

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

January 13, 2022 - 9:30 a.m.

Marble Hall & Virtually via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: *The Regular Commission Meeting of the City of Key Colony Beach was called to order by Mayor Trefry at 9:30 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.*

Present: *Mayor Trefry, Vice Mayor Harding, Commissioner Sutton, Commissioner DeNeale, Secretary-Treasurer McCullough (virtual). **Also Present:** City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, Public Works Supervisor Mike Guarino, Public Works Employee Darrin, Smith, Building Official Gerard Roussin, Building Inspector Lenny Leggett, Police Chief Kris DiGiovanni, Corporal Jamie Buxton, Code Enforcement Officer Stacy Stahl, and Fire Chief John Johnson.*

Public: *12 Marble Hall, 22 Virtual*

2. Citizen Comments and Correspondence: *City Clerk Gransee informed the Commission that Joel Cadbury, Owner of 501 11th Street, had asked to speak at this Commission Meeting. Mayor Trefry asked Mr. Cadbury if he would like to speak before the Commission, which he declined.*

3. Approval of Minutes: *The City Commission Regular & Organizational Meeting Minutes December 9, 2021, were accepted as written with the correction on page 6, Item 10: Discretionary Spending Threshold was raised from \$2,500.00 and not \$3,500.00.*

4. Agenda Additions, Changes, Deletions: *City Administrator Turner requested the change on page 32, contract for goods and services, Item Number 1: Term, should be May 1st to coincide with the Grant Cycle. Commissioner McCullough requested that the Cost-of-Living Report be tabled until she available to attend the Commission Meeting in person. Building Official Gerard Roussin asked for Item I. a) to be taken off the agenda since he was missing some materials.*

5. Special Requests: *None.*

6. Committee and Staff Reports:

A. Marathon Fire/EMS – *Fire Chief Johnson reported 7 medical calls, 1 internal fire alarm, and 1 Santa Ride. Fire Chief Johnson further reported on the increasing numbers of COVID in the Keys and that the numbers of visitors are currently high in the Keys. Chief Johnson reported that there is a national shortage on Rapid tests and the county is working on acquiring more. The Chief further reported that five employees were out over the holidays with COVID and that overall, the department is maintaining staff.*

B. Recreation Committee – *No Report.*

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 – *No Report.*

H. Police Department – *Corporal Jamie Buxton reported on completing 5 reports, responded to 13 medical/alarm calls, 48 service calls, 37 backups to other agencies, 2 traffic citations, 47 traffic warnings, 6 code warnings, along with Road and Boat Patrol, and the Vacation Watch Program. They were no issues with the Cement Trucks that delivered cement on 8th Street in December. On December 12th, 2021, the Police Department participated in the Key Colony Beach Boat Parade. Flyers will be handed out on Saturday for the Holiday and weather permitting the Chief will be on the water this weekend as well.*

I. Building Department

a) ~~245 15th Circle – Owner: John W. Allison. Request Approval to Install New 60,000-pound Cradle Style Boat Lift~~

b) Building Official Gerard Roussin introduced new Building Inspector Lenny Leggett. In addition, the Building Official asked for the approval to install a new 30,000-pound boat lift on 340 5th Street.

MOTION: *Motion made by Vice-Mayor Harding, seconded by Commissioner Sutton, to approve the installation of the 30,000-pound boat lift and 3,000-pound jet ski lift.*

DISCUSSION: Commissioner McCullough asked Building Official Roussin if there will be enough room for the jet ski lift in addition to the boat lift. The Building Official confirmed that there will be enough room for both.

ON THE MOTION: Roll call vote. Unanimous approval.

Building Official Roussin reported that his department in conjunction with City Hall is currently working on the CRS project and that it is going very well. In addition, the Building Department is waiting on paperwork for a demo/rebuilt on Shelter Bay. Building Official Roussin is hoping for a move of offices in the near future in anticipation for the beginning of the City Hall rebuilt. Building Official Roussin reported that the Building Department is currently closed to the public but is accepting appointments over the phone. This is to keep all staff safe. Visitors and staff are asked to wear masks to help the prevention of infection.

