

# MINUTES

CITY OF KEY COLONY BEACH  
CITY COMMISSION REGULAR HEARING  
Thursday, September 23, 2021 - 9:35 a.m.  
Marble Hall & Virtual via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, Roll Call**

The Public Hearing was called to order by Mayor Sutton at 9:35 a.m.

*Present:* Mayor Ron Sutton, Vice Mayor Patricia Trefry, Secretary/Treasurer Kathryn McCullough, Commissioner John DeNeale, and Commissioner Tom Harding. *Also Present:* City Administrator David Turner, Administrative Assistant Christine Burri, Utility Clerk Pat Hyland, City Attorney Dirk Smits, Police Chief DiGiovanni, Fire Chief John Johnson, Building Official Gerard Roussin, and Building Inspector Greg Lawton. Public – 12 (Virtually) 3 (Marble Hall)

2. **Citizen Comments and Correspondence:** Carlos and Pamela Suarez, 430 10<sup>th</sup> St, emailed the Commission on 9/20/2021, commending Chief DiGiovanni's proposed sponsorship of Ian Almodovar for the Law Enforcement Academy.

3. **Approval of Minutes:** City Commission Public Hearing September 9, 2021. The Commission unanimously approved the Minutes as written.

4. **Agenda Additions, Changes, Deletions:** City Administrator Dave Turner stated that Sgt. Rodriguez payout was added to the Agenda to item 7, as well as the request for payment the RMPK invoice.

5. **Special Requests:**

A. Red Ribbon Week Proclamation: Mayor Sutton reported on the request received from PFC Bruce W. Carter MOH Young Marines on the support of the Young Marine Program to develop good citizenship and a healthy, drug-free lifestyle in the youth.

**MOTION:** Motion made by Mayor Sutton, seconded by Vice-Mayor Trefry to approve the Red Ribbon Week Proclamation.

**Discussion:** Commissioner McCullough requested to honor their request to have a representative from the Young Marines present for the Red Ribbon Week by the Commission Meeting scheduled for October 14<sup>th</sup>, 2021.

**ON THE MOTION:** Motion tabled until the next meeting.

6. **Committee and Staff Reports:**

A. Marathon Fire/EMS – Fire Chief Johnson reported 4 medical calls, 3 internal fire alarm, 1 hazardous condition call, 1 public assist. The hazardous condition call occurred at 2:30 am with an occupant reporting a strong smell of gasoline or diesel in one of the canals. The smell dissipated by the time Fire Rescue arrived. Fire Chief Johnson further reported of the importance on staying aware of COVID-19. Tropical Storm Sam is being watched closely and Chief Johnson will inform the Commission if any changes in projected path occur.

B. Recreation Committee – No Report

C. Beautification Committee – No Report

D. Disaster Preparedness Committee – No Report

E. Planning & Zoning Board – No Report

F. Code Board – No Report

G. Utility Board – Committee Member Freddie Foster reported via Zoom on bid from Ed Sims to do Spalling work on treatment plant in the amount of \$18,750 which was approved by the Utility Board.

Also, the Wastewater Warrant in the amount of \$86,443, and Storm Water Warrant in the amount of \$10,476 were approved as well.

H. Police Department – Chief DiGiovanni reported 2 reports (1 non-injury, 1 information), 3 medical calls, KCBPD provided backup to MCSO 7 times, miscellaneous calls 8, traffic citations 5, traffic warnings 10, code citations 2, code warnings 4, along with boat patrol, road patrol, and vacation watch. Sgt. Rodriguez' official last day today. Housing and family issues are the main reason for leaving KCBPD.

**1. Request Approval to Sponsor Ian Almodovar for the Law Enforcement Academy:** Chief DiGiovanni reported on the request for the sponsorship for the Law Enforcement Academy. Up to \$10,000 for the Academy and to outfit the prospective officer.

**MOTION:** Motion made by Mayor Sutton, seconded Commissioner McCollough to move Ian Almodovar from the Public Works Department to the Police Department.

