

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING

Thursday, November 13, 2008, 9:30 a.m.

City Hall Auditorium

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call – The Regular Meeting of the Key Colony Beach City Commission was called to order by Mayor Sutton at 9:30 a.m. followed by the Pledge of Allegiance and Prayer. *Present:* Mayor Ron Sutton, Vice-Mayor Rusty Stevens, Commissioner Jeff Vorick, Commissioner Geraldine Zahn, Commissioner Seneca “Tucker” DeGraw. *Also Present:* Attorney Thomas Wright, Building Official Edward Borysiewicz and City Clerk Vickie Bollinger. *Excused:* Police Chief Robert Petrick. Public: 10.
2. Approval of Minutes: Regular Meeting October 23, 2008  
Approved as written.
3. Committee and Staff Reports
  - A. Recreation Committee – Golf Course Management

Chair Ellen Albin reported the committee met and discussed the golf course. She stated Ms. Spano had taken over on February 15, the probationary period had been extended until December 31, 2008, and that 6 of the last 9 lease payments were late. The committee is very sympathetic, but they wanted to share this concern with the commission.

Mayor Sutton stated he had the same concerns, had meetings with Ms. Spano, and had discussed the last lease payment with the commission at a prior meeting. He stated he felt the commission had tried to work with her and help on many occasions, but that this was a business and something needed to be done.

Ms. Spano stated that the December payment may be on time, business was better at the course, and she agreed the city had been working with her.

Commissioners discussed that this is an unfortunate situation, economic conditions are difficult, Spano family has operated the golf course for many years, fiduciary responsibility to the citizens, problems extend over last year or two, lease terms have not been met, this is not personal, it is a business relationship. Mayor Sutton stated that it was the consensus of the commission that the terms of the lease must be met in the future. Attorney Wright advised that if the city intends to strictly enforce the lease that he be notified of any default so he can carry out the legal requirements. Mayor Sutton agreed.
  - B. Beautification Committee – Mayor Sutton stated that the committee had ordered new benches for the gazebo for \$874 without prior approval. He stated he asked that this order be placed on hold until he could find out if this could be included in the grant application. The committee would like to replace the benches soon and not wait for grant approval which may not happen until next summer. Mayor Sutton stated the benches were not a safety issue and he would deny ordering the benches for now. He stated the benches near the bocce courts could be a safety issue and they would be replaced. The cost of the benches would be reimbursed from the grant funds if the grant is received.

Committee and Staff Reports – continued

C. Disaster Preparedness Committee – Building Official Borysiewicz stated that shoreline repairs from summer storms were nearly completed and that the season was almost ended.

D. Planning & Zoning Committee – No report.

E. Utility Board – No report.

F. Police Department – No report.

G. Building Department/Public Works – Building Official Borysiewicz reported that Public Works has been trimming trees and bushes at the city entrance, protective bollards were installed around the new fire hydrants, and the vacant lot at 8<sup>th</sup> Street and West Ocean Drive was being cleaned up after the construction.

Commissioners thanked Building Official Borysiewicz for putting the millings on the boat trailer parking lot; it was a big improvement.

H. City Secretary-Treasurer – Commissioner Vorick stated the Check Detail Report and October financial statements were available for review and that the new fiscal year is off to a good start. He reported that the audit had started.

I. City Clerk – City clerk stated the staff continues to renew business tax licenses – 488 vacation, 88 long term and 49 commercial licenses have been issued. She stated that the number of unpaid quarterly sewer bills remains higher than normal for this billing cycle. She announced the next commission meeting would be held Monday, November 24 immediately after the Comp Plan public hearing.

4. Unfinished Business - None

5. Items of Discussion/Approval - None

6. City Administrator Items For Discussion/Approval

Update on Causeway Repaving Project

Mayor Sutton stated the Causeway drainage problem is in the process of being fixed. Stormwater runoff at the top of the Causeway does not flow to the outfalls as it was designed; rain is ponding along the right-of-way and onto private property. He stated he met with the engineers and contractor and that portion of the road will have to be surveyed, milled and repaved to create a swale. He stated he is working on getting a date for this repair.

Landscape Maintenance – The Mayor reported that several properties around the city need maintenance. The Building Official has sent notices or called many of them and they are not responding. Mayor Sutton suggested that the city hire a contractor to clean up the lots and then bill the owner. He said this was discussed with Attorney Wright and he said this could be done.

Attorney Wright stated that liens may have to be filed and the city may not receive payment for a long time. He encouraged the commission to send these matters to the Code Board to protect the city's interest. He said the owners must be given due process before the lien could be recorded. Code Board is the way to give owners due process. He suggested the city also ask the Code Board for administrative costs.

City Administrator Items for Discussion - continued

Commissioners, attorney, and city staff discussed the current codes for landscape maintenance, use of Code Board, paying a contractor, filing liens, and options to get the lots cleaned up. The consensus was to send these cases to the Code Board for processing.

7. Ordinances and Resolutions – None

8. Commissioners' Reports or Comments

Commissioner Zahn stated she attended a GLEE meeting on November 6, 2008. She stated GLEE will be working on educating the public to increase recycling in the Keys. The city's Green Team will be meeting soon.

9. City Attorney Report – Thomas D. Wright – There are no legal issues.

10. Approval of Warrant 1008 Expenses for the Month of October

**Motion** - Moved by Commissioner DeGraw, seconded by Vice-Mayor Stevens, to approve Warrant 1008 for the Month of October 2008 in the amount of \$385,226.77. Roll Call Vote: Unanimous approval.

11. Correspondence & Citizen Comments

Mary Schmidt asked about the number of foreclosures in the city and water restrictions.

In response, no one knows the number of foreclosures and landscape watering is still restricted to two days per week.

The meeting adjourned at 10:20 a.m.

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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.