrote to the City Commission with suggestions regarding House Rules for vacation rentals.

June 15, 2026 – David Evangelista wrote to the City Commission with comments regarding the Golf Course Clubhouse and requested that the City deny the Recreation Committee's request to apply for a TDC grant at this time.

June 15, 2026 – David Evangelista wrote with thoughts on the unsuccessful solicitation for the construction of the basketball court.

June 17, 2026 – Cindy Catto wrote with suggestions on the Pickleball Management Agreement.

In addition, the Commission received correspondence in opposition to the proposed boatlift at 841 W. Ocean Drive from the following citizens:

- Bryan Kornblau, 921 W. Ocean Drive
- Linda Coggins, 921 W. Ocean Drive
- Dale Bruns, adjacent property owner to 841 W. Ocean Drive
- Rich Fairneny, 1133 W. Ocean Drive
- Charles Martin, 901 W. Ocean Drive
- Janet Griffin, 799 W. Ocean Drive
- Gabriele Joba, 1133 W. Ocean Drive

Mayor Foster asked for citizen comments.

Lynne Benton (Conkling), 621 10th Street, spoke regarding item 7a of the boatlift application and stated that she would like to see a document that addresses the factors used to evaluate and determine decisions, including safety concerns, evaluation and analysis, and evidence-based recommendations. She also referenced viewshed concerns and impacts on residents.

Carlos Martinez, Manager of the Condominium Castillo del Sol, commented on the proposed boat lift and requested that the record be corrected to reflect the board's neutrality on the matter. He stated that a small number of owners had submitted letters opposing the lift, but the board itself remained neutral. Mr. Martinez noted that the proposed boat lift would benefit an owner with children with disabilities and improve the property's use.

Betty Howe, 901 W. Ocean Drive, thanked the Commission and said she loves living in Key Colony Beach. She said that after 15 years there, she values the few natural beaches remaining in the Florida Keys. Ms. Howe opposed the proposed boat lift, describing the structure as large and commercial, and said it would be comparable in size to a loaded tractor-trailer. She said that allowing the lift could set a precedent that would result in the loss of a pristine beach area. Ms. Howe expressed empathy for the Schmidt family and noted that she has family members who use wheelchairs, but stated that, in her opinion, the boat lift was a convenience rather than a necessity. She asked the Commission to deny the request.

Linda Coggins, 921 W. Ocean Drive, stated that she has been a registered Key Colony Beach resident for four years. She expressed concern that approving the boat lift would set a dangerous precedent and that the large lift could become a projectile in a future storm. Ms. Coggins referenced the impacts of Hurricane Irma and expressed concern that additional equipment or structures could create debris hazards during storms. She also raised concerns about swimmers and incoming boat traffic.

5. **Committee and Department Reports** *(written reports provided; Staff and Board Chairs available for questions)*
   a. Marathon Fire/EMS – Acting Fire Chief Lt. Shana Rogers presented the statistical report for May and reviewed Fire/EMS calls for the month. Lt. Rogers also provided information about the upcoming 4th of July Parade and

stated that additional details would be shared as they become available.

b. Police/Code Enforcement – Chief of Police Jamie Buxton informed the Commission that the Key Colony Beach Police Department would participate in the parade and asked whether the Commission had any questions. None were asked.

Mayor Foster asked the Commission for any questions on the subsequent Department Reports. There were none.

c. City Administrator – John Bartus:
   1. Property Tax Reform
d. Public Works – Public Works Department Head Guarino
e. Building Department – Building Official Loreno
f. City Hall – City Clerk Roussin
g. Beautification Committee – Chair Bachman
h. Planning & Zoning Board – Chair Lancaster
i. Recreation Committee – Chair Catto
j. Utility Board – Chair Swanson

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. 05-21-2026 City Commission Public Hearing Minutes
   b. Approval of Warrant No. 0526 for $1,142,362.19
   c. Approval of an Interlocal Agreement between the Board of County Commissioners of Monroe County and the City of Key Colony Beach for State Boating Improvement Funds (BIF) for $6,000.00
   d. Approval of the renewal of Lobbyist Services with Ron Book
   e. Approval of Vacation and Sick Time Payout for Chief DiGiovanni

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

   MOTION: Motion made by Commissioner DiFransico to approve. Commissioner Harding seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

7. **Discussion Action Items**
   a. **Discussion/Approval of a 40,000-Pound Cradle-Style Boat Lift for the property at 841 W. Ocean Drive per the Recommendation of the Planning & Zoning Board **Tabled at the May 21st, 2026, Hearing**
      1. Engineering Plans
      2. FDEP Qualification Letter
      3. Owner Letter
      4. Neighbor Letter of Approval
      5. Neighbor Letter of Opposition
      6. Recommendation by the Planning & Zoning Board

   Mayor Foster introduced the agenda item and asked Building Official Loreno to elaborate. Building Official Loreno stated that the proposed boat lift met all engineering and capacity requirements and noted that it would have been administratively approved if its weight had been no more than 31,000 pounds. Building Official Loreno also confirmed that the Planning & Zoning Board had recommended approval. Mayor Foster then asked for a motion.

   MOTION: Commissioner DiFransico made a motion to approve. Commissioner Diehl seconded the motion.
   DISCUSSION: Mayor Foster noted that similar discussions and concerns about boat lifts in the 15th Street area had occurred over the years as development progressed throughout the city. He acknowledged residents' concerns in the area and stated that the item had been tabled at the previous meeting to allow Commissioners additional time to

review the matter and discuss its legal implications.
Building Official Loreno confirmed that a 31,000 elevator-style lift could be installed without the Commission's approval.
Mayor Foster asked City Attorney Hicks to address the City's potential legal exposure if the application were denied. City Attorney Hicks advised that denial could subject the City to litigation. He explained that the City Code does not set specific criteria for denying a cradle-style boat lift application and noted that the Planning & Zoning Board and staff had recommended approval. He further stated that all required permitting and review processes found the application acceptable. City Attorney Hicks also addressed concerns about ADA access and discussed recent legislation and court decisions emphasizing private property rights, explaining that courts generally scrutinize land use regulations that restrict lawful property use. He concluded that, in legal counsel's opinion, denial could expose the City to liability.
Vice-Mayor Colonell asked whether the Commission would deny the application if it conflicted with the City's Code or Ordinances. City Attorney Hicks stated that no direct conflict would occur; however, he had given reasons for concerns if a denial occurred.
Commissioner Harding stated that he understood and appreciated the concerns raised by nearby residents and agreed with many of them. He discussed the City's efforts to clean up after Hurricane Irma and expressed concerns about boat lifts in the ocean and canal environment, neighboring property rights, and environmental impacts. He stated that, in his opinion, the City's ordinances should provide greater environmental protection and noted that other communities have faced litigation over land-use regulations intended to protect community resources. Commissioner Harding also recalled a previous boat-lift application that had been denied and stated that he did not support approval of the current application.
Commissioner DiFransico stated that he recognized citizens' concerns and observed that people regularly swim in canals, a fact boat owners should be mindful of. He also noted that many condominium properties already have docks and piers, which can pose storm-related hazards. He characterized the additional risk associated with the proposed lift as incremental. Mayor Foster noted that boats already use the canal, including vessels traveling to fish, and referenced the existing no-wake zone. Staff also noted that navigation buoys in the area require periodic replacement. Vice Mayor Colonell suggested that additional navigational markers or maritime buoys could improve safety by more clearly identifying the area and discouraging swimmers from entering the vicinity of the boat lift. He acknowledged the concerns of neighboring residents but also noted the likelihood of litigation if the application were denied. Vice-Mayor Colonell suggested evaluating the installation of additional no-wake or navigational markers near the 15th Street Circle area to enhance safety. Mayor Foster commented that markers are already in place and that additional ones will be installed.
ON THE MOTION: Vice-Mayor Colonell – yes. Commissioner Harding – no. Commissioner Diehl – yes. Commissioner DiFransico – yes. Mayor Foster – yes. The motion was approved.

b. Discussion/Approval of the Ocean Drive Water Quality Improvement Project Grant Agreement for $2,277,610.00

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

MOTION: Motion made by Vice-Mayor Colonell to approve. Commissioner DiFransico seconded the motion.
DISCUSSION: Mayor Foster stated that the grant will address flooding on West Ocean Drive. Commissioner Harding suggested communicating with West Ocean Drive property owners about potential driveway displacement and repairs. Mayor Foster stated that condominium groups are informed and that project communication will be provided. Commissioner Harding suggested providing project plans to illustrate potential impacts on traffic and parking areas. Commissioner DiFransico asked whether the City's flooding risk assessment would be applied consistently, which City Administrator Bartus confirmed. Mayor Foster stated that additional information was needed before providing specific details on displacement, but that the City will provide public information, including details on affected properties, once such information becomes available.
ON THE MOTION: Rollcall vote. Unanimous approval.

c. Approval of the Award for RFQ 2026-01 for Professional Architecture and Engineering Services to CPH Consulting LLC, per the Review Committee's recommendation

1. RFQ 2026-01
2. Non-Exclusive Continuing Service Agreement

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: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

d. **Contract with CPH Consulting LLC for Services for the Ocean Drive Water Quality Improvement Project, totaling $276,860.00**

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

MOTION: Motion made by Vice-Mayor Colonell to approve. Commissioner Harding seconded the motion.
DISCUSSION: City Attorney Hicks commented that the agreement will be updated to include professional liability insurance.
ON THE MOTION: Rollcall vote. Unanimous approval.

e. **Continued Discussion/Approval of the Assessment of Fees for the approved Permit Extension for 200 13th Street **tabled at the 05-21-2026 Meeting**
   1. Permit Application

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

MOTION: Motion made by Commissioner DiFransico to approve the extension.

Mayor Foster clarified that the extension had already been approved and that the issue before the Commission was the assessment of fees. Mayor Foster stated that City Attorney Smits had recommended that the fees not be waived and that the process be followed as written. Commissioner Harding referenced the ordinance that provides for a 10% assessment, with the Commission having discretion to adjust it. Commissioner Harding also commented on new construction timelines and suggested revisiting the 15-month building process.
AMENDED MOTION: Mayor Foster asked for the amendment to follow legal guidance and assess the 10%. Commissioner DiFransico agreed. Vice-Mayor Colonell seconded the motion.
ON THE MOTION: Rollcall vote. Unanimous approval.

The Commission took a brief recess.

Mayor Foster called the meeting back to order at 4:44 PM.

f. **Discussion/Approval of a 1-year Permit Extension Request for the Property located at 55 Coral Lane and Assessment of Fees**
   1. Request by the Property Owner
   2. Permit Application

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

MOTION: Motion made by Commissioner DiFransico to approve the request with the appropriate fees. Commissioner Diehl seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

g. **Discussion/Approval of a Recommendation by the Recreation Committee to submit a request for $200,000.00 (for TDC Funding) to improve the restroom facility and augment the structure of the existing (Golf Course) building**

Mayor Foster introduced the agenda item and informed that he had been asked to table the matter to allow time for further evaluation of needs and wants.

MOTION: Motion made by Mayor Foster to postpone the matter. Commissioner DiFransico seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

h. Discussion/Approval to issue a Request for Proposals for Disaster Debris Removal Services

Mayor Foster introduced the agenda item and discussed the City's current debris removal arrangements, including non-exclusive contracts with independent contractors and the importance of complying with FEMA reimbursement requirements. City Attorney Hicks cautioned that the City should avoid relying solely on piggybacking arrangements and ensure that any procurement process is legally sufficient and properly documented. Commissioner Harding referenced communication and operational issues following Hurricane Irma and suggested that the City carefully review its options, including coordination with Monroe County. City Administrator Bartus discussed the Early Alert agreement and provided additional comments on early response capability, vendor availability, and proper documentation in the event of a storm. The Commission discussed prior debris removal experiences, the importance of adhering to FEMA requirements for reimbursement eligibility, and prior FEMA reimbursement processes. Mayor Foster directed City Administrator Bartus to review the City's existing agreements, investigate coordination options with Monroe County, and prepare a bid package or other legally appropriate procurement recommendation for consideration.

i. Discussion/Approval of the Contract Renewal for the City Administrator

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

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

j. Discussion/Approval for the FY2026-2027 Budget Calendar

The Commission discussed the proposed FY2026-2027 Budget Calendar and noted that the July 13th Budget Workshop will be held both in person and via Zoom.

MOTION: Motion made by Commissioner Harding to approve. Commissioner DiFransico seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

k. Discussion/Approval to issue a Request for Proposals for Storm Drain Cleaning Services

Mayor Foster introduced the agenda item and stated that the City should issue a request for proposals for storm drain cleaning services. The Commission discussed the anticipated scope of work, including vacuum truck services and limitations when drain lines contain growth or other conditions that standard methods cannot clear. Commissioner Harding noted that the pond type and scope of work should be updated and reviewed before issuance, including consideration of drainage systems and wet/dry detention areas. Commissioner Diehl asked which drains would be included in the cleaning program and referenced resident concerns. The Commission discussed recurring drainage issues, cleaning frequency, and the need to identify specific problem drains throughout the year. Mayor Foster suggested that Jason Shepler from CPH assist in identifying drainage locations and that Commissioner Harding review the draft scope before the City proceeds with the bid process.

MOTION: Motion made by Commissioner Harding to approve. Commissioner Diehl seconded the motion.
FURTHER DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

l. Discussion/Approval of a Management Agreement for the Municipal Pickleball Courts

1. 2026-2027 Agreement
2. Original Agreement

Mayor Foster introduced the agenda item and requested a motion.

