

**MINUTES**

**CITY COMMISSION MEETING**

**OLD CITY HALL, 510 GREENE STREET**

**TUESDAY, JANUARY 4, 2011**

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, January 4, 2011.

Mayor Craig Cates called the meeting to order at 6:00 p.m.

Answering roll call were Commissioners Teri Johnston, Clayton Lopez, Mark Rossi, Billy Wardlow, Jimmy Weekley and Mayor Craig Cates.

Commissioner Barry Gibson was absent.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, Interim City Planner Don Craig, Police Chief Donie Lee, Fire Chief David Fraga, Interim City Planner Donald Craig, Department of Transportation Manager Myra Wittenberg, Community Services Director Greg Veliz, Deputy Community Services Director Rodrigo Delostrinos, Code Compliance Manager Jim Young, Information Technology Director Patti McLaughlin, Utilities Manager Jay Gewin, Parking Manager John Wilkins, Port Operations Project Manager Doug Bradshaw, Senior Property Manager Marilyn Wilbarger, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

The pledge of allegiance to the flag of the United States of America was given by all present.

**CHANGES TO THE AGENDA:**

The City Manager requested Resolution Item #15, approving the agreement for ambulance services, be postponed to a date to be determined when all Commissioners would be present. Mr. Scholl stated the applicant had withdrawn Resolution Item #17 for a vacation of property located at 1100 Angela Street.

The Clerk announced there was a speaker for Resolution Items #4 and #5 and those items would need to be removed from the Consent Agenda.

Commissioner Johnston asked if they could hold a special meeting for the ambulance contract. Mr. Scholl stated the next Thursday looked to be a good date for a Special Meeting and a Closed Session that would be introduced by the City Attorney.

Without opposition, the agenda was accepted as changed.

**PRESENTATIONS:**

**ADD ON: 15<sup>th</sup> Annual Holiday Parade Award Presentations**

Key West All Star Cheer & Tumble – Best Youth Entry  
St. Mary’s Star of the Sea School – Best Non Profit Entry  
City of Key West Community Services – Best Commercial Entry  
Keys Energy Services – Honorable Mention

- 1) Presentation of Florida Public Transportation Association Annual Safety Award  
To the City of Key West Transportation Department

City Attorney’s Report

City Attorney Shawn Smith updated the Commission regarding the BCCLT and the Housing Authority agreement. He said the City should be reimbursed approximately \$450,000.00 in prior payments and \$50,000.00 in outstanding utility bills. Mr. Smith asked for a Closed Session for Case 2010-CA-1092-K.

City Manager’s Report

Mr. Scholl thanked the Key West Police Department, the Community Services, Public Works and Recreation Departments for public safety and clean-up after the New Year’s Eve celebration.

Mr. Scholl stated they would have a financial analysis for the Assisted Care Facility by the end of the month.

Mr. Scholl stated there had been a meeting prior to Christmas with the School Board on Glynn Archer. He said they would have until the end of March to finish a workable agreement that would come before both boards.

Mr. Scholl said last year at this time they had discussed the City Manager's Contract and at that time the contract was modified by the Commission for a one year extension to run through July 2011. He said no decision would need to be made tonight but any work that needed to be done ahead of time should be started. He would make himself available to each Commissioner for discussions.

Commissioner Johnston asked for an update on the Pier House appraisal. Mr. Scholl had Marilyn Wilbarger, Senior Property Manager address the issue. Ms. Wilbarger stated they had been in the process of obtaining proposals to prepare the appraisals. They were very close to engaging the two appraisers needed.

Mayor Cates asked the City Manager if he had the figures for the Truman Waterfront. Mr. Scholl asked Assistant City Manager Mark Finigan to respond. Mr. Finigan said the infrastructure fund could handle \$8,500,000.00 over a three year period to fund projects and development. They would apply for TDC funding, State funding, Federal funding and any other kind of grant supported monies.

Commissioner Weekley asked about TDC Funding and their deadlines. Mr. Finigan said they had already met with Mr. Wheeler from the TDC and would get an application in for this cycle. Mr. Scholl stated there also were recreational fund out of Tallahassee they would pursue.

