

MINUTES

CITY COMMISSION MEETING

OLD CITY HALL, 510 GREENE STREET

TUESDAY, MARCH 15, 2011

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, March 15, 2011.

Mayor Craig Cates called the meeting to order at 6:02 p.m.

Answering roll call were Commissioners Barry Gibson, Teri Johnston, Mark Rossi, Billy Wardlow, Jimmy Weekley and Mayor Craig Cates.

Commissioner Clayton Lopez was absent.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, Interim City Planner Don Craig, Police Chief Donie Lee, Fire Chief David Fraga, Fire Marshal Marcus Del Valle, Community Services Director Greg Veliz, Deputy Community Services Director Rodrigo Delostrinos, Chief Licensing Official Carolyn Walker, Interim City Planner Don Craig, Planner Ashley Monnier, Information Technology Director Patti McLaughlin, Utilities Manager Jay Gewin, Port and Transit Director Jim Fitton, Port Operations Project Manager Doug Bradshaw, Senior Property Manager Marilyn Wilbarger, Parking Manager John Wilkins, Deputy Clerk Angela Budde and City Clerk Cheri Smith.

The pledge of allegiance to the flag of the United States of America was given by all present.

CHANGES TO THE AGENDA:

Commissioner Weekley requested Second Reading of Ordinance Item # 29 to be postponed to the April 5, 2011 meeting.

Commissioner Wardlow requested Resolution Item # 7 and Resolution Item #21 to be removed from the Consent Agenda for discussion.

City Manager Scholl requested Resolution Item #27 to be postponed to the April 5, 2011 meeting and Resolution Item #28 to be postponed.

The City Clerk announced Resolution Items #9, #10, #11, #15, #17, #21 and #25 had speakers and asked for those items to be removed from the Consent Agenda.

Without opposition, the agenda was accepted as changed.

PROCLAMATIONS:

Child Sexual Abuse Awareness Month

Keys Action to break the cycle of Dengue Clean-Up Weekend

PRESENTATIONS:

Duval Street Shops – Laura Hall

Strategic Plan Report – Mary Beth McCulloch

Keys ABCD Dengue Prevention Campaign

City Attorney’s Report

The City Attorney gave a status update on the revisions to the HARC guidelines that are currently being worked on by the HARC Coordinator with respect to Solar Panels.

The City Attorney spoke of Commissioner Lopez’s absence from the meeting and offered his well wishes to the Commissioner during his families struggles with health concerns.

Commissioner Wardlow asked the City Attorney if a public meeting can be held prior to a large project over \$500,000.00 comes to fruition. The City Attorney stated a Resolution or Ordinance could be drafted with parameters established for projects similar to roadway improvements or infrastructure with regards to projects above a specified dollar amount so the citizens are not having their time taken up attending meetings.

City Manager's Report

The City Manager presented a slide to the Commission on the latest points of negotiations with Monroe County School Board regarding Glynn Archer School and Mr. Scholl answered questions from the Commission.

City Manager Scholl informed the Commission the City has the opportunity to review the business licensing fees charged on odd numbered years every two years. He reported Assistant City Manager (ACM) Finigan had evaluated the current fees and he does not anticipate an increase to the fees is necessary for the next two years. The next review will be in 2013.

Mr. Scholl stated he, along with ACM Finigan and City Attorney Smith, are part of a panel tasked with interviewing candidates for the Planner Director vacancy. He stated a decision will be made by the first week of April on choosing a Planning Director.

The City Manager accompanied ACM Fernandez to the Cemetery to follow up with Sexton Brittain on the recent opening of the Frances Street gate. Mr. Scholl reported the Sexton keeps a daily log of issues he has experienced since the opening of the gate; such as an increase in littering, encampment type areas appearing and an increase in Bicycle and Scooter tour groups cutting through the Cemetery. While there, the City Manager observed a scooter entering the Frances gate and exiting the main gate on Margaret Street.

Mr. Scholl reported he has been working the Florida Keys Assisted Care Coalition (FKACC) to complete the proposal and had announced he tentatively is considering calling a special LRA meeting on April 19 regarding this issue with a possibility of calling a special City Commission meeting the same night to begin at 6:00 P.M.

