



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final City Commission

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Tuesday, June 2, 2015

6:00 PM

Old City Hall

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**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

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

### INVOCATION - Pastor Gary Faith, Grace Lutheran Church

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

*It was moved by Commissioner Rossi and seconded by Commissioner Wardlow to approve the agenda as changed.*

### COMMENDATIONS

1 Joan Higgs

**Sponsors:** Commissioner Lopez

**Attachments:** [Commendation](#)

Received and Filed

### PROCLAMATIONS

2 Key West Pride

**Sponsors:** Mayor Cates

**Attachments:** [Proclamation](#)

Received and Filed

3 Liza Catana Day

**Sponsors:** Commissioner Yaniz

**Attachments:** [Proclamation](#)

Received and Filed

4 Code Compliance Officers' Appreciation Week

**Sponsors:** Mayor Cates

**Attachments:** [Proclamation](#)

Received and Filed

**PRESENTATIONS**

5 Key West Police Department Captain J. R. Torres - 20 Year Service Award

**Sponsors:** City Manager Scholl

Received and Filed

6 Keefe, McCullough & Company, LLP - Fiscal Year 2014 Audit

**Sponsors:** City Manager Scholl

Received and Filed

7 Second Hand Smoke - Citizens Advisory Board Dottie Harden and Loretta DiTocco

**Sponsors:** City Manager Scholl

Received and Filed

**City Attorney's Report****City Manager's Report**

- Update of the Truman Waterfront Park Phase I Design  
POSTPONED TO JUNE 16, 2015

**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**

8 \*May 19, 2015 (Regular)

Attachments: [Minutes](#)

Approved

**RESOLUTIONS**

9 \*Authorizing Literacy Volunteers of America-Monroe County, Inc. to conduct its Annual Caribbean Street Fair on Saturday, July 25, 2015 from 10:00 A.M. to 10:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Duval Street between Front and Angela Streets between the hours of 10:00 A.M. to 10:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)  
[Application \\*Large File\\*](#)  
[Advertisement](#)

Passed

Enactment No: Res 15-193

**Approval of the Consent Agenda**

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

- 10 Authorizing a \$2,000.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds) to A Positive Step of Monroe County, Inc. for the Summer Job Training Program.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[A Positive Step-2015](#)  
[A Positive Step](#)

**A motion was made by Commissioner Yaniz, seconded by Commissioner Johnston, that the Resolution be Passed. 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 15-194

- 11 Appointing one member to the Key West Bight Management District Board (Maritime Discipline) to complete a term through 1/3/2016.

**Sponsors:** Mayor Cates

**Attachments:** [Resolution](#)  
[Frank Holden Resume](#)  
[Herbert Daniel Hughes Resume](#)  
[Letter From Jim Fitton](#)

**A motion was made by Commissioner Mark Rossi, seconded by Commissioner Tony Yaniz, that the Resolution be Passed appointing Herbert Daniel Hughes. The motion passed by a unanimous vote.**

Enactment No: Res 15-195

## ORDINANCES – FIRST READING

12

An Ordinance of the City of Key West, Florida, amending Chapter 46, Section 246 of the Code of Ordinances to increase the post retirement supplement paid to retirees of the Police Officers' and Firefighters' Retirement Plan; Creating Chapter 46, Section 328 of Code of Ordinances to provide for an Ad-Hoc Thirteenth Check to be paid funded by net investment returns of the plan over nine percent; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Yaniz

**Attachments:** [Ordinance](#)

[Actuarial Impact Statement for Plan Amendment](#)

[Letter from Key West Police and Fire Pension Board Trustees](#)

[Letter from City's Labor Attorney Paul T. Ryder, Jr. legal opinion](#)

[Letter from The Bogdhan Group](#)

[Letter from the International Association of FireFighters Local 1424](#)

[Letter from the Dade County Police Benevolent Association](#)

[Letter from Cheri Smith, Chair General Employee Pension Fund](#)

[Letter from Sandy Gilbert, Retiree](#)

**A motion was made by Commissioner Yaniz, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:**

**No:** 2 - Commissioner Johnston and Commissioner Weekley

**Recuse:** 2 - Commissioner Wardlow and Mayor Cates

**Yes:** 3 - Commissioner Lopez, Commissioner Rossi and Commissioner Yaniz

**Meeting went into Recess at 8:14 P.M. Meeting Reconvened 8:24 P.M.**

**ORDINANCES - SECOND READING (Public Hearing)**

13

An Ordinance of the City of Key West, Florida, amending Chapter 66, Article IV of the Code of Ordinances entitled "Business Tax" by amending Section 66-109 to provide for an increase in fees pursuant to Florida Statutes; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance - Schedule of Taxes 2015 Rounded](#)  
[Executive Summary](#)  
[2015 License Fees by Category](#)

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

Enactment No: Ord 15-10

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

**8:37 P.M.**