Commissioner Lopez requested Mr. Scholl schedule a meeting regarding the 6.6 acres at the Truman Waterfront. Mr. Scholl said they would get the folks together they need to have for that type of meeting and set it up.

Commissioner Wardlow asked regarding the City Manager's contract, if that would need a resolution to extend or renegotiate or to start a search for a new City Manager. Mr. Smith responded as the contract expires in July if a Commissioner wishes to renew the contract something would come before the Commission.

Commissioner Weekley reminded the Commission that this is an election year and to take that into consideration with regard to the City Manager's contract.

Mr. Smith reminded the Commission it was imperative they adopt a legislative platform for the year and that perhaps that could be part of a special meeting. The Commission agreed. They were asked to check their calendars for Thursday, January 13 at 6:00 p.m. for a Special Meeting and closed session.

Commissioner Johnston asked the City Manager to provide a list of current funding they are receiving at the Federal and State levels.

Commissioner Wardlow asked the City Manager for a follow-up regarding \$7,000,000.00 owed to the State and FEMA from 1999.

Commissioner Rossi welcomed Judge Tegan Slaton to the meeting.

#### **CONSENT AGENDA:**

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Rossi and seconded by Commissioner Weekley 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:**

September 7, 2010 (Regular)

October 5, 2010 (Regular)

#### **RESOLUTIONS:**

##### **RESOLUTION NO. 11-001**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A TRANSFER OF FUNDS IN THE AMOUNT OF \$25,000.00 FROM THE INFRASTRUCTURE SURTAX RESERVE FUND, 101-1900-519.94, TO THE RECREATIONAL PROJECT ACCOUNT FOR IMPROVEMENTS TO THE BOCCE COURTS LOCATED AT THE CORNER OF ATLANTIC BOULEVARD AND WHITE STREET; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-002**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE ROTARY CLUB OF KEY WEST TO CONDUCT A FUNDRAISER AT BAYVIEW PARK, WICKERS FIELD AND PEPE HERNANDEZ FIELD FOR THE SECOND ANNUAL MARQUES BUTLER MEMORIAL SOFTBALL TOURNAMENT ON SATURDAY, JANUARY 29 AND SUNDAY, JANUARY 30, 2011 FROM 8:00 A.M. TO 9:00 P.M. PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE OFFICE OF THE CITY MANAGER; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 10:00 A.M. TO 9:00 P.M. ON SATURDAY, JANUARY 29 AND SUNDAY, JANUARY 30, 2011; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON THE DATE AND DURING THE HOURS STATED ABOVE; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-003**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE KEY WEST ART CENTER TO CONDUCT A CRAFT FESTIVAL SHOW ON SATURDAY, JANUARY 29, 2011 AND SUNDAY, JANUARY 30, 2011 DURING THE HOURS OF 8:00 A.M. TO 8:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF WHITEHEAD STREET BETWEEN GREENE STREET AND EATON STREET INCLUDING CAROLINE ON JANUARY 29, 2011 AND JANUARY 30, 2011 FROM 6:00 A.M. TO 8:00 P.M.; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-004**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE WESLEY HOUSE TO CONDUCT ITS ANNUAL "VALENTINES DAY FUNDRAISER" AT THE CURRY MANSION LOCATED AT 511 CAROLINE STREET ON MONDAY, FEBRUARY 14, 2011, FROM 9:00 A.M. TO 11:30 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF CAROLINE STREET FROM DUVAL TO SIMONTON STREETS AND ANN STREET FROM GREENE TO CAROLINE STREETS FROM 9:00 A.M. TO 11:30 P.M.; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 9:00 A.M. TO 11:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE BARRICADED AREA; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-005**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED “STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT”; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-006**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXERCISING THE TWO-YEAR RENEWAL OPTION CONTAINED IN THE CONTRACT FOR RIGHT OF WAY MAINTENANCE WITH CHARLEY TOPPINO & SONS, INC. ORIGINALLY APPROVED IN RESOLUTION NO. 08-041; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-007**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE PURCHASE OF FIFTEEN (15) CALE MP104 COMPACT MULTI-SPACE PAY AND DISPLAY PARKING STATIONS IN ACCORDANCE WITH CITY CODE SECTION 2-844, IN AN AMOUNT NOT TO EXCEED \$133,500.00 INSTALLED, PURSUANT TO CITY CODE SECTION 2-797(1); PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-008**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTIONS 2-797(3) AND 2-844(A) AND (B) OF THE CODE OF ORDINANCES THE PURCHASE OF DELL COMPUTERS AND ACCESSORIES FROM DELL MARKETING L.P. IN THE AMOUNT OF \$54,571.21; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 11-009**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A STREET PERFORMER APPLICATION FROM MUSTAFA ABDAL-KHALLAQ; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. Postponed**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED AGREEMENT FOR AMBULANCE SERVICES BETWEEN THE CITY OF KEY WEST AND LIFESTAR RESPONSE OF ALABAMA, D/B/A CARE AMBULANCE; 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. 11-010**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING MICHAEL WILSON TO THE KEY WEST BIGHT MANAGEMENT DISTRICT BOARD; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Tom Milone, 832 Caroline Street

