

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, January 14, 2021 9:35 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 Sutton at 9:39 a.m. followed by the Pledge of Allegiance and Prayer.

Present: Mayor Ron Sutton, Vice Mayor Patti Trefry, Secretary/Treasurer Kathryn McCullough, Commissioner John DeNeale, and Commissioner Tom Harding.

Also Present: City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Dirk Smits, Police Chief DiGiovanni (Virtually), Fire Chief Johnson (Virtually), and Building Inspector Greg Lawton.

Excused: Building Official Gerard Roussin.

Public – 32(Virtual) 12(Marble Hall)

2. **Approval of Minutes:** The minutes of the December 10, 2020 City Commission Organizational Meeting, December 10, 2020 City Commission Public Hearing, December 10, 2020 City Commission Regular Meeting, December 17, 2020 City Commission Special Meeting, December 23, 2020 City Commission Special Meeting, December 30, 2020 City Commission Special Meeting, and January 6, 2021 City Commission Special Meeting were approved by acclamation.

MOTION: Motion made by Commissioner McCullough, seconded by Commissioner Harding to approve all minutes listed above.

ON THE MOTION: Roll Call Vote. Unanimous approval.

3. **Agenda Additions, Changes, Deletions:** Mayor Sutton deleted agenda item 5(I)(3) Review of Development Agreement and Item 6(B) Approval of Post Office and City Hall design. Mayor Sutton added under item 5(B) Recreation: Tiki Hut Fan Discussion and under Commission Items for Discussion/Approval Item E: Discussion of the City Logo.

4. **Special Requests:**

A. Request for musicians to perform in Sunset Park January 17th – Citizen Tom Alferes: Citizen Tom Alferes requested for musicians Rick & Dan to perform in Sunset Park on Sunday, January 17th from 3:30 – 5:30 p.m. Citizen Tom Alferes will be present to ensure social distancing. Police Chief DiGiovanni reported each concert costing KCPD an average of \$135.

MOTION: Motion made by Commissioner Harding, seconded by Mayor Sutton to approve musicians performing in Sunset Park for Sunday, January 17th.

ON THE MOTION: Roll Call Vote. Unanimous approval.

5. **Committee and Staff Reports:**

A. Marathon Fire/EMS: Fire Chief Johnson reported since the last meeting there has been 2 medical calls, 1 internal fire alarm, 1 motor vehicle accident, 1 public assist, and 1 other. Fire Chief Johnson urged residents to remain safe with the rise in COVID-19 cases.

B. Recreation Committee: Tiki Hut Fan Installation – Recreation Chair Ted Fischer reported the tiki hut fans installed 3 years ago were recently removed due to lack of permitting for this project. Chair Fischer requested for the Commission's approval to get the proper permitting and a licensed electrician to safely install the fans without lights. The electrician's fees are covered by grant funding and the permit fee may be waived.

MOTION: Motion made by Mayor Sutton, seconded by Commissioner Harding to approve the installation of the fans with proper permitting at the tiki hut.

ON THE MOTION: Roll Call Vote. Unanimous approval.

C. Beautification Committee: No Report.

D. Disaster Preparedness Committee: No Report.

E. Planning & Zoning Board: No Report.

F. Code Enforcement Board: No Report.

G. Utility Board: Utility Board Member Lynn Walsh requested clarification on the amount the Utility Board can approve without review by the Commission. Mayor Sutton and Commissioner Harding stated if it is a budgeted item under \$25,000, the Utility Board does not have to bring it before the Commission for approval and any work under \$25,000 does not have to be put out for bid. After the Utility Board approves to spend budgeted funds, the Commission would like for a Utility Board member to inform them at the next Regular Commission meeting.

1. Approval Request to Mitteauer & Associates, Inc. Construction Drawings Agreement for \$19,500:

The Utility Board approved the completion of the southern portion of 10th Street Stormwater construction drawings agreement by Mitteauer & Associates, Inc. in the amount of \$19,500. This covers the construction drawings and technical specifications for up to 3 injection wells and a swale system to the proposed injection wells. The package can be used when submitting the grant application paperwork, no survey is required, since there is an existing survey that can be used.