J. Public Works – Public Works Supervisor Mike Guarino reported on an addition to the Public Works Department. Darrin Smith was introduced as a new member for the Department, coming from the Maintenance Department at Hawks Cay and has already proven to be an asset to the team. Public Works Supervisor Mike Guarino further reported that Jesse completed the resurfacing of the Shuffleboard and the rebuilding of the score board as well. The city-wide tree trimming was completed, and all Christmas decorations were taken down and stored for next year. In expectation of the upcoming dry season, Storm Water maintenance will be performed in the next few weeks. Vice-Mayor Harding asked if there are any repairs that need to be done on the Christmas decorations, which Public Works Supervisor Mike Guarino confirmed. The needed repairs will be for the electrical wiring in the Gazebo. Public Works Supervisor Guarino will give City Administrator an estimate on costs to be included in next year's budget.

K. City Secretary/Treasurer – No Report.

L. City Clerk – City Clerk Silvia Gransee reported on attending the Planning and Zoning Variance Meeting in December, which will be presented to the City Commission January 27th, 2022. The City Clerk further reported on completing the onboarding for the Building Inspector and Public Works Employee. Training by Utility Clerk Pat Hyland for ACH and Account Transfers, as well as the payroll process was completed. City Clerk Gransee reported that the annual financial disclosure requirements are now done electronically and thanked everyone that had already submitted their information for verification. Additionally, City Clerk Gransee reported on completing the Code of Ethics Training and reminded everyone to please complete their training and to submit their acknowledgement form to her. Board and Committee Members that will not complete the Ethics class on their own time, must attend the mandatory Ethics Class on January 26th, 2022.

M. Code Enforcement Officer – Code Enforcement Officer Stacy Stahl reported 105 code cases, 30 of those were written warnings for various violations. In addition, 70 citations were issued, as well as verbal warning given. Circle K was contacted for an open dumpster coral which the business resolved promptly. There were 10 Traylor Lot calls and 3 trailer lot citations. Code Enforcement Officer Stahl reported that the Property Manager and Local Certification Class was held with 22 attendees in total. Furthermore, the Code Enforcement Officer reported on working with the City Clerk and the City Attorney on updating the Code Enforcement Procedures. In addition, reports on Citizen Serve and Commercial Business Tax Licensing are being worked on as well. Code Enforcement Stacy Stahl reported on receiving a complaint on conditions of the rear of the Plaza and is in the process resolving the issue. Mayor Trefry asked if all businesses have their licenses in place, which the Code Enforcement Officer stated that the process should be complete by the middle of February. Commissioner DeNeale commended the Code Enforcement Officer on the improvement he has seen in the city since she has taken on the job. Mayor Trefry also commented on receiving positive correspondence from citizens and thanked Code Enforcement Officer Stahl.

N. City Administrator – City Administrator Dave Turner reported on having several items on the agenda.

a) Vice President of Sales & Government Relations Dustin Reilich presented the Vacation Rental Tracking Software 'Rentalscape' to the Commission. Mr. Dustin Reilich explained how the system works and the purpose behind it. Mr. Reilich also explained that the city will receive a 20% discount on the regular purchase price since the county will be partnering up with 'Rentalscape' as well. Mr. Reilich explained that his company has the ability to customize the data mining to the city's needs. City Administrator Turner asked how many rentals the company had identified in the city, which Mr. Reilich replied between 600 to 650 properties. The City Administrator pointed out that the city currently only has 604 Vacation Rentals registered.

MOTION: Motion made by Vice-Mayor Harding to approve the contract with 'Rentalscape'.

DISCUSSION: The Commission discussed that a written contract was not in place yet, and that also the County had not yet signed on for the program. Commissioner DeNeale requested for Vice-Mayor Harding to remove his motion and to direct the staff to procure a contract which includes the rebate clause to be presented to the Commission on the next

Commission Meeting.

