

MINUTES
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
TUESDAY, MARCH 4, 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, March 4, 2014.

Mayor Craig Cates called the meeting to order at 6:02 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, Director of Community Development Don Craig, Assistant City Attorney Ron Ramsingh, Police Chief Donie Lee, Director of Engineering Jim Bouquet, Planning Analyst Carlene Cowart-Smith, Information Technology Director Patti McLauchlin, Port and Marina Services Director Doug Bradshaw, Utilities Manager Jay Gewin, Deputy City Clerk Angela Budde and City Clerk Cheri Smith.

Chaplain Lt. Peter Dietz, United States Coast Guard Sector Key West, 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:

Commissioner Yaniz requested Resolution Items #6 and #11 from the Consent Agenda.

The City Manager requested Resolution Item #8 be postponed to March 18 meeting and requested Resolution #19 be removed from the Consent Agenda.

The Clerk announced speakers for Resolution Items #7 and # 14 and requested those items be removed from the Consent Agenda. The Clerk also announced to postpone Presentation Item #2.

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

PROCLAMATIONS:

Be The Change Day

PRESENTATIONS:

25 Year Service Award – Key West Fire Department Captain Wayne Owen -Postponed

Brian LaPointe – “Effects of Everglades Resoration on Water Quality of the Florida Keys and Key West”.

City Attorney’s Report

The City Attorney had no report

City Manager’s Report

The City Manager advised Spring Break had begun and the Police Department has not reported any arrests thus far.

CONSENT AGENDA:

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolutions as read.

RESOLUTIONS:

RESOLUTION NO. 14-056

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING DANIEL E. ACEVEDO TO THE KEY WEST CONTRACTOR'S EXAMINING BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-057

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING RICHARD J. MILELLI TO THE KEY WEST CONTRACTOR'S EXAMINING BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. Postponed to March 18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, PROVIDING FOR A WAIVER OF IMPACT FEES IN THE AMOUNT OF \$14,094.32 FOR A LAWFUL UNIT LOCATED AT 326 TRUMAN AVENUE; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-058

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE KEY WEST FILM SOCIETY, INC. TO CONDUCT THEIR 10TH ANNIVERSARY CELEBRATION FOR THE TROPIC CINEMA ON SUNDAY, APRIL 6, 2014 FROM 3:00 P.M. TO 10:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF THE 400 BLOCK OF EATON STREET BETWEEN WHITEHEAD AND DUVAL STREETS FROM 3:00 P.M. TO 10:00 P.M.; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 3:00 P.M. TO 10:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-059

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING FREE USE OF KEY WEST PUBLIC TRANSPORTATION ON MARCH 17, 2014; ENCOURAGING RESIDENTS AND VISITORS TO USE PUBLIC TRANSPORTATION THROUGHOUT THE YEAR; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-060

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE PURCHASE OF UP TO THREE (3) CLEAN DIESEL (LOW SULFUR) GILLIG 30' LOW FLOOR BRT BUSES AND ONE (1) HYBRID CLEAN DIESEL (LOW SULFUR) ELECTRIC GILLIG 30' LOW FLOOR BRT BUS IN A TOTAL AMOUNT NOT TO EXCEED \$1,990,393.00 PURSUANT TO STATE CONTRACT, PURSUANT TO SECTIONS 2-797(1)(3) AND 2-844(A) OF THE CODE OF ORDINANCES; CONDITIONING PURCHASE AUTHORITY UPON THE AWARD AND ACCEPTANCE BY THE CITY COMMISSION OF FUNDING THROUGH FDOT GRANT AND FEDERAL TRANSIT ADMINISTRATION (FTA) TOLL REVENUE CREDITS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-061

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A ONE-YEAR EXTENSION, FOR THE POLICY YEAR 2014/2015, OF THE BROKER SERVICES AGREEMENT WITH BROWN & BROWN - PUBLIC RISK INSURANCE AGENCY (PRIA) FOR THE CITY'S PROPERTY AND CASUALTY INSURANCE PROGRAM; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-062