MOTION: Motion made by Commissioner DiFransico to approve. Commissioner Diehl seconded the motion.
DISCUSSION: Commissioner DiFransico asked about the original agreement and the City's arrangement with the pickleball organization. Mayor Foster explained that the intent was for the courts to be self-contained and self-managed, with an agreement to protect both the City and the Club. The Commission discussed whether funds generated under the agreement were being reinvested in the facility. Key Colony Beach Pickleball Club President Diane Slusher stated that funds were being reinvested, noting that approximately $20,000.00 was collected last year and approximately $16,000.00 was reinvested. She described regular wear and tear on the facility, noted high usage during peak months, and stated that maintenance needs are coordinated with Public Works. Commissioner DiFransico asked who determines how funds are spent. Ms. Slusher stated that the Club consults with Public Works regarding maintenance needs and discussed recent improvements, including replacing fans in the tiki huts and resurfacing the courts. Monica Green, Pickleball Club Treasurer, commented on funds raised for the Pickleball Court expansion project; expenditures for supplies and expenses; insurance costs for members playing during club time; first aid; community activities; volunteer time; and contributions to the City. Ms. Green stated that the Club is transparent about its financial activities, can provide bank statements upon request, and is satisfied with the proposed agreement. Commissioner Harding suggested that a Club representative attend a public meeting twice per year to provide updates on the use of public funds. He also commented on the agreement's language and suggested that the Club request approval for larger events to allow EMS and Police to plan for coverage. Mayor Foster summarized the Commission's suggestions, including biannual updates to the City Commission and advance notice of larger events. Commissioner DiFransico asked about public facility use requirements when grant funding is involved. Commissioner Harding clarified public use conditions, the ability to charge fees, and the limited closure of the facility for private club time. Mayor Foster reiterated the Commission's requests for biannual updates and information regarding upcoming larger events.
ON THE MOTION: Rollcall vote. Unanimous approval.

m. **Discussion on the unsuccessful Solicitation of RFP 2026-03 for the Construction of a Basketball Half Court**

Mayor Foster introduced the agenda item and sought Commissioner input. Commissioner Harding asked for follow-up on whether all public notice requirements had been met for the unsuccessful solicitation and whether the City could request a quote from a contractor. City Attorney Hicks stated that he believed the requirements had been met, provided due diligence could be demonstrated. Mayor Foster asked for follow-up on concerns about surface materials. Commissioner Diehl stated that concrete was not the preferred material for a court and that asphalt would be preferable. Commissioner Harding suggested contacting Affordable Asphalt, and Mayor Foster agreed that Public Works Department Head Guarino should do so.

n. **Discussion/Approval on Moving upcoming City Commission and Board/Committee Meetings to The Inn**

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: Mayor Foster advised that the owner should be contacted regarding the A/C on the back patio, which needs repair.
ON THE MOTION: Rollcall vote. Unanimous approval.

o. Discussion/Approval for CPH invoice No. 177905 for $149,175.75 **Agenda addition

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: Commissioner Harding commented on reaching all available grant funds, on the invoice detailing project expenditures, and on feeling comfortable exhausting all available grant funds.

ON THE MOTION: Commissioner DiFransico – yes. Commissioner Diehl – yes. Vice-Mayor Colonell – no. Commissioner Harding – yes. Mayor Foster – yes. The motion was approved.

8. **Ordinances & Resolutions:**
   a. **SECOND and FINAL READING OF ORDINANCE 2026-512:** 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.
      1. Ordinance 2026-512
      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 Commissioner Harding to approve. Commissioner DiFransico seconded the motion.
   DISCUSSION: Commissioner DiFransico asked for a possible simplification of rate change, which Commissioner Harding explained was required per code.
   ON THE MOTION: Rollcall vote. Unanimous approval.

   The Ordinance was adopted.

9. **Secretary-Treasurer's Report**
   a. May 2026 Financial Summary

   Commissioner Harding provided the May financial report, covering income, expenses, fund balances, and overall revenue status. He commented on the shift from ad valorem revenue to fees and reviewed expenditures, noting no concerns. He reported that the quarterly Fire/EMS bill had been paid and that the Building Fund remained in good condition. He also provided an update on open grants, confirmed receipt of City Hall loan proceeds, and discussed investing a portion of the funds in a short-term certificate of deposit. He reported final interest rates and the first repayment due on the loan. He reviewed the Wastewater and Stormwater balances, revenues, and expenditures, including those for the Wastewater Plant. He provided an in-depth review of past and current sludge hauling costs and discussed possible capital improvements to the plant to reduce costs, to be reviewed with the City's engineering firm. He commented on the possibility of sharing future facilities with the City of Marathon, subject to the availability of square footage and to Key Colony Beach's needs being met first. He stated that the next step would be an engineering study. The Commission discussed possible improvements to the Wastewater Plant, reductions in sludge hauling costs, and various methods that may be applied. Mayor Foster suggested placing the matter on the next agenda for further discussion and additional input. Commissioner Harding also discussed upcoming budget preparations and stated that there would be no changes to the process for the upcoming fiscal year. He reviewed projections and Utility Board approvals, including a possible fee increase for wastewater assessments. Commissioner Harding stated that he had received departmental requests and suggestions for the new fiscal year and would provide a recommended millage rate in July. He also discussed increases in property values, current CPI increases, and the possibility of a minor millage increase to keep pace with inflation.

10. **City Attorney's Report**
    a. Allocation of Early Evacuation Workforce Units to the City of Marathon

    City Attorney Hicks discussed the possible allocation of early-evacuation workforce units and the potential value and benefits to both the City of Marathon and the City of Key Colony Beach. Mayor Foster highlighted the benefits of partnerships between the two cities and suggested tabling the matter until City Administrator Bartus had an opportunity to communicate with the City of Marathon.

11. **Commissioners' Reports & Comments**
    a. **Commissioner Harding**
       1. Wastewater Sampling Weekly Report for June 15th, 2026

Commissioner Harding reported moderate COVID activity during the prior week and one minor RSV report. He also reported one COVID-related death in May, the first of the year, and noted that COVID rates in Monroe County remained low.

Commissioner Harding discussed replacing membranes at the Wastewater Plant and noted that they were in poor condition. He noted that the contractor had recommended ordering five additional membranes for replacement. Commissioner Harding suggested that Plant Operator Ellis request an invoice for the five membranes and begin the purchasing process based on the change order feedback. Commissioner Harding also discussed available funds for painting portions of the utility buildings and suggested requesting quotes to determine bid pricing. He stated that $75,000.00 was available in the current budget. Mayor Foster suggested starting with the steel tank to prevent further deterioration of the base material. Commissioner Harding stated that he could work on the scope for painting quotes.

b. Commissioner Diehl

1. Update on KCB Day Event

Commissioner Diehl and Ted Fischer discussed preliminary ideas for the event, including food vendors, the event footprint, use of Marble Hall, possible seminars, volunteers, and support from residents and guests. Mayor Foster requested a list of suggested sponsors and proposed scheduling a Zoom meeting to continue planning and to gather commitments for proposed activities. Ted Fischer offered additional comments on attracting sponsors and volunteers, and Commissioner Diehl suggested forming a temporary committee with regular meetings. Mayor Foster requested coordination with City Clerk Roussin to schedule a Zoom meeting with interested parties.

c. Commissioner DiFransico

1. Update on 680 11th Street

Commissioner DiFransico referenced correspondence from Key Colony Beach resident Michelle Smoot regarding noise concerns and requests for City assistance. Commissioner DiFransico discussed the difficulty of addressing noise issues involving residents and vacation renters, including uncertainty about applicable decibel levels and enforcement options.

Commissioner DiFransico emphasized the importance of encouraging additional public input, including opportunities for citizens to raise non-agenda concerns before the Commission. Commissioner DiFransico also discussed the possibility of reinstating town hall meetings.

Commissioner DiFransico provided an update on 680 11th Street. He stated that he had met with City Administrator Bartus, Building Official Loreno, and the homeowner, and that the homeowner appeared receptive to the proposed ideas. He noted that additional work remained and discussed the possibility of a temporary certificate of occupancy to allow occupancy of the home before the final certificate of occupancy was issued. The Commission discussed scheduling a meeting on the matter.

d. Vice-Mayor Colonell

1. City Hall Update

Vice-Mayor Colonell provided an update on the sailfish statue. He stated that the statue is currently in the possession of Public Works Department Head Guarino and that Kyle Bechtenheimer, a resident and CPH Engineer, had offered the City structural engineering support for the statue's foundation. Vice-Mayor Colonell also stated that he had been in contact with a contractor and that options were being reviewed.

Vice-Mayor Colonell provided an update on City Hall, including completed and upcoming work. He stated that there were no change orders to present to the Commission at that time. He discussed storm drain functionality, stamped concrete removal and replacement, ductwork, wiring replacement needs, the addition of railings, and planter removal. He also cited October 13th as the expected completion date.

e. **Mayor Foster**
   1. Police Union Contract
   2. Property Taxes

Mayor Foster reported that the Police Union contract is up for renewal and that contact with Union Representatives had been made. He stated that a labor attorney was not expected to be needed at that time and that the primary issue would be compensation.

Mayor Foster discussed proposed property tax changes expected to appear on the ballot and said the City should proactively assess potential financial impacts. He noted that the impact may be negligible, but rule changes could require the City to review future funding options. He also commented on active and pending grants and appropriations, including ongoing conversations with Monroe County about potential funding participation.

12. **Citizen Comments**

13. **Adjournment:** The meeting adjourned at 6:35 PM.

Respectfully submitted,

Silvia Roussin
City Clerk

<u>ADOPTED</u>: July 16, 2026
Silvia Roussin
City Clerk

Clerk

06-18-2026 Citizen Correspondence – Regular Meeting

The City Commission received the following correspondence:

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June 15, 2026 – David Evangelista wrote with thoughts on the unsuccessful solicitation for the construction of the basketball court.

June 17, 2026 – Cindy Catto wrote with suggestions on the Pickleball Management Agreement.

In addition, the Commission received correspondence in opposition to the proposed boatlift at 841 W. Ocean Drive from the following citizens:

- Bryan Kornblau, 921 W. Ocean Drive
- Linda Coggins, 921 W. Ocean Drive
- Dale Bruns, adjacent property owner to 841 W. Ocean Drive
- Rich Fairneny, 1133 W. Ocean Drive
- Charles Martin, 901 W. Ocean Drive
- Janet Griffin, 799 W. Ocean Drive
- Gabriele Joba, 1133 W. Ocean Drive

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

Silvia Roussin

From: cynthia catto <ctcatto@aol.com>
Sent: Thursday, May 21, 2026 5:15 PM
To: Silvia Roussin
Subject: Citizen comments

May 21, 2026

Dear KCB Commissioners and the citizens of KCB,

I have concerns about the tourism grant for sun shades at the pickleball courts. This grant is for 70% of $255,000. So KCB must fund 30%, which is $76,500.

This grant was awarded after the 25-26 budget was adopted. So the $76,500 was not included in the budget.

Mayor Foster per the minutes of the Feb 12 rec committee meeting, was asked about the need for these unbudgeted funds He said that they were being "self funded" by the Pickleball Club.

I am aware from friends that are members of the club that there has been a fundraising effort undertaken by the Pickleball Club and funds have been collected.

On March 19th, at the City Commissioner's meeting, they unanimously approved to spend $255,000.
There was NO discussion of receiving the $76,500 from the Pickleball Club.

There is over 4 months left of the fiscal year. There are recreation areas that could use these funds. When are these unbudgeted funds of $76,500 going reimbursed?

Sincerely,
Cynthia Catto
601 W Ocean Di
KCB
Sent from my iPhone

Silvia Roussin

From:	Skip Helme <helme98@gmail.com>
Sent:	Friday, May 22, 2026 2:05 PM
To:	Silvia Roussin
Subject:	Dumpster concern

Good afternoon Silvia

I would like to take a moment to acknowledge a fast and responsive effort by two city commissioners, Kirk Diehl and Freddy Foster.

They both took prompt action to investigate and recommend the relocation of a commercial dumpster which would have impacted Nancy and my enjoyment of our residential property. They, coupled with the efforts of our building officials, negotiated a new placement of this dumpster so it will not diminish our use or value of our property.

This community centric approach is what separates Key Colony Beach from other locations.

Thank you and have a great weekend.

--
Skip Helme
Wahine Ltd
401-641-2109

Silvia Roussin

From: Michelle Smoot <msmoot10@gmail.com>
Sent: Monday, May 25, 2026 11:44 PM
To: Silvia Roussin; Freddie Foster; Leslie@americancoastalrentals.com
Subject: Email to commissioners, Mayor and city administrator

Silvia,
Would you please distribute to the above persons for discussion?

We have lived on the Causeway for almost 5 years. Key Colony is a great city but the keys are too hot and our home is on the market because of the humidity.

The biggest issue in KCB for us was noise mainly from rentals. I have two homes close to me that were not rentals since I've lived here- they are across the 100' canal. Noise was only an issue a few times per year but when it was an issue it was BAD. Our neighbor right beside us to the north was the worst due to proximity. I emailed the rental manager a few times per year about a loud renter, not much for amount of back to back weeks they had. One of her emails I have attached. In the email, Leslie Christiansen blamed my loud renters on my lot width, kids are just playing and it's normal and refused to call the guest also even telling me no one else had complained- no other owner was here- and said she had a pulse on the neighborhood AND she was confident Chief would agree with her. So she Implied I was the problem even though I had not complained about the 30 other rentals prior to this one. One or two bad rentals a year make your life for those two weeks hell. She chose not to address it based on my very bad camera sound even though I had complained. The city requires signage in the rentals about noise but it should go out in contracts to be initialed by the renter they understand there is a 24 hour noise ordinance for ALL noise including children and everything else. The agents are not advising on the front side of this issue prior to the guest arrival which maybe could be warded off in advance. It's my understanding the sign in the home is all we are requiring. My hats off to Chief and his team for assisting us for when this has happened. Also, we should not allow music from boats played that are sitting and not moving in the canal above a certain level. My new neighbor plays his so loud I cannot hear my own radio and have therefore had to call the police on him. At least the owner before him was only part time- but they also played loud music from their boat and had two large barking dogs they never tried to quiet down.

As a current citizen, I feel like this issue should be addressed as a priority with the amount of rentals in the city.
We have less owners than rentals and way less full time owners than rentals. When you live and work here you should be able to do that in peace as it states in the codes. Peace is not dreading to see the renters car back at the duplex beside you. I found Leslie's response disgraceful and agents with that attitude and approach will always have

problems here in this community. I myself have owned a rental behind the airport since 2010 and had to kick someone out yesterday for their behavior. And it wasn't even being loud that neighbors complained about it was something else. For the most part I think most agents are there to collect their 20% and do the minimum unless we as the city and community hold them accountable. That's part of my writing this email is to help contribute in a positive way for the people who live here.

We will greatly miss all of the fine friends we know in KCB. Please feel free to reach out if you're heading to Colorado!

Sincerely,

Michelle Smoot, Yellowtail Island Retreat Marathon, FL
816.808.6001

Sent from my iPad

Renters just got back home and all is fine. From now on based on your response I'll just call sheriff rather than deal with a 24/7 screaming kid.
Sorry if I didn't make my point clear that this was going on all of the time the kid was outside. By the time I'm reaching out to you or the sheriff I'm completely fed up with the noise. Parents may not rent a home and think it's a park. This is a private residential neighborhood. I'm working and I hear them inside my impact windows and doors and so does my husband.

We go out for mini today and your email is disturbing me. I'm out on a beautiful day reading your emails again interrupting my day about this rental.

