



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, April 2, 2013

6:00 PM

Old City Hall

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

6:05 P.M.

ROLL CALL

Present 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

INVOCATION - Reverend Tom Sterner, First Congregational Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PRESENTATIONS

- 1 Florida Department of Transportation Quarterly Update, North Roosevelt Boulevard Project - Mr. Dean Walters, Public Information Specialist

Sponsors: City Manager Vitas

Received and Filed

PROCLAMATIONS

- 2 Boys and Girls Clubs of the Keys Week

Sponsors: Mayor Cates

Received and Filed

- 3 National Service Recognition Day
Sponsors: Mayor Cates
Received and Filed
- 4 Comcast Cares Day
Sponsors: Mayor Cates
Received and Filed
- 5 Fair Housing and Community Development Month
Sponsors: Mayor Cates
Received and Filed
- 6 Water Conservation Month
Sponsors: Mayor Cates
Received and Filed
- 7 Municipal Clerks Week
Sponsors: Mayor Cates
Received and Filed
- 8 Father Canon John H. Reece, Jr. Day
Sponsors: Mayor Cates
Received and Filed
- 9 National Public Health Week
Sponsors: Mayor Cates
Received and Filed
- 10 Minority Health Month
Sponsors: Mayor Cates
Received and Filed

PRESENTATIONS

- 11 Southern Keys Cemetery
Sponsors: Commissioner Weekley
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.**

MINUTES

- 12 *March 19, 2013 (Regular)
Passed
- 13 *March 20, 2013 (Workshop)
Passed

RESOLUTIONS

- 14 *Appointing Suzanne Sullivan to the Tree Commission
Sponsors: Mayor Cates
Passed
Enactment No: Res 13-084
- 15 *Approving and Authorizing the City Manager to execute the attached Agreement between the City of Key West, Florida, and the Conch Republic Independence Celebration, AIDS Help, The Key West Cultural Preservation Society, Bourbon Street Pub and Petronia St. Neighborhood Association for the 2013 Conch Republic Independence Celebration from April 19 through April 28, 2013; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
Sponsors: City Manager Vitas
Passed

Enactment No: Res 13-085

- 16** *Authorizing 425 Tacos, LLC dba Amigos Tortilla Bar to conduct a "Cinco De Mayo" Fundraiser for Florida Keys SPCA on Greene Street from the corner of Duval Street to Telegraph Lane Sunday, May 5, 2013 from 5:00 P.M. to 12:00 Midnight; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 400 block of Greene Street between Duval Street and Telegraph Lane from 5:00 P.M. to 12:00 Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 5:00 P.M. to 12:00 Midnight; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-086

- 17** *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Southernmost Mansion for a wedding ceremony and reception at 1400 Duval Street during the hours of 9:00 P.M. to 11:00 P.M. on Saturday, May 11, 2013.

Sponsors: City Manager Vitas

Withdrawn

- 18** *Authorizing La Te Da Redux, Inc. to conduct the Queen Mother Pageant on Monday, May 13, 2013 from 12:00 Noon to 10:30 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 1100 block of Duval Street from 12:00 Noon to 12:00 Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 7:00 P.M. to 10:30 P.M. (sound check at 4:00 P.M. to 4:30 P.M.); Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-087

- 19** *Authorizing an additional sixty (60) day contract time extension for D.N. Higgins, Inc., to complete construction of the Glynn Archer/14th Street Sidewalk Enhancement Project (Project No. EN-1004) at no additional cost.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-088

- 20** *Approval of Task Order No. 2 for Solid Waste Procurement for the City of Key West in an amount not to exceed \$ 40,000.00.

