



Committee And Staff Reports - continued

## G. Building Department/Public Works – Building Official Borysiewicz reported:

- Key Colony Beach Marina has filed a variance application for a shade structure which will be heard on October 21. He said that other properties with shade structures have been notified of their violation and he is working with those owners.
- At the request of the Beautification Committee he has ordered fertilizer and mulch which will be spread by Gonzalez Landscaping.
- DEP provided information about trimming the mangroves. The root structures cannot be cut and the ones along the Causeway have been growing a long time and have tall root structures. When they are trimmed this year, they will not be cut as short as in previous years, but they will be as short as legally possible.
- There was one incident of a shark bite. There may be unusual shark activity in the canals due the Marathon Lady being closed which is where they normally feed, and they come into shallow water to bear young. The best thing is to stay out of the canals for awhile.  
Commissions discussed that signs may not be needed, but a notice could be placed in the post office and on the website to be cautious.

## H. City Secretary-Treasurer – Commissioner Vorick stated the city is in good financial condition.

## I. City Clerk – City clerk stated approximately 85% of the business tax renewals have been completed, some are in process, and that they were to be completed by September 30. She said she will be out of the office tomorrow and all next week. She will attend a training conference on Wednesday through Friday next week. She said financial statements will be available the week of October 19.

Attorney Wright stated he had advised the clerk that no favoritism should be shown to anyone regarding business tax renewals. All owners must be treated alike. He said he would monitor the situation and make recommendations as needed.

City Clerk stated that the decision was made to not charge a delinquent fee to owners who were using Island Palms, but those renewals must be completed by October 30 to avoid future delinquent fees.

5. Unfinished BusinessGolf Course Proposals

Mayor Sutton stated the commission met on Tuesday to review the golf course proposals, but that it was time to move forward and make a choice. He said he did a lot of checking and research and that all five applicants would do a good job for the city. Commissioners commented/discussed:

- The applicant chosen should take all the good ideas from all the other applicants and make use of them.
- The number of memberships should not be limited; fees should be set by the lessee as in other free enterprise businesses.
- Lessee may want to exchange services with someone and allow them to play for free; that should be allowed. Fees should be controlled by the city to keep them at reasonable levels.
- Lessee should be able to do promotions and exchange of services. Need to keep some control over fees at least during the first year, but allow Lessee to provide input.
- There is no known reason to cap the number of memberships; fees should be kept at current levels, especially given the bad economy.

Unfinished Business - continued

- This business is for fun and profit. Landscaping is the biggest part of the job and is an important part of the decision. The lease needs to be rewritten and the irrigation system fixed.

Mayor Sutton stated that all commissioners seemed to agree that a decision should be made, the lease should be rewritten, and then negotiate with the chosen applicant. The commission would review the lease at the regular meeting on October 22, 2009.

Attorney Wright stated that he was available to rewrite the lease and thought the negotiations could be concluded next week.

**Motion** – Moved by Commissioner DeGraw, seconded by Commissioner Vorick, to select D. Rice Management, Inc. to operate the golf course; and that the lease should be rewritten; and then Mayor Sutton and Attorney Wright should negotiate the terms of the lease with Mr. Rice; and the negotiated lease should be brought before the City Commission at their Regular Meeting on October 22, 2009 for review. Roll Call Vote: Unanimous approval.

6. Items of Discussion/ApprovalReview of Code Chapter 4 Animals and Fowl – Commissioner Schmidt

Commissioner Schmidt expressed concern about exotic animals being kept within the city and the problems they create if they are released. Some of these animals may be dangerous and should be controlled. She suggested that code amendments may be needed to clarify the city's position and to prohibit them from being kept within the city.

Commissioners discussed the difficulty in enforcing the code, there are privacy issues involved, current code is adequate, code includes definitions to have dangerous animals removed, and that no specific problems have been reported. Commissioners agreed that no change to the code is needed at this time and that should a problem arise, the commission could address it at that time.

Agreement with South Florida Water Management District for FY2009-2010 for \$150,000

Mayor Sutton stated that South Florida Water Management has approved a grant for additional stormwater improvements for this fiscal year in the amount of \$150,000. This requires a matching amount of \$150,000 which the city currently has in reserves.

**Motion** – Moved by Commissioner Schmidt, seconded by Commissioner DeGraw, to approve the agreement with South Florida Water Management District for \$150,000 and authorize Mayor Sutton to sign for the city. Roll Call Vote: Unanimous approval.

7. City Administrator Items For Discussion/Approval

Mayor Sutton stated:

- Fertilizer and mulch had been ordered. The total cost to purchase and apply them would be \$1,800 to \$2,000. This was planned and budgeted.
- The mulcher had developed engine problems. The choices, other than purchase of a new mulcher, are to have the engine overhauled at a cost of \$3,000 to \$5,000 or to have a reconditioned engine installed at a cost of \$6,981.25. He said there was \$13,000 in the equipment reserves to pay for this repair.

Commissioners discussed all the options including buying a new mulcher or finding a used one, costs, and warranties. The repair could be completed next week.

**Motion** – Moved by Vice-Mayor Zahn, seconded by Commissioner Vorick, to purchase a reconditioned engine to be installed in the mulcher by All Keys Diesel Repair, Inc. for a total cost of not more than \$7,500. Roll Call Vote: Unanimous approval.

8. Ordinances and Resolutions – None

9. Commissioners' Reports or Comments

Commissioner Vorick thanked all city staff for their efforts and offered support if any problems should arise.

Commissioner Schmidt reminded all that grass clippings cannot be blown onto adjoining properties or in the canals. She received approval to post fundraising posters for American Diabetes Association and Relay for Life in the post office. She stated she had started her Leadership Monroe classes and recommended staff and commissioners enroll in future classes. Commissioner Schmidt said the federal government is in the process of passing bills that would require states to adopt anti-texting while driving laws or risk losing federal funding. She received assurances that the city does not recommend any specific contractors. Vice-Mayor Zahn thanked Building Official Borysiewicz for his recent prompt response to her inquiries and issues.

10. City Attorney Report – Thomas D. Wright

Attorney Wright stated real estate reports indicate that although activity has increased, average prices are still dropping. He said the implication is that property tax assessments for next year will decrease again.

11. Correspondence & Citizen Comments

City Clerk stated a letter was received from William J. Knickman stating the city has always been a model community, but the difficult economic times have affected many citizens. He requests the commission to reconsider the stormwater utility fee and make an effort to lower costs and reduce spending until the economy improves.

Citizen Comments - None

The meeting adjourned at 10:40 a.m.

---

Vickie L. Bollinger, City Clerk

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.