

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

December 9, 2021 - 9:42 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 9:42 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. **Also Present:** City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, Public Works Supervisor Mike Guarino, Building Official Gerard Roussin, Building Inspector Greg Lawton, Police Chief Kris DiGiovanni, Code Enforcement Officer Stacy Stahl, and Fire Chief John Johnson.
Public: 10 Marble Hall, 9 Virtual

2. **Recess for Closed Session:** Mayor Trefry called a recess for the closed session for twenty minutes.

3. **Citizen Comments and Correspondence:** None.

4. **Approval of Minutes:** The City Commission Regular & Public Meeting Minutes from November 23, 2021, were adopted as written.

5. **Agenda Additions, Changes, Deletions:** Building Official Roussin asked for I. a) to be deleted from the agenda. City Administrator Dave Turner asked for the ARP Fund Report to be added to his report.

6. **Special Requests:** Emily Geiger, Manager of Havana Jacks, spoke before the City Commission requesting for permission to have extended music hours on December 31, 2021, until 1a.m.

MOTION: Motion made by Commissioner Sutton, seconded by Vice-Mayor Harding, to extend the music hour for Havana Jacks until 1a.m. in the morning on December 31, 2021.

DISCUSSION: Commissioner McCullough asked for the possibility to have the music moved to the inside of the building instead out of the water. The Manager, Emily Geiger, replied that she will forward the request to the owner.

ON THE MOTION: Roll call vote. Vice-Mayor Harding voted yes, Commissioner DeNeale voted yes, Commissioner Sutton voted yes, Commissioner McCullough voted no, Mayor Trefry voted yes. Motion passed by a vote of majority 4-1.

7. **Committee and Staff Reports:**

A. Marathon Fire/EMS Fire Chief Johnson reported 2 medical calls, 1 internal fire alarm, and 1 public assist. The Fire Department will have the Santa Truck this year again, but it will have no stops to discourage gatherings. The schedule will be posted next week in The Weekly.

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 Chief Kris Digiovanni reported 2 reports, one of which was a gift card scam and the other an incident off driving without a license, 17 calls for service, 16 assists to the Monroe County Sheriff's Office and FWC, along with Road and Boat Patrol, and the Vacation Watch Program. The Police Department participated in the Recertification Program for traffic stops, CPR, among other certifications. The Lexipol Project is being started on as well. Mayor Trefry asked Chief DiGiovanni on any reports within Key Colony Beach on the current DARE Scam, which the Chief had no reports on within the city.

I. Building Official Gerard Roussin reported on the property located at 160 10th Street. A stop work order has been issued for the house. The owner had contracted an unlicensed contractor to perform work on the residence. Building Official Roussin explained to the owner that the outstanding liens first must be satisfied with the City and

then the issue of permits needs to be addressed before work can continue. City Attorney Dirk Smits and the Commission discussed options on the outstanding liens. The City Attorney reported that he has been in contact with the owner's attorneys on negotiating outstanding liens. Commissioner DeNeale explained the procedure on a possible lien settlement for the City of Key Colony Beach. The Mayor, City Administrator, and Code Enforcement Board Chair would make a recommendation to the City Commission on a possible lien settlement, if a settlement offer were given by the property owner. In addition, a local contractor will start work early on Saturday morning for a concrete pour with the trucks being staged at the Key Colony Beach City Hall parking lot. The Commission requested that the neighbors of property 721/731 8th Street would be notified prior to Saturday morning. Building Official Gerard Roussin reported that interviews have taken place for a new Building Assistant and the process is moving forward. Gary Furtak, owner of 115 10th Street, spoke before the Commission regarding the property located at 160 10th Street. Mr. Furtak reported that the unlicensed contractor was observed for four weeks working on the property.

J. Public Works Supervisor Michael Guarino reported that the hedge and tree trimming continues in the city and electrical trouble shooting continues with the Christmas lights throughout the city.