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow 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. 11-011**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING ROBERT L. BETHEL TO THE CITY OF KEY WEST TREE COMMISSION; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

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 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. 11-012**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING STAFF SHORT LISTING OF RESPONDENTS TO RFQ 11-001 FOR NELSON ENGLISH/WILLIE WARD PARK ENHANCEMENT PROJECT; RANKING THE TOP THREE FIRMS BASED UPON QUALIFICATIONS; AUTHORIZING STAFF TO NEGOTIATE WITH THE TOP RANKED FIRM AND EACH FIRM THEREAFTER UNTIL AN ACCEPTABLE CONTRACT IS BROUGHT BEFORE THE COMMISSION; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Jim Scholl, City Manager  
Mark Finigan, Assistant City Manager  
Tom Milone, 832 Caroline Street

Ten-minute presentations were given by the following firms:

Bender & Associates  
IBI Group  
mbi/k2m Architecture

The Clerk stated for ranking purposes the first choice would receive 3 points, the second choice would receive 2 point and the third choice would receive 1 point. The rankings were as follows:



First Choice with 15 points - mbi/k2m Architecture

Second Choice with 12 points - Bender and Associates

Third Choice with 9 points - IBI Group

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

(The ranking forms are attached hereto and made a part of these minutes.)

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley 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. Second Reading January 18, 2011**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED "BUSINESSES" BY AMENDING SECTION 18-28 TO PROVIDE CRITERIA FOR THE GRANTING OF A SPECIAL EXCEPTION FROM THE PROHIBITION AGAINST ALCOHOL SALES IN PROXIMITY TO CHURCHES, SCHOOLS, CEMETERIES AND FUNERAL HOMES; 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 Johnston and seconded by Commissioner Lopez that the Ordinance be passed and adopted as read.

The Mayor requested the Clerk call the roll.

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

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading.

**SO ORDERED**

**ORDINANCE NO. Second Reading January 18, 2011**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION" BY CREATING SECTION 2-487 ENTITLED "FUNDING OF ART IN NEW CONSTRUCTION AND MAJOR RENOVATION PROJECTS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Ordinance and read a letter into the record from Jay Scott, Executive Director at Studios of Key West.

The following people spoke on the matter:

Tom Milone, 832 Caroline Street  
Frank Garner, 1215 Catherine Street  
Ben Harrison, 827 White Street  
Michael Shields, 1826 Fogarty Avenue  
Tom Joris, 217 Olivia Street  
Donna Bosold, 530 William Street  
Richard Tallmadge, 1700 Jamaica Drive  
Christine Russell, 1014 Grinnell Street

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

The Mayor requested the Clerk call the roll.