**ON THE MOTION:** Call to Roll. Unanimously approved.

**MOTION:** Motion made by Mayor Sutton, seconded by Vice-Mayor Trefry to approve \$10,000 for the sponsorship of Ian Almodovar to attend the Law Enforcement Academy and to outfit the prospective officer.

**Discussion:** Commissioner McCollough stated that KCB does not offer enough exposure to learn to be a Police Officer. Commissioner McCollough asked to follow proper background check procedures as well as psychological evaluation.

**ON THE MOTION:** Call to Roll. Unanimously approved.

I. Building Department – Gerard Roussin reported on reviewing single family home building plans. Vacation Rental Inspections are still undergoing. There are still problems with the properties being vacant and clean upon scheduled inspections. Vacation rental inspections should be finished by mid-October. Commissioner DeNeale asked about yard maintenance on snowbird properties. Public Works Supervisor Mike Guarino stated that Public Works is working on properties that need maintenance.

J. Public Works – Michael Guarino reported on taking care of properties in town that need attention. Arrows have been ordered for US1 and Sadowski Causeway for paint striping project. Excess equipment is out to bid on government auction. Commissioner McCullough asked if advertising will take place for the new opening in the Public Works Department.

K. City Secretary/Treasurer – Secretary-Treasurer Kathryn McCullough reported the City income at the end of August is \$24,289 above budget with one month left in the fiscal year. The City is down \$116,000 in fees, which mostly accounts for vacation rental licenses. By the end of this year, the income for City fees will go up as vacation rental license payments will come in. The expense budget is \$730,150 below anticipated expenses with one month left in the fiscal year as well.

L. City Clerk – No Report

M. City Administrator – David Turner reported attending the Planning & Zoning meeting. In addition, City Administrator Turner attended the Florida Keys Scenic Corridor meeting, which is responsible for signage along US1, as well as the 'Adopt the Highway' signs. City Administrator Turner attended a Web EOC Training in Marathon and a progress meeting with LIVS. Discussions were held on how to move forward. A good response was received. Mayor Sutton also reported on talking with LIVS and the motion on wanting to have this project completed. City Administrator Turner attended the Utility board meeting. Dave Evans gave a drawing that was on record in the code on how sewer connections have to be done. City Administrator Turner will reach out to Commissioner Harding to see if the city needs architectural drawing or if the handwritten drawing is sufficient for a bid to be in compliance. Interviews for code enforcement officer are being held and the Commission will have a candidate at end of day. Special agenda for tonight's meeting is for City Clerk. CRS workshop was attended with good progress. City Administrator Turner met with Transportation Planner Emily Shepard in regard to the FDOT project on traffic flow on US1. City Administrator talked with Jason Kohler on the issue of newspapers. City Administrator Dave Turner reported that prices of benches and tables

had to be raised to account for the purchase price increase of \$170.00. The new purchase price of a bench is \$725.00 which includes the brass plaque. The table with brass plaques will cost now \$1,700. City Administrator Dave Turner raised the question on whether rental rates for City Park should be raised. Key Colony Beach is below comparable rates. The Commission agreed for City Administrator to explore the issue. Commissioner DeNeale asked the question on how many rentals Key Colony Beach has and the license status of them. City Administrator Turner reported that the city has overall 604 short term rentals and will provide documents for the license status on them.

7. Commissioner Items for Discussion/Approval

A. Discussion/Approval of Bishop, Rosasco & Co. invoice in the amount of \$2,692.00

City Administrator Dave Turner reported on the invoice from Bishop, Rosasco & Co. in the amount of \$2,692.00 which is \$192.00 over his limit. City Administrator Turner requested approval to pay the invoice.

**MOTION:** Motion made by Commissioner McCullough, seconded Commissioner DeNeale to pay the invoice in the amount \$2,692.00.

**DISCUSSION:** Vice-Mayor Trefry stated the question on who is reconciling the credit card transactions. City Administrator Turner stated that the Department Heads are coding the invoices and place a warrant stamp on invoice. The invoice then goes to the City Accountant Jennifer Johnson for payment. Afterwards Christine Burri scans the invoice and attachments into QuickBooks.

