

MINUTES

KEY COLONY BEACH
CITY COMMISSION REGULAR MEETING
Thursday, September 10, 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 (Virtually), and Commissioner Kimmeron Lisle (Virtually).
Also Present: City Administrator Christopher Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, Police Chief DiGiovanni, Fire Chief Johnson (Virtually), Building Official Gerard Roussin and Building Inspector Greg Lawton.
Public (Virtually) – 40
2. **Approval of Minutes:** The minutes of the August 13, 2020 City Commission Regular Meeting and September 3, 2020 City Commission Special Meeting were approved by acclamation.
3. **Agenda Additions, Changes, Deletions:** None.
4. **Special Requests:** None.
5. **Committee and Staff Reports:**
 - A. **Marathon Fire/EMS:** Fire Chief Johnson reported since the last meeting 2 medical calls, 2 internal fire alarms, and 1 public assist. Key Colony Beach’s budget went before Marathon Counsel on Wednesday, September 9th and was approved as written. Fire Chief Johnson thanked KCBPD for assistance in a medical call.
 - B. **Recreation Committee:** No Report.
 - C. **Beautification Committee:** No Report.
 - D. **Disaster Preparedness Committee:** Building Official Roussin reported the installation of the transfer switches being postponed until the week of September 14th.
 - E. **Planning & Zoning Board:** No Report.
 - F. **Utility Board:** No Report.
 - G. **Police Department:** Chief DiGiovanni reported since the last meeting they responded to 3 medical and alarm calls, provided backup to MCSO and FWC 9 times, and received 7 miscellaneous calls along with traffic citations, code warnings and citations, road patrol, boat patrol and vacation watch program. The KCB Tip line received 1 tip for contractors working on Labor Day. Chief DiGiovanni thanked resident Tom Tucker for assisting KCBPD with video footage of a trespass. Chief DiGiovanni recognized Officer Niemiec for a rapid and effective response on a medical call. There were no major issues on Labor Day weekend, however, there were issues with tenting at Sunset Park. Chief DiGiovanni conferred with Building Official Roussin regarding signage on ordinances to avoid issues such as tenting at Sunset Park. Chief DiGiovanni encouraged all to report any violations. Chief DiGiovanni’s work cell is (305) 481-8597. The tip-line number

is: (305) 432-0086. The Dispatch number is: (305) 289-2351. Chief DiGiovanni was contacted by the Dolphin Research Center seeking approval to release a rescued manatee off the boat ramp on Wednesday, September 16th at noon. The Commission agreed unanimously. Officer Veatch continues to train with Corporal Buxton on day shift.

H. Building Department/Public Works: Building Official Roussin reported Public Works arranging a pressure wash cleaning and trimming of the boat ramp to ensure safety during manatee release. The Building Department is pending approval from DEO regarding the new house permit. Public Works was very busy after Labor Day weekend. In the future, Public Works may need to come and maintain cleanliness during long weekends to lighten the load on Tuesday. The Building Department continues to be very busy receiving remodel permits, pool permits, etc. Building Inspector Greg Lawton is working on his Commercial Building Inspector certificate. Building Official Roussin was contacted by MGS requesting the number of vacation rentals in Key Colony Beach. Monroe County has an agreement with MGS to charge vacation rentals \$5 in addition monthly to alleviate the burden of the extra garbage produced by vacation rentals.

1. Mangrove Trimming on Coral Lane/Sadowski Canal – Building Official Roussin reported developed an estimate of what it would take Public Works to complete the trimming including equipment, dumpsters, rental of barge or boat, etc. That estimate ranged between \$12,000 - \$14,000. Building Official Roussin recommends for the Commission to approve the Dot Palms estimate at \$11,000. City Administrator Moonis stated Jacqueline Moore, 1 Clara Blvd, expressed her appreciation in the long overdue mangrove trimming.

MOTION: Motion made by Commissioner Trefry, seconded by Vice Mayor Sutton to approve the Dot Palms estimate for \$11,000 to complete the mangrove trimming on Coral Lane/Sadowski Causeway.

ON THE MOTION: Roll Call Vote. Unanimous approval.

I. City Secretary/Treasurer: No report.

J. City Clerk: City Clerk Todd reported the First Public Hearing was held on Wednesday, September 9th to set the tentative mileage rate and budget. The mileage rate was set at 2.4979 mils per thousand taxable value, which was the same rate as the two years prior. The Final Public Hearing is scheduled for September 23rd. City Clerk Todd will prepare the Budget Summary Ad for the Public Hearing and forward to the Florida Department of Revenue and the City's accountant for review. Assistant City Clerk Michelle Farr and Administrative Assistant Holly Rosado will be working Saturday, September 12th instead of Friday, September 11th to process rental licenses without the interruption. Utility Clerk Hyland reported 3% of unpaid utilities, 21 unpaid July accounts, 4 unpaid April & July accounts, and 17 property transfers in August.