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

Nays: Commissioner Rossi

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. Postponed to February 1, 2011**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER AN ORDINANCE GRANTING A FRANCHISE TO DUCK TOURS SEAFARI INC. TO OPERATE A NON-EXCLUSIVE CITY-WIDE AMPHIBIOUS SIGHTSEEING OPERATION; PROVIDING TERMS AND CONDITIONS, INCLUDING THE FOLLOWING: PROVIDING THAT ORDINANCE DOES NOT PROHIBIT CITY FROM OPERATING A SHUTTLE SERVICE; DEFINING THE TERRITORY TO BE SERVED; AUTHORIZING CITY INSPECTION OF SIGHTSEEING VEHICLES; PROVIDING FOR THE OBSERVANCE OF CURRENT AND FUTURE RULES AND REGULATIONS, INSURANCE REQUIREMENTS AND INDEMNIFICATION; LIMITING ASSIGNMENT OF THE FRANCHISE; PROVIDING CONSIDERATION FOR GRANT OF THE FRANCHISE AND CONTINGENT RELIEF; DIRECTING THE PROCEDURE FOR DESIGNATION OF STOPS AND OPERATIONAL REQUIREMENTS OF FRANCHISEE; PROVIDING FOR INSPECTION OF BOOKS AND RECORDS; AUTHORIZING THE ISSUANCE OF PERMITS; ESTABLISHING THE DURATION OF THE FRANCHISE; PROVIDING FOR THE ESTABLISHMENT OF RATES, FEES AND ROUTES; SPECIFYING DEFAULT PROVISIONS AND PROCEDURE FOR NOTICE, SUSPENSION AND/OR TERMINATION UPON DEFAULT, INCLUDING APPEAL PROVISIONS; PROVIDING REMEDIES UPON BANKRUPTCY OF FRANCHISEE; INDICATING FRANCHISE IS NOT A WAIVER OF OTHER CITY REQUIREMENTS; CLARIFYING THAT NO JOINT VENTURE IS CREATED; PROHIBITING DISCRIMINATION; PROVIDING FOR CONSTRUCTION AND INTERPRETATION OF PROVISIONS; INDICATING TIME IS OF THE ESSENCE; PROVIDING FOR ATTORNEYS FEES, WAIVER OF JURY TRIAL AND SPECIFYING VENUE IN THE EVENT OF LITIGATION; PROVIDING FOR NOTICE, ACKNOWLEDGEMENT, ACCEPTANCE AND CUMULATIVE PROVISIONS; SPECIFYING THE FRANCHISE CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES AND MAY ONLY BE AMENDED BY SUBSEQUENT ORDINANCE OF THE CITY COMMISSION; PROVIDING FOR ELIMINATION OF PERMANENT INJUNCTION UPON INSTITUTION AND COMPLIANCE WITH THE FRANCHISE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Ordinance.

After a fifteen-minute recess the Mayor reconvened the meeting.

The following people spoke on the matter:

Peter Rysman, Attorney  
Ed Swift, 26 Driftwood Drive, for Historic Tours of America  
Shawn Smith, City Attorney  
Ron Demes, Executive Director NAS Key West  
John Murphy  
Jim Scholl, City Manager  
David Fernandez, Assistant City Manager

It was moved by Commissioner Rossi and seconded by Commissioner Johnston to approve the recommended changes as proposed by the City Attorney.

The Mayor requested the Clerk call the roll.

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

Nays: None

The Mayor proclaimed the motion to amend approved.

It was moved by Commissioner Weekley and seconded by Commissioner Johnston, for discussion, to amend the Ordinance to provide for a 36 month start of business.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Weekley

Nays: Commissioners Johnston, Lopez, Rossi, Wardlow and Mayor Cates

The Mayor proclaimed the motion to amend was denied.

It was moved by Commissioner Johnston and seconded by Commissioner Weekley for the Ordinance to be postponed to February 1, 2011.

The Mayor requested the Clerk call the roll.

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

Nays: None

The Mayor declared the item postponed to February 1, 2011.

