



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, January 18, 2011

6:00 PM

Old City Hall

Revised

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 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

6:02 P.M.

ROLL CALL

Absent 1 - Mayor Cates

Present 6 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Weekley

INVOCATION - Father Hooper, St. Paul's Episcopal Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

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

- 1 *Re-appointing Tim Fahey to the Board of Trustees of the Police Officer's and Firefighter's Retirement Plan.

Sponsors: Mayor Cates

Passed by consent roll call

Enactment No: Res 11-020

- 2 *Authorizing the Key West Art Center to conduct an Art Show on Saturday, February 26, 2011 and Sunday, February 27, 2011 during the hours of 8:00 A.M. to 8:00 P.M. on Whitehead Street between Greene Street and Eaton Street including Caroline on February 26, 2011 and February 27, 2011 from 6:00 A.M. to 8:00 P.M.

Sponsors: City Manager Scholl

Passed by consent roll call

Enactment No: Res 11-021

- 3 *Authorizing cumulative expenditures during FY 10-11 to entities listed in excess of \$20,000.00.

Sponsors: City Manager Scholl

Passed by consent roll call

Enactment No: Res 11-022

- 4 *Approving the attached proposed "Key West City Marina Charter Boat Row dock rules and regulations" for the City Marina at Garrison Bight.

Sponsors: City Manager Scholl

This matter was Postponed.

- 5 *Approving the attached updated policy for the "City Marina slip lottery process" for the City Marina at Garrison Bight.

Sponsors: City Manager Scholl

This matter was Postponed.

- 6 *Extending by an additional 180 days the moratorium declared in Ordinance No. 10-07, and extended in Resolution No. 10-235, 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 the City streets in the operation of their business.

Sponsors: City Manager Scholl

Add-on Item

Passed by consent roll call

Enactment No: Res 11-023

Approval of the Consent Agenda

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, to Approve the Consent Agenda. The motion carried by the following vote:

Absent: 1 - Mayor Cates

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

- 7 Authorizing the Key West Rotary Club Foundation, Inc. to conduct the First Annual "Key West Conchfest" at Bayview Park on Saturday, March 5, 2011 from 11:00 A.M. to 10:00 P.M. (set up starting at 8:00 A.M. and breakdown starting at 10:00 P.M.) to 12:00 Midnight; ~~Authorizing the closure of Jose Marti Drive from 8:00 A.M. to 12:00 Midnight;~~ 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 8:00 A.M. to 12:00 Midnight.

Sponsors: City Manager Scholl

A motion was made by Commissioner Lopez to remove the closure of Jose Marti Drive, seconded by Commissioner Johnston, that the Resolution be Passed with amendment. The motion carried by the following vote:

Absent: 1 - Mayor Cates

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

Enactment No: Res 11-024

PROPOSED ADD-ON ITEM NOT ADDED TO AGENDA

- 8 Directing staff to prepare and attempt to obtain quit claim deeds for the benefit of, and subsequent conveyance to, the Florida Department of Transportation (FDOT) on the south side of North Roosevelt Boulevard, for the purpose of implementing the FDOT plan to improve the road and construct sidewalks, in accordance with City Charter provision 7.03(a); Granting relief from the City's Land Development Regulations where such conveyances impair future development.

Sponsors: City Manager Scholl

ORDINANCES – FIRST READING

- 9 An Ordinance of the City of Key West, Florida, Amending Chapter 22 of the Code of Ordinances entitled "Cemeteries" by amending Section 22-16, "Use of thoroughfares", to define bona fide visit; defining exceptions Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that this Ordinance be Postponed until February 15, 2011. The motion carried unanimously.

Absent: 1 - Mayor Cates

ORDINANCES - SECOND READING (Public Hearing)

- 10 An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Section 18-28 to provide criteria for the granting of a special exception from the prohibition against alcohol sales in proximity to churches, schools, cemeteries and funeral homes; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Johnston

A motion was made by Commissioner Johnston, seconded by Commissioner Gibson, that this Ordinance be Passed to Third Reading. The motion carried by the following vote:

Absent: 1 - Mayor Cates

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

11

An Ordinance of the City of Key West, Florida, Amending Chapter 2 of the Code of Ordinances entitled "Administration" by creating Section 2-487 entitled "Funding of art in new construction and major renovation projects"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Johnston, Commissioner Lopez and Commissioner Weekley

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that this Ordinance be adopted on Second Reading. The motion carried by the following vote:

No: 1 - Commissioner Rossi

Absent: 1 - Mayor Cates

Yes: 5 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Ord 11-01

TROLLEY STOP APPEAL

12

City View Trolley Stop Appeal - 410 Wall Street

Sponsors: City Manager Scholl

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

Absent: 1 - Mayor Cates

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

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

7:29 P.M.