

MINUTES
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET

TUESDAY, JUNE 19, 2012

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, June 19, 2012.

Mayor Craig Cates called the meeting to order at 6:01 p.m.

Answering roll call were Commissioners Teri Johnston, Clayton Lopez, Mark Rossi, Billy Wardlow, Jimmy Weekley, Tony Yaniz and Mayor Craig Cates.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, Assistant City Attorney Ron Ramsingh, City Planner Don Craig, Police Chief Donnie Lee, Fire Chief David Fraga, Community Services Director Greg Veliz, Information Technology Director Patti McLauchlin, Parking Manager John Wilkins, Port and Transit Director Jim Fitton, Senior Project Manager Doug Bradshaw, Utilities Manager Jay Gewin, Senior Property Manager Marilyn Wilbarger, Deputy City Clerk Angela Budde and City Clerk Cheri Smith.

Father Hooper, St. Paul's Episcopal Church, gave the invocation.

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

CHANGES TO THE AGENDA:

The City Clerk requested to add the header "Approval of the Agenda".

City Manager Scholl requested Ordinance Item #25 be postponed to July 17, 2012 meeting. Commissioner Johnston requested Resolution Items #7 be removed from the Consent Agenda for clarification and Resolution Item #10 be removed from the Consent Agenda for discussion. Commissioner Weekley advised he would be requesting to postpone Resolution Item # 2 from the CRA

Agenda when that meeting was called. Commissioner Yaniz requested Ordinance Item #24 be postponed to the July 17, 2012 meeting and Commissioner Weekley asked to have the two Ordinances for postponement be read into the Consent Agenda.

Without opposition, the agenda was accepted as changed.

PROCLAMATIONS:

National HIV Testing Day

Mel Fisher Day

PRESENTATIONS:

City Charter and District Boundary Review Committee Report

Madam Chair Virginia Panico gave a Presentation to the Commission on recommendations from the City Charter and District Boundary Review Committee.

City Attorney's Report

City Attorney Smith asked for a Closed Session for the case City of Key West v. Hildenborough Hotels Limited, Inc.; Case No. 2012-AP-5-K and he requested for the session to be held on July 17th at 5:30 p.m. prior to the City Commission's meeting.

City Manager's Report

The City Manager spoke to the Commission about the options for the railing along North Roosevelt Promenade and they all were in agreement for the option that had the curb width widen to 24 inches with a curb height of 9 inches. He advised the City Buses will begin traveling their new detour routes.

City Manager Scholl advised City staff have spent several days going over the individual department budget requests and the next phase of the budget process is to present the tentative City Manager approved budget to the City Commission at Budget Workshops scheduled for July 23 and July 24, 2012.

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:

- *May 15, 2012 (Regular)
- *June 2, 2012 (Workshop)
- *June 4, 2012 (Regular)

RESOLUTIONS:

RESOLUTION NO. 12-197

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING HELPLINE, INC. TO CONDUCT ITS ANNUAL HEMINGWAY DAYS STREET FAIR ON SATURDAY, JULY 21, 2012 FROM 8:00 A.M. TO 9:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF DUVAL STREET BETWEEN FRONT AND FLEMING STREETS BETWEEN THE HOURS OF 8:00 A.M. TO 9:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, REQUESTING AND URGING FLORIDA LEGISLATURE TO NAME THE SEGMENT OF U.S. 1 BETWEEN KEY WEST AND THE SEVEN MILE BRIDGE THE "ROBERT ALLEN WISE MEMORIAL HIGHWAY"; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-199

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A FIVE-YEAR LEASE WITH IT'S

JUST FOR KIDS, INC. FOR PROPERTY LOCATED AT 727 FORT STREET; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-200

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A CHANGE ORDER TO TASK ORDER NO. 12-02 FOR PEREZ ENGINEERING AND DEVELOPMENT, INC. IN AN AMOUNT NOT TO EXCEED \$40,780.00 FOR ADDITIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF AN EXISTING OUTFALL AND REPLACING DUVAL STREET STORM INLETS FOR THE EAST FRONT STREET DRAINAGE PROJECT; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-201

