



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, August 3, 2010

6:00 PM

Commission Chambers

CALL MEETING TO ORDER

6:03 p.m.

ROLL CALL

Absent 1 - Commissioner Gibson

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

INVOCATION - Deacon Peter Batty, St. Mary's Star of the Sea Catholic Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PRESENTATIONS

1 20 Year Service Award - Key West Police Captain Scott Smith

Sponsors: City Manager Scholl

This matter was Received and Filed

2 Clinton Square six month progress update.

Sponsors: City Manager Scholl

This matter was 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.**

RESOLUTIONS

- 4** *Authorizing execution of a Sustainable Communities Initiative Memorandum of Understanding for the Southeast Florida Region; Supporting the Regional Planning Councils of Southeast Florida in preparing a comprehensive joint application under the Federal Sustainable Communities Initiative.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-230
- 5** *Approving a Memorandum of Understanding between the Monroe County School District and Key West Police Department regarding School Resource Officers.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-231
- 7** *Approving the acceptance, authorization and execution of a "Utility Work by Highway Contractor Agreement" with the State of Florida Department of Transportation (FDOT), for installation of North Roosevelt Sewer Force Mains, in the total amount of \$1,931,672.06 (City Sewer Utility Funds share 35%); Providing for necessary budget transfers.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-232
- 8** *Approving a modification to Exhibit B of the Local Agency Program Agreement - FM No. 421380-1, between the City and the Florida Department of Transportation (FDOT) for Atlantic Boulevard improvements in the total amount of \$649,000.00.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-233

- 9 *Approving a modification to Exhibit B of the Local Agency Program Agreement - FM No. 421379-1 / GN0711, between the City and the Florida Department of Transportation (FDOT) for College Road improvements in the total amount of \$325,000.00.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 10-234
- 11 *Extending by 180 days the Moratorium declared in Ordinance No. 10-07 on the issuance of any permit, license, business tax receipt, franchise or similar authorizations related to motorized and non-motorized commercial vehicles that make primary use of City streets in the operation of their businesses.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 10-235
- 12 *Approving the settlement in the case of William R. Grosscup v. City of Key West.
- Sponsors: City Attorney Smith
- Passed**
- Enactment No: Res 10-236

Approval of the Consent Agenda

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

- 3 Authorizing Paradise Charitable Foundation to conduct Parrot Heads in Paradise Street Party on Friday, November 5, 2010 from 8:00 a.m. to 6:00 p.m. pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 500 block of Duval Street between Fleming & Southard Streets; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 a.m. to 6:00 p.m.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
- Sponsors: City Manager Scholl
- A motion was made by Commissioner Johnston, seconded by Commissioner Weekley, that this Resolution be Passed. The motion carried by the following vote:**
- Absent:** 1 - Commissioner Gibson
- Yes:** 6 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates
- Enactment No: Res 10-237

- 6 Requesting the Florida Department of Transportation (FDOT) to remove Coconut Palm Trees along the North Roosevelt Boulevard promenade and plant ~~grass at the conclusion of the reconstruction project~~ another variety of tree or landscaping.

Sponsors: City Manager Scholl

A motion was made by Commissioner Weekley, seconded by Commissioner Johnston, that this Resolution be Adopted As Amended. The motion carried by the following vote:

Absent: 1 - Commissioner Gibson

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

Enactment No: Res 10-238

- 10 Extending the Zoning in Progress Doctrine; Declaring that the City is considering amendments to its Land Development Regulations to adopt revisions to its Building Permit Allocation System; Directing Building and Planning staff to continue the policy of deferring the acceptance and processing of development applications requiring the issuance of Building Permit Allocations; Continuing this policy until new Building Permit Allocation regulations are adopted by the City Commission or until the passage of 90 days from the date of this Resolution, whichever occurs first; Directing staff to continue preparations of new Building Permit Allocation regulations.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Gibson

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

Enactment No: Res 10-239

- 13 Appointing one member to the Citizens Review Board.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Gibson

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

Enactment No: Res 10-240

- 14 Authorizing a Major Development Plan for the reconstruction and expansion of an existing Church in the Single Family Residential District (SF) for property located at 3424 Northside Drive, Key West (RE #00065830-000000); Providing conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Gibson

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

Enactment No: Res 10-241

ORDINANCES – FIRST READING

- 15 An Ordinance of the City of Key West, Florida pursuant to Section 1.08 of the City Charter calling for a Referendum authorizing the City of Key West to acquire the Glynn Archer School site at 1302 White Street from Monroe County School Board for use as a City Hall; Authorizing the City Clerk to take all necessary action to place this measure on the ballot for November 2, 2010; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Cates

A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, that this Ordinance be Passed to Second Reading. The motion carried by the following vote:

No: 1 - Commissioner Johnston

Absent: 1 - Commissioner Gibson

Yes: 5 - Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

ORDINANCES - SECOND READING (Public Hearing)

- 16 An Ordinance of the City of Key West, Florida pursuant to Section 1.08 of the City Charter, calling for a Referendum authorizing the City of Key West to purchase 4.25 acres of real property commonly known as 2800 Flagler Avenue (RE Number 00065090-000100) from the Ft. Zachary Taylor Surcharge Fund, which is set apart for the purchase of such lands, for the use as a public park including a children's playground and passive recreational space; Authorizing the City Clerk to take all necessary action to place this measure on the Ballot for November 2, 2010; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Gibson

Postponed to August 17, 2010

A motion was made by Commissioner Weekley, seconded by Commissioner Rossi, that this Ordinance be Postponed. The motion carried by the following vote:

Absent: 1 - Commissioner Gibson

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

- 17 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.

Sponsors: Commissioner Weekley

Postponed to September 21, 2010

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

Absent: 1 - Commissioner Gibson

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

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

7:27 p.m.