**ON THE MOTION:** Call to Roll. Unanimously approved.

D. Discussion/Approval of RMPK Funding Invoice in the amount of \$3,500.00.

**MOTION:** Motion made by Commissioner McCullough, seconded Vice-Mayor Trefry to pay the invoice in the amount \$3,500.00.

**ON THE MOTION:** Call to Roll. Unanimously approved.

E. Discussion/Approval of Sgt. Rodriguez' Payout in the amount of \$2,411.62 (sick time) and \$4,406.54 (vacation time) less taxes and FRS contributions.

**MOTION:** Motion made by Vice-Mayor Trefry, seconded by Commissioner McCollough to payout the amounts of \$2,411.62 and \$4,406.54 less taxes and FRS contributions.

**ON THE MOTION:** Call to Roll. Unanimously approved.

8. Approval of Warrants:

A. Warrant 0721 in the amount of \$1,435,796.53

**MOTION:** Motion made by Vice-Mayor Trefry, seconded by Commissioner McCollough to approve the warrant in the amount of \$1,435,796.53.

**ON THE MOTION:** Call to Roll. Unanimously approved.

B. Warrant 0821 in the amount of \$359,112.49.

**MOTION:** Motion made by Commissioner McCollough, seconded by Vice-Mayor Trefry to approve the Warrant 0821 in the amount of \$359,112.49.

**ON THE MOTION:** Call to Roll. Unanimously approved.

9. Ordinances and Resolutions: None.

10. Commissioner's Reports or Comments:

Commissioner McCollough thanked City Administrator Dave Turner for the follow up on Clara Boulevard as well as the Keys Weekly issue. Commissioner McCullough further asked City Administrator Turner to follow up on the FDOT project. In closing, Commissioner McCollough thanked Dirk Smits on his guidance and support on Commission questions.

Commissioner Tom Harding attended the EOC Software Training with Dave Turner. US Transportation Master Plan only has 4-5 pages that apply to Marathon but not to Key Colony Beach. Another Emergency Meeting is scheduled for tomorrow for FDOT project. All Commissioners should have received a copy of the Near Shore Water Quality Report.

11. City Attorney Report – Dirk Smits:

A. Request Approval to Dissolve Unity of Title for 701/711 8<sup>th</sup> Street

City Attorney Dirk Smits reported on the request to dissolve the Unity of Title for 701/711 8<sup>th</sup> Street. Building Official Gerard Roussin reported that the permit application is dependent on the decision of the Commission. The only issue with the separation of property is that the sewer tap is not in place for 701. Commissioner Harding suggested that all code violations should be charged or put to bed. Commissioner Harding further suggested that there is no cost to the city for the separation of unity, as well as for the sewer tap and subject to payment of any code fines or fees. Building Official Roussin reported that Dave Evans from US Water could not find the sewer tap for 701 even though it is marked in the drawings.

**MOTION:** Motion made by Commissioner McCollough to approve to Dissolve the Unity of Title for 701/711 8<sup>th</sup> Street, seconded by Vice-Mayor Trefry, conditioned on the fact there that there is no expense for the city, including no expense for the sewer tap and the requirements of code have been satisfied, as well as payment of fines and penalties have been made of bringing the properties into compliance.

**ON THE MOTION:** Call to Roll. Unanimously approved.

**B.** City Attorney Smits reported on the status of casa del sol. Height negotiations are still under way. Commissioner DeNeale asked about the Ethics Training for this year. The Commissioners discussed the options for attending the training. Commissioner Harding reported that the Florida League of Cities offers the Ethics class 10/13/2021 online and he will forward that information to the Commissioners. City Attorney Smits reported on a resolution the county forwarded to participate in an Opioid settlement lawsuit. City Attorney Dirk Smits would like a head-nod to participate in the suit. The Commission gave their approval to City Attorney Smits.

The meeting adjourned at 10:48am.

Respectfully Submitted,

*Silvia Gransee*

Silvia Gransee, City Clerk