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ACCEPTANCE A GRANT FROM THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM) FOR PHASE II FEMA FUNDING FOR THE GEORGE STREET DRAINAGE PROJECT IN THE AMOUNT OF \$2,577,951.00; AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT CONTRACT UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; AMENDING FY 2012 STORMWATER BUDGET TO ACCEPT THE GRANT; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-202

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDDING THE BID OF WHARTON SMITH, INC. FOR THE CONSTRUCTION OF THE STORMWATER PUMP STATION AND OUTFALL SYSTEM FOR THE GEORGE STREET DRAINAGE AREA IN AN AMOUNT NOT TO EXCEED \$3,242,000.00 (CITY 25% MATCH); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-203

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING TASK ORDER NO. 2-12-STM FROM CH2M HILL ENGINEERING, INC. IN THE AMOUNT NOT TO EXCEED \$254,275.00 FOR ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE OF THE STORMWATER PUMP STATION AND OUTFALL SYSTEM THE GEORGE STREET DRAINAGE AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-204

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING TASK ORDER NO. 11-008 TO PEREZ ENGINEERING AND DEVELOPMENT, INC. IN AN AMOUNT NOT TO EXCEED \$71,100.00 FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE STORMWATER PUMP STATION AND OUTFALL SYSTEM FOR THE GEORGE STREET DRAINAGE AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-205

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED LEASE AGREEMENT BETWEEN THE CITY AND GRM ENTERPRISES, INC. FOR THE UPLAND PREMISES AND THE SINGLE VESSEL DOCKING FACILITY CONTIGUOUS TO THE UPLAND PREMISES LOCATED AT 2 DUVAL STREET (DESCRIBED IN ATTACHED LEASE); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-206

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN INTER-LOCAL AGREEMENT IN AN AMOUNT OF UP TO \$34,700.00 BETWEEN THE CITY AND THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS FOR REIMBURSEMENT OF CERTAIN PUBLIC ACCESS WATER-RELATED EXPENSES; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-207

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING AN APPLICATION TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION "FLORIDA BOATING IMPROVEMENT PROGRAM" FOR GRANT FUNDING IN AN AMOUNT UP TO \$270,000.00 FOR REPAIRS TO WAHOO PIER AND THE TRAILER PARKING AREA AT THE CITY MARINA AT GARRISON BIGHT; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-208

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RESCINDING RESOLUTION NO. 12-188

REGARDING A JOINT PARTICIPATION AGREEMENT (JPA) BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-209

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED JOINT PARTICIPATION AGREEMENT (JPA) BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF KEY WEST FOR FUNDING OF CONSTRUCTION COSTS OF THE NEW TRANSIT FACILITY AT 5701 COLLEGE ROAD IN THE AMOUNT OF \$1,000,000.00 (CITY MATCH 20% IN-KIND); ACKNOWLEDGING FEDERAL INTEREST IN THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE NO. Postponed to July 17

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, CREATING CHAPTER OR AMENDING CHAPTER 70 OF THE CITY OF KEY WEST CODE OF ORDINANCES ENTITLED "TRAFFIC AND VEHICLES" BY AMENDING SECTION 70-116 ENTITLED "PARKING, STOPPING AND STANDING" BY CREATING A PERMIT SYSTEM FOR PARKING A VESSEL OR RECREATIONAL VEHICLE ON THE CITY RIGHT OF WAY IN THE SINGLE FAMILY ZONING DISTRICT; AMENDING SECTION 70-462 ENTITLED "PROHIBITION" BY INCLUDING TRAILERED VESSELS; AMENDING SECTION 70-464 ENTITLED "EXCEPTIONS TO THE PROHIBITION CONTAINED IN SECTION 70-462" BY INCLUDING RECREATIONAL VEHICLES AND TRAILERED VESSELS WITH A VALID RESIDENT OWNER PERMIT; AMENDING SECTION 70-467 ENTITLED "RESIDENT OWNER PERMITS" INCLUDING A PERMIT FEE AND CONDITIONS FOR TRAILERED VESSELS AND RECREATIONAL VEHICLES PARKED ON THE CITY'S RIGHTS-OF-WAY; AMENDING SECTION 70-468 ENTITLED "CITATION OF VIOLATOR; REMOVAL OF VEHICLE" INCLUDING PROVISIONS FOR SUSPENSION OR REVOCATION OF PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE NO. Postponed to July 17