**SO ORDERED**

**ORDINANCE NO. Postponed to February 15, 2011**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES ENTITLED “WRECKERS AND TOWING SERVICE”; BY AMENDING SECTION 70-650, 70-652, 70-653, 70-657, 70-658, 70-661 TO PROVIDE CONSISTENCY FOR THE CITY TOW ROTATION LIST; INCREASED FEES; INDEMNIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Ordinance and read letters into the record from the following:

Mike Thompson  
Sandra Cornell, 181 Golf Club Drive

The following people spoke on the matter:

Christine Rodriguez, 19444 Seminole Street, Alex’s Towing  
Margaret Romero, 1615 Washington Street  
Shawn Smith, City Attorney  
Donie Lee, Chief of Police  
Ricky Arnold, Jr., Arnolds Towing  
Jim Scholl, City Manager

It was moved by Commissioner Rossi and seconded by Commissioner Lopez, for discussion, to amend the Ordinance striking the reference to “or container” on page 24.

After discussion the motion to amend was withdrawn.

Commissioner Rossi made a motion to amend the Ordinance that states within 180 days from the passing of the Ordinance the City will issue an RFP (Request for Proposals) for services for Police.

There was no second to the motion.

It was moved by Commissioner Weekley and seconded by Commissioner Johnston for the Ordinance to be postponed to February 15, 2011.

The Mayor requested the Clerk call the roll.

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

Nays: Commissioner Wardlow

**SO ORDERED**

Commissioner Lopez acknowledged former Commissioner Turner in the audience.

**CITIZEN COMMENTS:**

Tom Milone, 832 Caroline Street  
Christine Russell, 1014 Grinnell Street

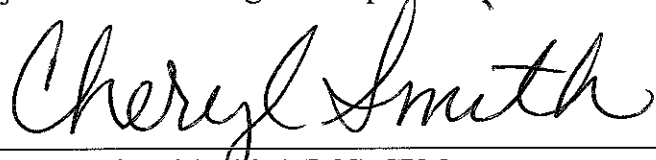
**COMMISSION COMMENTS:**

Commissioner Lopez was excited about the opportunities that lay ahead. Commissioner Lopez announced that his big Christmas gift this year was the arrival of his new home.

Commissioner Weekley mentioned previously there had been suggested having a workshop with the tow companies. Mr. Scholl stated they would be working on that now that the holidays had passed.

**ADJOURNMENT:**

There being no further business the Mayor adjourned the meeting at 9:30 p.m.



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Cheryl Smith, MMC, CPM  
City Clerk

**TABULATION FORM FOR RFQ# 11-001 PARK ENHANCEMENT PROJECT**

**Highest Points Prevails**

	BENDER AND ASSOCIATES	mbi/k2m ARCHITECTURE	IBI GROUP	TOTALS
Commissioner Gibson				
Commissioner Johnston	2	3	1	6
Commissioner Lopez	2	3	1	6
Commissioner Rossi	1	3	2	6
Commissioner Wardlow	1	3	2	6
Commissioner Weekley	3	1	2	6
Mayor Cates	3	2	1	6
<b>TOTALS</b>	<b>12</b>	<b>15</b>	<b>9</b>	<b>36</b>

**mbi / k2m ARCHITECTURE**

**BENDER AND ASSOCIATES**

**IBI GROUP**

1st Choice

2nd Choice

3rd Choice

**CITY COMMISSION  
OFFICIAL RANKING FORM**

**RANKING TOP THREE (3) RESPONDENTS TO RFQ 11-001  
(NELSON ENGLISH / WILLIE WARD PARK)  
FOR PARK ENHANCEMENT PROJECT**

**JANUARY 4, 2011**

Upon completion, the form is to be submitted to the City Clerk for tabulation as part of the selection process records.

First Choice Ranking: MBE / K2M

Second Choice Ranking: Bender + Assoc.

Third Choice Ranking: IBI

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BENDER AND ASSOCIATES

mbi/k2m ARCHITECTURE

IBI GROUP

Submitted by Commissioner: Teri Johnston  
Teri Johnston



**CITY COMMISSION  
OFFICIAL RANKING FORM**

**RANKING TOP THREE (3) RESPONDENTS TO RFQ 11-001  
(NELSON ENGLISH / WILLIE WARD PARK)  
FOR PARK ENHANCEMENT PROJECT**

**JANUARY 4, 2011**

Upon completion, the form is to be submitted to the City Clerk for tabulation as part of the selection process records.

