



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, June 7, 2016

6:00 PM

Old City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

6:00 P.M.

ROLL CALL

Present 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

INVOCATION - Pastor Jonathan Carey, Glad Tidings Tabernacle Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

The agenda was approved as changed without objection.

PROCLAMATIONS

1 Edward B. Knight

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

- 2 Assisted Living - Manuel Castillo, Executive Director Key West Housing Authority

Sponsors: Commissioner Kaufman

Received and Filed

City Attorney's Report

City Manager's Report

CONSENT AGENDA*

*Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member or citizen, in which event the item will be removed from the order and considered in its normal sequence on the agenda. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.

MINUTES

- 3 *May 17, 2016 (Regular)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

- 4 *Designating the pier located at the end of White Street "The Edward B. Knight Pier".

Sponsors: Mayor Cates, Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow and Commissioner Weekley

Attachments: [Resolution](#)

Passed

Enactment No: Res 16-176

5 *Approving the City Clerk Performance Evaluation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[City Clerk Evaluation form](#)
[Commissioner Kaufman's Evaluation](#)
[Commissioner Lopez's Evaluation](#)
[Commissioner Payne's Evaluation](#)
[Commissioner Romero's Evaluation](#)
[Commissioner Wardlow's Evaluation](#)
[Commissioner Weekley's Evaluation](#)
[Mayor Cates's Evaluation](#)
[Evaluation Calculation](#)

Passed

Enactment No: Res 16-177

6 *Approving the Transfer of Mobile Vendor License (MVL) #12789 from Stephen Bryan to Charles Caprora due to Hardship.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[MVL #12789 Transfer Request Affidavit](#)

Passed

Enactment No: Res 16-178

- 7 *Rescinding the approval granted in Resolution 15-291 for the purchase of seven (7) Remington 12 GA. Shotguns in the amount of \$4,654.70, using funds from the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) - Local Solicitation; and Authorizing the purchase of six (6) Police Bicycles from IFORCE Patrol Bicycles in the amount of \$12,778.82, Pursuant to Section 2-797(4)(b) Best Interests of the City and Section 2-844; Brand Name Specifications, using funds from the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) - Local Solicitation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [I FORCE Brand Name Sole Source Memo](#)
 [I FORCE Patrol Bicycle Specification Sheets](#)
 [2015 Byrne Grant - Local Signed Resolution 15-243](#)
 [2015 Byrne Grant Purchase E-mails](#)
 [Resolution 15-291](#)
 [iForce Quote](#)

Passed

Enactment No: Res 16-179

- 8 *To Approve and Authorize the Key West Police Department to apply and accept a 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) - Local Solicitation, in the amount of \$15,208.00; Authorizing any necessary budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [2016 Local JAG Solicitation Announcement](#)
 [2016 Local JAG Allocations](#)

Passed

Enactment No: Res 16-180

- 9 *Approving the attached "Exhibit A" (2016-17) to the "State of Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement, Contract ARU46".

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Exhibit A](#)
 [Resolution 15-224](#)

Passed

Enactment No: Res 16-181

- 10 *Approving the attached "First Amendment to Lease Agreement" for City-owned Submerged Lands in Garrison Bight adjacent to 705 Palm Avenue between the City and Key West Community Sailing Center, Inc.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [First Amendment to Submerged Land Lease](#)
 [Resolution 14-247 Submerged Lands Lease 705 Palm Avenue](#)
 [Pictures and Endorsements](#)
 [Sailing Club Presentation](#)

Passed

Enactment No: Res 16-182

- 11 *Awarding pursuant to Section 2-797(4)(b) and Section 2-844, Brand Name Specifications of the Code of Ordinances the Bid of Anixter, Inc. in the amount of \$23,196.00 for twelve (12) LED Street Lights.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Anixter Quote](#)
 [Raybro Quote](#)
 [Strunk Quote](#)

Passed

Enactment No: Res 16-183

- 12 *Awarding the Bid of Gary's Plumbing & Fire, Inc., in response to ITB 016-16 for Wahoo Pier Fire Line Replacement at the City Marina at Garrison Bight in the amount of \$61,881.00; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Wahoo Pier Fire Line Replacement Bid](#)
 [ITB #016-16 Addendum #1](#)
 [Bid Memo 016-16](#)

Passed

Enactment No: Res 16-184

- 13 *Awarding the Bid of Premier Surface Solutions, Inc. in response to ITB 021-16 for Recreational Court Resurfacing at Bayview Park, Nelson English Park and Cozumel Park in an amount not to exceed \$34,700.00; Authorizing the City Manager to execute a contract upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [ITB #021-16 Documents](#)
 [City Clerk's Bid Tabulation Memo](#)
 [*Large File* Premier Surface Solutions, Inc. Proposal](#)
 [*Large File* Sports Surfaces LLC. Proposal](#)

Passed

Enactment No: Res 16-185

Approval of the Consent Agenda

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez to Approve the Consent Agenda. The motion carried unanimously.