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTERS 14, 34 AND 108 OF THE CITY OF KEY WEST CODE OF ORDINANCES AND AMENDMENTS TO LOCAL SECTIONS

104, 107, 117, 202 AND 1612 OF THE 2010 FLORIDA BUILDING CODES FOR THE PURPOSE OF UPDATING THE CITY'S FLOOD DAMAGE PROTECTION ORDINANCES AND RELATED BUILDING CODES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; 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. Tabled to the end of the meeting

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING AND REQUESTING MONROE COUNTY AND THE STATE OF FLORIDA TO LOWER THE SPEED LIMIT ON TWO-LANE COUNTY AND STATE CONTROLLED ROADS WITHIN THE CITY OF KEY WEST TO 20 MPH; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

City Attorney Smith
City Manager Scholl

It was moved by Commissioner Wardlow to request the County and State to reduce their speed limits on two lane roads within their jurisdiction in Key West to a speed limit of 25 mph and seconded by Commissioner Lopez that the Resolution be passed and adopted as amended.

After some discussion, Commissioner Wardlow withdrew the motion and seconded by Commissioner Lopez.

It was moved by Commissioner Weekley and seconded by Commissioner Yaniz that the Resolution be tabled to be heard later in the meeting.

The Mayor acknowledged the motion and second and requested verbal approval.

The response was unanimous and the Resolution was tabled to be heard later on the agenda.

RESOLUTION NO. 12-210

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A FIVE-YEAR LEASE WITH THE KEY WEST COMMUNITY SAILING CENTER, INC. FOR PROPERTY LOCATED AT 705 PALM AVENUE; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

City Manager Scholl

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow 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 Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

Nays: Commissioner Johnston

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. 12-211

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED EMPLOYEMENT AGREEMENT BETWEEN THE CITY OF KEY WEST AND BOGDAN VITAS FOR THE POSITION OF CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The Deputy Clerk read the following letter into the record:

Barbara Ramey, 615 William Street

The following people spoke on the matter:

City Attorney Smith

Margaret Romero, 1615 Washington Street

Judy Martinez, 1020 Emma Street 3a
City Manager Scholl

It was moved by Commissioner Weekley and seconded by Commissioner Rossi to remove the language in the agreement "City agrees to provide City Manager with the use of City's Ford Explorer automobile for exclusive use while conducting official City business. The City will pay all operations and maintenance cost".

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

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

Nays: None

Motion passed

It was moved by Commissioner Rossi and seconded by Commissioner Weekley to change the City Manager providing notice of termination from 60 days' notice to 90 days' notice.

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

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

Nays: Commissioner Johnston

Motion passed

It was moved by Commissioner Rossi and seconded by Commissioner Johnston to change the term of employment to a 3 year contract with a 2 year option.

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

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

No: Commissioners Wardlow, Yaniz

Motion passed

It was moved by Commissioner Yaniz and seconded by Commissioner Lopez to change the starting salary to \$165,000.00 for the first 6 months and then evaluate his performance from the first 6 months and upon a favorable evaluation increase the salary to \$180,000.00.

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

Yeas: Commissioners Lopez and Yaniz

No: Commissioners Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Motion Failed

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Resolution be passed with the amendments to the agreement as read.