It's in everyone's best interest to work this out together. I'm willing to sit in on a meeting to make this better. If anyone's willing let me know when is a good time.

Sincerely,

Michelle Smoot, Yellowtail Island Retreat Marathon, FL
816.808.6001

Sent from my iPad

May 27, 2026

***RE*: Modifying KCB ordinance to allow 2-minute comments on non-agenda items, similar to Marathon.**

Dear Commissioners,

This is a request for the Commission to consider modifying Ordinance No. 353-2003 to expressly allow citizens to speak on non-agenda items at all Commission meetings, with comments limited to two minutes, similar to the procedures adopted by Marathon and other municipalities.

This request is made for the purpose of strengthening trust and communication within our community. Building public trust requires regular opportunities for citizens to respectfully voice concerns, share ideas, or express appreciation, while also allowing Commissioners to better govern through open and consistent communication with the residents they serve.

It appears our current ordinance was last updated in 2003. By comparison, Marathon updated its ordinance in 2017 to include public comment on non-agenda items at all Commission meetings. A copy of Marathon's ordinance is attached for the Commission's consideration.

Key Colony Beach's ordinance only addresses public participation on *agenda items*.

> *Public participation on agenda items.* The city commission may allow public comment on an agenda item at the time the item is being considered by the city commission. These comments must be limited to the subject that is being debated. Members of the public may speak for three (3) minutes and may only speak once. These limits can be waived by a majority vote of the city commission. Anyone wishing to speak at any city commission meeting must be recognized by the mayor before addressing the city commission. KCB' Code of Ordinances. Sec. 2-90(2). (Ord. No. 353-2003, 2-13-03).

Marathon adopted Resolution 2017-21 in part to formalize public comment procedures, comply with Florida open-government laws, maintain orderly meetings, and prevent the Council from improperly debating or acting on non-agenda matters without public notice. The resolution allows citizens to speak on non-agenda items while limiting substantive Council discussion until the matter is properly agendized and noticed. Many municipalities, in the interest of transparency, and to comply with the intent of the Florida Sunshine law, updated their public participation ordinances around 2017, including our sister City, Marathon.

Thank-you for your time and consideration in this matter.

Respectfully,

Lynne Benton
Citizen – 621 10th Street, Key Colony Beach, FL

Sponsored by: City Attorney

CITY OF MARATHON, FLORIDA
RESOLUTION 2017-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY MARATHON, FLORIDA, AMENDING THE RULES OF PROCEDURES FOR MEETINGS OF THE MARATHON CITY COUNCIL; REPEALING ALL RESOLUTIONS AND RULES OF PROCEDURE INCONSISTENT WITH THIS RESOLUTION AND THE RULES OF PROCEDURE ADOPTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council has identified and directed City staff to make changes to the Marathon City Council rules and procedures to promote order, decorum, and civility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The Rules of Procedure for Meetings of the Marathon City Council, attached hereto as Exhibit "A," is hereby approved. All Resolutions and Rules of Procedures inconsistent with the Rules of Procedure adopted herein are repealed.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 4th DAY OF APRIL, 2017.

THE CITY OF MARATHON, FLORIDA

R. Daniel Zieg

Dr. Daniel Zieg, Mayor

AYES:	Bartus, Cook, Senmartin, Coldiron, Zieg
NOES:	None
ABSENT:	None
ABSTAIN:	None

ATTEST:

Diane Clavier
____
Diane Clavier, City Clerk

CITY SEAL

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

____
David Migut, City Attorney

RULES OF PROCEDURE FOR MEETINGS OF THE MARATHON CITY COUNCIL

RULE 1. AGENDA

(a) **Proposed Agenda**. The City Clerk, at the direction of the City Manager, will prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received prior to the deadline announced by the Clerk for the upcoming meeting. Prior to the agenda deadline, any City Councilmember may have an item placed on the proposed agenda. Additionally, the City Attorney may request of the Clerk that items be placed on the agenda. A copy of all available supporting documentation will be attached to each proposed agenda item. Upon completion of the proposed agenda, each Councilmember will receive a copy of the proposed agenda and supporting documentation, and the agenda will be made available for public inspection and distribution at City Hall and on the City's webpage.

(b) **Adoption of the Agenda**. As its first order of business, the City Council will discuss, revise (if necessary), and adopt a final agenda for the meeting. The Council will not consider any add-on items not brought forward during the agenda discussion.

RULE 2. PUBLIC ADDRESS TO THE CITY COUNCIL[1]

The City Council will set aside a portion of every regular meeting for residents who wish to address the Council about items not on the agenda for the meeting. They will do so by signing up for item "Citizens' comments on agenda items other than those appearing on the agenda" [Those who have signed in will be given the first opportunity to speak. Time is limited to 2 minutes per speaker and 30 minutes total time for this agenda item.].

A resident who wishes to address the Council on a particular item on the agenda will do so by signing up for the item on which they wish to speak. Unless otherwise granted by a majority of the Council, speakers will limit their presentations on any issue or agenda item to three (3) minutes.

Residents may also speak during the public hearing process under, "Public hearings" [Those who have signed in will be given the first opportunity to speak. Time is limited to 5 minutes per speaker.]," or during "Citizens' comments" [Those who have signed in will be given the first opportunity to speak. Time is limited to 5 minutes per speaker].

Any individual, group, business, or agency that wishes to make a presentation to the City Council will have a City Councilmember sponsor their request to be placed on the agenda. Such presentations, unless otherwise approved by a majority of the Council, will be limited to five (5) minutes.

All speakers shall state their name and address for the record.

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[1] The federal and state courts, in construing the first amendment rights of speakers at public meetings, have consistently ruled that such rights are not absolute and speakers may be stopped or removed when their speech disrupts, disturbs or otherwise impedes the orderly conduct of the public meeting.

Anger, rudeness, ridicule, obscene or profane language, impatience and lack of respect for others are not acceptable behavior. Demonstrations in support or opposition to a speaker or idea such as clapping, cheering, booing, hissing, or intimidating body language are not permitted in Council Chambers.

Any person who makes threats of physical violence shall be subject to immediate ejection from the meeting. Any person making irrelevant, impertinent or slanderous remarks, who becomes boisterous while addressing City Council, or who otherwise violates the provisions of this resolution may be cautioned by the Mayor and/or the City Attorney and given the opportunity to conclude his or her remarks on the subject in a decorous manner and within the designated time limit. Any person failing to comply as cautioned shall not be allowed to continue. The Sheriff or his designee shall carry out all reasonable orders and instructions given by the Mayor for the purpose of maintaining order and decorum at the meeting, including directions to escort disruptive persons back to their seat or remove them from the meeting. The Sheriff or his designee may also arrest any such individuals who violate the order and decorum of the meeting and will not promptly leave the premises voluntarily after being requested to do so.

No person, except city officers, employees or their representatives shall be permitted beyond the podiums in front of the City Council without the express permission of the Mayor or City Council, and no person shall be permitted to disturb any Councilmember, the City Manager, City Attorney, or City Clerk while on the floor during any meeting without the express permission of the Mayor or City Council.

Members of the public shall address their comments to the Council as a whole and not to any Councilmember individually or any group of Councilmembers. Negative comments against a public figure, private person, business or other non-public entity, while discouraged, may be made only if done without specifically naming any individuals or businesses. Imposing a demand for an immediate response from the City Council or any member thereof during public comment shall be considered out of order. Persons shall not address City Council with personal, impertinent or slanderous remarks, or become boisterous. A Councilmember shall not engage in dialogue with persons making public comment unless the question or comment is directed through the mayor or made with the permission of the mayor.

Persons representing a group or organization must present written evidence of their authority to speak for the group or organization.

RULE 3. ORDER OF BUSINESS

Items will be placed on the agenda according to the order of business. The order of business for each regular meeting will be as follows:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Agenda and Consent Agenda
- City Council Items – proclamations, presentations and reports **(public comment if action item)**

- City Manager Report – monthly department reports
- City Attorney Report
- Citizens' Comments on Items Other Than Those Appearing on the Agenda
- Public Hearings
    - A. Ordinances for Public Hearing and Enactment **(public comment)**
    - B. Resolutions Requiring Public Hearing **(public comment)**
    - C. Quasi-Judicial Items **(public comment)**
- Resolutions for Adoption **(public comment)**
- Citizens' comments
- Council comments
- Adjournment

The City Council – collectively or through its individual members - shall not:

a. Respond to Citizen's comments on any item or matter not on an approved Agenda.
b. Raise and/or discuss at any point during a meeting substantive issues not on an approved Agenda.

By general consent of the Council, items may be considered out of order.

RULE 4. ACTION BY THE COUNCIL

Except as otherwise provided for in these rules of procedure, the Council will proceed by motion. Any Councilmember may make a motion.

RULE 5. SECOND REQUIRED

To be discussed or acted upon, a motion requires a second from another Councilmember.

RULE 6. DEBATE

The Mayor will state the motion and then open the floor to debate. The Mayor will preside over the debate according to the following general principles:

- The maker of the motion is entitled to speak first.
- A Councilmember who has not spoken on the issue will be recognized before someone who has already spoken.

RULE 7. ONE MOTION AT A TIME

A Councilmember may make only one motion at a time.

RULE 8. SUBSTANTIVE MOTIONS

A substantive motion is out of order while another substantive motion is pending.

RULE 9. ADOPTION BY MAJORITY VOTE

A motion will be adopted by a majority of the votes cast, as defined in the City Charter.

RULE 10. PROCEDURAL MOTIONS

(a) **Certain Motions Allowed.** In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of votes cast, for adoption. Procedural motions are in order while a substantive motion is pending, and at other times, except as otherwise noted.

(b) **Order of Priority of Motions.** In order of priority the procedural motions are:

Motion 1. To Appeal a Procedural Ruling of the Mayor/Vice-Mayor. A decision of the Mayor/Vice Mayor ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his remarks thereby disrupting the meeting, cutting off the debate or entertaining and answering a question of parliamentary procedure may be appealed to the Council. This appeal is in order immediately after such a decision is announced, and at no other time. The Mayor/Vice Mayor need not recognize the Councilmember making the motion, and the motion (if timely made) may not be ruled out of order.

Motion 2. To Adjourn. This motion may be made only at the conclusion of action on a pending substantive matter and may not interrupt deliberation of a pending matter.

Motion 3. To Take a Brief Recess.

Motion 4. To Suspend The Rules. By majority vote the Council may vote to suspend one (1) or more of these rules unless prohibited by Florida law.

Motion 5. To Divide a Complex Motion and Consider it by Paragraph. This motion is in order when a Councilmember wishes to consider a separate vote on subparts of a complex motion.

Motion 6. Previous Question ("To Call the Question"). This motion immediately closes debate and stops any amendment to the immediately pending motion. This motion is not amendable and not debatable.

Motion 7. To Defer Consideration. The Council may defer a substantive motion for later consideration to an unspecified time, or to a date and time certain. No substantive motion will be deferred in this manner for more than thirty (30) days.

Motion 8. To Amend.

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment will be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

Motion 9. To Reconsider. The Council may vote to reconsider its action on a matter. The motion to do so must be made by a Councilmember who voted with the prevailing side (the majority, except in the case of a tie in that case the "no's" prevail) and only at the meeting during which the original vote was taken.

Motion 10. To Rescind or Repeal. The Council may vote to rescind actions it has previously taken or to repeal items that it has previously adopted.

RULE 11. RENEWAL OF MOTION

A motion that is defeated may be renewed at any later meeting. The motion to do so, however, must be made by a Councilmember who voted with the prevailing side (the majority, except in the case of a tie; in that case the "no's" prevail).

RULE 12. WITHDRAWAL OF MOTION

A motion may be withdrawn by the introducer at any time before it is amended or before the chair puts the motion to a vote, whichever occurs first.

RULE 13. DUTY TO VOTE

Every member present, when a question is put, shall vote unless the Councilmember has a conflict of interest. Any Councilmember abstaining from voting must make a brief statement why he/she is not voting on the item and fill out all appropriate paperwork to be filed with the City Clerk, pursuant to Chapter 112, Fla. Stat.

RULE 14. ADJOURNMENT OF MEETINGS

Council meetings will adjourn no later than 11:00 p.m., unless the meeting is extended by a majority of the Council then present. All staff and City Councilmembers will use their best efforts to arrive at a Council Meeting no later than 5:30 p.m.

RULE 15. INTERPRETATION OF RULES

On matters involving parliamentary procedure not provided for in these Rules of Procedure, the City Attorney's latest revised edition of Robert's Rules of Order shall be referenced by the Mayor as persuasive rather than binding, and the Mayor's determination shall be final. Upon request by a Councilmember, the City Attorney shall interpret these Rules of Procedure and Robert's Rules of Order for the Council.

RULE 16. CITY COUNCIL DECORUM AND CIVILITY

City Council expressly recognizes that promoting and preserving decorum and civility best enables the Council to fairly and expeditiously conduct the business of the City.

While City Council is in session, the Mayor shall preserve order and decorum. A Councilmember shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of the Council, nor disturb any Councilmember while speaking or refuse to obey the orders of the Council or the Mayor.

No Councilmember shall speak on any question or discuss any matter, nor interrupt another, nor make a motion without first being recognized by the Mayor. When two or more Councilmembers seek recognition by the Mayor, the Mayor shall name the Councilmember who is to speak first. No Councilmember shall be interrupted by another without the consent of the Councilmember who has the floor, except by rising to a question of order. A councilmember, in speaking on any matter, shall confine him/herself to the question or matter before the Council, shall not use unbecoming, abusive, or unparliamentary language, and shall avoid commenting on personalities or character of other Councilmembers, former Councilmembers, other officials, staff, or the public.

The following are positive expectations of Council discourse:

- Always focus on what is best for the City, and represent the entire City.
- Maintain respect for the Council and its members. Visibly demonstrate respect for, and fairly represent, each other.
- Demonstrate that it is fine to disagree but not to be disagreeable.
- If reasonably possible, avoid surprising your fellow councilmembers or staff, except positive surprise.

Silvia Roussin

From:	Michelle Smoot <msmoot10@gmail.com>
Sent:	Thursday, May 28, 2026 3:58 PM
To:	Silvia Roussin; Freddie Foster
Subject:	House Rules that I use for my rental behind the airport
Attachments:	House Rules 2026.docx

Sylvia, are you able to distribute this at the next meeting and also forward to commissioners please?

I have attached my House Rules I send to every guest who books my home. It highlights noise. Noise isn't as bad in Marathon because the city doesn't have as many rentals. If I were on the commission, I would recommend moving the codes ordinance of 24 hour to the top of the document and have all vacation rentals do this for their house rules in BOLD. I do not allow gatherings at my home as it just invites more noise.

