

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, October 22, 2020 9:30 a.m.
Marble Hall & Virtually via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The regular meeting of the Key Colony Beach City Commission was called to order by Mayor DeNeale at 9:30 a.m. followed by the Pledge of Allegiance and Prayer.
Present: Mayor John DeNeale, Vice Mayor Ron Sutton, Secretary/Treasurer Patti Trefry, Commissioner April Tracy, and Commissioner Kimmeron Lisle.
Also Present: City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, Police Chief DiGiovanni, Fire Chief Johnson, Building Official Gerard Roussin and Building Inspector Greg Lawton.
Public – 28 (Virtually) 12 (Marble Hall)
2. **Approval of Minutes:** The minutes of the August 27, 2020 City Commission Special Meeting, September 24, 2020 City Commission Regular Meeting, October 8, 2020 City Commission Special Meeting, and October 15, 2020 City Commission Special Meeting were approved by acclamation.
3. **Agenda Additions, Changes, Deletions:** Building Official Roussin removed “Request to Dismiss Code Cases against 331 3rd Street and 34 Sadowski Causeway” from the agenda.
4. **Special Requests:**
 - A. **Candidate for State Senator District 39 – Ana Maria Rodriguez:** Ana Maria Rodriguez, republican candidate for State Senator District 39, stated she currently has the privilege of serving in the Florida House of Representatives alongside State Representative Holly Reschein who supports her candidacy greatly. As State Representative in District 105, Mrs. Rodriguez has helped secure resources for Monroe County and will continue to be a champion for Monroe County if chosen as State Senator of District 39. For more information, visit www.electanamaria.com.
 - B. **Candidate for State Representative District 120 – James “Jim” Vernon Mooney Jr.:** Jim Mooney, candidate for State Representative District 120, thanked the Commission for the opportunity to speak. Mr. Mooney stated he looks forward to representing our District as Holly Raschein did and will fight for anything we deserve. Mr. Mooney is honored to be in this position and looks forward to representing the District with honesty, integrity, and hard work. For more information, visit www.electjimmooney.com.
 - C. **Candidate for County Commissioner District 5 – Michael P. Forster:** Mike Forster, candidate for County Commissioner District 5, stated he looks forward to serving the residents of Monroe County. Mr. Forster is specifically interested in bridging the gap of incorporated and unincorporated areas in Monroe County. Mr. Forster also expressed his support for both Candidates listed above.
 - D. **Presentation of Recognition Plaques to City Attorney Tom Wright and City Commissioner April Tracy:** Mayor DeNeale, on behalf of the Commission, residents, and Staff, thanked City Attorney Tom Wright for his 31+ year tenure serving Key Colony Beach. Mayor DeNeale also presented Commissioner Tracy with a recognition plaque and thanked her for all her hard work on the Commission.
5. **Committee and Staff Reports**
 - A. **Marathon Fire/EMS:** Fire Chief Johnson thanked Attorney Wright and Commissioner Tracy for all their hard work while serving the City. Fire Chief Johnson reported 9 medical calls, 2 public assist, and 1

motor vehicle since the last meeting. Fire Chief Johnson cautioned residents on driving through excessive water from the heavy rain being experienced.

B. Recreation Committee: No Report.

C. Beautification Committee: No Report.

D. Disaster Preparedness Committee: Building Official Roussin reported Public Works attempting to get rid of as much rainwater as possible from the City but requested patience from residents.

E. Planning & Zoning Board: No Report.

F. Utility Board:

1. Allocation of Funds for Closed CD: Utility Board Chairperson John Dalton reported conferring with Iberia Bank and deciding to allocate the \$200,000 in 4 separate CD's of \$50,000 at 0.076%. Mayor DeNeale directed Chairperson Dalton to work with City Clerk Todd in creating those CD's.

2. Retention Pond Bids: Utility Board Treasurer Tom Harding provided the Commission with the background of the retention pond. A completed bid package that was reviewed and approved by the Utility Board should be published next week. In September, Mitteaur & Associates provided a short-term and a long-term design proposal and estimated costs for both. Utility Clerk Pat Hyland will forward the September Utility Board Agenda Packet with that information to the Commission. The complete bid package should also be forwarded to the Commission.

