



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, February 3, 2015

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 at 305-809-1000 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

6:01 P.M.

ROLL CALL

Present 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

INVOCATION - Pastor Colin Healy, Impact Community Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow to approve the Agenda as amended.

PRESENTATIONS

1 State of the City - Mayor Cates

Sponsors: Mayor Cates

The State of the City Presentation was postponed to February 18, 2015 meeting.

2 Food Pantry - Tom Callahan

Sponsors: Mayor Cates

The Food Pantry Presentation was postponed Indefinitely.

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 *January 21, 2015 (Regular)

Passed

RESOLUTIONS

4 *Authorizing an expenditure in the amount of \$20,000.00 from the City Manager Contingency Fund to support the efforts of FIRM (Fair Insurance Rates in Monroe) to reduce Windstorm Insurance Rates in Key West and Monroe County.

Sponsors: Commissioner Johnston

Passed

Enactment No: Res 15-035

5 *In Support of the Reappointment of the Florida Commissioner of Insurance Regulations, Kevin McCarty.

Sponsors: Commissioner Johnston

Passed

Enactment No: Res 15-036

- 6 *Authorizing the City Manager to award and execute the contract to the lowest bidder for Professional Engraving Services as part of the Sidewalk Poetry Project initiated by the Key West Art in Public Places (AIPP) Board; Authorizing the City Manager to execute the necessary documents; Authorizing the expenditure of funds from the AIPP Account; Authorizing the necessary budget allocations; Approving the proposed locations of Sidewalk Poetry; and Recognizing the private financial donors to the Project.

Sponsors: Commissioner Lopez and Commissioner Weekley

Passed

Enactment No: Res 15-037

- 7 *Sponsoring a "Conch Heritage Day" to celebrate the unveiling of the Bishop Kee Bronze Statue on Saturday, March 7, 2015 between 2:30 P.M. to 4:30 P.M.; Authorizing the closure of South Street between Duval and the Southernmost Point and Whitehead Street from United to the Point.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 15-038

- 8 *Authorizing the purchase of one (1) Unmarked Ford Police Interceptor Sedan (\$26,212.55) from Garber Fleet Sales, one (1) Ford Transit T-350 Cargo Van (\$27,650.00) from Don Reid Ford and three (3) Ford F-250 XL 4WD Diesel Crew Cab Pickup Trucks (\$41,447.00 each/total of \$124,341.00) from Duval Ford Fleet Sales, pursuant to Section 2-797(3) of the Code of Ordinances in the total amount of \$178,203.55 for use by the Key West Police Department.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 15-039

- 9 *Approving the attached "Memorandum of Understanding between State of Florida Department of Environmental Protection, Division of Recreation and Parks and City of Key West Florida - Fort Zachary State Park".

Sponsors: City Manager Scholl

Passed

Enactment No: Res 15-040

- 10 *Terminating the Interlocal Agreement approved in Resolution 14-018 between Monroe County and the City of Key West for the use of a portion of a Geographic Information System (GIS).

Sponsors: City Manager Scholl

Passed

Enactment No: Res 15-041

Approval of the Consent Agenda

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

- 11 Directing the City Manager to work with the Housing Authority for the development of Affordable and Workforce Housing at Poinciana Plaza.

Sponsors: Mayor Cates, Commissioner Lopez, Commissioner Weekley and Commissioner Yaniz

A motion was made by Commissioner Johnston, seconded by Commissioner Yaniz, for Discussion, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 15-042

- 12 Supporting the continuation of a Temporary Overnight Shelter.

Sponsors: Commissioner Johnston

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

No: 1 - Commissioner Yaniz

Yes: 6 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 15-043

- 13 Directing the relocation of KOTS to the City owned former Easter Seals Property; Providing direction to the City Manager.

Sponsors: Commissioner Johnston

A motion was made by Commissioner Yaniz, seconded by Commissioner Wardlow, that the Resolution be Tabled to the end of the meeting. The motion carried by the following vote:

No: 3 - Commissioner Johnston, Commissioner Weekley and Mayor Cates

Yes: 4 - Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Yaniz

Enactment No: Res 15-046

- 14** Directing the continuation of the month to month agreement while negotiating a long term lease and planning for facility and operational improvements; Providing direction to the City Manager.

Sponsors: Commissioner Johnston

A motion was made by Commissioner Lopez, seconded by Commissioner Johnston, that the Resolution be Tabled to the end of the meeting. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

- 15** Directing the City Manager to present a plan for the development of Affordable and Workforce Housing at the Truman Waterfront; Directing the City Manager to prepare a report of potential City owned Affordable and Workforce Housing sites; Directing the City Manager and City Attorney to prepare necessary legislation to Support Affordable and Workforce Housing.

Sponsors: Commissioner Lopez, Commissioner Wardlow and Commissioner Yaniz

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

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 15-044

- 16** Directing the City Manager to present a plan for the development of Affordable and Workforce Housing at the City owned properties on North Stock Island previously utilized by Easter Seals and occupied by the Mosquito Control District.