When we first moved into KCB Jo Corso had a renter near her that the kids were playing in the pool and being loud and she asked them to be quiet and the mother told her she rented the house and her kids could do what they wanted. And that is the attitude of the guest who has paid a lot of money to come vacation here. And we as the property owners near that suffer. I'd do my best to shut the noise off on the paperwork that is sent out as a shot over the bow prior to arrival that way it can be referenced by the rental manager or KCB police.

I'd be curious to know if our police department has ever written a rental or anyone else a citation for noise?

Please feel free to call me or email me if you have any questions as I Manage my own 3/2 with a pool behind the airport. I put up cameras so I could see how many cars are at the home.

In closing, Leslie would hardly ever do anything for us about noise. I had to call the KCB police. This is just not an acceptable way to run. your vacation rentals.

The city needs to get ahead of this before arrival so the guests know about noise ordinances.

Thanks,

Michelle Smoot

Michelle Smoot, Yellowtail Vacation Rentals, LLC
816-808-6001

HOUSE RULES

Welcome to Our Home and we hope you enjoy your stay. We ask of you to take GREAT care of our home and let us know if you need anything. Please call or text Michelle Smoot, owner, at 816.808.6001 or Larry Smoot 816.550.8560. If you discover any damages or repairs upon your arrival and/or during your stay, please contact us immediately. **The booking confirmation needs to be filled out in advance of arrival in order to have access to the home**.

Bait: Please no BAIT in the house freezer. No fishing gear in the home. We have provided a bait freezer located on the pool deck. Please remove all bait and anything else in the freezer before departure.

Boats, Occupancy, and Parking: Home is limited to 8 persons. Boats being docked here at the home must not create a traffic hazard in the canal (no rafting of boats)nor in the street and 3 vehicles on the property at ANY time. No guests are allowed at the property.

Cleaning and Home Maintenance: There is no daily maid service. You are responsible for maintaining the home in a neat and sanitary condition. We have provided cleaning supplies and equipment. Please wipe up spills immediately, let the stovetop cool before cleaning (heavy duty and daily cooktop cleaner are under the kitchen sink). Do not slide pots and pans over the stovetop, no sharp objects on the furniture. Please use care when carrying your personal items into the home around walls and baseboards.

Conduct: Be respectful....You are renting in a residential neighborhood. Keep your music and noise to a minimum. No unlawful or unsafe behavior. There shall **be no parties or gatherings** other than who is registered. The city of **Marathon has a noise ordinance between the hours of 10pm-7am.**

Conserve: Keep ceiling fans running, guest bedroom doors open and windows and doors closed at all times. When out for the day, close all of the blinds. Be sure to turn off any outside water sources when not using. $500 fine for watering manatee.

Dryer: To prevent failure and/or fire, clean dryer LINT trap after each use.

Furniture: All in/outdoor furniture to remain in place and not be moved.

Grill: Do not leave unattended. Clean grill and turn off tank after each use. If you need a new tank please take in the old tank to Valero Gas Station at 7301 Overseas Highway. Please text me if you have to return a tank with the receipt attached and I will credit you. Publix and Walgreens are options for propane.

Kayak: Secure vests to the kayak and tilt the kayak toward the pool wall when not using. Kayak and bike code 0711

Pool: Please no diving, jumping, kayaks, lily pads or glass in or around the pool. Leave all kayaks on the dock and roll up lily pads when not in use. Use kayaks and lily pads in the Canal ONLY. Kayak code is 0711. Absolutely no JUMPING OR DIVING FROM THE BALCONY. Rinse all dive gear with a hose on the dock not the pool.

Trash: **All trash must be thrown away in a trash bag and not lose**. Trash is on Tuesday and Saturday. There is no recycling. (too many unacceptable items were placed in the bin so we got rid of it) Take the trash out the night before and leave the BROWN CAN with the lid at the fence- NOT AT THE STREET. City is issuing tickets for cans on the street and we pay for a service to do this now. Also, **if your trash does not fit in the bin on Saturday their will be a $50 additional charge for our trash service providing an additional can.**

Security: Secure home and all personal items. Be sure to lock the front door when you depart. There are security cameras located outside the property for insurance purposes only. Do not obstruct or unplug the cameras.

Smoking: There is NO smoking inside the home. If you choose to smoke, please smoke downstairs only and dispose of cigarettes in the trash. Do not throw your butts on the property.

Coconuts and water spigot/hose- do not let your children play with these items.

Any violation of the house, city, county, and state rules and regulations may result in your immediate expulsion from the property and forfeiture of your unused rental monies and security deposit. Welcome to Our Home and we hope you enjoy your stay. We ask of you to take GREAT care of our home and let us know if you need anything. Please call or text Michelle Smoot, owner, at 816.808.6001 or Larry Smoot 816.550.8560. If you discover any damages or repairs upon your arrival and/or during your stay, please contact us immediately.

June 15, 2026

Key Colony Beach City Commissioners
600 West Ocean Dr.
Key Colony Beach, FL 33051

Re: TDC Golf Course Clubhouse Grant

Dear Commissioners

While I serve as the Vice Chair of the Recreation Committee, I want to clarify that this letter is my personal opinion and not that of the Recreation Committee.

For the last six months the Recreation Committee has considered improvements that could be made to the Golf Course Clubhouse including a covered area to provide protection from the sun and upgrading the washrooms . In January we held a Town Hall Workshop that allowed for resident input. We subsequently decided to procure tables and chairs for the existing porch area and gauge whether the golfing community embraced this change. The intent was to develop some guidance for the scope and magnitude of the improvements that should be made. At our meeting in May we decided to revisit this topic in early 2027 after most of the golfing community returned for the season and had the opportunity to utilize the additional furniture. At the same meeting we made a motion to request $5,000 to pay for professional services to help us develop a conceptual design plan once we had established our course of action.

At our meeting this past Thursday we were presented with the opportunity to request a TDC grant that could be used for both design services and construction for this project. It was explained to us that the grant request needed to be submitted by the end of June and that notice of award would take place in September. What we were unaware of at that time , nor were we advised, was that the project must be built and paid for within a 12 month period of grant award. Additionally, failure to utilize the grant funding will have an adverse impact on future funding.

My experience in construction is that it is always best to perform a needs assessment first, followed by conceptual design before establishing a budget. In that we are still in the phase where we are trying to establish exactly what is appropriate for the clubhouse, I do not believe we have enough information, or time, to complete this process before the September 2027 deadline. Accordingly, I recommend that the City Commission not approve the Recreation Committee request for a TDC grant at this time. Instead, we should be allowed the opportunity to finish our work relative to determining that what is an appropriate modification/ reconstruction at there clubhouse and defer seeking funding until that has been accomplished.

Additionally, while it is apparent that washroom facilities at the clubhouse need upgrading, I would refrain from making any significant changes until the clubhouse modifications have been fully conceptualized. This will ensure that these changes are properly integrated into the design. This, however, should not preclude the City from making minor cosmetic and functional upgrades to the facilities that are already there.

Thank you for your consideration.

David Evangelista

June 15, 2026

Key Colony Beach City Commissioners
600 West Ocean Dr.
Key Colony Beach, FL 33051

Re: Basketball Court

Dear Commissioners

I understand that you will be discussing the unsuccessful solicitation for the construction of the basketball courts at the upcoming City Commission Regular Meeting.

This was a topic at the Recreation Committee Meeting of last week. We discussed that there may be a variety of reasons why the City has not received a viable proposal after twice putting this project out to bid, however, we are unaware of what they are. In instances like this, when no bids are received, or bids are over budget, it is a common practice in construction to contact plan holders in an attempt to determine the cause. In some instances, it may be able to modify our bid documents to make the project more attractive with the intent of generating more bids.

Another item that was brought up at the Recreation Committee Meeting was the possibility of using alternate materials in an effort to generate more bids. While there are both pros and cons to using concrete, if this is a consideration it might be best to provide the contractors the opportunity to bid utilizing either material, another practice which is sometimes used in construction.

I am aware of at least one contractor who intended to bid this project but simply missed the bid date. So while the project may be small there is the potential for getting it built.

Please let me know if I can be of assistance.

David Evangelista

Silvia Roussin

From: cynthia catto <ctcatto@aol.com>
Sent: Wednesday, June 17, 2026 9:49 AM
To: Silvia Roussin
Subject: Pickleball contract

Silvia, please forward this letter to the KCB Commissioners.
Thank you
Cindy

Dear Commissioners,

The new contract with the KCB pickleball club is very comprehensive. But as the Recreation chair, I have received several questions from KCB citizens on the workings of the Pickleball club that I can't answer. So I feel it would be in the best interest of KCB citizens, if

1. a club financial statement be required July 31 and December 31 of each year

2. a demographic report be required of the membership as described by KCB pickleball website

This would also be more in keeping with information that is required from golf course management.

Thank you

Sincerely,
Cynthia Catto
601 W Ocean Drive
Sent from my iPhone

Jim Howe

From: Bryan Kornblau <bkornblau@eagleofva.com>
Sent: Thursday, May 14, 2026 3:39 PM
To: Mayor@keycolonybeach.net
Cc: Ken Coggins; Jim Howe
Subject: 921 W Ocean Dr

Caution: External (bkornblau@eagleofva.com)

First-Time Sender Details

Safe Spam Phish More...

Dear Mayor: I am a resident of 921 W Ocean Drive. Our neighbor to the east has requested permission to build a 40,000lb boat lift adjacent to our common area. This location is fronting the Atlantic Ocean and is precarious at best due to the ocean conditions usually present. We think the lift, and any boat positioned on it, are a potential danger to our structures and amenities in a named storm. There are no other boat lifts with direct southern exposure on this stretch of beach along W ocean Drive. None. This is not an appropriate location to store a boat and we are opposed to it being built. Please deny this use. It is a matter of public safety. Thanks for your attention to this matter.

Bryan Kornblau
921 W Ocean Dr
2B
KCB, FL 33051

Jim Howe

From: Xfinity <lindacoggins@comcast.net>
Sent: Sunday, May 17, 2026 8:46 AM
To: Jim Howe; Ken Coggins; Craig Curry; Tracy Curry
Subject: Fwd: Boat lift application

External (lindacoggins@comcast.net)

Graymail Spam Phish More...

Neighbors, this is what I sent to the leadership of KCB. I'm hoping to catch the mayor at the new build site on Monday and ask him to come walk the beach.
Linda Coggins

Begin forwarded message:

> **From:** Xfinity <lindacoggins@comcast.net>
> **Date:** May 14, 2026 at 6:20:08 PM EDT
> **To:** Mayor@keycolonybeach.net, Tom.Harding@keycolonybeach.net
> **Cc:** Doug.Colonel@keycolonybeach.net, Kirk.Diehl@keycolonybeach.net, Tom.Difransisco@keycolonybeach.net
> **Subject: Boat lift application**
>
> To the Leadership of Key Colony Beach,
>
> It has come to my attention that an application for a 40,000 lb boat lift has been brought before the leadership for approval.
>
> I am a resident of 921 W Ocean Dr. 3B. My husband and I have been here since 2013.
>
> Having gone through the destruction of Irma with our jetty, beach, property and home, we see a large boat and lift there as just another projectile from a storm.
>
> I do not believe that anywhere on the south facing side of KCB, is there a large boat on a lift. I do hope each of you would look at the view from the ocean side, there are fishing piers, but no boats taking away the beauty of our beach.
>
> If you take the time to look at their front yard, and their back patio, I think you will see my greatest concern of things not being kept up since the sale in 2023, and our beach becoming an eye sore.
>
> Appreciate your service and the care of our community, and hope you will deny this application request as a step of insuring the peaceful view and safety of our beach.

You are welcome to visit us before this meeting, so you can see our concerns.

Linda Coggins
615-712-1113

Jim Howe

From:	Dale A Bruns <macatac1@conwaycorp.net>
Sent:	Monday, May 18, 2026 7:46 PM
To:	Mayor@keycolonybeach.net
Cc:	Doug.Colonell@keycolonybeach.net; tom.harding@keycolonybeach.net; tom.difransico@keycolonybeach.net; kirk.diehl@keycolonybeach.net; cityadministrator@keycolonybeach.net; buildingofficial@keycolonybeach.net; Jim Howe
Subject:	Boat lift @ 841 W. Ocean Dr.
Categories:	HOA's

External (macatac1@conwaycorp.net)

Graymail Spam Phish More...

I am writing to inform you and the other officials that I am opposed to the construction of the 40,000# boat lift at 841 W. Ocean Drive. As a property owner next door I'm concerned about the safety of such a structure and the view that such a structure would have.

I think the approval of such would send a dangerous message to future applicants and destroy the pristine coastline

Dale A. Bruns
501 231-3159

Sent from my iPad

Silvia Roussin

From:	Richard Fairneny <RFairneny@outlook.com>
Sent:	Monday, June 8, 2026 12:47 PM
To:	KCB Mayor
Cc:	Doug Colonell; Tom Harding; Tom DiFransico; Kirk Diehl; John Bartus; Silvia Roussin; Tony Loreno
Subject:	Opposition to Proposed Boat Lift at 841 West Ocean Drive

Dear Mayor Foster,

I am writing to formally express my opposition to the construction of the proposed 40,000 lb. boat lift at the property located at 841 West Ocean Drive. As a Key Colony Beach property owner, I am concerned that approving this structure would set a negative precedent for our coastline.

My opposition is based on the fact that there are currently no boat lifts with direct southern exposure along this stretch of beach. Granting this permit would represent a significant departure from the existing character of our shoreline and could encourage future requests of a similar nature.

I respectfully urge you to deny this application in order to protect the integrity of the beach and surrounding properties.

Thank you for your time and service to our community.

Sincerely,
Rich Fairneny

1133 West Ocean Drive Unit 17

Silvia Roussin

From: Charles Martin <cmartin@hucks.com>
Sent: Saturday, June 13, 2026 7:06 PM
To: KCB Mayor; Doug Colonell; Tom DiFransico; Tom Harding; Tony Loreno; Kirk Diehl; John Bartus; Silvia Roussin
Cc: Jim Howe
Subject: Re: Formal Opposition to Proposed 40,000lb Boat Lift at 841 W Ocean Drive

Dear Mayor Foster:

I am writing to formally express my opposition to the proposed construction of a massive 40,000lb boat lift at the property at 841 West Ocean Drive and adjacent to my property at The Residences at 901 W Ocean Drive. As a long-term Key Colony property owner, I am deeply concerned that approving this structure would create a significant public safety hazard and set a precarious precedent for our coastline.