G. Police Department: Chief DiGiovanni reported since the last meeting there has been 2 reports: 1 crash at Circle K and 1 violation of probation arrest on 11th Street. They responded to 4 medical and alarm calls, provided backup to MCSO and FWC 10 times, and received 7 miscellaneous calls along with traffic citations, code warnings and citations, road patrol, boat patrol and vacation watch program. Chief DiGiovanni echoed Fire Chief Johnson and cautioned residents to driving in the heavy rain. Chief DiGiovanni thanked City Attorney Wright and Commissioner Tracy for their many years of service and wished them success in future endeavors.

1. Approval to Purchase Laptops up to \$22,000 & Motorola Radios up to \$25,500: Chief DiGiovanni requested approval to purchase 5 Motorola radios for \$23,693.91 and 4 laptops for \$18,850. The current radios are no longer supported by Motorola and have been in use for over 15 years. The laptops have been in use for 10 years and no longer supports the software used by the Monroe County Sherriff's Office. Chief DiGiovanni requested to use the extra \$4,956.09 to purchase the vehicle mounts. The Commission requested a quote for those mounts to be presented at the next meeting.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry to approve the purchase of 5 Motorola radios totaling \$23,693.91.

ON THE MOTION: Roll Call Vote. Unanimous approval.

MOTION: Motion made by Commissioner Trefry, seconded by Commissioner Lisle to approve the purchase of 4 laptops totaling \$18,850.

ON THE MOTION: Roll Call Vote. Unanimous approval.

H. Building Department/Public Works:

1. Approval of 12,000 lb. and 30,000 lb. 4 Post Elevator Boat Lifts – 195 15th Circle – Building Official Roussin requested the approval of a 12,000 lb. and 30,000 lb. 4 post elevator lift at 195 15th Circle pending the approval letters from the neighbors.

MOTION: Motion made by Mayor DeNeale, seconded by Vice Mayor Sutton to approve the 12,000 lb. and 30,000 lb. 4 post elevator list at 195 15th Circle pending the approval letters from the neighbors.

ON THE MOTION: Roll Call Vote. Unanimous approval.

2. Pay Adjustment Request for Jesse Peterson (Public Works): Building Official Roussin stated Jesse Peterson's position was advertised at \$20 per hour, however, Mr. Peterson was hired at \$17 per hour to learn the position. During his employment, Mr. Peterson has learned to weld, basic electrical skills, and currently runs irrigation in the City. Building Official Roussin stated Mr. Peterson is punctual, hardworking, patient, and very deserving of the reward of \$20 per hour. Commissioner Tracy recused herself from the vote.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Lisle to approve Jesse Peterson's pay to \$20 per hour.

ON THE MOTION: Roll Call Vote. Unanimous approval.

Building Official Roussin reported East Side Park being fully functional for the upcoming holiday season. The electrical was completed by Superior Electric and came in under budget.

I. City Secretary/Treasurer: No Report.

J. City Clerk: City Clerk Todd reported a scheduled meeting with the Workers Compensation Auditor on Wednesday, October 28th. The Economic and Demographic Research Report was completed. Confirmation was received yesterday that TRIM was certified. Administrative Assistant Holly Rosado has issued approximately 400 vacation rental licenses. Utility Clerk Pat Hyland collected 50 new ACH applications, making over 1/3 of properties on Autopay. Executive Assistant Saara Staten met with Account Jennifer Johnson for FEMA Portal and Florida PA portal training. City Clerk Todd thanked City Attorney Wright and Commissioner Tracy for their service.

K. City Administrator: Vice Mayor Sutton reported working with Executive Assistant Saara Staten on collecting bank rates to refinance the outstanding long-term debt. The City is now awaiting a proper proposal from Centennial Bank that must be approved by their committee. The Post Office contract was renewed for 5 years. Executive Assistant Saara Staten and Building Official Roussin continue to attempt to contact USPS representatives regarding the temporary Post Office. Mayor DeNeale requested the USPS contacts be forwarded to him to have State Representative Holly Raschein reach out.

6. Items for Discussion /Approval:

A. COVID-19 Update/Declaration – Local State of Emergency Continuation: Mayor DeNeale provided an update for COVID-19. Mayor DeNeale presented the City of Key Colony Beach 33rd Declaration of Local State of Emergency for COVID-19.