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE APPROVAL OF TASK ORDER 02-2014-STM FOR ARCADIS, D//B/A MALCOLM PIRNIE, INC., IN AN AMOUNT NOT TO EXCEED \$19,750.00 TO PROVIDE A RATE STUDY FOR PREPARATION OF THE CITY'S 2015 STORMWATER BILLING; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-063

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA; AUTHORIZING THE APPROVAL OF TASK ORDER 03-2014-SWR FOR ARCADIS, D//B/A MALCOLM PIRNIE, INC., IN AN AMOUNT NOT TO EXCEED \$19,750.00 TO PROVIDE A RATE STUDY FOR PREPARATION OF THE CITY'S 2015 SEWER BILLING; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-064

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA; AUTHORIZING THE PURCHASE OF NEW ODOR CONTROL UNITS FOR SEWER LIFT STATIONS R AND S FROM HAYWARD, INC., ON A SOLE SOURCE BASIS IN ACCORDANCE WITH THE CITY CODE SECTION 2-797(1), IN THE TOTAL AMOUNT OF \$52,400.00; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-065

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA; ACCEPTING AND AUTHORIZING THE EXECUTION OF THE ATTACHED "FEDERALLY FUNDED SUBGRANT AGREEMENT" CONTRACT NUMBER 14HM-2V-11-54-02-XXX (FEMA NUMBER: 1539-47-R) WITH THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM) FOR PHASE II FEMA FUNDING FOR EAST FRONT STREET FLOOD MITIGATION PROJECT, IN THE AMOUNT OF \$2,454,440.00 (CITY MATCH 25% OF PROJECT COST); AUTHORIZING NECESSARY BUDGET AMENDMENTS OR TRANSFERS TO ACCEPT THE GRANT; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-066

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA; AWARDING THE BID OF ARNOLD'S TOWING & MARINE REPAIR, INC. IN RESPONSE TO RFP 01-14, FOR TOWING SERVICES; 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. 14-067

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE RELOCATION OF THE MALLORY SQUARE PANHANDLING ZONE; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Assistant City Attorney Ron Ramsingh

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

The Mayor acknowledged the motion and the second and requested the Clerk to 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

RESOLUTION NO. 14-068

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED CONCEPTUAL SITE PLAN FOR A PROPOSED VIETNAM VETERAN'S MEMORIAL AT BAYVIEW PARK AND DIRECTING THE CITY MANAGER TO CONTINUE TO WORK WITH THE ORGANIZERS TO COMPLETE A SUITABLE MEMORIAL; SUPPORTING THE USE OF CITY FUNDS FOR UP TO ONE-THIRD OF THE COST OF CONSTRUCTING THE VIETNAM VETERAN'S MEMORIAL; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Bert Bender, Architect
Margaret Romero, 1615 Washington Street
Dave Dachont,
Jerry Hughes, 6531 Maloney Avenue #3
Henry Fuller, 29-7th Avenue
John Dick, 58343 Overseas Highway

It was moved by Commissioner Wardlow and seconded by Commissioner Lopez, for discussion, that the Resolution be amended in Section 2 to add the language "not to exceed \$150,000.00" and passed and adopted as amended.

The Mayor acknowledged the motion and the second and requested the Clerk to 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

RESOLUTION NO. 14-069

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "LEASE AGREEMENT" BETWEEN THE CITY AND KEY WEST PLAYERS, INC. FOR THE WATERFRONT PLAYHOUSE; FINDING A PUBLIC BENEFIT; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Bob Frechette, 330 Caroline Street

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

The Mayor acknowledged the motion and the second and requested the Clerk to 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

RESOLUTION NO. 14-070

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE "CONSULTING AGREEMENT" BETWEEN THE CITY OF KEY WEST AND LANGTON ASSOCIATES, INC., AND IN REM SOLUTIONS, INC. FOR GRANT WRITING