My opposition is based on four factors:

- **Environmental Volatility:** This stretch of W Ocean Drive faces direct southern exposure to the Atlantic Ocean. Unlike sheltered canals or bays, this location is subject to high-energy surf and significant storm surges. A structure of this scale is not designed for the mechanical stress of open-ocean conditions.
- **Public Safety & Liability:** In the event of a named storm, a 40,000lb lift—and 46 foot boat it supports—becomes a massive piece of potential "flying" debris. The risk of this equipment failing and causing catastrophic damage to neighboring structures, common areas, and municipal beach infrastructure is unacceptably high.
- **Potential Danger to Swimmers and Other Water Activities:** This is a beach area. There are numerous swimmers, snorkelers, paddle boarders, kayakers and wind sailing activities that occur here throughout the year. Boats with motors present an unnecessary risk.

- **Lack of Precedent:** There are currently zero boat lifts with direct southern exposure on this stretch of beach. Granting this permit would be a radical departure from the established character and safety standards of our shoreline. It would set a dangerous "grandfathering" precedent for future, equally hazardous requests.

I believe this is not a matter of property rights, but a matter of public safety and responsible coastal management.

I respectfully urge you to deny this application... to protect the integrity of the beach and private property, and for the safety of all who enjoy Key Colony's beach and coastal waters.

Thank you for your time and for your commitment to our community, and to our community's safety.

Sincerely,

Charles Martin
901W Ocean Drive, Unit 3A
Key Colony Beach, FL 33051

cmartin1231@charter.net
cmartin@hucks.com
(618) 972-5389

Silvia Roussin

Subject:

---------- Forwarded message ---------
From: **Janet Griffin** <hollisjanet@gmail.com>
Date: Mon, Jun 15, 2026 at 4:36 PM
Subject: Opposition to boatlift at 841 West Ocean Drive
To: <Mayor@keycolonybeach.net>
CC: <doug.colonell@keycolonybeach.net>, <kirk.diehl@keycolonybeach.net>, <tom.harding@keycolonybeach.net>, <tom.difrancisco@keycolonybeach.net>

Dear Mayor Foster,

I am a resident at 799 West Ocean Drive, Unit 22, and I am writing to express opposition to the proposed boat lift at 841 West Ocean Drive. Many people, including myself, swim and play in the waters just off the beach. We feel safe in the "No Wake: Zone. I fear that the addition of a large boat lift could set the precedent for more boating in this area. Please do not approve this boat lift.

Thank you very much.

Sincerely,

Janet I. Griffin, concerned citizen

Silvia Roussin

From: Gabi <gabi.joba@hotmail.de>
Sent: Tuesday, June 16, 2026 2:59 PM
To: KCB Mayor
Cc: Doug Colonell; Tom DiFransico; Tom Harding; Kirk Diehl; John Bartus; Silvia Roussin; Tony Loreno
Subject: Formal Opposition to Proposed 40,000 lb Board Lift at 841 W Ocean Drive

Dear Mayor Foster:

I am writing to formally express my opposition to the proposed construction of a massive 40,000lb boat lift at the property at 841 West Ocean Drive . As a long-term Key Colony property owner located at Key Colony Point, I am deeply concerned that approving this structure would create a significant public safety hazard and set a precarious precedent for our coastline.

My opposition is based on four factors:

- **Environmental Volatility:** This stretch of W Ocean Drive faces direct southern exposure to the Atlantic Ocean. Unlike sheltered canals or bays, this location is subject to high-energy surf and significant storm surges. A structure of this scale is not designed for the mechanical stress of open-ocean conditions.
- **Public Safety & Liability:** In the event of a named storm, a 40,000lb lift—and 46 foot boat it supports—becomes a massive piece of potential "flying" debris. The risk of this equipment failing and causing catastrophic damage to neighboring structures, common areas, and municipal beach infrastructure is unacceptably high.
- **Potential Danger to Swimmers and Other Water Activities:** This is a beach area. There are numerous swimmers, snorkelers, paddle boarders, kayakers and wind sailing activities that occur here throughout the year. Boats with motors present an unnecessary risk.

- **Lack of Precedent:** There are currently zero boat lifts with direct southern exposure on this stretch of beach. Granting this permit would be a radical departure from the established character and safety standards of our shoreline. It would set a dangerous "grandfathering" precedent for future, equally hazardous requests.

I believe this is not a matter of property rights, but a matter of public safety and responsible coastal management.

I respectfully urge you to deny this application... to protect the integrity of the beach and private property, and for the safety of all who enjoy Key Colony's beach and coastal waters.

Thank you for your time and for your commitment to our community, and to our community's safety.

Sincerely,

Gabriele Joba

1133 West Ocean Drive , Unit # 32
Key Colony Beach
Von meinem iPad gesendet
Von meinem iPad gesendet

Clerk

06-18-2026 Proposed Changes – Regular Meeting

Under Item 5 Committee & Department Reports
5i. Addendum to the Recreation Chair Report

Under Item 6 Consent Action Items
6f. Approval of the City Commission Special Meeting Minutes from April 1st and April 27th, Emergency Meeting Minutes from May 5th and May 21st, and Regular Meeting Minutes from May 21st.

Under Item 7 Discussion Action Items
7o. Discussion/Approval for CPH invoice No. 177905 for $149,175.75

Under Item 11 Commissioner's Reports and Comments
11a. Commissioner Harding: The addendum to the Wastewater Report

Silvia Roussin

Subject:

Recreation Committee Report

Meeting, June 11, 2026

- Judy Burgett, long time recreation committee member and treasurer, has resigned . We will miss her.
- Sally Cherry, first alternate was elected unanimously to fill the vacant position
- Lisa Joseph, second alternate, was elected unanimously to fill the treasurer position.
- Recreation projects reports
- The little libaries have been very well received with Sunset Park seeing the most activity.
- The new golf course maintenance equipment has arrived.
- The recreation section of the Key Colony Beach website has now been updated. Vice Chair Evangelista and Chair Catto presented information on different styles of golf course management used in other areas of the US. This will be an ongoing agenda item as more information becomes available.
- Potential plans for clubhouse improvements and a questionnaire were tabled.
- The completion of the pavers at bocce was approved and will be presented to the city commissioners with the mayor in agreement as to the need.
- The basketball court in the second bid offering did not receive any bidders. So the committee recommended that 2 surface choices be offered (concrete and asphalt) and that oll available options for choosing a vendor wil be utilized.
- The recreation committee was notified at the meeting that a Tourist Development Council (TDC) Grant application was due on June 30, 2026. The committee approved recommending that $200,000 be requested for clubhouse and bathroom renovations. John said that plans and designs did not need to accompany the application. They could be completed at a later date.

Chair Catto"s comments

After having had time on Friday to review TDC grant requirements, this project must be completed by September 30, 2027. I feel that it will be extremely difficult to complete this project in 15 months. Also if this project grant is approved and then not completed in time., we could jeopardize Key Colony Beach Recreation area from receiving future grants by our noncompliance.
Therefore, In the best interest of the citizens of Key Colony Beach, I ask the commissioners to table this motion for a $200,000 TDC grant request with the option that the request can be resubmitted to the commission for another fiscal year.

Thank you
Cynthia Catto
Recreation Chair

Sent from my iPhone

MINUTES

KEY COLONY BEACH CITY COMMISSION
SPECIAL MEETING
Wednesday, April 1, 2026 – 2:00 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 Special City Commission meeting was called to order by Mayor Freddie Foster at 2:00 PM, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present**: Mayor Freddie Foster, Vice-Mayor Doug Colonell, Commissioner Harding, Commissioner DiFransico, Commissioner Kirk Diehl. **Also present:** City Administrator John Bartus, Administrative Assistant Par Darnall, Building Official Tony Loreno, City Clerk Silvia Roussin, City Attorney Scott Black.

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 that the only agenda change was the addendum of the change order. Mayor Foster asked for a motion to approve.

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

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

4. **Discussion Action Items**
   a. Discussion/Approval of a Proposal by Pedro Falcon Construction for Slab Demolition and Removal

   Mayor Foster introduced the agenda item and recognized Vice-Mayor Colonell. Vice-Mayor Colonell reviewed the condition of the existing slab, the proposed demolition and removal work, and the plan to complete the project in phases. He stated that the current change order was limited to demolition and removal of the slab while leaving the piles in place and noted that additional information regarding a deduct for crushed stone would be provided when available.

   Attorney Black supported proceeding with the change order and stated that demolition would allow existing conditions to be documented, inspections to be completed, and design work to continue. Discussion followed regarding inspections, potential reuse of the pin piles, and preparation of a future replacement change order. Attorney Scott advised that the former contractor may have a contractual opportunity to inspect and potentially cure defects but that the City was not required to delay demolition. He further stated that, based on prior notices and communications, demolition could proceed. Attorney Scott gave further comments on possible legal proceedings and insurance coverage, and contractual rights.

   Vice-Mayor Colonell stated that any delay claims by the contractor will be addressed concurrently with ongoing work. Further discussion followed, and Attorney Scott added that the contractor would provide a schedule for submission to the other party. Mayor Foster continued to make a motion.

   MOTION: Motion made by Mayor Foster to approve the change order for $51,435.87 and leave it to the Vice-Mayor and contractor to determine if the stone is not required. Commissioner Diehl seconded the motion.
   FURTHER DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

5. **Adjournment:** The meeting adjourned at 2:19 PM.

Respectfully submitted,

Silvia Roussin
City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION
SPECIAL MEETING
Wednesday, April 1, 2026 – 3:15 PM
Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, and Rollcall:** The Key Colony Beach City Commission Special Meeting was called to order by Mayor Freddie Foster at 3:15 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 Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, 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*

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

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

3. **Citizen Comments and Correspondence**

   City Clerk Roussin provided the following citizen correspondence:

   On March 27, 2026, Sandy Bachman wrote to the Commission, suggesting that the Commission consider contacting the Marina property owner about a possible agreement to use his boat ramp and to avoid disturbing homeowners on 7th Street.

   03-28-2026, Janie Byland wrote with concern about possible location issues and traffic congestion on 7th Street and the nearby properties.

   03-30-2026, Andrea Felton and Michael Church wrote to the City Commission with various questions about the proposed 7th Street Boat Ramp project and suggested considering the neighbors of the project who will be most affected.

   On 03-30-2026, David and Beverly McKeehan wrote in strong opposition to the proposed project and suggested a possible cooperative agreement with the Marina.

   03-30-2026, Ronald and Constance Foster wrote to the City Commission in opposition to opening the boat ramp to public use and provided several considerations to support their stance.

   03-31-2026, Bob and Crystal Carew wrote to the Commission with general opposition to the reopening of the boat ramp and asked the Commission to weigh the potential benefits and drawbacks.

   On 03-31-2026, Steven Wenger expressed full support for opening the boat ramp to property owners and long-term renters, and shared additional thoughts on how to implement the change.

   In addition, Craig Greene wrote in support of using the boat ramp, even though it is not in the best location, because it would benefit local homeowners.

Mayor Foster added that he had also received verbal communications and asked for citizen comments.

Joe Schmidt, 430 4th Street, spoke in support of repairing the boat ramp. He said reopening the launch on the west side of the Causeway could benefit the City if hours of operation and user access were properly controlled. Joe Schmidt emphasized the importance of a local launch, particularly during approaching storms, and added that the boating and fishing community needs access that does not depend on outside facilities.

Ron Teke, 290 10th Street, said he has been a homeowner for 25 years and remembers when Clyde Burnett was Mayor, when the same questions were raised. While acknowledging concerns about noise and neighborhood impacts, he said he would support limited launch and retrieval hours during normal daytime operations. He added that the ramp is an asset to the community and that Marathon has been gracious in allowing its use.

Carman Slusher, 411 12th Street, said the Quay ramp is convenient but can become extremely congested. He added that detailing a boat in a canal can be costly and impractical, and that it does not make sense for a canal community to lack a functioning ramp.

Gregory Burke, 621 8th Street, raised questions about government funding for repairs. Mayor Foster indicated that those questions would be addressed later in the meeting.

Glen Hasty, 201 7th Street, said he supports the ramp's use by emergency services and other agencies but has serious concerns about opening it to the general public. He cited traffic patterns, vehicles backing in and out near homes, impacts from mini-lobster season, safety risks to adjacent property, noise, cleanliness, wear and tear, and uncertainty about who would be responsible for upkeep. He stated that when he purchased his home, he understood the ramp was closed, and he believes reopening it would significantly affect quality of life and property values for nearby residents.

Theodore Bentley, 980 Shelter Bay Drive, expressed concern about opening the boat ramp to the public. He stated that the ramp has not been open to the public since 2012 and that a grant could come with significant restrictions. He cited concerns about traffic, ingress and egress, impacts on public access, and insufficient consideration of the residents most directly affected. He questioned whether the ramp serves a true public purpose for Key Colony Beach residents and urged the Commission to consider the impact on nearby property owners before making any changes.

Robert Michon, 45 7th Street, said the area is already one of the busier intersections in the City, with substantial vehicle and pedestrian traffic. He noted the tight turn into 7th Street and expressed concern that many trailer owners may lack sufficient experience. He said increased use of the ramp could create logistical issues with launch hours, enforcement, and traffic control, and asked who would be responsible for managing them.

Sandy Bachman, 171 8th Street, asked who would benefit from the ramp, given that there are already two launches within about a mile. She questioned whether only property owners would be able to use it and suggested exploring other grant opportunities or alternative locations that may be better suited for boat launching.

David McKeehan, 2 7th Street, said he appreciated the opportunity to speak and noted several recent City improvements, including the Detention Pond, Sunset Park, the Bocce Courts, and ongoing work at City Hall. He argued that the 7th Street boat ramp does not meet the same standard and that there are better alternatives for boating access. He suggested that the City consider purchasing or partnering with a property owner at a more suitable location with room to maneuver. He described the existing ramp as long, narrow, and difficult to use without creating backups, and said regulation and enforcement would be challenging. He also raised concerns about liability, trailer parking, dockage, canal traffic, nighttime use, and impacts on neighboring residents, and urged the Commission not to approve the proposal.

Tom Siven, 7 7th Street, spoke against reopening the boat ramp. He said that when it was reopened previously, it created numerous problems. He added that the neighborhood already experiences heavy pedestrian and vehicle traffic during the Farmers Market, and that boat launching would create similar congestion. He also stated that there is little room for vehicles with trailers to turn around and urged the Commission to vote no.

Keri Michon, 45 7th Street, opposed the opening of the boat ramp, citing existing traffic congestion on 7th Street and potential additional backups from trailered boats lining up to use the ramp.

