



# 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, August 2, 2011

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 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

### CALL MEETING TO ORDER

6:08 P.M.

### ROLL CALL

**Absent** 1 - Commissioner Gibson

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

### INVOCATION - Rev. Dr. Randal Becker, Unitarian Universalist Fellowship

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

### PROCLAMATIONS

1 Abuse Prevention Emphasis Day

**Sponsors:** Commissioner Lopez

Received and Filed

### PRESENTATIONS

2 Care Ambulance - Doug Tisdale

**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**

3                               \*July 13, 2011 (Workshop)

**Passed**

4                               \*July 19, 2011 (Regular)

**Passed**

**RESOLUTIONS**

5                               \*Authorizing AIDS Help, Inc to conduct the Coronation of the King and Queen of Fantasy Fest at the Southernmost Beach Café on Friday, October 21, 2011 from 9:00 A.M. to 12:00 Midnight; Pursuant to terms and conditions set forth by the City Manager; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 P.M. to 12:00 Midnight; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:**           City Manager Scholl

**Passed**

Enactment No: Res 11-223

- 6 \*Authorizing Paradise Charitable Foundation to conduct Parrot Heads in Paradise Street Party on Friday, November 4, 2011 from 8:00 A.M. to 6:00 P.M. pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 500 block of Duval Street between Fleming and Southard Streets; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to 6:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 11-224

- 7 \*Appointing Commissioners Jimmy Weekley, Billy Wardlow and City Clerk Cheryl Smith to serve on the Canvassing Board for the Municipal Election of October 4, 2011 and the Run-off Election, if any, November 8, 2011.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 11-225

- 8 \*Rescinding Resolution 11-191; Approving a Task Order in partnership with Monroe County, under the City's General Services Contract with Douglas N. Higgins, Inc. in an amount not to exceed \$418,655.79 (City share \$241,827.90) to mill and pave Eaton Street from Simonton Street to White Street; Authorizing the City Manager to enter into an Interlocal Agreement with the County and the Contractor; Authorizing a Budget Transfer from Sewer Fund Reserves.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 11-226

- 9 \*Requesting the Florida Department of Transportation to mill and pave Eaton Street from White Street to Whitehead Street and the Garrison Bight Causeway from North Roosevelt to Palm Avenue.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 11-227

- 10                    \*Authorizing the execution of the attached Modification Number One to “Federally Funded Subgrant Agreement” Contract Number 11HM-2V-11-54-02-004 (State FEMA Project No: HMGP 1539-47-R; State Project No: 1539-116) with the State of Florida Division Emergency Management (FDEM) for Phase I FEMA Funding for East Front Street Flood Mitigation Project, to reinstate and extend the period of performance.

**Sponsors:**            City Manager Scholl

**Passed**

Enactment No: Res 11-228

- 11                    \*Extending the Contract for Sidewalk Enhancements Phase VII - Leon Street Sidewalks Project with Charley Toppino and Sons, Inc. until December 31, 2011.

**Sponsors:**            City Manager Scholl

**Passed**

Enactment No: Res 11-229

- 12                    \*Extending the Contract for Sidewalk Enhancements Phase VI - Duck Avenue Sidewalks Project with Charley Toppino and Sons, Inc. until December 31, 2011.

**Sponsors:**            City Manager Scholl

**Passed**

Enactment No: Res 11-230

- 13                    \*Authorizing pursuant Section 2-797(3) of the Code of Ordinances the purchase of an Electronic Document Scanning Management System from Advanced Processing & Imaging, Inc. (API) in the amount of \$47,296.00; Authorizing the City Manager to execute a contract between the City and API, consistent with the agreement executed by the Monroe County State Attorney’s Office.

**Sponsors:**            City Manager Scholl

**Passed**

Enactment No: Res 11-231

- 14 \*Authorizing a reduction in one-way bus fare for seniors using the Lower Keys Shuttle.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 11-232

- 15 \*Approving execution of Historic Preservation Grant Award Agreement No. F1105 in the amount of \$46,943.89 with the State of Florida, Department of State, Division of Historical Resources, for updating the Historic Resources Survey of Key West; Authorizing the City Manager to execute a contract with Panamerican Consultants, Inc.; Rescinding Resolutions No. 10-304 and 11-102.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 11-233

#### **Approval of the Consent Agenda**

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

- 16 Awarding the Bid of LED Lighting Solutions, LLC in the amount of \$54,796.00 for the purchase of LED Light Fixtures to be installed at the Park N Ride.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Rossi, seconded by Commissioner Weekley, that the Resolution be postponed to September 6, 2011. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Gibson

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

- 17 Authorizing the City of Key West to enter into a Revocable License Agreement with the Steamplant Condominium Association, Inc. for landscaping and maintenance of a City-owned vacant parcel on Trumbo Road.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Rossi, seconded by Commissioner Johnston for discussion, that the Resolution be Passed. The motion carried by the following vote:**

**No:** 1 - Commissioner Johnston

**Absent:** 1 - Commissioner Gibson

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

Enactment No: Res 11-234

- 18 Granting a Major Development Plan for redevelopment of a restaurant and adjacent property located at Mallory Square (RE# 00072082-001100; 00072082-001400 and 00072082-003700), Key West, Florida; Providing for an effective date.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Resolution be Postponed Indefinitely. The motion passed by a unanimous vote.**

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

- 19 An Ordinance of the City of Key West, Florida, Amending Chapter 90 of the Code of Ordinances entitled "Administration" to provide for modification of the membership and membership requirements of the Historic Architectural Review Commission by amending Section 90-127, Membership, Terms and Removal; Section 90-128, Vacancies, and 90-135 Quorum; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Ordinance be Adopted as amended. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Gibson

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

Enactment No: Ord 11-10

20

An Ordinance of the City of Key West, Florida, Amending Chapter 90 of the Code of Ordinances entitled "Administration" by amending Sections 90-133, 90-136 and 90-138 to amend notice requirements; By adding section 90-143 to provide for an expanded and consistent public noticing process for the Historic Architectural Review Commission; By amending Chapter 102 of the Code of Ordinances entitled "Historic Preservation" by amending Sections 102-217 and 102-251 to amend notice requirements; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

**Absent:** 1 - Commissioner Gibson

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

Enactment No: Ord 11-11

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

7:28 P.M.