

MINUTES
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
TUESDAY, MAY 6, 2014

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, May 6, 2014.

Mayor Craig Cates called the meeting to order at 6:03 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 Bob Vitas, Assistant City Manager David Fernandez, City Attorney Shawn Smith, City Planner and Director of Community Development Don Craig, Police Chief Donie Lee, Fire Chief David Fraga, Information Technology Director Patti McLauchlin, Engineering Director James Bouquet, Port and Marina Services Director Doug Bradshaw, Utilities Manager Jay Gewin, Senior Property Manager Marilyn Wilbarger, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

Reverend Dr. Randolph Becker, Unitarian Universalist Fellowship, 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 Clerk announced speakers for Resolution Items #6, #7 and #14 and those items would need to be removed from the Consent Agenda.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi to approve the agenda as changed. The Mayor asked for objections and seeing none the agenda was approved.

PROCLAMATIONS:

- 1) Peace Officers Memorial Day and Key West Police Week

- 2) Motorcycle Safety Awareness Month
- 3) Visiting Nurse Association & Hospice of the Florida Keys
Celebrating 30 years of "Caring for the Keys"

PRESENTATIONS:

City Attorney's Report

Mr. Smith asked for a closed session regarding PNC Mortgage vs City of Key West 2012- CA-245-K before the next meeting on May 20, 2014 at 5:30 p.m.

Mr. Smith reported there will be additions proposed to the sound ordinance regarding historic businesses as well as proposed buffer zones on the June 3, 2014 meeting agenda.

City Manager's Report

Mr. Vitas introduced the members of the Ambassador's Graduation Class 22 and awarded their certificates.

Commissioner Rossi acknowledged former Commissioners Percy Curry and Bill Verge were present at the meeting.

CONSENT AGENDA:

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow 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:

April 1, 2014 (Regular)

RESOLUTIONS:

RESOLUTION NO. 14-112

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, REAPPOINTING JOHN G. PARKS, JR. TO THE HOUSING AUTHORITY OF THE CITY OF KEY WEST BOARD OF COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-113

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING MEL FISHER DAYS, INC. TO CONDUCT A 2014 CELEBRATION OF THE FINDING OF THE ATOCHA ON SATURDAY, JULY 12, 2014 DURING THE HOURS OF 11:00 A.M. TO 9:00 P.M.; AUTHORIZING THE CLOSURE OF THE 100 & 200 BLOCKS OF DUVAL STREET INCLUDING GREENE STREET FROM TELEGRAPH LANE TO ANN STREETS FROM 8:00 A.M. TO 11:00 P.M.; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 8:00 A.M. TO 11:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-114

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING 551 TEEN CLUB OF KEY WEST TO CONDUCT A REUNION AT BAYVIEW PARK ON FRIDAY, AUGUST 8, 2014 FROM 5:00 P.M. TO 11:00 P.M.; 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 5:00 P.M. TO 11:00 P.M.; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-115

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES TO JUST SAVE THE DATE, LLC FOR A WEDDING CEREMONY AND RECEPTION AT THE HEMINGWAY HOUSE ON WHITEHEAD STREET DURING THE HOURS OF 5:30 P.M. (12/31/2014) TO 1:00 A.M (01/01/2015) ON WEDNESDAY, DECEMBER 31, 2014 AND THURSDAY, JANUARY 1, 2015; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-116

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE TERM OF THE HISTORIC DISTRICT SIGNAGE TASK FORCE FOR SIX MONTHS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-117

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. 14-118

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING ONE YEAR EXTENSION OF THE CONTRACT FOR MERCHANT SERVICES BETWEEN THE CITY OF KEY WEST AND FIRST STATE BANK OF THE FLORIDA KEYS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AMENDMENT 1 TO TASK ORDER 3-12 PORTS TO CH2M HILL FOR ENGINEERING SERVICES, FOR ADDITIONAL TASKS RELATED TO THE DESIGN AND PREPARATION OF BID DOCUMENTS FOR BULKHEAD REPAIR/REPLACEMENT AT ZERO DUVAL AND THE BERTHING IMPROVEMENTS TO THE MALLORY SQUARE T-PIER IN AN ADDITIONAL TOTAL AMOUNT NOT TO EXCEED \$7,524.00; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-120

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A TASK ORDER UNDER THE CITY'S GENERAL SERVICES CONTRACT WITH DOUGLAS N. HIGGINS, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$81,317.08 FOR SIDEWALK REPLACEMENT/INSTALLATION IN THE 800 BLOCK OF SOUTHARD STREET; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-121

