

MINUTES

CITY OF KEY COLONY BEACH

CITY COMMISSION SPECIAL MEETING

Thursday, December 3, 2020 9:30 a.m.

Marble Hall & Virtually via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, and Roll Call:** The special 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.

Present: Mayor John DeNeale, Vice Mayor Ron Sutton, Secretary/Treasurer Patti Trefry (Virtually), Commissioner Kimmeron Lisle, and Commissioner Kathryn McCullough.

Also Present: City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Rich Malafy (Virtually), Police Chief DiGiovanni, Building Official Gerard Roussin (Virtually), and Building Inspector Greg Lawton.

Public – 16 (Virtually) 5 (Marble Hall)

2. **Additions, Changes or Deletions:** None.
3. **COVID-19 Update:** Mayor DeNeale reported a total of 3,426 COVID-19 cases, 8 hospitalizations, and 28 deaths in Monroe County.
4. **Extension of Declaration of Local Emergency:** Mayor DeNeale presented the City of Key Colony Beach 40th Declaration of Local State of Emergency for COVID-19.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Lisle to approve the City of Key Colony Beach 40th Declaration of Local State of Emergency.

ON THE MOTION: Roll Call Vote. Unanimous approval. (9:34 a.m.)

5. **Proposed Penalty Reductions:**

A. **331 3rd Street:** Commissioner Kathryn McCullough recused herself. Mayor DeNeale, serving as City Administrator, presented the reconsideration of penalties imposed on 331 3rd Street. Code Board Chair Joey Raspe and Code Board Member Gary Furtak insisted that it was inappropriate for this case to be heard since a lien was not filed on the property. City Attorney Malafy disagreed with Mr. Raspe and Mr. Furtak stating it is well within the City Commissions rights to consider a reduction of penalties once the Code Board denies rehearing cases. Building Official Roussin explained background on 331 3rd Street and recommended to lift the vacation rental license suspension, leaving the monetary penalty. City Clerk Todd reported Property Manager Gregg Saeger visited City Hall to pay his fine, however, his payment was denied by the City Administrator because of the Governors Order prohibiting fine collection. Mr. Saeger did advice City Clerk Todd that all vacation rental advertisements of the property have been removed from all websites and all scheduled rentals were canceled. Commissioner McCullough recommended for the City to consider hiring a full-time Code Enforcement Officer and providing the Code Enforcement Board with penalty guidelines. Attorney Malafy did not recommend penalty guidelines. Commissioner Lisle expressed concern overruling the Code Board's decision and questioned whether it could be brought before the Code Board again for reconsideration. Attorney Malafy assured the Commission they were not overruling any decision; they are simply considering a reduction of penalties and stated the Code Board cannot be brought the case again for rehearing. Discussion ensued between the Commission, Staff, and present Code Board members.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Lisle to lift the 6-month suspension of 331 3rd Street's vacation rental license.

ON THE MOTION: Roll Call Vote. Mayor DeNeale (Yes), Vice Mayor Sutton (Yes), Commissioner Lisle (Yes), and Commissioner Trefry (No).

B. 34 Sadowski Causeway: Commissioner Kathryn McCullough recused herself. Mayor DeNeale, serving as City Administrator, presented the reconsideration of penalties imposed on 34 Sadowski Causeway. City Clerk Todd reported prior owner Rob Lewis paying all fines and selling the property. City Clerk Todd also reported Lee Lapid has not paid her \$500 fine. Building Official Roussin explained background on 34 Sadowski Causeway and recommended to license suspensions, leaving the monetary penalty. Mayor DeNeale questioned if there is a motion to lift 34 Sadowski Causeway's rental license suspension. Vice Mayor Sutton made the motion, no second. Motion failed. Mayor DeNeale questioned if there is a motion to lift Lee Lapid's COC license suspension. No motion was made. All penalties remain the same.

6. **Commissioner Items for Discussion/Approval:** Commissioner McCullough recommended to reschedule the Special Meetings scheduled for December 24th and December 31st due to the holidays. Mayor DeNeale rescheduled those Special meetings for Wednesday, December 23rd and Wednesday, December 30th. Vice Mayor Sutton recommended for interested Attorney Dirk Smith be contacted to schedule a teleconference with the Commission to interview for City Attorney. This teleconference will be proposed for early next week.
7. **Citizens Comments:** Rob Lewis, prior owner of 34 Sadowski Causeway, stated Lee Lapid was not his property manager, she served as his cleaning person and 24-hour contact for the property. Mr. Lewis urged the Commission to reconsider penalizing Ms. Lapid based on her not being the property manager. Tom DeFrancisco, 171 8th Street, explained the relationship between the Code Board and the Commission which echoed Attorney Malafy's prior statements. Joey Raspe, 510 12th Street, requested an update on code case 160 10th Street. City Clerk Todd and Building Official Roussin will coordinate to get an update on this case.

Adjournment

The meeting adjourned at 10:55 a.m.

Respectfully Submitted,

Saara V. Staten

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