Sponsors: City Manager Vitas

Postponed to May 7, 2013

- 21** *Authorizing pursuant to Section 2-771(c) of the Code of Ordinances the disposal of twenty-one (21) City-owned vehicles.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-089

- 22** *Authorizing pursuant to Sections 2-797(1) and 2-844(a) and (b) of the Code of Ordinances the purchase of ten (10) COBAN "Edge" In-Car Video Recording Systems from COBAN Technologies in the amount of \$52,200.00.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-090

- 23** *Approving the attached list of roadways to be paved under the Asphalt Paving Contract GN-1202 for FY 2012-13 on a Work Order basis in a total amount not to exceed \$990,389.00.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-091

- 24** *Approve the attached Agreement between the City and J. Jefferson Overby for Code Enforcement Special Magistrate Services.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-092

- 25** *Approving the City Clerk Performance Evaluation.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-093

- 26 *Approving the attached "Agreement for City of Key West, Florida, to Reimburse the Property Appraiser" between the Monroe County Property Appraiser and the City of Key West, Florida (the "ILA") concerning Solid Waste and Stormwater Utility Billing through the Property Tax Roll; Authorizing the City Manager to execute the ILA on behalf of the City.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-094

- 27 *Approving an amendment to the attached "Agreement for City of Key West Keys Overnight Temporary Shelter (KOTS)" between the City and the Southernmost Homeless Assistance League, Inc. (SHAL).

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-095

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.

- 28 Approval issuance of a Task Order to Black & Veatch for consulting services for the development of a Request for Qualifications (RFQ) for the Operation and Maintenance of the City's Wastewater Treatment Plant and Sewer and Stormwater Collection Systems in an amount not to exceed \$67,545.00.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 13-096

- 29 Awarding the bid of D. N. Higgins, Inc. for the construction of Switchgear Enclosures and a Fuel Station at the Navy Mole Pier in an amount not to exceed \$2,056,140.00 in accordance with the terms specified in ITB 13-011 and amendments thereto; Authorizing the City Manager to execute a contract on behalf of the City of Key West.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 13-097

- 30** Authorizing the purchase of three (3) vehicles from Duval Ford, **one (1)** ~~five (5)~~ vehicles from Don Reid Ford, and thee (3) vehicles from Alan Jay Ford pursuant to Section 2-797 of the Code of Ordinances in the total amount of **\$139,943.00** ~~\$206,539.00~~ for use by the Key West Mail Courier, Parking Enforcement and Community Services Department

Sponsors: City Manager Vitas

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

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 13-098

- 31** **Quasi-Judicial Hearing:**
Approving Modification to the Major Development Plan and Conditional Use previously approved in Resolution 09-242 and amended in Resolution 11-274 to amend the layout of the commercial floor area, reduce retail space and convert retail area to mixed retail and bar/lounge consumption area for the property located at 512 Greene Street (RE# 00001170-000000); Providing conditions.

Sponsors: City Manager Vitas

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

No: 1 - Commissioner Johnston

Recuse: 1 - Commissioner Rossi

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

Enactment No: Res 13-099

ADMINISTRATIVE APPEALS

32

Quasi-Judicial Hearing:

~~Granting/Denying~~ the Appeal by Peter Janker and Upholding/~~Amending~~ the Planning Department's Lawful Unit Determination for 417 United Street Upstairs Addition.

Sponsors: City Manager Vitas

A motion was made by Commissioner Johnston, seconded by Commissioner Lopez, that the Planning Department's determination be affirmed, Denying the Appeal. The motion carried by the following vote:

No: 2 - Commissioner Rossi and Commissioner Wardlow

Yes: 5 - Commissioner Johnston, Commissioner Lopez, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 13-100

ORDINANCES - SECOND READING (Public Hearing)

33

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, equal to the property's assessed value, from taxes levied by the City of Key West for persons who have legal or equitable title to real estate with a just market value less than \$250,000.00 that is and has been their permanent residence for at least 25 years, and who have attained the age of 65, and have a household income that does not exceed \$27,030.00; Directing the 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.

Sponsors: City Manager Vitas

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Adopted. The motion passed by a unanimous vote.

Enactment No: Ord 13-07

CITIZEN COMMENTS**COMMISSION COMMENTS****ADJOURNMENT**

9:31 P.M.