



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, October 7, 2014

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 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

6:00 P.M.

ROLL CALL

Absent 1 - Commissioner Rossi

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

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

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Fire Prevention Month

Sponsors: Mayor Cates

Received and Filed

2 Food Day

Sponsors: Mayor Cates and Commissioner Lopez

Received and Filed

PRESENTATIONS

3 Affordable Housing White Paper

Sponsors: City Manager Scholl

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

4 *September 3, 2014 (Regular)

Approved

5 *September 16, 2014 (Regular)

Approved

RESOLUTIONS

6 *Re-appointing Richard (Dick) Moody to the Art in Public Places Board.

Sponsors: Mayor Cates

Passed

Enactment No: Res 14-278

7 *Reappointing Brian Dunlap to the Key West Civil Service Board.

Sponsors: Mayor Cates

Passed

Enactment No: Res 14-279

- 8 *Extending the term of the Historic District Signage Task Force for an additional six months.

Sponsors: Commissioner Johnston

Passed

Enactment No: Res 14-280

- 9 *Authorizing We Cycle, Inc. to conduct the Annual Zombie Bicycle Ride Event starting at East Martello Towers and ending on the 100, 200 & 300 block of Duval Street on Sunday, October 19, 2014 from 6:00 P.M. to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 100, 200 & 300 blocks of Duval Street on Sunday, October 19, 2014 from 6:00 P.M. to 11:00 P.M.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-281

- 10 *Authorizing Kelly's Caribbean Bar & Grill, Inc. and Premier Racing to conduct a street closure during Premier Racing on Friday, January 16, 2015 through Friday, January 23, 2015 from 8:00 A.M. to 8:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Caroline Street between Whitehead Street and Telegraph Lane between the hours of 8:00 A.M. to 8:00 P.M.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-282

- 11 *Authorizing Premier Racing Inc. the use of the Truman Waterfront for the staging, launching and hauling of racing sailboats and support boats from January 1, 2015 to February 1, 2015 from 6:00 A.M. to 8:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-283

- 12** *Authorizing pursuant to Section 2-771(c) of the Code of Ordinances the disposal of two (2) surplus and obsolete city buses for a minimum bid of at least \$2,000.00 each; Authorizing the City Manager to execute any necessary documents.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 14-284
- 13** *Authorizing pursuant to Section 2-771(c) of the Code of Ordinances the disposal of one surplus 2002 Boston Whaler Fire Boat together with one 2002 Continental Boat Trailer by Hitch-King for a minimum bid of at least \$10,000.00; Authorizing the City Manager to execute any necessary documents.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 14-285
- 14** *Rejecting the bid received in response to Invitation to Bid (ITB) #14-019 for Seawall Repairs at Zero Duval pursuant to Section 2-834(4) of the Code of Ordinances.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 14-286
- 15** *Authorizing pursuant to Section 2-797(3) of the Code of Ordinances the purchase of Microsoft Office 365 Software from Software House International Corp. (SHI) in the amount of \$41,700.00.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 14-287

- 16 *Approving and accepting the attached University of Southern Mississippi Grant Agreement Number USM-GR04114-R/MG/CSP-35 between the University of Southern Mississippi (Southern Miss) and the City of Key West for a Sea Grant in the amount of \$33,750.00 to assist with adaptation amendments to the City's Land Development Regulations (LDRs) and related Ordinances; Authorizing necessary budget amendments or transfers to accept the funding; Authorizing the City Manager to execute the Contract upon consent of the City Attorney.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-288

- 17 *Approval of the attached "Second Amendment to Agreement" to the "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 Scholl

Passed

Enactment No: Res 14-289

Approval of the Consent Agenda

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

- 18 Directing the relocation of KOTS to the City owned former Easter Seals property; Providing direction to the City Manager.

Sponsors: Mayor Cates

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

No: 3 - Commissioner Lopez, Commissioner Wardlow and Commissioner Yaniz

Absent: 1 - Commissioner Rossi

Yes: 3 - Commissioner Johnston, Commissioner Weekley and Mayor Cates

Enactment No:

- 19 Directing the relocation of KOTS to the City owned property on Palm Avenue; Providing direction to the City Manager.

Sponsors: Commissioner Yaniz and Commissioner Wardlow

Withdrawn

- 20 Directing the City Manager to investigate the feasibility of creating affordable housing on the City owned property currently leased to the Florida Keys Mosquito Control District.

Sponsors: Mayor Cates

Withdrawn

- 21 Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Pinchers Crab Shack at 712 Duval Street for an event to take place during the hours of 7:00 P.M. to 3:00 A.M. on Tuesday, October 21, 2014 and Wednesday, October 22, 2014.

Sponsors: City Manager Scholl

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be amended to end the exemption from the Noise Ordinance at 12 Midnight and to be Passed. The motion carried by the following vote:

Absent: 1 - Commissioner Rossi

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

Enactment No: Res 14-290

- 22 Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Florida Powerboat Club for an event that will take place during the hours of 8:00 P.M. to 11:00 P.M. on Thursday, November 6, Friday, November 7 and Saturday, November 8, 2014 at the Conch Republic Seafood Company.

Sponsors: City Manager Scholl

A motion was made by Commissioner Billy Wardlow, seconded by Commissioner Jimmy Weekley, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 14-291

- 23 Approving the attached "Amendment to Charterboat Dockage Agreement", Amending Section 4 of the Key West City Marina at Garrison Bight Dockage Agreement.

Sponsors: City Manager Scholl

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Teri Johnston, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 14-292

ORDINANCES - SECOND READING (Public Hearing)

- 24 An Ordinance of the City of Key West, Florida, amending Chapter 26 entitled "Environment", by adding Article VI entitled "Unmanned Aircraft" to provide privacy and safety protections until such time as State or Federal Regulations preempt this Ordinance; Adding Section 26-300, Purpose and Intent; Adding Section 26-301, Definitions; Adding Section 26-302, Registration; Adding Section 26-303, Prohibitions; Adding Section 26-304, Exceptions; Adding Section 26-305, Penalty; Adding Section 26-306, Sunset Provisions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Teri Johnston, that the Ordinance be Postponed Indefinitely. The motion passed by an unanimous vote.

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:26 P.M.