- 14 Approving the extension of a Temporary Exemption to Certain Provisions of the Sound Control Ordinance, pursuant to Section 26-199 of the Code of Ordinances, for Mingo & Company, LLC, for Concrete Demolition at 2508 North Roosevelt Boulevard (GFS Improvement Project) through August 17, 2016; Providing conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Letter Requesting Extension](#)
[Resolution 16-151](#)

A motion was made by Commissioner Payne, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 16-186

- 15 Approving the attached "Agreement" between Enterprise Florida, Inc. (EFI) for the Florida Defense Support Task Force (FDSTF) and the City of Key West for funding Truman Annex Seawall Refurbishment Project abutting the NOAA Facility and the Truman Annex Boat Ramp in an amount not to exceed \$150,000.00; Authorizing the City Manager to execute the Agreement.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Contract](#)
[EFI Board of Directors List 5-23-2016](#)

A motion to deny was made by Commissioner Wardlow and seconded by Commissioner Kaufman. The motion on the floor was superseded with a motion to postpone.

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Postponed to June 21, 2016. The motion carried by the following vote:

No: 3 - Commissioner Kaufman, Commissioner Payne and Commissioner Wardlow

Yes: 4 - Commissioner Lopez, Commissioner Romero, Commissioner Weekley and Mayor Cates

- 16 Approving the attached “Memorandum of Understanding Between the City of Key West and Schooner Western Union Preservation Society, Inc.” to provide up to \$250,000.00 in support of preservation of the Schooner Western Union; Authorizing the City Manager to release funds based on documented requests (inclusive of the initial request for \$40,000.00) upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[MOU](#)
[Resolution 15-218](#)
[Matching Funds Request](#)
[SWU Repair Exp for Transit to Tarpon Springs](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-187

ORDINANCES – FIRST READING

- 17 An Ordinance of the City Of Key West, Florida, amending Chapter 114 of the Land Development Regulations entitled “Signs” by amending Section 114-1 “Definitions” and amending Division 3 of Chapter 114 “Historic District”; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Signage Corridors Overlay Plan to Accompany Ordinance](#)
[Executive Summary](#)
[*Large File* Planning Board Resolution 2016-17](#)
[Planning Board Staff Report and Analysis](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading on June 21, 2016. The motion carried by the following vote:

Yes: 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

18

Attachments: [Ordinance](#)
[Attachment to Accompany Ordinance](#)
[Executive Summary](#)
[*Large File* Planning Board Resolution 2016-18](#)
[Planning Board Staff Report and Analysis](#)
[Current Guidelines for Signage](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Payne, that the Ordinance be Passed to Second Reading on June 21, 2016. The motion carried by the following vote:

Yes: 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

19

An Ordinance of the City of Key West, Florida, amending the Historic Architectural Review Commission's Guidelines for New Construction as referenced in Section 90-142 of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Planning Board Resolution 2016-19](#)
[Planning Board Staff Report & Analysis](#)
[Current Additions and Alterations for New Construction Guidelines](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley that the Ordinance be Passed to Second Reading on June 21, 2016. The motion passed by a unanimous vote.

20

An Ordinance of the City of Key West, Florida, amending the Historic Architectural Review Commission's Guidelines for Additions and Alterations as referenced in Section 90-142 of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Planning Board Resolution 2016-20](#)
[Planning Board Staff Report & Analysis](#)
[Current Additions and Alterations for New Construction Guidelines](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading on June 21, 2016. The motion passed by a unanimous vote.

ORDINANCES - SECOND READING (Public Hearing)

21

An Ordinance of the City of Key West, Florida, Amending Chapter 18 entitled "Businesses," Article VIII entitled "Off-Premise Canvassing" by amending Section 18-415 entitled "Restrictions in Historic District" by adding the area known as the Southernmost Point to the prohibited areas; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Adopted. The motion passed by a unanimous vote.

Enactment No: Ord 16-08

- 22** An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled "Environment" by amending Article IV, entitled "Sound Control" by amending Section 26-194, "Citation Procedure and Penalties," to add a provision for complaints where the sound source is on public right of way; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Ordinance 10-21](#)
[Letters of Objection](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Postponed to June 21, 2016. The motion passed by a unanimous vote.

DISCUSSION

- 23** Boards and Committees

Sponsors: Commissioner Kaufman

Discussed

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:30 P.M.