ON THE MOTION: *Vice-Mayor Harding removed his motion.*

b) *City Administrator Dave Turner gave an update on the lien against the property located at 160 10th Street. The City Administrator reported meeting with Code Board Chair Joey Raspe and Mayor Trefry to discuss the possible settlement on this lien. Mayor Trefry, Chair Raspe, and City Administrator Turner agreed to accept the settlement proposal by the new owners in the amount of \$18,085.00. City Administrator Dave Turner confirmed that this amount will satisfy the city.*

MOTION: *Motion made by Commissioner Sutton, seconded by Commissioner DeNeale, to approve the Lien Settlement for 160 10th Street in the amount of \$18,085.00.*

DISCUSSION: *Commissioner McCullough requested that future liens will be written "tight" so future liens can be enforced.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

c) ~~*Cost of Living Report*~~

d) *City Administrator Dave Turner reported that both himself and Mayor Trefry will attend the Legislative Action Days February 7-9, 2022.*

e) *City Administrator Dave Turner reported that the city has made the decision to go with the fleet maintenance through Monroe County.*

f) *City Administrator Dave Turner reported on having received three bids on the exterior painting of the golf course. The tentative winning bid is within the discretionary spending limit and the work project is going forward.*

g) *City Administrator Turner reported on the hardscaping and proposed speed platforms for Clara/Coral. City Administrator reported that the boulders and landscaping project will start tomorrow, and the new road sign will be installed as well. The city will evaluate after the project has been completed if speed bumps will still be necessary. The effect on speed bumps on vehicles, roads, and surrounding houses must be evaluated first.*

h) *City Administrator Dave Turner requested the ending of the contract by Norry Lynch. City Administrator Turner stated that the city going forward can manage in house and save substantial monies for the city.*

MOTION: *Motion made by Mayor Trefry, seconded by Vice-Mayor Harding, to end the contract with Norry Lynch.*

DISCUSSION: *Commissioner DeNeale agreed with the City Administrator and stated that the city can always hire outside help if needed. City Administrator Turner stated that Grant Writer Ryan Ruskay has previously helped the city and is available if needed.*

ON THE MOTION: *Roll call vote. Unanimous approval.*

i) *City Administrator Dave Turner reported that Ryan Ruskay helped within the grant request in the amount of \$50,000.00 for new playground equipment. Mr. Ruskay reported that the grant application is going forward, and the city should have news by the end of March. Mayor Trefry asked for future grant options for shade on the playground. The City Administrator confirmed that future grant proposals will include this request.*

j) *City Administrator Dave Turner reported that the FEMA offer for the City Hall rebuild is in place. New Flood Plan requirements have revealed new building needs, that involve an additional survey to determine what adjustments have to be made on the building. The City Administrator will meet the surveyor on Tuesday and plans will go forward from there. City Administrator Dave Turner reported that there will be lots of upcoming activity with the vacating of the building, asbestos removal, and demolition. Commissioner DeNeale raised the question on a restaurant being an official public place for Commission meetings. City Attorney Dirk Smits stated that he will vet the available option for a meeting place and will inform the Commission on it. The Commission discussed further possibilities for Commission meetings and will revisit the topic.*

City Administrator Dave Turner presented the proposed new location for the KCB Days. The Commission discussed road closures, possible permit requirements, and size of the event.

7. Commissioner Items for Discussion/Approval

A. *Mayor Trefry asked the Commission for a motion to rescind Commission action taken on November 23, 2021, relative to solar permit fees.*

MOTION: *Motion made by Vice-Mayor Harding, seconded by Commissioner DeNeale, to rescind the action taken on November 23, 2021, relative to solar permit fees.*

DISCUSSION: Commissioner Sutton posed the question on what happens to the homeowner. City Attorney Smits explained that the Commission must rescind the motion as Florida Statutes require a permit fee. Commissioner McCullough asked for further clarification for the public. City Attorney Smits explained that if you wave permit fees, you take money from everyone that pays them and put them in the pocket of those that don't.

ON THE MOTION: Roll call vote. Unanimous approval.

