



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final

City Commission

Wednesday, October 5, 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 - Rabbi Yaakov Zucker, Director Chabad of the Florida Keys

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The Agenda was approved as changed unanimously.

PROCLAMATIONS

- 1 Fire Prevention Week

Sponsors: Mayor Cates and Commissioner Wardlow

Attachments: [Proclamation](#)

Received and Filed
- 2 Dan & Leslie Spoone - White Cane Safety Day

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

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 *September 20, 2016 (Regular)

Attachments: [Minutes](#)

Approved

4 *September 22, 2016 (Special)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

5 *Sponsoring a Holiday Season Parade on Saturday, December 3, 2016 between the hours of 7:00 P.M. and 10:00 P.M.; Authorizing the closure of certain streets for the Parade.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)

Passed

Enactment No: Res 16-279

- 6 *Authorizing MultiRace, LLC to conduct their Annual Triathlon on Saturday, December 3, 2016 throughout city streets, Authorizing certain street closures thereof during the event and closing Atlantic Boulevard except residents during the event; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances from 5:00 A.M. to Noon; Authorizing the closure of the 400 block of Southard Street for the awards ceremony from 4:00 P.M. to 8:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)

Passed

Enactment No: Res 16-280

- 7 *Authorizing the Monroe County Commercial Fishermen, Inc. to conduct their 12th Annual Florida Keys Seafood Festival at Bayview Park including the softball fields on Saturday, January 14, 2017 from 11:00 A.M. to 8:00 P.M. and Sunday, January 15, 2017 from 11:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 11:00 A.M. to 8:00 P.M.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)

Passed

Enactment No: Res 16-281

- 8 *Authorizing the Storm Trysail Club, Inc. the use of the Truman Waterfront for the staging, launching and hauling of racing sailboats and support boats from January 1, 2017 to February 1, 2017 from 6:00 A.M. to 8:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)

Passed

Enactment No: Res 16-282

- 9 *Approving a 181-day time extension for Charley Toppino and Sons, Inc. for the VFD Upgrades to Wastewater Pump Stations A, B, C, D and DA, Project No. SE-1301, at no additional cost; Authorizing the City Manager to execute any necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [*Large File* Resolution 15-249](#)
 [Contract](#)
 [Work Change Directive - Time Extension](#)
 [*Large File* Project Schedule](#)

Passed

Enactment No: Res 16-283

- 10 *Approving Task Order No. 1-16-SWR from CH2M Hill Engineering, Inc. in an amount not to exceed \$227,638.00 for Design, Permitting and Bid Phase Services for the Rehabilitation of Pump Stations "H" and "B".

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Task Order 1-16 SWR](#)
 [*Large File* Resolution 15-208](#)
 [Per Diem FY 16 \(Authorized\)](#)
 [*Large File* Resolution 12-280](#)

Passed

Enactment No: Res 16-284

- 11 *Authorizing pursuant to Section 2-771(c) of the Code of Ordinances the disposal of surplus and obsolete City-owned equipment set forth in Exhibit "A"; Ratifying the disposal of surplus and obsolete City-owned equipment set forth in Exhibit "B".

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Attachment A](#)
 [Attachment B](#)

Passed

Enactment No: Res 16-285

ORDINANCES - SECOND READING (Public Hearing)

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

Postponed to November 1, 2016

- 13** *An Ordinance of the City of Key West, Florida, amending the Historic Architectural Review Commission's Guidelines for banners, flags, signage and lighting 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: [Request to Postpone Ordinance](#)
[Attachment to Proposed Ordinance](#)
[Executive Summary](#)
[*Large File* Planning Board Resolution 2016-18](#)
[Planning Board Staff Report and Analysis](#)
[Current Guidelines for Signage](#)

Postponed to November 1, 2016

Approval of the Consent Agenda

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

- 14** Directing the City Manager to report to the City Commission with a timeframe, budget and plan of action for the transition to the new KOTS location.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)

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

No: 1 - Commissioner Wardlow

Yes: 6 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-286

- 15** Requesting Community Health Systems of Franklin, Tennessee to transfer its leasehold interest in the Lower Keys Medical Center to a non-for-profit hospital system.

Sponsors: Commissioner Payne

Attachments: [Resolution](#)
[Letter from Stephen Pennington](#)

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

No: 1 - Commissioner Romero

Yes: 6 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-287

- 16** Authorizing the increase of parking rates, providing for the allocation of the additional revenues to certain funds in the budget.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[Transportation Alternatives Fund Presentation](#)

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

No: 2 - Commissioner Romero and Commissioner Wardlow

Yes: 5 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-288

17

QUASI-JUDICIAL HEARING: EASEMENT 423 DUVAL STREET

Approving an easement of 594 square feet along the Duval Street Right-of-Way, to address an area to maintain and renovate a concrete overhang on the property located at 423 Duval Street (RE #00006530-000000, AK #1006769), Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Easement Agreement](#)
[Executive Summary](#)
[Package](#)
[Specific Purpose Survey](#)

A motion was made by Commissioner Payne, seconded by Commissioner Weekley, 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 16-289

18

QUASI-JUDICIAL HEARING: EASEMENT 916 POHALSKI AVENUE

Approving an easement of 126.63 square feet, more or less, to address the encroachment of an existing one story structure which encroaches onto the Nichols Avenue Right-of-Way located at 916 Pohalski Avenue (RE #00021080-000000, AK #1021822), Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Easement Agreement](#)
[Executive Summary](#)
[Easement Application](#)
[Specific Purpose Survey](#)

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

Enactment No: Res 16-290

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 8:24 P.M.