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RANKING THE RESPONDENTS TO CITY OF KEY WEST – REQUEST FOR QUALIFICATIONS (RFQ) 14-001 – DESIGN OF BUS APRONS – LOWER FLORIDA KEYS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT IN SUBSTANTIAL COMPLIANCE WITH THE RFQ WITH THE HIGHEST RANKED FIRM; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-122

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT TO THE FEDERAL TRANSIT ADMINISTRATION (FTA) THE ATTACHED TRIENNIAL UPDATE TO THE “CITY OF KEY WEST DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION TITLE VI / CIVIL RIGHTS PROGRAM PLAN”; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-123

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE APPROVAL OF TASK ORDER 01-2014-IMPACT FOR ARCADIS, D/B/A MALCOLM PIRNIE, INC. IN AN AMOUNT NOT TO EXCEED \$80,000.00 TO PROVIDE AN IMPACT RATE STUDY; APPROVING NECESSARY BUDGET TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NUMBER ONE (SJPA #1) FOR CONTRACT ARB19 BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF KEY WEST, TO AMEND THE MAXIMUM PARTICIPATION OR GRANT AWARD FROM FDOT FROM \$542,452.00 TO \$433,406.00, REFLECTING A REDUCED AMOUNT, TO BE USED FOR OPERATING EXPENSES OF FIXED ROUTE BUS TRANSIT SYSTEM; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-125

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED SUPPLEMENT NUMBER THREE (3) TO THE JOINT PARTICIPATION AGREEMENT (JPA) FOR CONTRACT AQN20 BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF KEY WEST, TO AMEND THE MAXIMUM PARTICIPATION OR GRANT AWARD FROM FDOT FROM \$3,781,266.00 TO \$3,225,600.00, REFLECTING A REDUCED AMOUNT TO BE USED FOR CONSTRUCTION COSTS OR RELATED CAPITAL EXPENSES OF THE NEW TRANSIT FACILITY AT 5701 COLLEGE ROAD, KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE PURCHASE OF AN IES INTERACTIVE TRAINING MILO RANGE 4 PRO HIGH DEFINITION TRAINING SIMULATOR UPGRADE PACKAGE FROM IES INTERACTIVE TRAINING USA, ON A SOLE SOURCE BASIS IN ACCORDANCE WITH CITY CODE SECTION 2-797(1), IN THE TOTAL AMOUNT OF \$24,286.50; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT A 2013-14 FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$80,000.00 FOR THE "NOT ONE MORE: POLICE TRAFFIC SERVICES ENFORCEMENT CAMPAIGN" (PROJECT NO. PT-14-12-11) THROUGH THE US DEPARTMENT OF TRANSPORTATION NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION GRANT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DIRECTING STAFF TO PROCEED IMMEDIATELY WITH THE PLANNING, DESIGN AND ENGINEERING NECESSARY TO ASSEMBLE A MAJOR DEVELOPMENT PLAN FOR THE RECONSTRUCTION OF THE COMMUNITY SERVICES FACILITY LOCATED AT 627 PALM AVENUE; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-129

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RESCINDING RESOLUTION 14-084, IN ORDER TO RESCIND THE AWARD OF BID TO T. MAC WILDER & ASSOCIATES; AWARDING THE BID OF JSM SERVICES, INC. TO RESOD THE TRUMAN ANNEX SPORTS FIELD IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB #14-011 IN AN AMOUNT NOT TO EXCEED \$118,090.00; AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE ON BEHALF OF THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-130

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A PURCHASING EXCEPTION PURSUANT TO SECTION 2-797 OF THE CODE OF ORDINANCES, TO ALLOW CUMULATIVE EXPENDITURES DURING FY 13-14 TO ENVIRONMENTAL PRODUCTS OF FLORIDA FOR STREET SWEEPER REPAIR AND SERVICE PARTS IN A TOTAL AMOUNT NOT TO EXCEED \$52,500.00; 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. 14-131

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING SOUTHWEST AIRLINES TO CONTINUE TO PROVIDE REGULAR SERVICE TO THE KEY WEST INTERNATIONAL AIRPORT; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Judy Martinez, 1020 Emma 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 verbal approval. The response was unanimous to pass the Resolution as read.

