



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, June 17, 2014

6:00 PM

Old City Hall

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

6:12 P.M.

ROLL CALL

Absent 1 - Commissioner Rossi

Present 6 - Commissioner Johnston, Commissioner Lopez, 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

COMMENDATIONS

1 Recognizing Dr. Ross Williams for serving on the Sustainability Advisory Board.

Sponsors: Mayor Cates and Commissioner Johnston

Received and Filed

2 Recognizing Mr. Jay Gewin for his years of service to the City of Key West.

Sponsors: City Manager Vitas

Received and Filed

PROCLAMATIONS

3 Green Business Month

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

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.**

RESOLUTIONS**4** *Appointing Marianne van den Broek to the Art in Public Places Board.

Sponsors: Commissioner Lopez

Passed

Enactment No: Res 14-164

5 *Awarding the Bid of Charley Toppino and Sons, Inc. for the North Simonton Street Stormwater Emergency Outfall, in accordance with the terms specified in ITB 14-010, in the amount not to exceed \$1,029,227.50; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package and upon advice and consent of the City Attorney.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-165

6 *Approving Task Order No. 3-14-STM from CH2M Hill Engineering, Inc. in an amount not to exceed \$96,212.00 for Engineering Services for the Construction Phase for the Stormwater Emergency Outfall System at North Simonton Street; Approving necessary budget transfers.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-166

- 7 *Authorizing Amendment #1 to Task Order 10 to K2M Design, Inc. (previously known as MBI/K2M Architecture, Inc.), in an amount not to exceed \$30,000.00, for additional construction administration for Fire Station #2 pursuant to the Agreement approved in Resolution No. 08-253, extended in Resolution No. 12-070 and extended in Resolution No. 12-125; Authorizing necessary budget amendments.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-167

Approval of the Consent Agenda

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

- 8 Authorizing City Staff to take actions toward providing Emergency Medical Services; Granting the City Manager or designee authority to develop plans and budget allocations for appropriate staffing, equipment acquisition, operating procedures and related components of Ambulance Service under the direct supervision of the Key West Fire Department; Authorizing the creation of a Division Chief of EMS and providing necessary budget transfers; Authorizing an additional twelve month extension to the current private provider agreement in the event of unforeseen circumstances.

Sponsors: Commissioner Wardlow and Commissioner Yaniz

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

Absent: 1 - Commissioner Rossi

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

Enactment No: Res 14-168

- 9 Authorizing Switchboard of Miami, Inc. & Helpline of the Keys to conduct its Annual Caribbean Street Fair on Saturday, July 19, 2014 from 12:00 Noon 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 Eaton Streets between the hours of 12:00 Noon to 9:00 P.M.

Sponsors: City Manager Vitas

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 14-169

10

Authorizing a waiver of Building Permit Fees for Cornish Memorial AME Zion Church, located at 702-704 Whitehead Street, in an amount not to exceed \$4,440.00.

Sponsors: Commissioner Lopez

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

Absent: 1 - Commissioner Rossi

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

Enactment No: Res 14-170

11

Appointing two members to the Citizen Review Board.

Sponsors: City Manager Vitas

A motion was made by Commissioner Teri Johnston, seconded by Commissioner Jimmy Weekley, that the selection of Arthur Dennison and Rodney Gullatte be appointed to the Citizen Review Board and this Resolution be Passed. The motion passed by an unanimous vote.

Absent: 1 - Commissioner Rossi

Enactment No: Res 14-171

ORDINANCES – FIRST READING

12

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles," Article IV. - Parking, Stopping and Standing, by adding Division 7, Sections 70-260 through 70-264 to create and regulate an Employee Parking Lot Permit; By Adding Section 70-260, Definitions, Section 70-261, Descriptions, Proof of Eligibility, Application and Display of Decal; Adding Section 70-272, Program Costs, Reclamation; Adding Section 70-263, Regarding Prohibitions; and Adding Section 70-264, Penalties; Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Cates

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

No: 1 - Commissioner Wardlow

Absent: 1 - Commissioner Rossi

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

13

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - Parking Stopping and Standing, Division 5, Residential Parking Permit Program, to amend Permit Eligibility and Registration Procedures; By Amending Section 70-248, to Establish Eligibility; Amending Section 70-249 regarding Eligibility for Military and Seasonal Residents and Amending the Registration Fee; Amending Section 70-251 regarding Appeals; 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 Lopez, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Rossi

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

14

An Ordinance of the City of Key West, Florida, Amending Chapter 26 of the Code of Ordinances entitled "Environment," Article IV, entitled "Sound Control" by amending Section 26-191, Definitions; Amending Section 26-192 to amend and clarify unreasonably excessive noise prohibitions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Withdrawn

15

An Ordinance of the City of Key West, Florida, amending the Official Zoning Map of the City of Key West for property located at 625 South Street(RE # 00038140-000000; AK# 1038890), known as the Ocean Breeze Inn, by changing the zoning designation from Historic Residential Office (HRO) to Historic Commercial Tourist (HCT); Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Rossi

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

Enactment No: PB Res 2014-29

ORDINANCES - SECOND READING (Public Hearing)

16

An Ordinance of the City of Key West, Florida, Amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by adding Article XIII, Sections 18-701 through 18-707, entitled "Cosmetics" to establish requirements and procedures to apply for and obtain a permit and for violations and revocation or suspension of a permit; 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 Johnston, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Rossi

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

Enactment No: Ord 14-11

CITIZEN COMMENTS

COMMISSION COMMENTS

Commissioner Tony Yaniz and Commissioner Clayton Lopez called for a Special City Commission Meeting regarding E. David Fernandez's Employment Contract and a Resolution regarding any Confidence in City Manager Bob Vitas.

ADJOURNMENT

9:21 P.M.