Ron Foster, 54 7th Street, said he had also submitted a letter for the record. He stated that he has been trailering boats since age 16 and believes the location is among the worst possible places in the City for a public ramp. He said traffic would be difficult to regulate and urged the Commission to carefully consider the surrounding impacts.

4. **Discussion Action Items**
   a. Discussion/Approval to go forward with the FWC/FBIP Grant Application for the 7th Street Boat Ramp Reconstruction

Mayor Foster stated that the issue is not simply a matter of "not in my backyard" but a broader community question that requires further discussion. He acknowledged residents' concerns and said opposition would likely arise regardless of location. Mayor Foster emphasized that the item before the Commission was only whether to apply for the grant, not whether to proceed with construction. He explained that any grant-funded ramp would have to remain open to the public, discussed the need for emergency services, and noted that the existing ramp is in poor condition, with repair costs estimated at $200,000 to $250,000. Mayor Foster offered additional thoughts on potential impacts and said that more due diligence would be required before any decision to move forward with construction.

Mayor Foster asked for additional citizen comments.

Theodore Bentley responded that the impact would extend beyond 7th Street and affect the community more broadly, including on the water.

Mayor Foster reiterated that the vote was only to authorize the grant application and that the matter would not move forward without further public input.

Sandy Bachman questioned whether the grant funds could be used to purchase the boat launch on the Sadowski Causeway, which Mayor Foster stated they could not.

Mayor Foster asked for Commissioner comments.

Commissioner DiFransico noted that he heard both the convenience the ramp would provide to boat owners and the significant inconvenience projected by nearby residents, and said those competing interests would need to be balanced.

Commissioner Diehl noted that residents on 7th Street were aware of the boat ramp when they purchased their properties and that, at some point, it may have been expected to reopen for the broader community. He said he was not convinced it would create all the problems being predicted and noted that concerns such as traffic and trash are issues the City regularly addresses elsewhere.

Vice-Mayor Colonell stated that the ramp could not remain private if public funds are used and that the central issue was how the ramp would be used. He noted that there were people both in support of and opposed to the proposal, and said the City should continue exploring options for public use.

Commissioner Harding provided background on the Florida grant program, explaining that grant-funded ramps must be open to the public from sunrise to sunset and operated without discrimination, though a reasonable user fee may be permitted to help offset maintenance costs. He noted that the ramp is currently nonfunctional and poses safety concerns, though it is used by FWC and law enforcement. Commissioner Harding further explained that grant applicants may improve their score by offering a voluntary local match and that accepting a grant would entail a long-term commitment. He also cautioned that widening the ramp and creating adequate staging space could be difficult at the site, and expressed appreciation for the comments received from all residents.

Mayor Foster provided additional comments on the need to repair the ramp and on considerations regarding 7th Street access and hurricane-related use.

David McKeehan stated that he would personally fund repairs to the boat ramp rather than commit the City to state grant requirements. He said he was willing to make funds available specifically for the ramp and asked the City to consider that alternative.

Commissioner Harding responded that the offer was a constructive idea and warranted further discussion. City Administrator Bartus noted that the grant application deadline is April 17. Commissioner Harding explained that the Resolution would only authorize the submission of the application, that staff review and grant processing could take approximately 9 to 10 months, and that the Commission could continue discussions with Mr. McKeehan and legal counsel while the application process moved forward. Further discussion followed on possible costs and donations. Mayor Foster reiterated that the discussions were good and recommended approving the Resolution to avoid missing the opportunity for the grant application.

5. **Resolution 2026-06:** A Resolution Of The City Of Key Colony Beach, Florida, Designating A Project Manager(S) In Charge Of The Grant Application For The Florida Boating Improvement Program; Authorizing The Project Manager(S) To Apply For And Administer The Grant.

   Mayor Foster provided the reading of the Resolution and asked for a motion to approve.

   MOTION: Motion made by Commissioner Diehl to approve. Commissioner Harding seconded the motion.
   FURTHER DISCUSSION: None.
   ON THE MOTION: Commissioner Diehl – yes. Commissioner Harding – yes. Commissioner DiFransico – no. Vice-Mayor Colonell – yes. Mayor Foster – yes.

   The Resolution was adopted.

   Mayor Foster commented on upcoming construction on 7th Street and the installation of pervious pavers.

   Craig Greene, 751 12th Street, asked the Commission to provide plans for both scenarios before moving forward.

   Mayor Foster reminded that the Commission will not move forward until a workshop is held.

   Carman Slusher asked about the management of the old Quay property, who collects the revenue, and whether the City of Key Colony Beach knows what revenue could be generated if the ramp is kept in private ownership.

   Mayor Foster explained that the City of Marathon manages the Quay ramp and Key Colony Beach would not generate the same income. Further discussion followed on boat ramp fees and possible revenues, and on the assessment of fees allowed by the State and grant requirements.

   Gregory Burke asked about the City's obligations to the FWC and the City's liabilities. Mayor Foster explained that there are none, that further data is needed, and that the matter at hand is only for the approval of the Resolution and the ability to apply for the grant.

6. **Adjournment:** The meeting adjourned at 5:29 PM.

Respectfully submitted,

Silvia Roussin
City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION
SPECIAL MEETING
Monday, April 27th, 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 Specia Meeting was called to order at 3"30 PM, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present**: Vice-Mayor Doug Colonell, Commissioner Tom Harding (via Zoom), Commissioner Tom DiFransico, Commissioner Diehl. **Absent**: Mayor Freddie Foster. **Also present:** City Attorney Scott Black, Building Official Tony Loreno, Administrative Assistant Par Darnall, City Clerk Silvia Roussin, CPH Architect Brandan DeCaro.

   Vice-Mayor Colonell acknowledged the passing of longtime resident Chet Dunn and requested a moment of silence.

   Vice-Mayor Colonell found good cause for Commissioner Harding to attend via Zoom and for Mayor Foster to be excused from attending.

   Public Attendance: 0

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

   There were no changes to the agenda, and Vice-Mayor Colonell asked for a motion to approve.

   MOTION: Motion made by Commissioner DiFransico to approve the agenda. Commissioner Diehl seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

3. **Citizen Comments and Correspondence**

   There was no correspondence or citizen comments.

4. **Discussion Action Items**
   a. Discussion/Approval of a Request by Pedro Falcon Contractors for Change Order #012 for Pin Piles and New Slab for $143,798.35

   Vice-Mayor Colonell introduced the agenda item and asked for a motion to approve, with the exception of 58-day timeline listed in the change order.

   MOTION: Motion made by Vice-Mayor Colonell to approve Change Order No. 012 for the dollar value and scope of work only, excluding any approval of the requested 58-day time extension. Commissioner Diehl seconded the motion.
   DISCUSSION: Commissioner Diehl expressed support for approving the cost and scope of work while raising questions about the requested timeframe. Vice-Mayor Colonell stated he had extensive discussions with the contractor, who committed to providing a recovery plan and a revised timeline. Commissioner DiFransico raised questions about monitoring pile installation, rebar, and slab installation. Vice-Mayor Colonell clarified that these inspection services fall within the contracted inspection services and responsibilities.
   Commissioner Harding raised questions about pin pile testing and whether load testing of the new piles should be required. Discussion followed regarding the need for load testing, the distinction between pile testing and concrete slab testing, the timing of any testing, prior testing, testing procedures for concrete and pin piles, and whether such testing was included in the current engineering inspection scope. City Attorney Black noted that load testing was not included in the engineering scope but could be commissioned separately if desired. Commissioner DiFransico asked for CPH's

Engineer's opinion on the benefit of load testing.
Registered Project Architect Brandan DeCaro advised that load testing had not been requested by the project engineers and stated that, if the piles were installed properly, he did not believe testing would be necessary. Commissioner Harding requested a written statement from the structural engineer confirming whether testing was necessary or unnecessary. Additional discussion addressed load-testing procedures, the number of sample piles to be tested, technical details, and the potential impact of further testing on the project schedule. Commissioner Harding reiterated his request for an opinion from the structural engineer regarding the necessity of testing for future reference. Further discussion followed on terminology and contractors' practices.
ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval of requested Time Extensions

City Attorney Black advised that the Commission could authorize Vice-Mayor Colonell to negotiate a proposed timeline with the contractor or return the matter to the Commission for further consideration at a later meeting. City Attorney Black noted that approval of the monetary portion of Change Order No. 12 did not bind the Contractor to accept the approved change order without the requested time extension. Vice-Mayor Colonell discussed project delays, the contractor's position on prior delays, and the need for a recovery plan, noting that the contractor was expected to provide additional information. Vice-Mayor Colonell also offered additional comments on possible risks of delay claims and efforts to move the contractor along.

MOTION: Motion made by Commissioner Diehl to designate Vice-Mayor Colonell to negotiate the timeframe for the project. Commissioner DiFransico seconded the motion.
DISCUSSION: The Commission discussed whether to grant the requested 58-day extension or defer action pending additional documentation and negotiations. Commissioner DiFransico commented on a possible extension with conditions for the contractor. Architect Brandan DeCaro advised against Commissioner DiFransico's suggestion, a position City Attorney Black agreed with. Vice-Mayor Colonell discussed potential liquidated damages, ongoing communication with the architect and contractor, and the expectation that the contractor would submit the requested documentation and a recovery plan for review.
ON THE MOTION: Rollcall vote. Unanimous approval.

Additional discussion addressed project delays, work start dates, approval dates, and possible schedule recovery measures, including Saturday work. Vice-Mayor Colonell stated that the anticipated recovery plan would identify measures to bring the project back on schedule, and he hoped to receive further information and recommendations from the contractor on Wednesday. City Attorney Black confirmed that there was no need to go out to bid on the change order and that it was not a sole-source project.

5. **Adjournment:** The meeting adjourned at 4:11 PM.

Respectfully submitted,

Silvia Roussin
City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION
EMERGENCY MEETING
Tuesday, May 5th, 2026 – 3:30 PM
Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing
Zoom Login Information at the end of this Agenda

1. **Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The Key Colony Beach City Commission Emergency Meeting 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 Kirk Diehl, Commissioner Tom Harding (via Zoom). **Absent**: Commissioner Tom DiFransico. **Also present:** City Administrator John Bartus, Building Official Tony Loreno, Administrative Assistant Par Darnall, City Attorney Scott Black (Via Zoom), CPH Architect Brandan DeCaro (via Zoom).

   Mayor Foster found good cause for Commissioner Harding to attend the meeting via Zoom and for Commissioner DiFransico to be excused from attending.

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

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

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

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

4. **Review/Approval of Pin Pile Load Testing**
   a. CPH Correspondence 05-04-2026
   b. Pedro Falcon Correspondence 05-04-2026

   Mayor Foster introduced the agenda item and asked Vice-Mayor Colonell to elaborate. Vice-Mayor Colonell explained that Commissioner Harding had suggested load testing of the new pin piles in the administrative area. He stated that he had followed up with CPH regarding the suggestion to test the pin piles and was advised that such testing was not required. Vice-Mayor Colonell also summarized the correspondence from CPH and discussed the projected cost and potential impact on the construction timeline. He further commented that, if the work were completed properly and in accordance with the engineering documents, there should be no issues, and the slab would be certified. Vice-Mayor Colonell stated that the decision before the Commission was whether to incur additional expense for pin pile testing and potentially delay the project.

   Mayor Foster reminded the Commission that a motion was required and requested one to accept the correspondence and proceed without conducting pin pile testing.

   MOTION: Vice-Mayor Colonell moved to accept the correspondence and proceed without pin pile testing. Commissioner Diehl seconded the motion.
   DISCUSSION: Mayor Foster stated that he had not found evidence that pin pile testing had been conducted in the County and had not identified a contractor available to complete the testing. He added that, if the work were performed in accordance with the design, he had no further concerns. Commissioner Harding shared that his research identified three engineering firms outside the County capable of conducting such testing and noted that testing is generally required for larger structures above a certain tonnage threshold, but not typically for smaller buildings. Mayor Foster thanked Commissioner Harding for his research outside Monroe County.

Commissioner Harding further noted that one of the firms had conducted testing in Marathon and that the consensus was that, for a project of this size, testing could be limited to two pin piles rather than a larger number. Commissioner Harding reported receiving a recommendation for third-party observation of the installation, evaluation of depth of refusal, and documentation in a signed and sealed report by a professional engineer. Vice-Mayor Colonell commented that the City has third-party inspectors and for CPH to perform the final certification of the project. Commissioner Harding further commented on the advice received regarding third-party observation. Vice-Mayor Colonell confirmed that reports and quality-control documentation are being maintained during the project, including photographs, inspection reports, and various sample reports. Commissioner Harding asked to share the interim reports on the refusal depth and the geotechnical report to verify that they match.
CPH Architect Brandan DeCaro stated that he did not have the authority to sign off on the installations in his capacity as architect. Mayor Foster stated that the work should proceed in accordance with the approved drawings and existing testing procedures, and that the question at hand is the pin pile testing. There was no further discussion. City Clerk Roussin restated the motion to accept the correspondence and not conduct testing on the pin piles.
ON THE MOTION: Roll call vote. Unanimous approval.

Mayor Foster thanked Commissioner Harding for his extensive research outside the County.

5. **Adjournment:** The meeting adjourned at 3:50 PM.

Respectfully submitted,

Silvia Roussin
City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION
EMERGENCY MEETING
Thursday, May 21st, 2026 – 5:45 PM
Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Call to Order and Roll Call:** The Key Colony Beach Emergency Meeting was called to order by Mayor Foster at 5:45 PM, followed by Rollcall. **Present**: Mayor Freddie Foster, Vice-Mayor Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl (via Zoom). **Also present**: City Attorney Jim Hicks, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Sgt. Jamie Buxton, 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:* There were no changes to the agenda, and Mayor Foster 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.

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

4. **Discussion/Review to address Sewer Plant Issues:** Mayor Foster discussed recent issues at the sewer plant and emphasized the need to act promptly to protect the City from potential fines and the consequences of future incidents. He stated that pump-out operations were currently under control, but recommended hiring a trained individual to provide oversight and help safeguard the City's interests through the safe operation of the plant. Mayor Foster added that the City must place itself in a position to better protect its operations and long-term interests. Commissioner Harding commented on the number of spills, noting that he had not seen issues this severe during his time on the Utility Board and City Commission. He added that the impact could be both a public health concern and a financial liability. Commissioner Harding agreed with the need for greater City oversight and supported the Mayor's recommendation.