SERVICES FOR A PERIOD OF ONE YEAR; APPROVING AN INCREASE OF \$500.00 PER MONTH EFFECTIVE OCTOBER 1, 2014 THROUGH MARCH 5, 2015, NOT TO EXCEED \$3,000.00; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Sloan Bashinsky, 1711 Seminary Street

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

The Mayor acknowledged the motion and the second and requested the Clerk to 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

RESOLUTION NO. 14-071

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DR. RICHARD WALKER, PROPERTY OWNER(S) IN CODE COMPLIANCE FILE NO. 10-1425 (2407 N. ROOSEVELT BOULEVARD) PERMITTING A RELEASE OF LIEN UPON PAYMENT BY THE OWNERS OF THE AMOUNT OF \$10,000.00 \$34,550.00; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Assistant City Attorney Ron Ramsingh
Donald Yates, legal representative for Dr. Richard Walker
Margaret Romero, 1615 Washington Street
Tom Milone, 832 Caroline Street
Sloan Bashinsky, 1711 Seminary Street
Code Compliance Senior Manager Jim Young
Dr. Richard Walker, 2407 North Roosevelt Blvd.

City Attorney Smith

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow that the Resolution be amended by increasing the fine from \$10,000.00 to \$34,550.00.

The Mayor acknowledged the motion and the second and requested the Clerk to call the roll.

Yeas: Commissioners Lopez, Rossi, Wardlow, Yaniz and Mayor Cates

Nays: Commissioners Johnston and Weekley

It was moved by Commissioner Rossi and seconded by Commissioner Johnston that the fine be paid within 30 days and to have the Resolution be passed and adopted as amended.

The Mayor acknowledged the motion and the second and requested the Clerk to 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

RESOLUTION NO. 14-072

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA; AUTHORIZING THE CITY OF KEY WEST TO ENTER INTO A REVOCABLE LICENSE AGREEMENT FOR NONPERMANENT USE OF 760.75 SQUARE FEET OF CITY PROPERTY FOR PARKING, BRICK PAVERS AND LANDSCAPING ASSOCIATED WITH AN HISTORIC STRUCTURE LOCATED AT 4 PINDER LANE, PURSUANT TO SECTION 2-939 OF THE CODE OF ORDINANCES; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The Clerk administered the Oath of Honesty.

The following people spoke on the matter:

Gregory Oropeza, Legal representation
Don Craig, City Planner

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

The Mayor acknowledged the motion and the second and requested the Clerk to 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

ORDINANCES - FIRST READING:

ORDINANCE NO. Withdrawn

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES ENTITLED "MISCELLANEOUS OFFENSES" BY AMENDING SECTION 42-9 TO REVISE THE DEFINITION OF BODY PAINTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The Clerk acknowledged she received 2 letters in Opposition and 6 letters in Support with an additional letter received at the meeting in Support.

The following people spoke on the matter:

Sloan Bashinsky, 1711 Seminary Street
Judy Martinez, 1020 Emma Street 3a
John Walsh, 3312 Northside Drive
Former City Commissioner Bill Verge
Police Chief Donie Lee
City Attorney Smith

It was moved by Commissioner Weekley and seconded by Commissioner Johnston that the Ordinance be passed on first reading as read.

After a discussion, Commissioner Weekley withdrew his motion and Commission Johnston concurred.

ORDINANCE NO. Pass To Second Reading March 4, 2014

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES ENTITLED "VEHICLES FOR HIRE" BY ADDING SECTIONS 78-65, 78-66 AND 78-67 TO PROVIDE FOR WHEELCHAIR ACCESSIBLE VEHICLES, OPERATIONAL REQUIREMENTS FOR SUCH VEHICLES AND A REVOCATION PROCESS; 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:

Margaret Romero, 1615 Washington Street
Judy Martinez, 1020 Emma Street 3a
Jim McCulloch, 531 Frances Street
M Deelan, 729 Olivia Street
MaryBeth McCulloch, 531 Frances Street
Jan Doelman, Amelia Street
City Attorney Smith

It was moved by Commissioner Lopez and seconded by Commissioner Weekley, for discussion, that the Ordinance be passed on first reading as read.

