



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, June 15, 2010

6:00 PM

Commssion Chambers

CALL MEETING TO ORDER

6:00 p.m.

ROLL CALL

Commissioner Gibson, Commissioner Johnston, Commissioner Lopez,
Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley
and Mayor Cates

INVOCATION - Rev. Dr. Joe McMurray, Metropolitan Community Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PRESENTATIONS

1 External Auditor - FYE 2009

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.

- 2 Authorizing Janet Ratcliff and Rotary Club of Key West to conduct a fundraiser at Bayview Park and Dewitt Softball Field for the 4th Annual John T. Davila Softball Tournament on Saturday, June 26, 2010 from 8:00 A.M. to 11:00 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 8:00 A.M. to 11:00 P.M. on Saturday, June 26, 2010.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: 10-179
- 3 Authorizing Helpline, Rotary Club of Key West to conduct its Annual Hemingway Days Street Fair on Saturday, July 24, 2010 from 8:00 A.M. to 9:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Duval Street between Front and Fleming Streets between the hours of 8:00 A.M. to 9:00 P.M.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-180
- 4 Authorizing Sloppy Joe's to conduct an event for Poker Run on Saturday, September 18, 2010 from 12:00 Noon to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Greene Street between Duval and Ann Streets from 12:00 Noon to 11:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-181
- 5 Authorizing an expenditure of Federal Forfeiture Funds in an amount not to exceed \$30,000.00 to the Florida Keys Community College (FKCC) for Police Academy Training for up to five (5) cadets.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-182
- 6 Extending the contract for United Street Stormwater Gravity Injection Well Project with D N Higgins, Inc. until June 23, 2010.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 10-183

- 7 Authorizing the City Manager to enter into an agreement with property owner(s) in Code Compliance Case Number CES-07-896 (1226 Seminary Street) permitting a release of lien upon payment by the owners of a mitigated fine amount.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 10-184

- 8 Approving the redistribution of excess sidewalk enhancement funds from 13 current FDOT sidewalk enhancement projects funded through the American Recovery and Reinvestment Act of 2009 (ARRA); Authorizing the City Manager to execute supplemental local agency program agreements to allow for the redistribution of funds; Authorizing necessary budget transfers.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 10-185

- 10 Approving the attached agreement for consulting services between the City of Key West and Kessler Consulting, Inc. for Solid Waste Consulting Services.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 10-186

Approval of the Consent Agenda

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

RESOLUTIONS

- 9 Directing the opening of Cemetery Gates on Francis Street; providing conditions.

Sponsors: Commissioner Weekley

A motion was made by Commissioner Weekley, seconded by Commissioner Gibson, that this Resolution be Postponed. The motion FAILED by the following vote:

No: 4 - Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Mayor Cates

Yes: 3 - Commissioner Gibson, Commissioner Johnston and Commissioner Weekley

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

No: 5 - Commissioner Gibson, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Mayor Cates

Yes: 2 - Commissioner Johnston and Commissioner Weekley

12 Appointing two members to the Citizens Review Board.

Sponsors: City Manager Scholl

A motion was made by Commissioner Rossi, seconded by Commissioner Gibson, that this Resolution be Passed. The motion carried unanimously.

Enactment No: Res 10-187

11 Approving staff short listing of respondents to RFQ 10-009 for Carrying Capacity Traffic Study; 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.

Sponsors: City Manager Scholl

A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, that this Resolution be Passed. The motion carried unanimously.

Enactment No: Res 10-188

ORDINANCES – FIRST READING

13 An Ordinance of the City of Key West, Florida, amending Chapter 22 of the Code of Ordinances entitled "Cemeteries" by amending section 22-16, "Use of Thoroughfares", to define Bona Fide visit; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

A motion was made by Commissioner Weekley, seconded by Commissioner Rossi, that this Ordinance be Postponed. The motion carried unanimously.

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

ORDINANCES - SECOND READING (Public Hearing)

14 An Ordinance of the City of Key West, Florida, amending Chapter 42 of the Code of Ordinance entitled "Miscellaneous Offenses" by amending Section 42-9 to provide for an exemption from the nudity prohibition in areas specifically designated for that purpose by Resolution of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Johnston

A motion was made by Commissioner Johnston, seconded by Commissioner Lopez, that this Ordinance be Adopted. The motion carried by the following vote:

No: 2 - Commissioner Gibson and Commissioner Wardlow

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

Enactment No: Ord 10-14

15

An Ordinance of the City Commission of the City of Key West, pursuant to Section 7.03 of the City Charter, calling for a Referendum for the authority to sell real property owned by the City of Key West and commonly known as 529 Front Street (RE number 00072082-000600); Authorizing the City Clerk to take all necessary action to place this measure on the ballot for November 2, 2010; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

A motion was made by Commissioner Gibson, seconded by Commissioner Lopez, that this Ordinance be Adopted. The motion carried by the following vote:

No: 1 - Mayor Cates

Yes: 6 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Weekley

Enactment No: Ord 10-15

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:44 p.m.