   MOTION: Motion made by Commissioner Harding to authorize the Mayor to advertise for and hire an operator with the skill set appropriate for the plant's configuration, while continuing to monitor the City's relationship with the current contractor.
   Mayor Foster commented on the time he and Commissioner Harding had spent at the plant providing monitoring, coaching, and feedback, and ensuring that reports were submitted and that the equipment and facility were properly maintained. Commissioner DiFransico asked for clarification regarding the role of the proposed new hire. Mayor Foster stated that the City would be seeking a licensed operator qualified to work with the MBR system.
   Mayor Foster called for a second. Vice-Mayor Colonell seconded the motion.
   FURTHER DISCUSSION: Vice-Mayor Colonell expressed appreciation to Mayor Foster and Commissioner Harding for their work and asked about the current performance of US Water. Mayor Foster asked that the discussion remain focused on protecting the City and maintaining reliable system operations, and clarified that the proposed individual would be in addition to US Water. He further stated that the plant is self-sufficient in covering its costs, and that the greater concern was not the added staffing expense, but the potential loss of the plant. Commissioner Harding added that the costs associated with cleanup, repairs, and fines far exceed employee costs. Commissioner DiFransico cautioned against losing US Water and noted the possible long-term ramifications. Mayor Foster stated that the issue under discussion was the need for a City employee to oversee plant operations. Commissioner Harding further commented on the benefit of extending staff coverage hours. There was no further discussion.
   ON THE MOTION: Rollcall vote. Unanimous approval.

5. **Adjournment:** The meeting adjourned at 5:54 PM.

Respectfully submitted,
Silvia Roussin
City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION
REGULAR MEETING & PUBLIC HEARING
Thursday, May 21st, 2026 – 3:35 PM or at the end of the Public Hearing
Marble Hall, 600 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Call to Order and Roll Call:** The Key Colony Beach Regular Meeting & Public Hearing was called to order at 3:50 PM followed by Rollcall. **Present:** Mayor Freddie Foster, Vice-Mayor Doug Colonell, Commissioner Tom DiFransico, Commissioner Tom Harding, Commissioner Kirk Diehl (via Zoom). **Also present:** City Attorney Jim Hicks, City Administrator John Bartus, Acting City of Marathon Fire Chief Lt. Shana Rogers, Acting Chief of Police Sgt. Jamie Buxton, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Administrative Assistant Par Darnall, City Clerk Silvia Roussin.

   Public Attendance: 7

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:

   - 5c. Addendum to the City Administrator's Report
   - 7f. The addendum of a proposal by KCS Technical Solutions for the installation of AV Equipment at Marble Hall
   - 11a. Commissioner Harding: The addendum to the Wastewater Report

   There were no other 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**

   a. Proclamation Honoring Chester "Chet" Dunn

   Mayor Foster read the Proclamation honoring Chester "Chet" Dunn, and the Commission presented his family, attending via Zoom, with the signed Proclamation.

   b. Proclamation National Police Week, May 10th to May 16th, 2026

   Mayor Foster read the Proclamation recognizing May 10th to May 16th, 2026, as National Police Week. Mayor Foster emphasized his support for law enforcement, and the Commission presented the signed Proclamation to Acting Chief of Police Sgt. Jamie Buxton

   c. Presentation on Roadway Vulnerability Project

   Mayor Foster introduced the special presentation. Greg Corning, Melissa Henriques, and Erin Deady appeared via Zoom and delivered a presentation on the Roadway Vulnerability Project, including background on the County's Resiliency and Climate Program, an overview of the sea level rise roads vulnerability project, policy and implementation, and next steps. *Please contact the City Clerk's Office for a copy of the presentation.

   Mayor Foster thanked the presenters for their presentation and for the Commission to review the information provided.

4. **Citizen Comments and Correspondence**

Mayor Foster asked for citizen comments and correspondence. City Clerk Roussin informed of the following:

May 19, 2026 – Lynne Benton wrote to the City Commission with a suggestion to implement a Master Plan for the City and to create a Long-Range Planning Committee tasked with developing it.

Mayor Foster asked for citizen comments.

Lynne Benton, 621 10th Street, thanked the Commission for its work and stated her intention to speak on long-range planning goals for the city. City Clerk Roussin advised that comments must pertain only to agenda items. Lynne Benton agreed that her comments were not at the proper venue.

Cindy Catto, 601 W. Ocean Drive, asked to speak on the Tourist Development Council Grant for the Pickleball Courts but questioned whether she could do so, as the topic is not on the meeting agenda. City Clerk Roussin confirmed that the item is not on the agenda, explained the reasoning behind the rule, and advised that citizen correspondence on any matter can always be provided to the Commission and included in the public record for the meeting minutes. Cindy Catto voiced concerns that the matter would impact the current budget, which is an agenda item. City Attorney Hicks advised that the budget is on the agenda, but not as an action item. City Clerk Roussin advised Cindy Catto to provide correspondence to the Commission instead.

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

   a. Marathon Fire/EMS – Acting Fire Chief Lt. Shana Rogers introduced herself as the Interim Fire Chief for the City of Marathon Fire Rescue. She presented the monthly fire and EMS response numbers and provided data on calls for fire incidents, hazardous materials, EMS, and false alarms. Shana Rogers could not comment on the trend in the data but believed the numbers were going down.

   b. Police/Code Enforcement - Acting Chief of Police Sgt. Jamie Buxton: Commissioner Harding reported receiving residents' concerns about safety in the beach area on West Ocean Drive and asked Code Enforcement to walk the beach and observe any items in shallow water that could pose safety risks.

   Vice-Mayor Colonell commented on a school bus driver speeding on 8th Street, which Sgt. Buxton stated that the concern will be addressed.

   Mayor Foster commented on the correspondence included in the Police Staff Report, including Emily Simpson's thank-you letter. Mayor Foster recalled that Emily Simpson had suffered a cardiac arrest and was resuscitated by Sgt. Buxton, saving her life. Mayor Foster read Emily Simpson's thank-you letter into the record, thanking Sgt. Buxton and other first responders for saving her life. Commissioner Harding noted that this illustrates the City's benefits for its own police department, including fast response times and well-trained employees. Mayor Foster agreed and shared his personal experience with Sgt. Buxton.

   c. City Administrator Bartus stated that he is happy to work with Sgt. Buxton and Shawna Rogers on the upcoming hurricane exercise. City Administrator Bartus stated that he would be stationed at the EOC and coordinate with the temporary EOC in the City to prepare for the upcoming season. Commissioner Harding informed that the Florida Commerce Grant Application was submitted.

   d. Public Works – Public Works Department Head Guarino: Commissioner Harding requested tree trimming near the golf course and suggested completing the work before the end of the budget year, with a proposed budget of up to $15,000. He also suggested considering additional tree trimming throughout the city and seeking Golf Course Operator Rice's input.

   e. Building Department – Building Official Loreno: Commissioner DiFransico asked about the permit extension process. Building Official Loreno explained that contractors automatically qualify for extensions during certain storm events. He provided additional information on past storms that qualified for extensions and noted that scheduled inspections are working well.

f. City Hall – City Clerk Roussin: The Commission had no questions.
g. Beautification Committee – Chair Bachman
h. Planning & Zoning Board – Chair Lancaster
i. Recreation Committee – Chair Catto
j. Utility Board – Chair Swanson

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. 03-19-2026 City Commission Regular Meeting
      2. 04-16-2026 Citizen Advisory Task Force Meeting
      3. 04-16-2026 City Commission Regular Meeting
      4. 04-30-2026 City Commission Fair Housing Workshop Meeting
      5. 04-30-2026 City Commission Special Public Hearing
      6. 04-30-2026 City Commission Emergency Meeting
   b. Approval of Warrant No. 0426 for $860,697.61
   c. Appointment of Elizabeth Kohout to the Utility Board as a full-time member
   d. Approval of an After-the-Fact Emergency Pump Purchase from Xylem for $34,303.00, per the Recommendation of the Utility Board
   e. Approval of an After-the-Fact Emergency Purchase from Reynolds Construction for WRF Upgrades for $21,587.20

Mayor Foster introduced the Consent Action Items and invited requests to pull any items for discussion. Commissioner DiFransico questioned the intrusion of saltwater into the drying bed. Commissioner Harding explained the work on the pump, its ability to be closed off, and that the intrusion is coming from the drying bed.

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

7. **Discussion Action Items**
   a. Discussion/Approval of a Proposal by Titl for the Electronic Digitization and Indexing of Records in City Archives for $35,000.00

Mayor Foster introduced the agenda item and spoke about the urgent need for the digitization of the city's records.

MOTION: Motion made by Commissioner Harding to approve. Commissioner Diehl seconded the motion.
DISCUSSION: Commissioner DiFransico asked for research on the metadata and searchability criteria, as well as the ability to add data. City Clerk Roussin confirmed that the current proposal is limited to scanning and indexing the records in the city's archives and that management options can be addressed. City Clerk Roussin also confirmed reaching out to the contractor to follow up on Commissioner DiFransico's questions.
ON THE MOTION: Rollcall vote. Unanimous approval.

   b. Approval for a Permit Extension Request for 200 13th Street
      1. Building Official Presentation
      2. Permit Extension Request

   Mayor Foster introduced the agenda item and asked Building Official Loreno to elaborate. Building Official Loreno explained that the request was for a one-year permit extension and confirmed that it was the first extension request for the property. Mayor Foster asked for a motion to approve. Building Official Loreno noted that the City's ordinances allow for a charge of up to 10 percent of the permit fee in connection with an extension request.

MOTION: Motion made by Commissioner DiFransico to approve the permit extension request. Vice-Mayor Colonell seconded the motion.
DISCUSSION: Commissioner Harding commented that, based on prior research, the average construction period for new homes is approximately 24 months, and in some cases 36 months. He suggested that the Building Official review the ordinance to determine whether the timeframe for new construction should be revised to at least 24 months. Mayor Foster recommended consulting former Building Official Roussin regarding the rationale behind the current ordinance language. Commissioner DiFransico asked whether the 10 percent fee should be assessed or waived. Building Official Loreno deferred that determination to the Commission and stated that the contractor's efforts and progress on the project could be considered. Commissioner DiFransico commented that the contractor appeared to be making a good-faith effort to continue the work and suggested waiving the 10 percent fee. Commissioner Harding agreed.
AMENDED MOTION: Amended motion made by Commissioner DiFransico to approve the extension request and waive the additional fee. Commissioner Harding seconded the amended motion.
FURTHER DISCUSSION: Mayor Foster requested a review of possible administrative fees. Building Official Loreno stated that the City of Marathon charges $250.00 for permit extensions and provided additional information regarding potential extension fees. Vice-Mayor Colonell cautioned against making a hasty decision and stated that he would like more time to study the issue and the purpose of the City's current rules. Building Official Loreno confirmed that the permit extension itself was needed at this time. Commissioner Harding suggested approving the extension now and bringing the discussion of fees back at next month's meeting. Building Official Loreno confirmed that he would return with a recommendation for the Commission's consideration at the next meeting.
ON THE AMENDED MOTION: Commissioner DiFransico withdrew his amended motion.

MOTION: Motion made by Commissioner DiFransico to approve the requested permit extension with the caveat that the associated fees for the extension be determined at the next Commission meeting. Vice-Mayor Colonell seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

c. Continued Discussion/Approval to procure an Agreement with Early Alert
   1. Sample Task Order

Mayor Foster introduced the agenda item, noted that the proposal had previously been before the Commission, cautioned about the upcoming hurricane season, and asked for a motion to approve.

MOTION: Commissioner Harding asked for a motion to approve. Commissioner DiFransico seconded the motion.
DISCUSSION: Commissioner DiFransico asked about contract language for full and open competition. City Administrator Bartus explained that, because the agreement is a piggyback of the City of Islamorada, the City does not need to go through the competitive bid process. Commissioner DiFransico cautioned against jeopardizing FEMA reimbursement by not including open competition in the proposal. City Attorney Hicks clarified that the Village of Islamorada should have completed the competitive bidding requirements and to verify that all needs have been met.
ON THE MOTION: Roll call vote. Unanimous approval.

d. Discussion/Approval to award Haack Environmental LLC the RFP 2026-02 Sludge Hauling Service Agreement per the Utility Board's recommendation
   1. RFP 2026-02 (Request for Proposals)

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: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

e. Discussion/Approval to raise the annual Stormwater Assessment from $80.00 to $84.00, per the Recommendation of the Utility Board
   1. Stormwater Yearly Rates vs. CPI Data

   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: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

f. Discussion/Approval of a Proposal by KCS Solutions for the installation of AV Equipment for City Hall

   Mayor Foster introduced the agenda item, discussed equipment needs and labor costs, and asked for a motion to approve. City Administrator Bartus confirmed that no response had been received from another vendor regarding the requested quote.

   MOTION: Motion made by Vice-Mayor Colonell to approve. Commissioner Diehl seconded the motion.
   DISCUSSION: Commissioner Harding commented on wireless and hardwire connections and asked to confirm backup for wireless.
   ON THE MOTION: Rollcall vote. Unanimous approval.

g. Discussion/Approval of a proposal by the Beautification Committee to provide a budget of $10,000.00 for repairs at the Retention Pond.
   1. Memorandum by Dave McKeehan

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

   MOTION: Motion made by Commissioner DiFransico to approve. Commissioner Harding seconded the motion.
   DISCUSSION: Commissioner DiFransico asked Public Works Department Head Guarino for an opinion on the high costs. Public Works Department Head agreed that the costs are high and suggested waiting until the upcoming paver project on 7th Street is completed. Commissioner Harding agreed to wait to determine the impact of the pavers once completed and further advised returning the costs to Stormwater. Mayor Foster stated that there was a consensus within the Commission to wait on the proposal and asked for a rollcall.
   ON THE MOTION: Vice-Mayor Colonell – no. Commissioner Harding – yes. Commissioner Diehl – no. Commissioner DiFransico – no. Mayor Foster – no. Motion failed.

8. Ordinances & Resolutions:

a. **SECOND AND FINAL 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.
   1. Ordinance 2026-511
   2. Business Impact Statement
   3. Proof of Publication

   Mayor Foster gave 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.

   The Ordinance was adopted.

b. **FIRST READING OF ORDINANCE 2026-512:** 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 the ordinance 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.

City Clerk Roussin informed that the second reading will be held on June 18th, 2026.

c. **Resolution 2026-08:** A Resolution Of The City Commission Of The City Of Key Colony Beach, Florida, Authorizing A Loan In The Principal Amount Of $3,000,000.00 To Finance The Cost Of Improving City Hall And To Pay The Costs Of Such Loan, Approving The Form Of And Authorizing The Execution Of A Promissory Note And A Loan Agreement With First Horizon TE1, LLC, Designating The Promissory Note As A "Qualified Tax-Exempt Obligation" Under Section 265(B)(3) Of The Internal Revenue Code Of 1986, Providing Certain Details With Respect Thereto, And Providing An Effective Date.
1. Resolution 2026-08
2. Loan Agreement, Promissory Note & Terms
3. Certificate as to Public Meetings

Mayor Foster provided the reading of 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. Unanimously approved.