Sponsors: Commissioner Wardlow, Commissioner Yaniz and Commissioner Lopez

A motion was made by Commissioner Johnston, seconded by Commissioner Weekley, that the Resolution be Tabled to the end of the meeting. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

17

QUASI-JUDICIAL HEARING: Easement - 517 Truman Avenue

Approving an easement of 26 square feet, more or less to address the encroachment of an existing roof overhang onto City right-of-way abutting the property located at 517 Truman Avenue (RE #00017770-000000, AK #1018228), Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Scholl

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

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 15-045

ORDINANCES - SECOND READING (Public Hearing)

18

An Ordinance of the City of Key West, Florida, extending for a maximum of ~~three~~nine months the franchise agreement most recently granted to Buggy Bus Inc. d/b/a Old Town Trolley pursuant to Ordinance 95-5 to operate city-wide sightseeing / shuttle operation; Providing terms and conditions; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Rossi

A motion was made by Commissioner Rossi to amend the Ordinance in Section 1 by extending the agreement to October 10, 2015; Adding Section 2 with the language "That no additional vehicles be added during the franchise extension" and adding Section 3 with the language "That the franchisee execute a document acknowledging acceptance of the extension prior to February 10, 2015" and it was seconded by Commissioner Lopez, for discussion, that the Ordinance be Adopted as amended. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Ord 15-01

- 19 An Ordinance of the City of Key West, Florida, extending for a maximum of ~~three~~nine months the franchise agreement most recently granted to City View Trolley Tours of Key West, Inc., pursuant to Ordinance 10-1 to operate city-wide sightseeing / shuttle operation; Providing terms and conditions; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Rossi

A motion was made by Commissioner Rossi to amend the Ordinance in Section 1 by extending the agreement to October 10, 2015; Adding Section 2 with the language "That no additional vehicles be added during the franchise extension" and adding Section 3 with the language "That the franchisee execute a document acknowledging acceptance of the extension prior to February 10, 2015" and it was seconded by Commissioner Johnston, for discussion, that the Ordinance be Adopted as amended. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Ord 15-02

- 20 An Ordinance of the City of Key West, Florida, extending for a maximum of ~~three~~nine months the franchise agreement most recently granted to Conch Tour Trains, Inc. pursuant to Ordinance 95-4 to operate city-wide sightseeing / shuttle operation; Providing terms and conditions; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Rossi

A motion was made by Commissioner Rossi to amend the Ordinance in Section 1 by extending the agreement to October 10, 2015; Adding Section 2 with the language "That no additional vehicles be added during the franchise extension" and adding Section 3 with the language "That the franchisee execute a document acknowledging acceptance of the extension prior to February 10, 2015" and it was seconded by Commissioner Lopez that the Ordinance be Adopted as amended. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Ord 15-03

- 21 An Ordinance of the City of Key West, Florida, Amending Chapter 78 of the Code of Ordinances by Amending Article V, entitled "Sightseeing Vehicles Pursuant to Franchise" to include additions to Section 78-251 entitled "Franchise Application Process"; Amending Section 78-252 entitled "City Commission Consideration of Duly-Submitted Application" Governing the process and requirements for applying for, Granting and renewing Sightseeing Vehicle Franchises; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, for Discussion, that the Ordinance be Postponed Indefinitely. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

A motion was made by Commissioner Yaniz and seconded by Commissioner Wardlow, that Resolution Item #16 be removed from the Table for consideration. The motion carried by the following vote:

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

Resolution Item #16 was removed from the Table.

- 16 Directing the City Manager to present a plan for the development of Affordable and Workforce Housing at the City owned properties on North Stock Island previously utilized by Easter Seals and occupied by the Mosquito Control District.

Sponsors: Commissioner Wardlow, Commissioner Yaniz and Commissioner Lopez

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, for Discussion, that the Resolution be Passed. The motion failed by the following vote:

No: 4 - Commissioner Johnston, Commissioner Lopez, Commissioner Weekley and Mayor Cates

Yes: 3 - Commissioner Rossi, Commissioner Wardlow and Commissioner Yaniz

A motion was made by Commissioner Johnston and seconded by Commissioner Wardlow, that Resolution Item #13 be removed from the Table for consideration. The motion carried by the following vote:

Yeas: Commissioners Johnston, Lopez, Weekley and Mayor Cates

Nays: Commissioners Rossi, Wardlow and Yaniz

Resolution Item #13 was removed from the Table.

13 Directing the relocation of KOTS to the City owned former Easter Seals Property; Providing direction to the City Manager.

Sponsors: Commissioner Johnston

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

No: 3 - Commissioner Rossi, Commissioner Wardlow and Commissioner Yaniz

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

Enactment No: Res 15-046

**The Mayor recessed the Meeting at 8:38 P.M.
The Mayor reconvened the Meeting at 8:50 P.M.**

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:04 P.M.