

MINUTES
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
WEDNESDAY, NOVEMBER 5, 2014

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Wednesday, November 5, 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.

Lt. Commander Peter Dietz, Chaplain 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.

APPROVAL OF AGENDA:

The Clerk announced speakers for Resolution Items #8, #9, #10, #14 and #15 and requested those items be removed from the Consent Agenda.

The City Manager requested Resolution Item #22 be withdrawn.

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow to approve the agenda. The Mayor acknowledged the motion and second and asked for approval, there were no objections.

PROCLAMATIONS:

Veterans of Foreign Wars "Buddy Poppy Days"

Smart Ride Day

National Hunger and Homelessness Awareness Week

16 Days of Activism

National Home Care Month

PRESENTATIONS:

CITY ATTORNEY'S REPORT

There was no report given by the City Attorney.

CITY MANAGER'S REPORT

City Manager Scholl reported there will be several items of critical importance on the next agenda on November 18 including Medical Director for Emergency Services, Ambulance Billing Service and City Hall Construction.

Commissioner Rossi asked that the traffic lights on North Roosevelt Boulevard be readjusted at Palm Avenue and at the triangle.

Commissioner Wardlow requested the increase received in his check be withheld until the negotiations for employees has been completed. Mr. Yaniz agreed.

Commissioner Yaniz asked the City Manager how the negotiations were progressing.

Commissioner Yaniz suggested holding a closed session with the negotiating team and the Commission. Commissioner Wardlow wanted the negotiation with the City Manager to continue prior to having a closed session.

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.

MINUTES:

September 30, 2014 (Workshop)
October 7, 2014 (Regular)

RESOLUTIONS:

RESOLUTION NO. 14-317

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SPONSORING A HOLIDAY SEASON PARADE ON SATURDAY, DECEMBER 6, 2014, BETWEEN 7:00 P.M. AND 10:00 P.M.; AUTHORIZING THE CLOSURE OF CERTAIN STREETS FOR THE PARADE; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-318

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE MONROE COUNTY COMMERCIAL FISHERMEN, INC. TO CONDUCT THEIR ANNUAL FLORIDA KEYS SEAFOOD FESTIVAL AT BAYVIEW PARK INCLUDING THE SOFTBALL FIELDS ON SATURDAY, JANUARY 17, 2015 FROM 11:00 A.M. TO 8:00 P.M. AND SUNDAY, JANUARY 18, 2015 FROM 11:00 A.M. TO 5:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 11:00 A.M. TO 8:00 P.M.; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-319

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SPONSORING A MARTIN LUTHER KING MARCH CELEBRATION ON MONDAY, JANUARY 19, 2015, BETWEEN 4:00 P.M. TO 5:00 P.M.; AUTHORIZING THE CLOSURE OF CERTAIN STREETS FOR THE MARCH; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-320

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-771(C) OF THE CODE OF ORDINANCES THE DISPOSAL OF ONE SURPLUS 1995 SAULSBURY FIRE ENGINE FOR A MINIMUM BID OF AT LEAST \$2,000.00; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-321

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING CUMULATIVE EXPENDITURES DURING FY 14-15 TO ENTITIES LISTED IN ATTACHMENT "A" IN EXCESS OF \$20,000.00; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-322

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-797(4)(B) OF THE CODE OF ORDINANCES THE PURCHASE OF LAPTOP AND DESKTOP COMPUTERS AND SUPPORT FROM GOVCONNECTION, INC. IN THE AMOUNT OF \$49,121.54; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-323

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-797(4)(B) OF THE CODE OF ORDINANCES THE PURCHASE OF STORAGE AREA NETWORK EQUIPMENT FROM GOVCONNECTION, INC. IN THE AMOUNT OF \$45,818.54; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 14-324

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PURCHASE APPROVED BY THE CITY MANAGER IN EXCESS OF \$20,000.00 AS ALLOWED UNDER SECTION 2-797(2) OF THE CITY'S CODE OF ORDINANCES, FOR THE PURCHASE OF MECHANICAL INTEGRITY TESTING FOR THE RICHARD A. HEYMAN ENVIRONMENTAL PROTECTION FACILITY INJECTION WELLS BY LAYNE CHRISTENSEN COMPANY IN THE AMOUNT OF \$79,651.00, AT THE SAME PRICES SPECIFIED IN BROWARD COUNTY CONTRACT NO. Y1128904C1; 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. 14-325

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DIRECTING THE COMMENCEMENT OF THE PROCESS FOR DEVELOPMENT OF PARKING GARAGES IN OLD TOWN KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Judy Martinez, 1020 Emma Street
Kate Miano, 526 Angela Street
Tim Grosscup, 601 Angela
Roger McVey, 627 Simonton Street
Donald Craig, City Planner
Jim Bouquet, Chief Building Official
John Wilkins, Parking Manager

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

The Mayor requested the Clerk call the roll.