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. 14-132

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING PRESIDENT RAUL CASTRO AND THE GOVERNMENT OF CUBA TO RELEASE ALAN GROSS FROM PRISON AND RETURN HIM TO HIS FAMILY AND HOME IN THE UNITED STATES OF AMERICA; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Judy Martinez, 1020 Emma Street
Rabbi Jacob Zucker, 3700 Pearlman Court

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

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 duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 14-133

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DESIGNATING THE SIGNATURES OF CERTAIN CITY PERSONNEL FOR THE WITHDRAWAL OF CITY FUNDS FROM FIRST STATE BANK AND OTHER AUTHORIZED DEPOSITORIES OF CITY FUNDS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Sloan Bashinsky, 1711 Seminary

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

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 duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 14-134

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE AWARD OF BID TO WASTE MANAGEMENT, INC. OF FLORIDA ~~ADVANCED—DISPOSAL SERVICES SOLID WASTE SOUTHEAST, INC.,~~ IN RESPONSE TO ITB 14-009, FOR SOLID WASTE COLLECTION AND PROCESSING SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE BID DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Bob Vitas, City Manager
Jay Gewin, Utilities Manager
Shawn Smith, City Attorney
Will Thompson, Solid Waste Coordinator
Greg Sullivan, Waste Management
Mike Horne
Danny Hughes, 512 Front Street
Mary O'Brien, Advanced Disposal
Bruce Williams, Advanced Disposal
Dennis Gormley, Cudjoe Key
Sloan Bashinsky, 1711 Seminary
Michael Haskins, 17 Beach Drive
Gary Bowman, 17 Lune Lane

Mark Moss, Executive Director Habitat for Humanity
Billy Davis, 716 Ashe Street
Former Commissioner Percy Curry, 3450 Eagle Avenue
Rick Kane, Pompano Beach, Waste Management
Guy Thompson, Pompano Beach, Waste Management
Dawn McCormick, Pompano Beach, Waste Management
John Albert, Pompano Beach, Waste Management
Melissa Kendrick, 536 White Street
Margaret Romero, 1615 Washington Street
David Paul Horan, 608 Whitehead Street
Cara Higgins, 608 Whitehead Street
Ed Kamin, 323 Grinnell Street
Ricky Arnold, 5540 3rd Avenue
Scott Duszynski, 3314 Northside Drive
Todd German, Cudjoe Key
Jim Gilleran, 2900 Riviera
Kim Romano, 1916 Fogarty
Ron Demes, 182 Venetian Way
Bob Eadie, 815 Eisenhower Drive
Larry Bleil, 537 Caroline Street
Frank Herrada, 658 Miriam Street
Robert Cintron, 317 Whitehead Street
Judy Martinez, 1020 Emma Street
Mike Larson, 705 Ash Street
Former Commissioner Barry Gibson, 2919 Staples Avenue
Jim Sutter, Advanced Disposal
Mike Mongo
Former Commissioner Bill Verge

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow that the Resolution be passed and adopted waiving any bid irregularities and awarding the bid of Waste Management, Inc. of Florida accepting the Option with Transfer Station Operation, Service Option 2 (2-1-1).

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Lopez, Rossi, Wardlow and Yaniz

Nays: Commissioners Johnston, Weekley and Mayor Cates

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:

EASEMENT - 801 EMMA STREET

RESOLUTION NO. 14-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN EASEMENT OF APPROXIMATELY 129.40 SQUARE FEET TO ADDRESS THE ENCROACHMENT OF AN EXISTING CONCRETE FRONT PORCH, BALCONY AND EAVES THAT ENCROACH ON CITY RIGHT OF WAY ABUTTING THE PROPERTY LOCATED AT 801 EMMA STREET, KEY WEST, FLORIDA, (RE #00014640-000000, AK #1015024); PROVIDING FEES AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution. The Clerk asked anyone giving testimony to stand and be sworn in; Clerk administered the oath.

The following people spoke on the matter:

Jim Marsh, 2501 Staples, Applicant
Don Craig, City Planner
Glenwood Lopez, 396 Balido Street
Shawn Smith, City Attorney

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

The Mayor requested the Clerk 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

QUASI JUDICIAL HEARING:

MINOR DEVELOPMENT PLAN 512 – 524 EATON STREET

RESOLUTION NO. 14-136

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A MINOR DEVELOPMENT PLAN FOR REAL PROPERTY LOCATED AT 512 AND 524 EATON STREET; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution. The Clerk asked anyone giving testimony to stand and be sworn in; Clerk administered the oath.

The following people spoke on the matter:

Owen Trepanier, 402 Appelrouth Lane
Pat Johnson, 425 Caroline Street, Property Owner
Don Craig, City Planner

It was moved by Commissioner Weekley and seconded by Commissioner Lopez that the Resolution be passed and adopted with the conditions contained in Planning Board Resolution 2014-10.