2. Approval Request to Mitteauer & Associates, Inc. Permit & Grant Funding Agreement for \$15,500

The Utility Board approved the permit & grant funding agreement by Mitteauer & Associates, Inc. in the amount of \$15,500. This engineering service agreement allows Mitteauer & Associates, Inc. to prepare regulatory permits and grant funding applications for 10th Street stormwater and improvements. Permit fee is \$7,500 and the grant funding fee is \$8,000, totaling \$15,500.

H. Police Department: Chief DiGiovanni thanked the Commission for continued employment providing him with the opportunity to receive the 1st set of the Moderna COVID-19 vaccine. Corporal Buxton reported since the last meeting there were 5 reports. They responded to 8 medical and alarm call, provided backup to MCSO and FWC 19 times, and received 40 miscellaneous calls along with traffic citations, code warnings and citations, road patrol, boat patrol and vacation watch program. 6 phone call and 3 text messages were received on the Tip-line. Docking Stations were ordered, and installation will occur in the coming weeks. Corporal Buxton encouraged all to be very cautious on the road and intersections since pedestrian and bike traffic has increased greatly in our area.

1. Request to schedule an additional officer on Tuesdays for Farmer's Market: Police Chief DiGiovanni reported it costing KCBPD \$270 every Tuesday for Police patrolling the Farmer's market. Commissioner Harding recommended to reconsider the fees charged to the Farmers Market next calendar year to cover the Police costs. The Commission will brainstorm on different places to put the Farmers Market to open the paved area for parking. Mayor Sutton will meet with Police Chief DiGiovanni and City Clerk Todd to develop a proposal for the Commission.

I. Building Department/Public Works: Building Inspector Greg Lawton reported Public Works working on trimming and removing Christmas decorations.

1. Approval of 60,000 lb. and 10,000 lb. Boat Lift – 285 14th Street – Building Inspector Lawton requested approval for a 60,000 lb. and 10,000 lb. boat lift at 285 14th Street. Correspondence from the neighbors were submitted in objection to this boat lift. In the prior meeting, Commissioner DeNeale expressed concern with the dock not being code compliant. The Building Department researched and confirmed that the dock is compliant. The Commission expressed concern for setting a dangerous precedent with such a large boat lift. Building Inspector Lawton stated if the canal is opened to a navigable canal, the 60,000 lb. boat lift would not interfere.

MOTION: Motion made by Vice Mayor Trefry, seconded by Commissioner DeNeale to approve the 10,000 lb. boat list and deny the 60,000 lb. boat lift at 285 14th Street.

ON THE MOTION: Roll Call Vote. Unanimous approval.

2. Approval of Local Mitigation Strategy – Building Inspector Lawton requested approval of the local mitigation strategy which is part of the Community Rating System. The CRS application is being completed by the Building Department and should be submitted by the end of January 2021. The Local Mitigation Strategy also provides homeowners a discount on their insurance. Commissioner Harding requested for City Clerk Todd to forward an electronic copy to the Commission.

MOTION: Motion made by Mayor Sutton, seconded by Commissioner Harding to approve the local mitigation strategy.

ON THE MOTION: Roll Call Vote. Unanimous approval.

J. City Secretary/Treasurer: City Secretary McCullough had no report. Commissioner McCullough reported recently receiving November's financials and City Clerk Todd assured her December financials soon to give a full report at the next Commission meeting.

K. City Clerk: City Clerk Todd reported Executive Assistant Saara Staten and Utility Clerk Pat Hyland working on a FDEP grant for approximately \$140,000 for the Wastewater building. There are 360 accounts on Autopay, representing 30% of residents. City Attorney Smits is reviewing refinance documents as that process continues to move forward.

L. City Administrator: No Report.

6. Items for Discussion /Approval:

A. COVID-19 Update: Mayor Sutton stated the State of Florida COVID-19 status is not improving. The Department of Health reported 50 new COVID-19 cases in Monroe County and 1 new case in Key Colony Beach. Key Colony Beach has a total of 27 cases. Monroe County has a total of 3 hospitalizations and 36 deaths. Mayor Sutton encouraged all to stay safe and social distance while the vaccine continues to be distributed. Commissioner DeNeale suggested to schedule the discussion of the St. Patrick's Day Parade at the next Commission Meeting. Commissioner DeNeale will talk to Key Colony Inn and Mayor Sutton will confer with Havana Jacks.