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

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

Nays: Commissioners Wardlow and Yaniz

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

City Attorney Smith advised the Commission of the transition period of at least encompassing two weeks and he suggested they consider re-opening the Resolution they passed on Bogdan Vitas's employment agreement to discuss the expectations of City Manager Scholl during that transition of changing over power and duties to Mr. Vitas.

City Manager Scholl advised the transfer of authority and signature to the new City Manager Bob Vitas would occur on Friday, July 27 and City Manager Scholl would continue as Acting City Manager through to 11:59 P.M. on July 27.

It was moved by Commissioner Rossi and seconded by Commissioner Weekley to reconsider opening the Resolution and the employment agreement for Bogdan Vistas.

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

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

Nays: None

Motion passed

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED EMPLOYEMENT AGREEMENT BETWEEN THE CITY OF KEY WEST AND BOGDAN VITAS FOR THE POSITION OF CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE

It was moved by Commissioner Rossi and seconded by Commissioner Lopez to grant Bob Vitas the power and authority of the City Manager responsibilities and duties commencing on July 28 at 12 Midnight.

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

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

Nays: None

Motion passed

It was moved by Commissioner Rossi approve the previously adopted employment agreement with the amendments and seconded by Commissioner Weekley

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

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

Nays: Commissioner Yaniz

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

QUASI-JUDICIAL HEARING:

RESOLUTION NO. 12-212

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A MINOR DEVELOPMENT PLAN FOR REAL PROPERTY LOCATED AT 202 WILLIAM STREET; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Don Craig

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 Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz 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 - FIRST READING:

ORDINANCE NO. Failed

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 108 CODE OF ORDINANCES TITLED "PLANNING AND DEVELOPMENT" OF ARTICLE VII, DIVISION 3 BY AMENDING SECTIONS 108-680 THROUGH 108-683 OF THE CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS TO ALLOW FOR THE STORAGE OF RECREATIONAL VEHICLES, BOATS AND TRAILERS TO BE STORED ON THE OWNER'S PROPERTY WITHOUT THE CURRENT SCREENING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The following people spoke on the matter:

City Planner Craig
Parking Manager John Wilkins
City Attorney Smith

The Deputy read the following letters into the record:

Stephen Hatch, 3513 Sunrise Drive, Key West

Ken & Margaret Domanski, 706 Washington St, Key West
Linda L. Marshall & Jesse A. Scott, Jr.
Cindy DeRocher, 1328 South Street
Jack Paul, 1219 Grinnell Street
David Huber & Dana Payne
Stuart Strickland
Louise Weithas, 317 Peacon Lane
Roger & Nancy Nelson
Denise Marchant, 1414 Leon St
Tricia King, 2014 Seidenberg Avenue
Vicki Gordon, 646 United Street
Clayton & Mary Ellen Beattie
Robert Frechette
John Bolinger
Ruth Reiter, 1511 South Street
Phillip and Teri Wilson
Tevis Wernicoff
Evan and Barbara Corns
Dan Metzler

It was moved by Commissioner Rossi and seconded by Commissioner Yaniz that the Ordinance be passed on first reading as read.

After a discussion, Commissioner Rossi withdrew his motion.

It was moved by Commissioner Yaniz and seconded by Commissioner Wardlow that the Ordinance be passed on first reading as read

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

Yeas: Commissioners Lopez, Wardlow and Yaniz

Nays: Commissioner Johnston, Rossi, Weekley and Mayor Cates

The said Ordinance was thereupon declared by the Mayor to have failed on first reading.

SO ORDERED

The Mayor called for a recess of the meeting at 8:57 p.m.

The Mayor reconvened the meeting at 9:07 p.m.