The Mayor acknowledged the motion and the second and requested the Clerk to 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 reading.

SO ORDERED

ORDINANCES SECOND READING: (Public Hearing)

ORDINANCE NO. 14-02

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 62, ARTICLE V. OF THE CODE OF ORDINANCES ENTITLED “NEWSRACKS” BY ADJUSTING THE SPELLING TO ‘NEWS RACKS’ THROUGHOUT THE ORDINANCE; BY AMENDING SECTION 62-151 TO AMEND DEFINITIONS; ADDING SECTION 62-152 TO STATE PURPOSE AND CRITERIA; AMENDING SECTION 62-177 TO SET JULY 15 AS THE APPLICATION FOR LOCATIONS DEADLINE; AMENDING SECTION 62-179 TO ESTABLISH AND ADJUST CERTAIN FEES; AMENDING SECTION 62-181, DENIAL; AMENDING SECTION 62-182 TO AMEND THE REPLACEMENT PROCEDURE; AMENDING SECTION 62-183, TO AMEND LOCATION REQUIREMENTS; ADDING SECTION 62-186 TO ESTABLISH NEWS RACK MOUNTING STANDARDS; 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:

Robert Cintron, 317 Whitehead Street
Code Compliance Manager Jim Young
City Attorney Smith

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow to amend the Ordinance by having the pad the News Rack rest on be the same dimensions as the News Rack and that the Ordinance be passed on second reading.

The Mayor acknowledged the motion and the second and requested the Clerk to 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. 14-03

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION", ARTICLE V ENTITLED "COMMITTEES, BOARDS AND COMMISSIONS", DIVISION 8 ENTITLED "ART IN PUBLIC PLACES BOARD" OF THE CODE OF ORDINANCES BY AMENDING SECTION 2-487 ENTITLED "FUNDING OF ART IN NEW CONSTRUCTION AND MAJOR RENOVATION PROJECTS" BY ADDING A PURPOSE AND INTENT STATEMENT, ADDING DEFINITIONS, CHANGING THE METHOD IN WHICH THE AMOUNT REPRESENTING 1% OF CONSTRUCTION COSTS IS PAID, CLARIFYING AND ELABORATING CERTAIN PROVISIONS OF THE PROGRAM AND ESTABLISHING PROCEDURE FOR EFFICIENT IMPLEMENTATION OF THE PROGRAM; 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 Johnston that the Ordinance be passed on second reading as read.

The Mayor acknowledged the motion and the second and requested verbal approval.

The response was six to one to pass the Ordinance as read with Commissioner Rossi opposed.

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. 14-04

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED "BUSINESSES" BY AMENDING ARTICLE VI ENTITLED "MOBILE VENDORS", SECTION 18-324 "CONDITIONS OF USE"; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

The Clerk read the title of the Ordinance.

The following person spoke on the matter:

City Attorney Smith

It was moved by Commissioner Lopez and seconded by Commissioner Wardlow, for discussion, that the Ordinance be passed on second reading as read.

The Mayor acknowledged the motion and the second and requested the Clerk to 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:

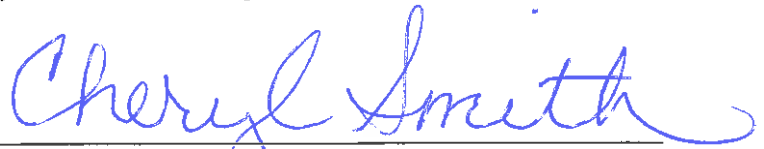
Elizabeth Kerns, 44 Key Cove
Sloan Bashinsky, 1711 Seminary Street

COMMISSION COMMENTS:

Commissioner Yaniz thanked the Police Department for enforcing the City's Ordinances.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 9:33 p.m.



Cheryl Smith, MMC, CPM
City Clerk