The Mayor requested the Clerk 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

QUASI JUDICIAL HEARING:

MAJOR DEVELOPMENT PLAN – TRUMAN WATERFRONT PARCEL

RESOLUTION NO. 14-137

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING APPROVAL TO A MAJOR DEVELOPMENT PLAN AND CONDITIONAL USE APPROVAL FOR DEVELOPMENT OF THE TRUMAN WATERFRONT PARCEL

LOCATED IN THE HISTORIC PUBLIC SERVICE AND SEMIPUBLIC SERVICE-1 (HPS-1), HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR), HISTORIC RESIDENTIAL COMMERCIAL CORE-4 (HRCC-4) AND THE HISTORIC NEIGHBORHOOD COMMERCIAL-2 (HNC-2) ZONING DISTRICTS (RE #00001630-001000, AK #9038855; RE #00001630-001100, AK #9038866), KEY WEST, FLORIDA; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution. The Clerk asked anyone giving testimony to stand and be sworn in; Clerk administered the oath.

The following people spoke on the matter:

Don Craig, City Planner
Randy Hollingsworth, Bermello Ajamil
Mark Songer, 1310 Newton Street for Last Stand
Sloan Bashinsky, 1711 Seminary Street

It was moved by Commissioner Wardlow and seconded by Commissioner Weekley that the Resolution be passed and adopted with additional conditions regarding bicycle substitution variance approval and that the restaurant be responsible for composting.

The Mayor requested the Clerk call the roll.

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

Nays: Commissioners Rossi 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

ORDINANCES SECOND READING: (Public Hearing)

ORDINANCE NO. 14-08

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 "BUSINESSES", ARTICLE II "ALCOHOLIC BEVERAGES", DIVISION 2 "ENTERTAINMENT LICENSE", TO AMEND SECTION 18-56 REGARDING DEFINITIONS; BY AMENDING SECTION 18-59 TO UPDATE DEFINITIONS; BY AMENDING SECTION 18-60 TO INCREASE THE NUMBER OF VIOLATIONS BEFORE AN ENTERTAINMENT LICENSE MAY BE REVOKED OR SUSPENDED;

**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:

Sloan Bashinsky, 1711 Seminary
Shawn Smith, City Attorney

It was moved by Commissioner Weekley and seconded by Commissioner Lopez for the Ordinance to be passed on second reading as read.

The Mayor requested the Clerk call the roll.

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

Nays: Commissioners Rossi and Yaniz

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

ORDINANCE NO. 14-09

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 66 OF THE CODE OF ORDINANCES
ENTITLED "TAXATION" BY AMENDING SECTION 66-56 TO
PROVIDE FOR AN ADDITIONAL HOMESTEAD EXEMPTION IN THE
AMOUNT OF \$50,000.00, RETROACTIVELY EFFECTIVE TO THE 2013
TAX ROLL, FOR ANY PERSON WITH LEGAL OR EQUITABLE TITLE
TO REAL ESTATE AND MAINTAINS THEREON PERMANENT
RESIDENCE AS OWNER, WHO HAS ATTAINED THE AGE OF 65, AND
WHOSE HOUSEHOLD INCOME DOES NOT EXCEED \$20,000.00;
DIRECTING THE CITY CLERK TO DELIVER A COPY OF THIS
ORDINANCE TO THE PROPERTY APPRAISER; 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 for the Ordinance to be passed on second reading as read.

The Mayor requested the Clerk 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 and second reading and was adopted and authenticated with the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

ORDINANCE NO. 14-10

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES
ENTITLED "WATERWAYS" BY AMENDING SECTION 82-31 TO ADD
DEFINITIONS AND AMEND REGULATIONS REGARDING
UNLAWFUL DOCKING AND MOORING; 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:

**Doug Bradshaw, Port and Marina Services Director
Shawn Smith, City Attorney**

It was moved by Commissioner Rossi and seconded by Commissioner Weekley for the Ordinance to be passed on second reading as read.

The Mayor requested the Clerk 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 and second reading and was adopted and authenticated with the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

CITIZEN COMMENTS:

There were no comments from the public.


COMMISSION COMMENTS:

Commissioner Yaniz thanked the Commission for their support in approving the resolution for the release of Alan Gross as a compassionate and humanitarian act.

Commissioner Lopez thanked everyone for the Police Officers proclamations.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 10:22 p.m.


Cheryl Smith, MMC, CPM
City Clerk