

# MINUTES

KEY COLONY BEACH  
CITY COMMISSION REGULAR MEETING  
Thursday July 13, 2017 9:35 am  
City Hall Auditorium

1. **Pledge of Allegiance, Prayer and Roll Call:** The regular Meeting of the Key Colony Beach City Commission was called to order by Mayor John 9:35 am.

*Present:* Mayor John DeNeale, Vice Mayor Ron Sutton, Commissioner Jerry Ellis and Commissioner April Tracy. *Also Present:* City Administrator Chris Moonis, City Clerk Kathryn McCullough, City Attorney Tom Wright, Building Official Ed Borysiewicz, Assistant Building Official Gerard Roussin, Police Chief Kris DiGiovanni and Fire Chief John Johnson. *Excused:* Secretary/Treasurer Jim Pettorini. Public- 4

2. **Approval of Minutes:**

**MOTION:** Motion made to approve the minutes of 6/22/2017 Regular Commission Meeting.

**ON THE MOTION:** Unanimous approval.

3. **Agenda Additions, Changes, and Deletions:** City Attorney Tom Wright requested a closed session at the end of the meeting to discuss pending litigation.

4. **Special Requests:** No requests.

5. **Committee and Staff Reports:**

**A. Marathon Fire/EMS** - Fire Chief John Johnson reported there were 2 medical calls, 5 fire alarms, 2 good intent visits and 1 cooking fire since the last meeting. Chief Johnson again reminded everyone to be prepared for the upcoming storm season. Do not wait until the last minute to put your plans in place.

**B. Recreation Committee** - No report.

**C. Beautification Committee** - Beautification Chairperson, Patti Trefry, reported they have been working on tree implants and landscaping in front of City Hall. She also reported they were able to procure a rainbow eucalyptus tree for Sunset Park. It is 20 feet tall and will continue to grow three to five feet per year. Mayor DeNeale thanked Mrs. Trefry for the update.

**D. Disaster Preparedness Committee**- Building Official Ed Borysiewicz will be performing a full load test at City Hall on Friday, July 14<sup>th</sup>. He will also be arranging a day in the near future to run a full day test to simulate a Hurricane Drill.

**E. Planning and Zoning** - No Report.

**F. Utility Board - No Report.**

**G. Police Department** – Chief DiGiovanni reported that since the last meeting there 2 reports. One being the grand theft of a real estate sign and the other was attempted boat theft that is still under investigation. They also assisted the MCSO 11 times, 2 medical calls, and 16 miscellaneous calls. The police department is continuing with the water program, daily business checks and traffic and bike enforcement. Chief is covering for Officer Griffith due to family issues. A citation was issued for a violation for overcrowding at 650 10<sup>th</sup> St. At the conclusion of the investigation the property manager was fined over \$1,700.00. Mayor DeNeale stated there were 2 other incidences with property managers. Property manager are not getting rental agreements from some tenants. Also, some of the property managers are not posting the local contact information in the rental. We are reminding property managers they will be fined if they are not checking their rentals to be sure they're following City Codes. Mayor DeNeale reported he is working on the issues, in regards to the property managers, with Chris Moonis and Chief DiGiovanni. He also stated that the visitor page on the City website is being updated to insure visitors can find all the rules that apply in Key Colony Beach. Approximately a week ago Sergeant Birkland encountered a residentially challenged gentleman at the Mobil station at the end of Sadowski Causeway and inquired why he was lingering there. The man told Sgt. Birkland his bike had a flat tire. Instead of giving the man a difficult time Sgt. Birkland went and purchased a repair kit and helped him fix his bike so he could be on his way. Chief DiGiovanni reports he will be meeting with City Administrator Chris Moonis to discuss some of the candidate applications for the open police officer position. He will report on the progress at the next Commission meeting.

**H. Building and Public Works** - Building Official Ed Borysiewicz reported the wastewater treatment plant improvements are well underway. The tanks, etc., are completed. The painting will be completed soon. The blowers will be installed in a week or two. He and Gerard Roussin will be issuing a permit for a new home at the end of 4<sup>th</sup> St. Public works has spread 2 loads of rock at the Sunset Park parking lot. They have also trimmed all coconut trees in the City Park. The generators will be tested Friday, July 14<sup>th</sup>. Assistant Building Official Gerard received his provisional license for one & two family combination dwelling inspector. He is also working towards becoming a Code Administrator. Joey and Esteban painted and signed the spots in the City Hall parking lot.