MOTION: Motion made by Commissioner Tracy, seconded by Commissioner Trefry to approve the City of Key Colony Beach 33rd Declaration of Local State of Emergency (10:20 a.m.).

ON THE MOTION: Roll Call Vote. Unanimous approval.

B. KCB Fishing & Boating Club request to conduct November 6th Meeting at 7th Street Park: Commodore Tom Alferes was granted approval for the Fishing & Boating Club to meet at 7th Street Park on November 6th. Perpendicular parking was approved for the event instead of parallel parking. Mayor DeNeale stated a request will need to be made for the Commission to approve a bar in a public park.

C. Replacement of City Attorney: Mayor DeNeale reported attempting to contact Attorney Richard Malafy to fill in for City Attorney Wright while the position is advertised and is awaiting a response. City Attorney Wright stated Attorney Christopher Waldera and Attorney Jim Doral have both expressed interest in the City Attorney position. City Attorney Wright recommended for City Clerk Todd to reach out to local

attorneys to see if they are interested. Mayor DeNeale requested for City Clerk Todd to advertise the position of City Attorney in the newspaper and then send that advertisement to all local attorneys requesting they apply if interested.

D. City Hall Update: Mayor DeNeale stated consultant Norry Lynch will complete the insurance review and finalize the flood insurance claim in November/December. Once the City Hall design is approved, hopefully at the November 5th meeting, it will be submitted to FEMA and go out for bid.

7. **Approval of Warrant:** None.

8. **Ordinances and Resolutions:** None.

9. **Commissioner Reports:** Mayor DeNeale, Vice Mayor Sutton, Commissioner Trefry, and Commissioner Lisle expressed gratitude for City Attorney Tom Wright and Commissioner April Tracy's wonderful service to the City. Commissioner Lisle reported on November 21st the annual Decoration Volunteer Party will be held at 9 a.m. at the City Hall Park. This is a wonderful opportunity to meet your neighbors and contribute to the beautification of the City for Christmas. Mayor DeNeale recommended for all residents interested in filling Commissioner Tracy's position to email each Commissioner and introduce themselves. Commissioner Tracy thanked the Commission and Staff for their support while she was on the Commission.

10. **City Attorney Report:** City Attorney Wright reported receiving correspondence from County Attorney Bob Shillinger regarding a new draft report from Army Corps. for the program that the Federal Government will be requiring for storm and flood mitigation. The latest plan requests Key Colony Beach to demolish 6 homes, 247 homes will be forced to elevate, and 10 structures will be acquired to ensure hardening against flooding. City Attorney Wright recommended for the City to be highly involved in any meetings regarding this. City Attorney Wright also recommended the Land Development Regulations be expedited. Building Official Roussin was requested to expedite the Land Development Regulations process. Building Official Roussin will reach out to the County Building Official to ensure Key Colony Beach is represented at those meetings and to get information regarding a public record request for the addresses of those properties that are forced to elevate. The Commission requested for City Clerk Todd to forward them the draft report from Army Corps. of Engineers and post on the website for residents to view. City Attorney Wright also reported receiving a letter from the Chief Legal Counsel of the Fish & Wildlife Commission. Fisherman have filed complaints regarding Key Colony Beach's enforcement of no fishing and mooring in near shore waters. The City is also pending a response from DRS regarding questions on Chris Moonis' retirement contribution. City Attorney Wright will brief and provide the correspondence to the new City Attorney when chosen.

11. **Citizen Comments and Correspondence:** Gary Furtak, 150 10th Street, requested an update on the P3 Agreement. Mayor DeNeale stated it has not been approved by the Commission yet. James Laconti, 250 Sadowski Causeway, stated he experienced the same forced elevation while he lived in New Jersey and it is no issue to ignore. Kirk Diehl of 171 10th Street and John Ambrosio of 161 10th Street reported excessive water retention on their block. Utility Treasurer Tom Harding reported funds being available under Storm Water and requested for the complaint that was submitted to the former City Administrator be sent to Utility Clerk Hyland to include in the next agenda packet.

The meeting adjourned at 11:11 a.m.

Respectfully Submitted,

Saara V. Staten

Saara V. Staten (on behalf of City Clerk Rebecca Todd)
Executive Assistant