K. City Administrator:

1. Willscot Trailer Extensions: City Administrator Moonis requested authorization from the Commission to execute a 24-month extension of the Police and City Hall trailer. Commissioner Tracy questioned if the City could shorten the extension to 12-months. City Administrator Moonis stated it is possible, however, the price may change. Mayor DeNeale requested for City Administrator Moonis to research the early termination clause and get a 1-year extension rate.

2. City Hall Staffing Level: City Administrator Moonis reported starting Monday, September 14th City Hall will return to full staff. The hours of operation will remain the same, 9 a.m. – 3:45 p.m. City Hall continues to be disinfected twice daily per CDC guidelines.

3. **Administrator Evaluation Process Update:** City Administrator Moonis reported continued meetings between him and individual Commissioners discussing evaluations. Each signed evaluation will be submitted to City Clerk Todd to make a public record and submitted to each Commissioner for discussion at a Regular Commission Meeting.
4. **Monroe County Funding Request in FPL dispute – 6k:** City Administrator Moonis reported Monroe County requesting cities across the County to participate financially in a petition filed in dispute with FPL regarding the Pollution Permit. Monroe County invested \$250,000 towards disputing this permit along with FCAA and are seeking for cities to contribute an additional \$150,000 in total. City Administrator Moonis and City Attorney Wright recommended for the Commission to approve the \$6,000 contribution to an important cause.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy to approve a \$6,000 contribution towards the FPL dispute.

ON THE MOTION: Roll Call Vote. Unanimous approval.

5. **US-1 Toll Road Discussion:** City Administrator Moonis reported a resolution passed by Monroe County conducting a feasibility study for a toll on US-1. Monroe County is seeking support from cities for a toll on US-1. Mayor DeNeale stated the City of Key Colony Beach is already on the record supporting a toll road on US-1. City Administrator Moonis will research and locate the previous resolution to resubmit to Monroe County.
6. **Modification Request to KCB Entrance Sign:** City Administrator Moonis reported resident Jim Byland, 72 7th Street, proposed to enclose the space between the two new mahogany entrance signs for approximately \$1,200-\$1,500 taken from the Giving Tree funds. Similar to the side of a quarter, a ribbed material will enclose the space between the two signs. The Commission initially requested for this item to be included in the agenda for the next Beautification Meeting. Resident Joey Raspe, 510 12th Street, requested to postpone voting on this matter until the Fishing & Boating Club meets in November to support and contribute \$1,500 for the sign modification. The Commission and Staff agreed unanimously.

6. Items for Discussion /Approval:

A. Extend Declaration of Local Emergency: Mayor DeNeale presented the City of Key Colony Beach 27th Declaration of Local State of Emergency for COVID-19.

MOTION: Motion made by Commissioner Trefry, seconded by Vice Mayor Sutton to approve the City of Key Colony Beach 27th Declaration of Local State of Emergency (10:20 a.m.).

ON THE MOTION: Roll Call Vote. Unanimous approval.

B. City Hall Budget: Commissioner Lisle expressed concern about the budget being optimistic including grants and appropriations that are likely not to arrive from the State of Florida. Commissioner Lisle reported meeting with City Administrator Moonis and requested a more realistic budget just in case the State of Florida does not allocate funds to the City of Key Colony Beach for City Hall.

C. City Hall Construction Alternative and Cost: Commissioner Lisle reported the continued request for a report on additional costs for a second building. City Administrator Moonis stated Architect Tony Rosabal will be presenting construction cost differentials between one or two buildings at the September 10th Special Commission Meeting at 1:00 p.m. Commissioner Lisle

requested for the Commission to make a decision at the Special Meeting whether City Hall and the Post Office will be one or two buildings based on the financials presented. Commissioner Lisle expressed concern that USPS has not affirmed their support for the Post Office design. City Administrator Moonis is expecting a response from USPS in approximately 4 weeks.

D. City Hall Cost of Financing: Commissioner Lisle expressed concern for the cost of financing, leaving a debt service of approximately \$300,000 per year that is not covered by any FEMA reimbursements.