**I. City Secretary/Treasurer - No Report.**

**J. City Clerk** – City Clerk Kathryn McCullough said our office continues to be very busy. Blanca has been able to collect \$3,130.00, over a four month period, in back wastewater fees. Sewer invoices were sent out for July. The mailing included Monroe County and City brochures concerning hurricane preparation. Blanca has scheduled hepatitis shots for all employees in Public Works, the Police Department, and the Building Department. Becky has filed all of the end of the quarter reports for sales tax, workers compensation, the building department surcharge fees and the 941 returns. She is starting to schedule inspections for vacation rental licenses and is working hard with realtors to try and get them to schedule inspections when properties are ready rather than waiting until all of their properties are up to code all at once. Hopefully this will relieve the 'crunch' at the end of September. The front desk continues to be very busy issuing boat trailer parking permits and responding to visitor general information

questions. Becky has filed drug and safety reports required to continue the discount on the workers compensation premiums. An analogue phone was installed to provide telephone communication in the event electricity is lost as the result of a significant weather event Ms. McCullough reported she will be on vacation next week. Assistant City Clerk Becky Todd and City Administrator Moonis will cover in her absence. Vice Mayor Sutton reported the residents haven't seen the 1<sup>st</sup> budget workshop minutes as of this morning. It's very important the residents be able to see this. He asked Kathryn to have these minutes completed by Friday, July 14<sup>th</sup> before she leaves for vacation. Ms. McCullough said she would try to have them published before she leaves.

#### **K. City Administrator –**

1. Sunset Park Bathroom Discussion: City Administrator Moonis submitted a Florida Tourist Development grant application for the rest rooms at Sunset Park. The application included an offer of a 75/25 % match to help move the application toward the top for consideration He submitted the application, in person, and noted desks piled high with applications. This is a highly competitive grant. Because there were very few applications from other municipalities, it is his hope the application will get serious consideration for 100 % funding by the TDC. The grant was submitted for fully predesigned bathrooms in Sunset Park. The proposed location would be the opposite side closest to the condominium. This location will require less government oversight than the opposite tract.

2. Pickleball Update: Mr. Moonis reported he will submit a full written report at the next Commission meeting. He has worked with Mike Alexander to develop specifications for the new courts. The bid proposal will offer several options. The written report will include all the options including specifications. Vice Mayor Sutton suggested a letter be mailed each resident on 7<sup>th</sup> St. and 8<sup>th</sup> St. describing the course of action with respect to the pickle ball courts. Commissioner Ellis disagrees with writing a letter to each resident. He suggests we put it on our website and the residents that are interested can read it there. City Clerk McCullough stated it would be very difficult to gather the information to mail a letter to each resident. She suggested a City employee hand deliver a letter to the 7<sup>th</sup> and 8<sup>th</sup> Street residents. City Administrator Moonis suggested replying to the residents, who have showed concern, via email. There was a consensus of the Commission to send out the information via email. Residents on both sides of the issue will be included in the email. Mr. Moonis, at Vice Mayor Sutton's suggestion, has ordered sound deadening paddles and balls for players to try out.

3. No Wake/Idle Speeds in Canals Mr. Moonis reviewed the request to join Monroe County on a resolution regarding the FWC enforcement of the No Wake/Idle Speed rules in canals of 75 feet in width or less. Section 5.1 of the City code allows local enforcement of these rules. It is his recommendation to do just that. Attorney Tom Wright agreed with Mr. Moonis as joint resolution does not apply as all City canals are 100 feet wide or more. We will contact Monroe County will be advised there is objection to their resolution, however, only the KCB police department has authority to issue the Idle Speed/No Wake zone rules in the City.