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

Nays: Commissioner Lopez

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. 14-326

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE WHITE PAPER REPORT ON "AFFORDABLE HOUSING NEEDS SOLUTIONS" PRESENTED BY CITY PLANNER DONALD LELAND CRAIG AT THE OCTOBER 7, 2014 CITY COMMISSION MEETING; DIRECTING STAFF TO TAKE ACTION TO IMPLEMENT SOLUTIONS CONTAINED IN THE REPORT; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Sam Kaufman, 3130 Northside Drive
Margaret Romero, 1615 Washington Street
Judy Martinez, 1020 Emma Street
Sloan Bashinsky, 1711 Seminary Street
Donald Craig, City Planner
Manuel Castillo, Executive Director Key West Housing Authority
Shawn Smith, City Attorney

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

The Mayor requested the Clerk 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. 14-327

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPORTING MARRIAGE EQUALITY; URGING THE STATE OF FLORIDA TO STOP OPPOSING MARRIAGE EQUALITY THROUGH THE COURTS; 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 requested the Clerk 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. 14-328

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING BOAT RAMP AND BOAT TRAILER PARKING FEES AT THE CITY MARINA AT GARRISON BIGHT; APPROVING AND IMPLEMENTING AN ANNUAL COMMERCIAL BOAT RAMP FEE; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Judd Wise, 2618 Staples Avenue
Robert Haverty, 1801 N. Roosevelt Boulevard
Rob Lane, 1801 N. Roosevelt Boulevard
Jim Scholl, City Manager
Doug Bradshaw, Port and Marina Services Director

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

After discussion, Commissioners Rossi and Johnston withdrew their motion and second.

It was moved by Commissioner Rossi and seconded by Commissioner Johnston to change the annual ramp fee to \$75.00. Commissioner Johnston requested staff look at revising the rates on a yearly basis.

It was moved by Commissioner Lopez and seconded by Commissioner Wardlow to amend the motion to include a rate of \$120.00 for locals (recreational) for both ramp and parking fee.

The Mayor requested the Clerk call the roll on the amendments.

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

Nays: None

The Mayor requested the Clerk call the roll on the amended resolution.

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. 14-329

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING CHANGE ORDER #1 FOR D. L. PORTER CONSTRUCTORS, INC. FOR THE CONSTRUCTION OF FIRE STATION #2 IN AN AMOUNT NOT TO EXCEED \$422,273.29; AUTHORIZING NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF KEY WEST; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street
Jim Bouquet, Chief Building Official
Chief David Fraga, Fire Department

It was moved by Commissioner Wardlow and seconded by Commissioner Lopez that the Resolution 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: Commissioner Yaniz

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 NOVEMBER 18, 2014

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, REPEALING ORDINANCE 91-33 WHICH ESTABLISHED FEES FOR BOAT RAMP AND RELATED PARKING AT THE CITY MARINA AT GARRISON BIGHT; 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 first reading as read.

The Mayor requested the Clerk 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 reading.

SO ORDERED

DISCUSSION:

Commercial Use of Public Property - Commissioner Johnston brought this topic up for discussion regarding the handling of businesses using public property including beaches and parks.

Commissioner Johnston suggested staff should get input from the people this will impact and have staff come back to the Commission with recommendations to include fees, licensing and insurance.

CITIZEN COMMENTS:

Joey Clemens, 728 Pirate Circle

COMMISSION COMMENTS:

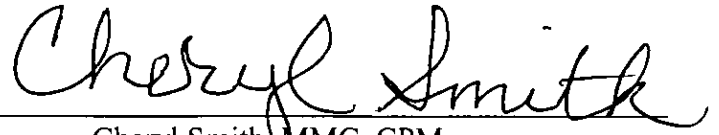
Commissioner Lopez thanked the Police Department and Sheriff's Department with their assistance during the Halloween Trick or Treat ride with the children in Bahama Village.

Commissioner Weekley asked the City Manager to get dates for a workshop regarding festivals. Commissioner Weekley also announced there would be a District 1 meeting on November 12, 2014 at 6:30 at the Key West Ferry Terminal for input on trolley and train franchises.

Commissioner Yaniz commended the group Key West Fest Friends. He also said social media was overwhelming in favor of bringing the tiger back to its previous location.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 8:35 p.m.

A handwritten signature in cursive script that reads "Cheryl Smith". The signature is written in black ink and is positioned above a horizontal line.

Cheryl Smith, MMC, CPM
City Clerk