E. LIVS invoicing and work products for City and P3 Partnership: Commissioner Lisle thanked City Clerk Todd for pursuing the missing invoices from LIVS Associates. Architect Tony Rosabal will be present in Marble Hall for the Special Commission Meeting at 1 p.m. and will review the invoices with the Commission. Commissioner Lisle stressed the importance of monthly bills for the Commission to monitor where they stand in the budget.

F. KCB Current Long-Term Debt Refinancing: Commissioner Lisle recommends refinancing the current Sunset Park loan, which is at 4.25%, and the Sadowski Causeway loan, which is at 3.25%. The City's debt service is currently at \$150,000 per year. City Administrator Moonis will be collecting quotes for the potential to refinance and discussing at the next Commission Meeting.

7. Approval of Warrant: Warrant 0720 in the amount of \$316,749.75

MOTION: Motion made by Commissioner Trefry, seconded by Vice Mayor Sutton to approve the Warrant 0720 in the amount of \$316,749.75.

ON THE MOTION: Roll Call Vote. Unanimous approval.

8. Ordinances and Resolutions: None.

9. Commissioner Reports: Commissioner Tracy thanked the Code Enforcement Board for holding property managers and owners accountable for major issues in the City. The Commission requested for Chairperson Joey Raspe to report at the Commission Meeting what was decided at the Code Enforcement Hearing.

Vice Mayor Sutton reported conducting research on City Administrator Moonis' retirement. City Attorney Wright was contacted and researched the matter. City Attorney Wright stated City Administrator Moonis is entitled to that higher rate of contribution because of his job classification. Vice Mayor Sutton would like the Commission to consider this during the contract negotiations of the City Administrators base salary to offset the costs in November. The Commission requested for City Clerk Todd to contact FRS to assist in calculating the arrearage and come up with a recommendation to the Commission on where the funds should come from. Vice Mayor Sutton requested to add the approval of the change in the Commission Meetings due to the holidays in November and December to be included in the next agenda under City Clerk. The Commission also requested a Staff recommendation for the Employee Dinner.

Commissioner Trefry reported numerous calls from real-estate agents due to media reports on how people from the Northeast are relocating to the State of Florida. Commissioner Trefry requested for Utility Clerk Pat Hyland to forward her information on property transfers.

Mayor DeNeale encouraged all residents to ensure their hurricane plans are in place.

10. City Attorney Report: City Attorney Wright reported being contacted by Bob Schillinger regarding an amendment to the gas tax that pertains to the distribution of gas tax revenues to various governmental entities in the Florida Keys. City Attorney Wright questioned the methodology that was applied when the Division of Revenues used in the distribution of funds. City Attorney Wright stated the Commission

needs to approve this amendment no later than the next meeting. The Division of Revenues will be renegotiating in the near future and Key Colony Beach should prepare to participate and demand the methodology of giving us revenue more in line with the methodology of us paying revenue. City Attorney Wright will virtually attend the October 8th Regular Commission Meeting.

11. Citizen Comments and Correspondence: City Clerk Todd reported receiving correspondence from Mary Cole, 1001 W Ocean Drive, requesting the amount incurred to date for attorneys, engineers, and architects, and all other expert consultants related to the new City Hall building. City Administrator Moonis stated the cost of the architect, engineer, and \$5,000 towards Norry Lynch Consulting totals approximately \$133,128. City Administrator Moonis will collect more accurate data and provide that when available. Mary Cole also questioned whether direct contact has been made with USPS. City Administrator Moonis stated yes, however, USPS has not confirmed their ongoing participation in Key Colony Beach. Mary Cole also requested a cost and space justification for building the Post Office separately. City Administrator Moonis stated this item will be addressed at the Special Commission Meeting at 1 p.m. The Commission requested for City Clerk Todd or City Administrator Moonis to respond to Ms. Cole's email.

Kathryn McCullough, 181 5th Street, recommended for the Commission to consider a desalination plant. Karen Campbell, 181 10th Street, questioned how many individuals are employed for the City. City Clerk Todd stated the City has 17 full-time employees.

Elynn Eiss, 311 11th Street, questioned what the Police retirement benefits are. Mayor DeNeale encouraged Ms. Eiss to send an inquiry to City Clerk Todd for additional details.

Brad Boersma, 48 Sadowski Causeway, questioned who handles floodplain management for Key Colony Beach. Building Official Roussin is also the Floodplain Manager. The Building Departments phone number is (305) 289-1212, Ext. 3.

The meeting adjourned at 11:12 a.m.

Respectfully Submitted,

Saara V. Staten

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

Executive Assistant