B. Mayor Trefry entertained the motion, which requires a super majority vote, to have the second Public Hearing on the pending Public Hearing at 9:30 a.m. prior to the regular Commission time as opposed to after 5 p.m. as required by state statutes.

MOTION: Motion made by Commissioner Sutton, seconded by Vice-Mayor Harding, to have the pending Public Hearing at 9:30 a.m. prior to the regular Commission time as opposed to after 5 p.m. as required by state statutes.

DISCUSSION: City Attorney Dirk Smits explained the reasoning behind the Florida Statute.

ON THE MOTION: Roll call vote. Unanimous approval.

C. City Administrator Dave Turner explained the process for the lateral sewer replacement project and the subsequent bid process. City Administrator Turner asked for approval to award the bid to 'Keys Honey Contracting' in the amount of \$19,550.00 and in addition explained, that this will be part of the grant monies.

MOTION: Motion made by Commissioner DeNeale, seconded by Vice-Mayor Harding, to award 'Keys Honey Contracting' the Lateral Sewer Replacement Bid in the amount of \$19,550.00.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

8. Approval of Warrant No. 1121 in the amount of \$311,399.36.

MOTION: Motion made by Commissioner McCullough, seconded by Commissioner Sutton, to approve Warrant No. 1121 in the amount of \$311,399.36.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

9. **Ordinances and Resolutions:**

A. Citizen Comments & Correspondence: None.

B. Letter of Recommendation by the Planning & Zoning Board with Amendment on Time Requirements: Accepted.

C. Legal Proof of Publication: Accepted

D. Mayor Trefry read the First Reading of Ordinance 2021-471 Amending Land Development Regulation Section 101-172; requiring a minimum ~~thirty (30)~~ ten (10) day wait period between the approval of proposed code amendments brought before The Planning & Zoning Board and consideration of the matter by the City Commission for action;

MOTION: Motion made by Commissioner Sutton, seconded by Commissioner DeNeale, to approve Ordinance 2021-471.

ON THE MOTION: Roll call vote. Commissioner Sutton: Yes, Vice-Mayor Harding: Yes, Commissioner McCullough: No, Commissioner DeNeale: Yes, Mayor Trefry: Yes. Motion passed.

E. Second Reading (Public Hearing): None.

10. Commissioner McCullough reported on being home sick and the importance of vaccinations. Commissioner DeNeale and Commissioner Sutton did not have any additional reports. Vice-Mayor Harding reported that the application for flood proofing of the maintenance building was submitted. Vice-Mayor Harding thanked City Administrator Dave Turner for submitting the Bridge Inspection Report. City Administrator Turner explained that quotes are being worked on for the bigger repairs and smaller repairs are being taken care of by the Public Works Department. Mayor Trefry asked the Commission to consider the cancellation of the February 10, 2022, Regular Commission Meeting, since both the Mayor and the City Administrator will be attending the Legislative Action Days in Tallahassee.

11. City Attorney Dirk Smits reported no update on the Ocean Front Matter, but rather is waiting on a court decision.

Additionally, City Administrator reported on the positive numbers on the City of Key Colony Beach Facebook Page.

Mayor Trefry recognized that the Commission generally only takes Citizen comments in the beginning of the meeting, however, she is inviting comments at this point.

Mary McFadden, Owner: 6 Clara Blvd, raised the question on hardscaping and the impact on traffic. City Administrator Turner explained that after the hardscaping is completed, the traffic pattern will be evaluated, and the question on speed bumps will be addressed thereafter.

Joel Cadbury, Owner: 501 11th Street, addressed the Commission regarding the initial waiving of the solar permit fee and subsequent rescinding of the approval. The Commission and City Attorney explained to Mr. Cadbury how the situation developed, and that they will direct the City Attorney and Staff to work on a solution.

12. The meeting adjourned at 11:04 a.m.

Respectfully Submitted,

Silvia Gransee

Silvia Gransee

City Clerk

ADOPTED: January 27th, 2022

Silvia Gransee

City Clerk