Commissioner Wardlow inquired if the Planning Director candidates travel expenses were paid for by the City. Mr. Scholl informed the Commissioner the travel expenses were the candidate's responsibility. The Commissioner also inquired if a date had been set to demolish the vacated

Madeline Bean Building and the City Manager advised a date had not been set and suggested a tentative time frame of after Easter to lessen the disruptions that will accompany the demolition.

Commissioner Rossi asked the City Manager to have removed the ever growing dirt pile on the corner of 14th Street and Northside Drive and Mr. Scholl advised it will be removed.

Commissioner Johnston asked the City Manager about the Truman Waterfront conceptual plan as discussed in the March 3, 2011 special LRA meeting and the City Attorney advised the process requires the City to go out for Request for Qualifications (RFQ) and he stated the development of an RFQ is underway. The Commissioner asked the status on setting up a public forum regarding the channel widening and the City Manager reported he had been working with Port and Transit Director Jim Fitton to schedule and advertise such meeting. Commissioner Johnston informed Mr. Scholl the street signage on United Street has not been reinstalled after the completion of the sidewalk project and Mr. Scholl advised he would have the signage installed.

Commissioner Weekley inquired into the new upper and lower case lettering for street signs. The Commissioner also inquired about reinstalling the lap lanes at the Martin Luther King Pool.

CONSENT AGENDA:

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Rossi and seconded by Commissioner Weekley to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to approve the Minutes and pass the Resolutions as read.

APPROVAL OF MINUTES:

*February 1, 2011 (Regular)

RESOLUTIONS:

RESOLUTION NO. 11-071

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPORTING KEYS ACTION TO BREAK THE CYCLE OF DENGUE CLEAN-UP WEEKEND APRIL 29-MAY 1, 2011; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-072

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE CITY CLERK PERFORMANCE EVALUATION; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-073

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ADOPTING THE 2010 UPDATE OF THE MONROE COUNTY AND INCORPORATED MUNICIPALITIES LOCAL MITIGATION STRATEGY (LMS) AS REQUIRED BY STATE AND FEDERAL REGULATIONS TO QUALIFY FOR CERTAIN MITIGATION GRANT FUNDING; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-074

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ACCEPTING THE ATTACHED 2010 EMERGENCY SHELTER GRANT AGREEMENT #LPZ03 FROM THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES IN THE AMOUNT OF \$80,000.00; AUTHORIZING A BUDGET INCREASE IN A LIKE AMOUNT FOR THE GENERAL FUND; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-075

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF BELLA CONSTRUCTION OF KEY WEST, INC FOR BAYVIEW PARK RESTROOM CONSTRUCTION IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 11-006 IN AN AMOUNT NOT TO EXCEED \$154,940.00; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE ON BEHALF OF THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-076

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ACCEPTING STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT/FEMA GRANT FUNDING IN THE AMOUNT OF \$730,490.00 FOR PHASE II OF THE PATRICIA/ASHBY STREETS DRAINAGE AREA PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 11HM-3B-11-54-02-002 WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT; AMENDING THE FY 2011 STORMWATER BUDGET TO ACCEPT THE GRANT (25% MATCH);PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-077

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE CONTRACT BETWEEN THE CITY AND MONROE ASSOCIATION FOR RETARD CITIZENS, INC. ("MARC") FOR TRASH COLLECTION SERVICES AT GARRISON BIGHT FOR A PERIOD OF TWO YEARS (AND KEY WEST BIGHT SIMULTANEOUSLY APPROVED IN CRA RESOLUTION NO. 11-091); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-078

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING FOR TWO YEARS THE CONTRACT BETWEEN THE CITY AND CLEAN HARBOR ENVIRONMENTAL SERVICES, INC. FOR OIL SPILL RESPONSE ON AN AS-NEEDED BASIS AT THE CITY MARINA AT GARRISON BIGHT;PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-079

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A STREET PERFORMER APPLICATION FROM DAVID MALLOY;PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-080

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING TRANSFER OF MOBILE VENDOR LICENSE (MVL) #543095 FROM TERI L. FISHER TO CHAD AND

DIANNE LASAGE DUE TO HARDSHIP;PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-081

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE SETTLEMENT OF REEFMAKERS, LLC V. CITY OF KEY WEST CASE NO. 2010-CA-1256-K; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-082