The Resolution was adopted.

9. **Secretary-Treasurer's Report**
a. April 2026 Financial Summary

Commissioner Harding presented the April 2026 financial summary. He reported that the City remains in good shape with respect to revenues and expenses, though a few areas are trending over budget, including legislative costs. He noted that retirement and medical expenses should be adjusted in the next budget cycle. He stated that the building funds remain in good condition and currently show a small positive balance. Commissioner Harding also provided an update on grant activity related to City Hall hardening and expressed concern about the contractor's low spending rate. He further discussed tax-exempt bond and loan considerations, including the importance of avoiding unnecessary charges, monitoring the total cost over the life of the loan, and complying with IRS requirements. Additional discussion followed regarding the use of reserve funds for furniture, fixtures, and equipment, administrative tracking, and the fact that no specific interest rate had yet been set, with the rate to be calculated at the closing date. Commissioner Harding gave further comments on the loan proceeds, separate accounting needs, and project billing. Commissioner DiFransico asked about the possibility of property tax reform and whether the Commission should start reviewing the matter in detail. Commissioner Harding gave his understanding that the matter would be placed on the November ballot and responded that next year's budget will be influenced by voter feedback in November. Additional comments were made regarding revenue projections and the potential fiscal impact on counties if proposed tax changes were adopted.

10. **City Attorney's Report:** City Attorney Hicks had nothing further to report. Mayor Foster commented on the need to reduce legal costs.

11. **Commissioner's Reports & Comments**
a. **Commissioner Harding**
1. Wastewater Sampling Weekly Report for May 18, 2026: Commissioner Harding reported very low levels of COVID and no cases of RSV or flu. Commissioner Harding further commented on a newly monitored virus.

b. **Commissioner Diehl:** Nothing further.

c. **Commissioner DiFransico:** Nothing further.

d. **Vice-Mayor Colonell**
   1. City Hall Update: Vice-Mayor Colonell reported good project progress and provided an update on completed and upcoming work.

   The Commission briefly discussed the sludge hauling process with Operator Chris Haack, including the sampling process, determination of solids percentage, the drying process, and sludge removal.

e. **Mayor Foster:** Nothing further.

13. **Citizen Comments:** None.

14. **Adjournment:** The meeting adjourned at 5:35 PM.

Respectfully submitted,

Silvia Roussin
City Clerk

Invoice

500 West Fulton Street
Sanford, FL 32771
407-322-6841

Silvia Roussin
City of Key Colony Beach
600 W Ocean Dr.
Key Colony Beach, FL 33051-0141

June 16, 2026
Project No: 201.2401034.000
Invoice No: 177905
Due Date: August 15, 2026

Key Colony Beach City Hall Design
600 W. Ocean Dr. Key Colony Beach FL, 33051

Professional Services through June 12, 2026

Fee

Billing Phase	Fee	Percent Complete	Previous Fee Billing	Current Fee Billing
Programing / Concept / Due Diligence	27,980.00	100.00	27,980.00	0.00
Schematic Design Phase	22,000.00	100.00	22,000.00	0.00
Design Development Phase	33,680.00	100.00	33,680.00	0.00
Construction Documents Phase	124,500.00	100.00	124,500.00	0.00
Materials & Finishes Selection	8,800.00	100.00	8,800.00	0.00
Permitting Support	3,500.00	100.00	3,500.00	0.00
Bid Construction Documents	32,060.00	100.00	32,060.00	0.00
Bidding Support	1,000.00	100.00	1,000.00	0.00
Limited Construction Support	15,000.00	100.00	15,000.00	0.00
Reimbursable Expenses	2,416.98	100.00	2,416.98	0.00
EWA#1				
Amendment for Additional Services	48,000.00	100.00	48,000.00	0.00
EWA#2 - Pin Piles	15,000.00	100.00	0.00	15,000.00
EWA#3				
Architectural	100,175.75	100.00	0.00	100,175.75
Site Civil	10,000.00	100.00	0.00	10,000.00
MEP	15,000.00	100.00	0.00	15,000.00
Structural	9,000.00	100.00	0.00	9,000.00
Total Fee	468,112.73		318,936.98	149,175.75

Total Fee **149,175.75**

Total this Invoice **$149,175.75**

Outstanding Invoices

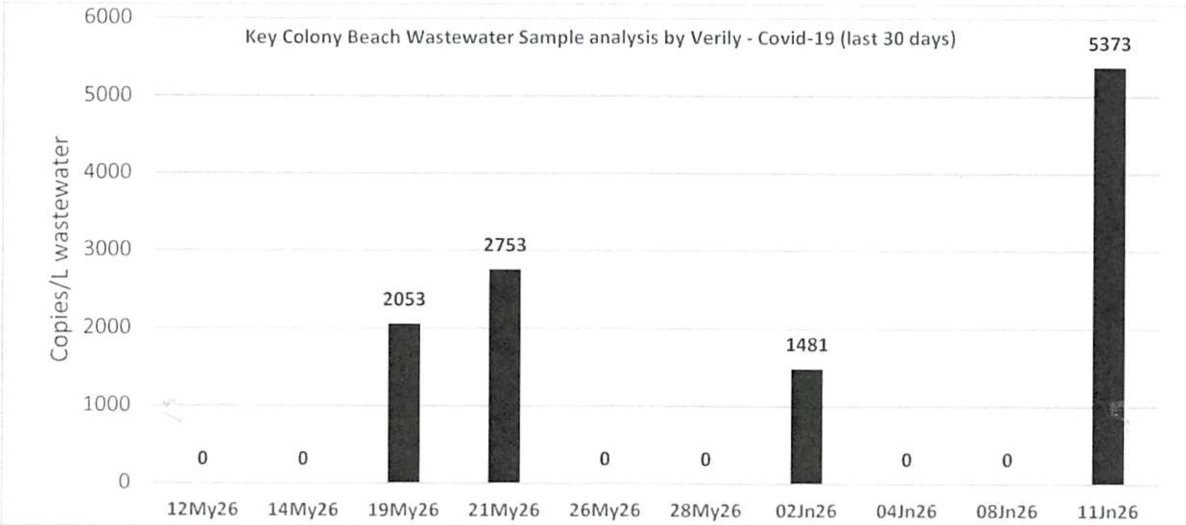
Number	Date	Balance
177543	6/9/2026	7,500.00
Total		**7,500.00**

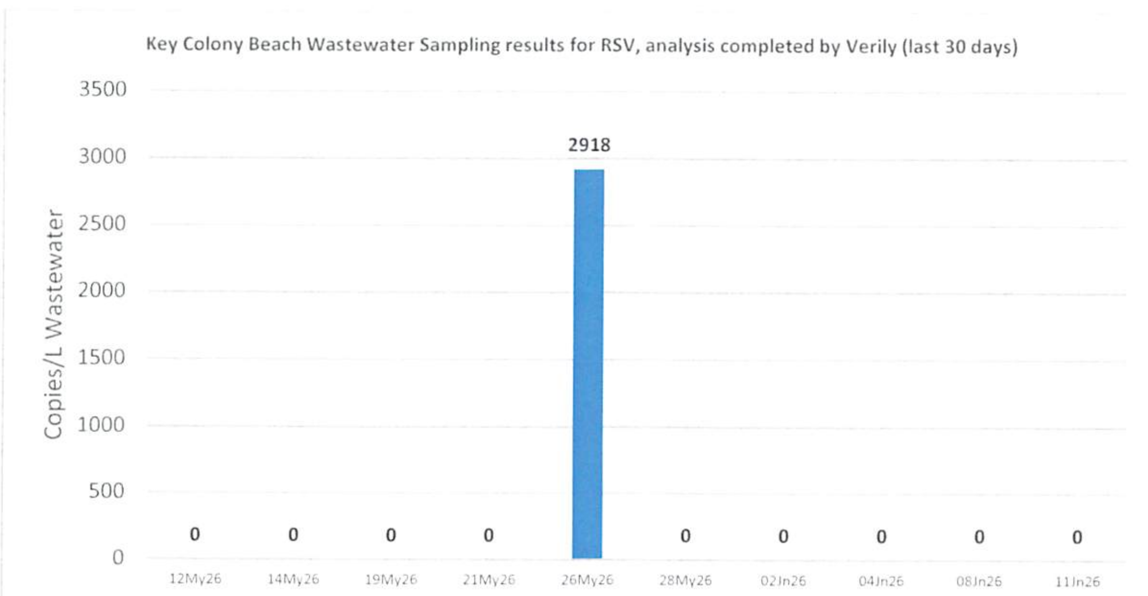
City of Key Colony Beach

Wastewater Sampling Update for Concern Virus's – June 15, 2026

Specific data for Key Colony Beach – wastewater sampling:

No Detections were found for the following viruses in the last 30 days for KCB: Influenza A H5, A H3, A H1, FLUAV, FLUBV, NVO, MPX Clade 1, Measles, therefore plot was not included. Detections for the only virus below in the last 30 days for KCB (raw data):

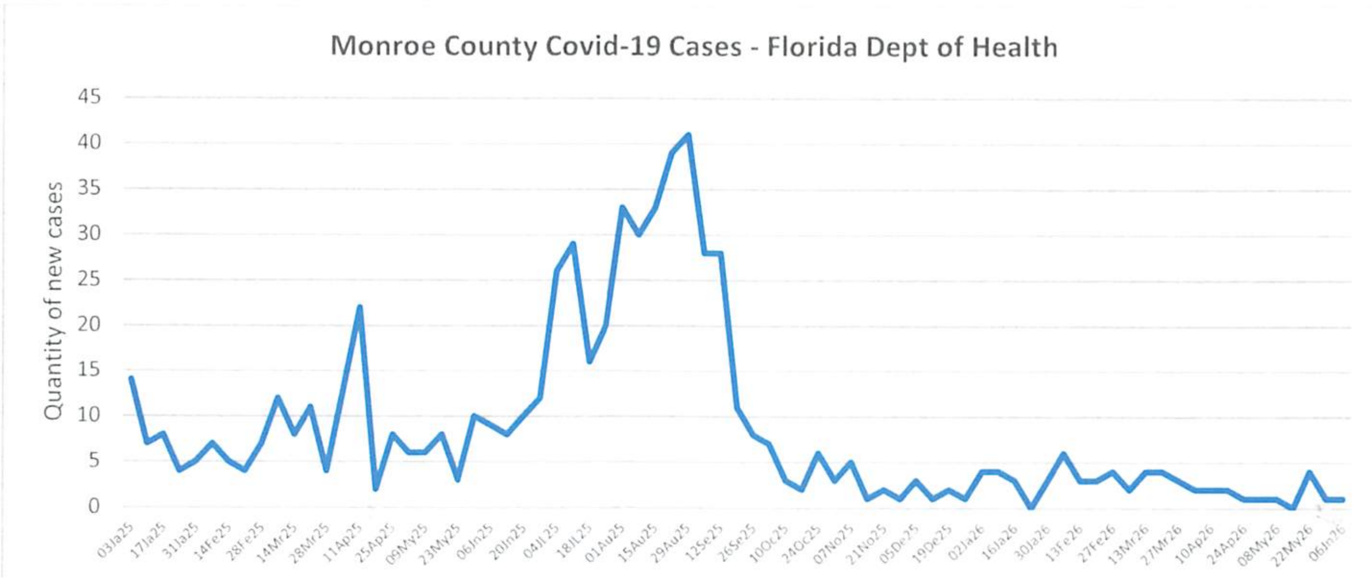


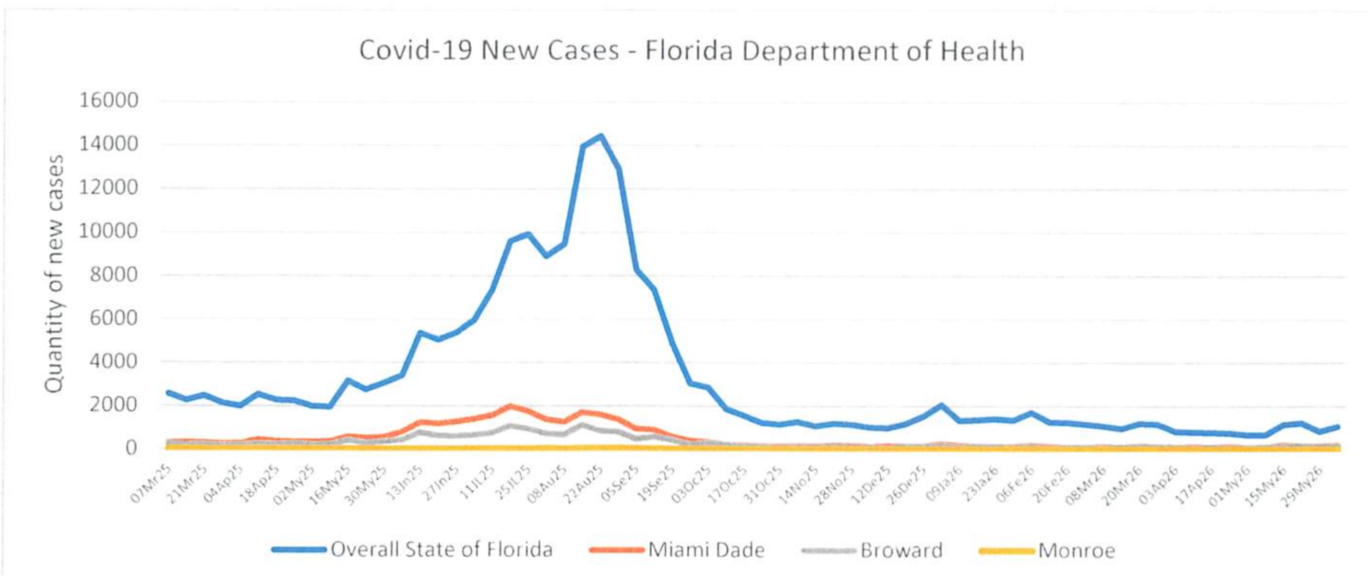


Reference Data for Monroe County, Overall State of Florida, and Miami-Dade County

State of Florida Health Department Covid 19 data through 05Jn26

- Monroe County did report 1 new death for 2026 from Covid-19 the week of May 29, 2026





Report by Tom Harding, based on CDC/Verily and the State of Florida Health Department for Monroe County new Covid-19 cases - data through 14Jn26.