B. Update on Legislative Priorities: Mayor Sutton reported meeting with Senator Rodriguez and Representative Jim Mooney to discuss different areas the City needs funding. City hall funding is the primary item. Mayor Sutton reported the City applying for a \$500,000 legislative appropriation. Home rule was a topic that was emphasized. Senate Bill 522 and House Bill 219 contain language that protects Key Colony Beach from any changes in the Ordinances. Mayor Sutton reported working with Executive Assistant Staten to complete the needed paperwork for an FDEP grant for approximately \$140,000 for the Wastewater building. Lobbyist Jerry Paul will be attending all Stewardship meetings on behalf of Key Colony Beach.

C. Discussion of Zoom Meetings for Boards and Committees: Commissioner McCullough requested for the Commission to require all Boards and Committees to have their meetings broadcasted via Zoom conferencing. City Clerk Todd expressed concern with assigning Executive Assistant Saara Staten with that task which would occupy several work hours of her time amongst her other duties. The Commission unanimously agreed for Utility Clerk Hyland to provide a call-in conference line for the Utility Board meetings and to determine whether it is utilized.

D. Discussion of City Hall Office Hours: Commissioner McCullough requested for City Hall to return to regular office hours. City Clerk Todd expressed concern with returning to regular office hours and proper sanitization not being completed. Mayor Sutton reported conferring with Public Works Supervisor Guarino who will sanitize in the morning daily.

MOTION: Motion made by Commissioner McCullough, seconded by Vice Mayor Trefry to approve City Hall office hours Monday - Friday from 8:30 a.m. – 5:00 p.m.

ON THE MOTION: Roll Call Vote. Unanimous approval.

E. Discussion of City Hall Logo: Commissioner DeNeale stated former City Attorney Wright encouraged the Commission to trademark the logo. City Attorney Smits also recommended trademarking the City logo and if any Association would like to use the logo, they would need Commission approval prior. The Commission unanimously agreed to trademark the City hall logo.

7. Approval of Warrant: Warrant 1220 in the amount of \$386,248.38.

MOTION: Motion made by Commissioner McCullough, seconded by Commissioner Trefry to approve Warrant 1220 in the amount of \$386,248.38.

ON THE MOTION: Roll Call Vote. Unanimous approval.

8. Ordinances and Resolutions: None.

9. Commissioner Reports: Commissioner McCullough requested an update on Key Colony Beach Club and stated the construction site remains unsightly. Building Inspector Lawton has multiple inspections scheduled at the property on January 15th at 8 a.m. and will bring these concerns to the Contractors attention.

Commissioner Harding reported the need to approve the FEMA flood plans by March 22nd and recommended scheduling it for the next Commission meeting. Commissioner Harding also reported an online grant training opportunity available through FLC. Since the grant training interferes with a Commission meeting, Executive Assistant Saara Staten and other Staff members may attend another convenient course.

10. City Attorney Report: City Attorney Smits reported having density issues with the development agreement which he will continue reviewing. Attorney Smits is also reviewing the City Hall refinancing agreement which he would like to agenda for approval at the next meeting. Attorney Smits reported Monroe County considering becoming a Charter County allowing them to address flood plain elevation, sea level rise, and gives them the ability to impose a sales tax County wide. Attorney Smits will make his standard Facility Use Agreement available to City Clerk Todd to begin implementing.

11. Citizen Comments and Correspondence: Greg Burke, 621 8th Street, questioned where he can view the City Hall plans. James Laconti, 250 Sadowski Causeway, expressed concern for traffic with the new City Hall plans. Mr. Laconti was encouraged to contact Police Chief DiGiovanni for him to help with traffic issues.

The meeting adjourned at 12:16 p.m.

Respectfully Submitted,

Saara V. Staten

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