K. City Secretary/Treasurer – No Report

L. City Clerk Silvia Gransee reported on meeting with Department of Environmental Protection regarding requirements on annual reporting. In addition, the Public Records Request has been completed. City Clerk Gransee further attended interviews for the Building Assistant and Public Works Position. Overall, the City Clerk has been preparing for today's meetings as well as next week's Planning & Zoning Variance Hearing.

M. Code Enforcement Officer Stacy Stahl reported 32 new Code Enforcement cases, 3 trailer citations, 16 trash can citations, in addition to landscaping and noise citations, and trailer warnings. Code Enforcement Officer Stahl received 6 trailer lot calls, 1 irrigation complaint and issued 1 trash can warning. The Code Enforcement Officer further gave updates on several properties throughout the city. The Mayor asked Code Enforcement Officer Stacy Stahl on an update on the removal of a compressor which the Code Enforcement Stahl verified to be removed by the end of the week.

N. City Administrator Dave Turner updated on the progress on City Hall and reported, that the final drawings should be completed at the end of December or early January. City Administrator Turner further reported daily phone calls with FEMA with regards to the rebuilding project. City Administrator Turner attended a meeting with Commissioner DeNeale and the City's bank representatives to discuss different funding options. Additionally, the City Administrator, in conjunction with Mayor Trefry, is researching a Data Mining Software to combat illegal vacation rental properties. Mayor Trefry and City Administrator Turner stated the usefulness of the program and the benefits it would provide to the City. City Administrator Turner and Mayor Trefry further attended a meeting with Sherwin-Williams on color options for painting different buildings in the city. The Golf Pro Shop, the Public Works Building, as well as the bathroom near the Bocce Court all need painting. Sherwin-Williams does offer a 10-year warranty on their paint. City Administrator Turner further gave an update on Coral Lane and Clara Boulevard. City Administrator Dave Turner reported that the idea of speedbump installations is problematic as he has received reports that it damages emergency vehicles from the county. The Landscaping Company Brightview (formerly Gonzales Landscaping) has been asked to design landscaping between the gas stations. In addition, Public Works will make an additional "Welcome to the City of Key Colony Beach" sign which will improve the entry to the City. Fire Chief Johnson reported that vehicles do indeed get damaged by speed bumps, in addition, emergency report times will be delayed between one to two minutes. Fire Chief Johnson did explain that speed platforms do not represent the same problems as traditional speed bumps do. City Administrator Dave Turner further updated on the bridge report and that extra underwater repairs are needed in addition to some underpinning. A company has been contacted for pricing, in addition, a grant writer has been contacted to look up additional funding. Secretary-Treasurer McCullough recommended to establish a Reserve Fund in the future for bridge repairs. City Administrator Dave Turner also gave an update on the possibility of having the City's fleet be serviced through Monroe County. City Administrator Turner reported the benefits on having the fleet serviced through the county. City Administrator Dave Turner reported that the City of Key Colony Beach was not included in the Emergency Fueling Plan for Monroe County. City Administrator Turner reported that the issue has been corrected and Key Colony Beach now has access to fuel in case of an emergency. The City Administrator also reported on the ARP Report, which is a grant from the federal government. City Administrator Turner explained the funds the City is eligible for and the intended uses. City Administrator Dave Turner recommended given employees that were with the city during COVID times, and that are still employed with the City of Key Colony Beach, \$3,000.00 in Premium Pay out of the grant money.

MOTION: Motion made by Commissioner Sutton, seconded by Vice-Mayor Harding, to give \$3,000.00 in Premium Pay to all city employees that worked during the COVID time and that are still employed by the City of Key Colony Beach.