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED WORKER'S COMPENSATION MEDIATION SETTLEMENT AGREEMENT BETWEEN HUMBERTO BUSTILLO AND THE CITY OF KEY WEST IN THE AMOUNT OF \$20,000.00; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT DOCUMENTS;PROVIDING FOR AN EFFECTIVE DATE

EASEMENT: 327 WILLIAM STREET

RESOLUTION NO. Postponed to April 5 meeting

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN EASEMENT OF APPROXIMATELY 307.26 SQUARE FEET AT THE END OF CARABALLO LANE TO ADDRESS THE ENCROACHMENT OF A PROPOSED SECURITY GATE AT THE REAR OF PROPERTY LOCATED AT 327 WILLIAM STREET, KEY WEST, FLORIDA (RE#00003270-000000) ;PROVIDING FOR AN EFFECTIVE DATE

EASEMENT: 1124 EATON STREET

RESOLUTION NO. Postponed Indefinitely

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE CONTRACT FOR SIDEWALK ENHANCEMENTS PHASE VII – LEON STREET SIDEWALKS PROJECT WITH CHARLEY TOPPINO AND SONS, INC. UNTIL SEPTEMBER 13, 2011; PROVIDING FOR AN EFFECTIVE DATE

The said Resolutions were thereupon declared by the Mayor to have been duly passed and adopted and were authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 11-083

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE DEADLINE FOR NEGOTIATIONS REGARDING THE GLYNN ARCHER SITE ORIGINALLY ESTABLISHED IN RESOLUTION 10-337; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The Clerk read the following letter into the record:

Rudy Molinet, 517 Grinnell Street

Commissioner Rossi stated for the record Citizens did not vote for Glynn Archer to be the next City Hall.

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street
Richard Tallmadge, 1700 Jamaica Drive
Mark Songer, 1310 Newton Street
Monroe County School Board member Robin Smith-Martin
David Oatway, 623 Simonton Street
John Jones, 1024 James Street
Christine Russell, 1014 Grinnell Street
City Manager Scholl
Michael Ingram, Architect

Architect Michael Ingram offered his services *Pro bono* for depicting a stand alone Fire Station at the location where the Madeline Bean Building currently stands.

Commissioner Weekley asked City staff to keep the Commission informed after every meeting session and after 30 days the Commissioner asked for a formal update on the status of negotiations.

It was moved by Commissioner Weekley and seconded by Commissioner Gibson for discussion that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 11-084

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE ESTABLISHMENT OF A CITY CHARTER AND DISTRICT BOUNDARY REVIEW COMMITTEE; PROVIDING FOR DUTIES; PROVIDING FOR SUBSEQUENT APPOINTMENT OF MEMBERS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Tom Milone, 832 Caroline Street

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 11-085

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE AMERICAN CANCER

SOCIETY AND THE KEY WEST SUNRISE ROTARY CLUB TO CONDUCT A "ROCKING AWAY CANCER" EVENT AT BAYVIEW PARK ON SATURDAY, APRIL 9, 2011 FROM 12:00 NOON TO 6:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 12:00 NOON TO 6:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON THE DATE AND DURING THE HOURS STATED ABOVE; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Tom Milone, 832 Caroline Street
Jaine Rodriguez, 1305 Truman Avenue

It was moved by Commissioner Rossi and seconded by Commissioner Johnston with the modification on the City policy to have a recycling container match for every trash container used that the Resolution be passed as amended.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 11-086

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE CITY MANAGER PERFORMANCE EVALUATION; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Tom Milone, 832 Caroline Street
City Manager Scholl

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 11-087

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ~~AUTHORIZING THE AWARD OF INVITATION TO BUD #11-008, SMATHERS BEACH RENOURISHMENT, TO CHARLEY TOPPINO & SONS, INC. IN AN AMOUNT NOT TO EXCEED \$743,573.50; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT; REJECTING ALL BIDS IN RESPONSE TO BID #11-008, SMATHERS BEACH RENOURISHMENT, FOR LACK OF RESPONSIVENESS; PROVIDING FOR AN EFFECTIVE DATE~~

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Tom Milone, 832 Caroline Street
City Manager Scholl
City Attorney

It was moved by Commissioner Johnston and seconded by Commissioner Weekley that the Resolution be passed as amended.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been rejected and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 11-088