ORDINANCE NO. Passed to Second Reading

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING SECTION 110 OF THE CODE OF ORDINANCES**

ENTITLED "FLOODPLAIN PROTECTION" BY ADDING SECTION 110-467 PROVIDING THE BASIS FOR ENHANCED PROTECTION OF SPECIFICALLY IDENTIFIED ENDANGERED SPECIES HABITAT AND THE SPECIES FOCUS AREA MAPS AND REAL ESTATE ; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The following people spoke on the matter:

City Planner Craig
City Attorney Smith

It was moved by Commissioner Lopez and seconded by Commissioner Rossi for discussion that the Ordinance be passed on first reading as read.

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

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

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading.

SO ORDERED

ORDINANCE NO. Passed to Second Reading

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING SECTION 122 OF THE CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE II, ENTITLED "NONCONFORMITIES" BY AMENDING SECTION 122-26 TO ADD DEFINITIONS; ADDING SECTION 122-33 TO PROVIDE FOR AN EXCEPTION FOR PROPERTY AFFECTED BY EMINENT DOMAIN OR VOLUNTARY CONVEYANCE FOR PUBLIC TRANSPORTATION OR OTHER PUBLIC PURPOSES; ADDING SECTION 122-34 REGARDING STATUS OF PARCELS DURING OR AFTER ACQUISITION BY EMINENT DOMAIN OR VOLUNTARY CONVEYANCE FOR PUBLIC TRANSPORTATION OR OTHER PUBLIC PURPOSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The following person spoke on the matter:

City Planner Craig

It was moved by Commissioner Rossi and seconded by Commissioner Lopez that the Ordinance be passed on first reading as read.

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

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

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading.

SO ORDERED

ORDINANCES SECOND READING: (Public Hearing)

ORDINANCE NO. 12-17

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 70, "TRAFFIC AND VEHICLES", ARTICLE III OF THE CODE OF ORDINANCES ENTITLED "SPEED LIMITS" BY ADDING SECTION 70-61 TO PROVIDE FOR MAXIMUM SPEED LIMITS IN CERTAIN SECTIONS OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The Deputy Clerk read the following letters into the record:

Barbara Ramey, 615 William Street
Tom Thiesen, 314 Peacon Lane

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street
Norm Fowler, 824 Terry Lane
City Manager Scholl

It was moved by Commissioner Weekley and seconded by Commissioner Johnston for discussion that the Ordinance be passed on second reading as amended to remove Old Town from

Section 70-61 Title and in Section 1 of 70-61 remove the language “~~to the south and west of White Street~~” and replace with “in any residential district”.

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

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

Nays: Commissioner Rossi

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

It was moved by Commissioner Weekley and seconded by Commissioner Yaniz to remove the table itemed.

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

RESOLUTION NO. Postponed to July 17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING AND REQUESTING MONROE COUNTY AND THE STATE OF FLORIDA TO LOWER THE SPEED LIMIT ON TWO-LANE COUNTY AND STATE CONTROLLED ROADS WITHIN THE CITY OF KEY WEST TO 20 MPH; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

City Attorney Smith
City Manager Scholl
Assistant City Manager Fernandez

It was moved by Commissioner Weekley and seconded by Commissioner Johnston for discussion the Resolution be postponed to July 17.

A discussion ensued and Commissioner Wardlow requested to have the County and State consider changing their speed limit to be 25 mph.

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

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

CITIZEN COMMENTS:

None

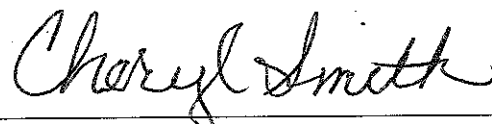
COMMISSION COMMENTS:

Commissioner Yaniz asked the City Attorney to clarify the procedures for bringing back an item for reconsideration and the City Attorney advised a motion from a Commission member on the prevailing side would be required to bring an item back for consideration.

Commissioner Yaniz asked the Commission on the prevailing side of the First Reading of Ordinance for storage of recreational vehicles, boats and trailers. There was no motion.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 9:52 p.m.

A handwritten signature in cursive script that reads "Cheryl Smith".

Cheryl Smith, MMC, CPM
City Clerk