4. Approval of Police Car Purchase: City Administrator Moonis requested approval to purchase a new police vehicle, at State Contract Rates, from General Fund Reserves.  
**MOTION:** Motion made by Commissioner Tracy, seconded by Vice Mayor Sutton to approve the purchase of a new police vehicle, at State Contract Rates, from General Fund Reserves.

**ON THE MOTION:** Unanimous Approval

5. **Electronic Device Policy:** Mr. Moonis requested approval of an electronic device policy. The purpose of the policy is to define the acceptable use of city phones, computers and other electronics by employees. This will be placed on the agenda for the next meeting to allow Attorney Tom Wright time to review the policy.

6. **Unfinished Business:**

7. **Commissioners Open Discussion:**

8. **Items for Discussion/Approval:**

9. **Ordinances and Resolutions:**

A. Ordinance 452-2017 Imposing a Temporary Moratorium on Marijuana Dispensing/Medical Marijuana Treatment Centers-Second Reading: Attorney Tom Wright read the ordinance by title only.

**MOTION:** Motion made by Commissioner Ellis, seconded by Vice Mayor Sutton approve Ordinance 452-217 imposing a temporary moratorium on marijuana dispensing and medical marijuana treatment centers in the City of Key Colony Beach for a period of 180 days.

**ON THE MOTION:** Roll Call Vote: Unanimous Approval

10. **Approval of Warrant** No. 62017 in the amount of \$622,914.90

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy to approve Warrant No. 62017 in the amount of \$622,914.90

**Discussion:** Administrator Moonis reported nearly \$400,000 of the Warrant No. 62017 was for sewer related upgrades to the wastewater treatment plant.

**ON THE MOTION:** Roll call vote. Unanimous Approval.11.

**Commissioner's Reports or Comments:** Mayor DeNeale reported he will be attending the Chamber luncheon on August 18<sup>th</sup> to be held at Faro Blanco. Mayor Nugent will be addressing tolls on Route 1.

12. **City Attorney Report-** Thomas D. Wright: No Report

13. **Citizen Comments and Correspondence:**

City Clerk McCullough reported a letter was received from the Founder and the Fund Raising Director of the Kid's Fishing Derby thanking the City for all of the support given to make it a successful event.

Judy, the owner of 80 7<sup>th</sup> St., asked the options regarding the new pickleball courts be presented to the residents before a decision is made on how to proceed because she is only here full time during the winter. She asks this so the residents can give the City Commissioners their input

regarding the options. Administrator Moonis said the Commission will get a written report at the meeting on July 27<sup>th</sup> which will include the bid options for the new courts. He also stated there will be quite a bit of time between that meeting and when the Commissioners approve which option to proceed with in regards to the new pickleball courts. He also said the results of the option chosen will be sent via email to all the interested residents. Mayor DeNeale said it is the goal to address everyone's concerns. He suggested all interested parties provide Mr. Moonis with an email address. Residents may also call City Hall, at any time, with questions or for information and updates. Commissioner Tracy stated anyone with questions concerns or questions should be sure to read the minutes from the Commission Meetings. Commissioner Ellis said this is not an expansion. It has never been an expansion. There are a lot of pickle ball players in Key Colony Beach. Currently players have to wait for a court to play on. With additional courts crowds will disperse faster because there will be a court to play on. The City is not expanding the number of players; it is just giving them a place to play.

Mayor DeNeale closed the Commission Meeting for a private session with Attorney Tom Wright to discuss pending litigation.

The City Commission meeting reconvened at 10: 47 a.m.

City Attorney Wright recommend the Commission adopt a motion authorizing the firm of Johnson, Anselmo, Murdoch, Burke, Piper& Hochman, P.A. to represent the City in the Clifford Green Estate case on matters not covered by the City's insurance policy at a rate of \$180 per hour.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy, to authorize the firm of Johnson, Anselmo, Murdoch, Burke, Piper& Hochman, P.A. to represent the City in the Clifford Green Estate case on matters not covered by the City's insurance policy at a rate of \$180/per hour.

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

The Commission meeting adjourned at 10:57 a.m.

Respectfully submitted by;



Office Assistant

Note: A mechanical recording has been made of the meeting of which these minutes are a part, and a copy is on file in the office of the City Clerk, as a public record.

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