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-797(3) THE PURCHASE OF A CATERPILLAR 938H WHEEL LOADER FROM KELLY TRACTOR COMPANY IN THE AMOUNT OF \$209,587.00 THROUGH PIGGYBACKING ON THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Tom Milone, 832 Caroline
Utilities Manager Jay Gewin

It was moved by Commissioner Rossi and seconded by Commissioner Johnston that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. Failed

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE AWARD OF TASK ORDER NO. 01 FOR BIOLOGICAL, PHYSICAL, AND CONSTRUCTION MONITORING FOR THE RENOURISHMENT OF SMATHERS BEACH PROJECT TO PBS&J, INC. IN AN AMOUNT NOT TO EXCEED \$447,135.77; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

City Manager Scholl
Engineering Senior Project Manager Doug Bradshaw

It was moved by Commissioner Gibson and seconded by Commissioner Wardlow that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson and Mayor Cates

Nays: Commissioner Johnston, Rossi, Wardlow and Weekley

The said Resolution was thereupon declared by the Mayor to have failed.

SO ORDERED

RESOLUTION NO. 11-089

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED LEASE AGREEMENT BETWEEN THE CITY AND SIMONTON BEACH ENTERPRISES, LLC FOR THE BUILDING ON PROPERTY LOCATED AT SIMONTON BEACH (DESCRIBED IN ATTACHED LEASE);PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Tom Milone, 832 Caroline Street
Leon Calucci, 329 William Street
John Jones, 1024 James Street
Bo Walton, 612 Fleming Street
City Attorney Smith
Senior Property Manager Marilyn Wilbarger

It was moved by Commissioner Wardlow and seconded by Commissioner Rossi that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

The Mayor called for a 10 minute recess.

The Mayor called the meeting to order at 9:36 P.M.

Commissioner Wardlow made a motion for reconsideration of the Resolution regarding the awarding of Task Order No. 1 to PBS & J for the renourishment of the Smathers Beach Project. The motion was seconded by Commissioner Johnston.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The Mayor acknowledged the Resolution will be reconsidered.

RESOLUTION NO. 11-090

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE AWARD OF TASK ORDER NO. 01 FOR BIOLOGICAL, PHYSICAL, AND CONSTRUCTION MONITORING FOR THE RENOURISHMENT OF SMATHERS BEACH PROJECT TO PBS&J, INC. IN AN AMOUNT NOT TO EXCEED \$447,135.77;PROVIDING FOR AN EFFECTIVE DATE

It was moved by Commissioner Wardlow and seconded by Commissioner Johnston that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

ORDINANCES - SECOND READING:

ORDINANCE NO. Postponed to April 5, 2011

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED "AMUSEMENTS AND ENTERTAINMENT"; BY AMENDING SECTION 6-1, TO ADD DEFINITIONS; SECTION 6-2 TO AMEND PERMIT, APPLICATION AND APPEAL PROCESSES, ADDING PALM WEAVING PERMITS AND EXTENDING 2010 PERMITS; AMENDING SECTION 6-3, REGARDING LOCATIONS; AMENDING SECTION 6-4 BY AMENDING PERMIT REGULATIONS AND PROHIBITIONS; AMENDING SECTION 6-7 REGARDING REVOCATION OF PERMITS; AMENDING SECTION 6-8 ADJUSTING PERMIT FEES; AMENDING SECTION 6-9 REGARDING PENALTY ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

The Clerk read the title of the Ordinance.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Ordinance be postponed to April 5, 2011.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been postponed to April 5, 2011 meeting.

SO ORDERED

ORDINANCE NO. 11-06

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 122 OF THE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 122-1338, AND 122-1346 TO PROVIDE FOR CLARIFICATION TO THE TRANSFER OF TRANSIENT UNITS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

It was moved by Commissioner Rossi and seconded by Commissioner Weekley that the Ordinance be passed and adopted as read

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Ordinance as read.

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first and second reading and was adopted and authenticated with the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

CITIZEN COMMENTS:

Tom Milone, 832 Caroline Street
John Jones, 1024 James Street
Doug Mellen, 2705 Flagler Avenue
Margaret Romero, 1615 Washington Street
Christine Russell, 1014 Grinnell Street

COMMISSION COMMENTS:

None

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 9:53 p.m.



Cheryl Smith, MMC, CPM
City Clerk