DISCUSSION: Chief of Police Kris DiGiovanni raised the question on what benefits employees could receive that were not with the city during COVID, as his understanding was, that this money represented a cost-of-living adjustment. The Commission and the City Administrator discussed the intention of the Premium Pay and Cost-of-Living adjustment and decided that the Premium Pay and the Cost-of-Living adjustment is separate from each other. The Commission decided to address the Cost-of-Living in Monroe County at the first Commission Meeting in January 2022. Commissioner McCullough stated that the City of Key Colony Beach is small, and the employees do many different things in their positions compared to bigger cities. Chief DiGiovanni also asked for Reserve Officer Bethard to be included in the Premium Pay as he was a big part of the City during COVID.

ON THE MOTION: Motion withdrawn by Commissioner Sutton.

MOTION: Motion made by Commissioner Sutton to give all employees (16) \$3,000.00 in Premium Pay that are currently employed by the City of Key Colony Beach.

DISCUSSION: The Commission decided that two motions are necessary to address the correct use of monies for the Premium Pay.

ON THE MOTION: Motion withdrawn by Commissioner Sutton.

MOTION: Motion made by Commissioner Sutton, seconded by Secretary-Treasurer McCullough, to give the City Employees (10) that worked during COVID \$3,000.00 in Premium Pay funded out of the ARP Fund.

ON THE MOTION: Roll call vote. Unanimous approval.

MOTION: Motion made by Treasurer-Secretary McCullough, seconded by Commissioner Sutton, to give the remainder employees (7) \$3,000.00 in Premium Pay out of the ad lorem budget.

ON THE MOTION: Roll call vote. Unanimous approval

8. **Commissioner Items for Discussion/Approval:** Commissioner Sutton gave an update on the seawall project on 10th street. The Commissioner reported that repairs on the seawall will not start until next Friday so not to interfere with the Boat Parade. The project is expected to last six weeks.

9. **Approval of Warrants:** None.

10. **Ordinances and Resolutions:** Mayor Trefry completed the second reading on Ordinance 2021-470, an Ordinance of the City of Key Colony Beach amending the code of Ordinance Article VI-Finance, Section 2-75 to increase the discretionary spending threshold.

MOTION: Motion made by Secretary-Treasurer McCullough, seconded by Vice-Mayor Harding, to increase the discretionary spending threshold from \$2,500.00 to \$5,000.00.

ON THE MOTION: Roll call vote. Unanimous approval.

11. **Commissioner's Reports or Comments:** The Mayor, the Vice-Mayor, and Commissioners wished everyone a Merry Christmas and great holiday season. In addition, Vice-Mayor Harding reported on attending a meeting with the Mitigation Group as well as the Transportation Meeting. Vice-Mayor Harding reported on a new assistance program for Monroe County Residents to help with transportation to and from the mainland.

12. **City Attorney – Dirk Smits**

A. City Attorney Dirk Smits reported on the policy on Solar Panel Permit Fees. The City Attorney reported, that after further research, per Florida Statue 558, the City will not be able to waive permit fees for solar panels.

Commissioner McCullough asked City Attorney Dirk Smits on the issue of the already approved waiving of the solar permit fee during the Commission Meeting on November 23, 2021. After discussion with the Commission, City Attorney Dirk Smits reported, that he will have to get back to the Commission with that information.

B. Ratification on Canal Maintenance Policy

MOTION: Motion made by Commissioner DeNeale, seconded by Vice-Mayor Harding, to approve ratification on the Canal Maintenance Policy.

ON THE MOTION: Roll call vote. Unanimous approval.

The City Attorney also reported that unlicensed vacation rental is considered irreparable harm and the offender can be charged up to \$5,000.00 per offense.

C. City Attorney Dirk Smits gave an update on the Key Colony Beach Trademark. The objection period to the trademark will be over in 21 days. After there have been no objections, the trademark will be issued in 11 weeks.

13. The meeting adjourned at 11:40 a.m.

Respectfully Submitted,

Silvia Gransee

Silvia Gransee

City Clerk

ADOPTED: January 13, 2022

Silvia Gransee

City Clerk