First Choice Ranking: MBI

Second Choice Ranking: BENDER

Third Choice Ranking: IBI

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BENDER AND ASSOCIATES

mbi/k2m ARCHITECTURE

IBI GROUP

Submitted by Commissioner: C. Lopez  
Clayton Lopez

**CITY COMMISSION  
OFFICIAL RANKING FORM**

**RANKING TOP THREE (3) RESPONDENTS TO RFQ 11-001  
(NELSON ENGLISH / WILLIE WARD PARK)  
FOR PARK ENHANCEMENT PROJECT**

**JANUARY 4, 2011**

Upon completion, the form is to be submitted to the City Clerk for tabulation as part of the selection process records.

First Choice Ranking: MBF

Second Choice Ranking: IBC

Third Choice Ranking: Bender and Associates

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BENDER AND ASSOCIATES

mbi/k2m ARCHITECTURE

IBI GROUP

Submitted by Commissioner: Rossi  
Mark Rossi

**CITY COMMISSION  
OFFICIAL RANKING FORM**

**RANKING TOP THREE (3) RESPONDENTS TO RFQ 11-001  
(NELSON ENGLISH / WILLIE WARD PARK)  
FOR PARK ENHANCEMENT PROJECT**

**JANUARY 4, 2011**

Upon completion, the form is to be submitted to the City Clerk for tabulation as part of the selection process records.

First Choice Ranking: mbi/k2m

Second Choice Ranking: IBI

Third Choice Ranking: Bender

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BENDER AND ASSOCIATES

mbi/k2m ARCHITECTURE

IBI GROUP

Submitted by Commissioner:   
Billy Wardlow

**CITY COMMISSION  
OFFICIAL RANKING FORM**

**RANKING TOP THREE (3) RESPONDENTS TO RFQ 11-001  
(NELSON ENGLISH / WILLIE WARD PARK)  
FOR PARK ENHANCEMENT PROJECT**

**JANUARY 4, 2011**

Upon completion, the form is to be submitted to the City Clerk for tabulation as part of the selection process records.

First Choice Ranking: Bender

Second Choice Ranking: IBI

Third Choice Ranking: mbi

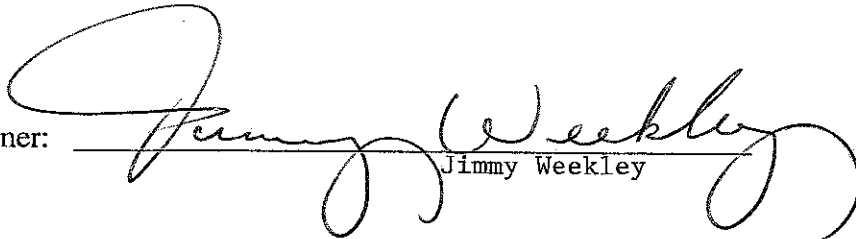
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BENDER AND ASSOCIATES

mbi/k2m ARCHITECTURE

IBI GROUP

Submitted by Commissioner:

  
Jimmy Weekley

**CITY COMMISSION  
OFFICIAL RANKING FORM**

**RANKING TOP THREE (3) RESPONDENTS TO RFQ 11-001  
(NELSON ENGLISH / WILLIE WARD PARK)  
FOR PARK ENHANCEMENT PROJECT**

**JANUARY 4, 2011**

Upon completion, the form is to be submitted to the City Clerk for tabulation as part of the selection process records.

First Choice Ranking: Bender & Associates

Second Choice Ranking: mbi/k2m

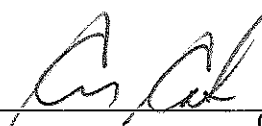
Third Choice Ranking: IBI GROUP

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BENDER AND ASSOCIATES

mbi/k2m ARCHITECTURE

IBI GROUP

Submitted by Mayor Cates:   
Craig Cates