

MINUTES

SPECIAL CITY COMMISSION MEETING

OLD CITY HALL, 510 GREENE STREET

TUESDAY, MAY 29, 2012

A special meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, May 29, 2012.

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, Tony Yaniz and Mayor Craig Cates.

Also present were City Manager Jim Scholl, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, Chief Assistant City Attorney Larry Erskine, City Planner Don Craig, Police Chief Donnie Lee, Port and Transit Director Jim Fitton, Community Services Director Greg Veliz and Senior Deputy City Clerk Sue Harrison.

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

CHANGES TO THE AGENDA:

City Manager Jim Scholl recommended changing the order of Resolution #2 and Ordinance #3 to hear the Ordinance before the Development Agreement.

Without opposition, the agenda was accepted as changed.

RESOLUTIONS:

RESOLUTION NO. FAILED

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ADDING PHYLLIS TYNES SAUNDERS TO THE FINAL LIST OF CANDIDATES UNDER CONSIDERATION FOR THE POSITION OF CITY MANAGER, PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Yul Knighten, 201 Coppitt Road, #201-C
Margaret Romero, 1615 Washington Street
J. P. Hanley, 408 Aronovitz Lane
Christine Russell, 1014 Grinnell Street
Veronica Stafford, 331 Avenue B
Maureen Bramlage, 812 Carsten Lane
Shawn Smith, City Attorney

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

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Lopez, Wardlow and Yaniz

Nays: Commissioner Johnston, Rossi, Weekley and Mayor Cates

The motion to approve the Resolution was thereupon declared by the Mayor to have failed.

SO ORDERED

ORDINANCES - FIRST READING:

ORDINANCE NO. Approved on First Reading

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PROPOSING AMENDMENTS TO THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES OF THE CITY OF KEY WEST COMPREHENSIVE PLAN FOR PROPERTY KNOWN AS THE PEARY COURT HOUSING COMPLEX (RE# 00006730-000000, ALTERNATE KEY# 1006939); AMENDING THE FUTURE LAND USE MAP LEGEND AND DENSITY AND INTENSITY OF DEVELOPMENT, AMENDING MAP 1-1, MAP 1-4, AND MAP 1-6 OF THE FUTURE LAND USE MAP SERIES; CREATING POLICY 1-1.6.4; AND POLICY 1-2.3.11 TO PROVIDE FOR THE INTEGRATION OF THE MILITARY SITE INTO THE COMMUNITY; AND TO DEFINE A NEW FUTURE LAND USE MAP DESIGNATION OF "HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL" (HSMDR) AND APPLYING SUCH DESIGNATION TO SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH THE SECRETARY OF STATE AND FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE INCLUSION INTO THE CITY OF KEY WEST COMPREHENSIVE PLAN

The Clerk read the title of the Ordinance.

The following people spoke on the matter:

Don Craig, City Planner
David Paul Horan, 608 Whitehead Street for Southeast Housing
Virginia Altobello, 721 Georgia Street
Donna Bosold, P O Box 1553, Key West
Mark Songer, 1310 Newton Street on behalf of Last Stand
Veronica Stafford, 331 Avenue B
Steve Dawkins, 1212 Angela Street
Naja Girard, 1214 Newton Street
George Halloran, 16-B Hilton Haven Drive
Maureen Bramlage, 812 Carsten Lane
Christine Russell, 1014 Grinnell Street
Omar Garcia, 1204 17th Terrace
Chris Stone, 1608 Von Phister
Mildred Tyne, 409 Julia Street
Ralf Brookes, Representing Applicant White Street Partners
Shawn Smith, City Attorney

It was moved by Commissioner Lopez and seconded by Commissioner Rossi that the Ordinance be passed on first reading as amended by Commissioner Johnston to include the 30% affordable housing element under policy 1-1.6.4 to recognize that a portion of the existing housing on the property contributes to the affordable housing stock of the community due to its availability to non-military citizens and its rental rate structure, and to maintain such affordability for a reasonable portion of those units.

The Mayor requested the Clerk call the roll.

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

Nays: Commissioner Weekley

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

SO ORDERED

QUASI-JUDICIAL HEARING:

RESOLUTION NO. WITHDRAWN

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING PERMISSION TO INITIATE A DEVELOPMENT AGREEMENT FOR THE PEARY COURT PROPERTY (RE# 00006730-000000); PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution. The Clerk administered the oath to those about to speak on this issue.

Commission Johnston divulged she has had ex-parte communication with Jim Landers from Ironwood Venture Group on this item.

Mayor Cates divulged he has had ex-parte communications with James Landers and Edward Atwell, Barry Barroso, Richard Klitenick and Mark Songer on this item.

Commissioner Lopez divulged he has had ex-parte communications with those same individuals on this item.

Commission Wardlow divulged he has had ex-parte communications with those same individuals on this item.

Commissioner Yaniz divulged he has had ex-parte communications with the White Street Partners and Mark Songer on this item.

Commissioner Weekley divulged he has had ex-parte communications with Mark Songer on this item.

Commissioner Rossi was approached for discussions and declined to do so.

The following people spoke on the matter:

Don Craig, City Planner
Shawn Smith, City Attorney
Jim Scholl, City Manager
Ralph Brooks, for White Street Partners
David Paul Horan, 608 Whitehead Street
Mark Songer, 1310 Newton Street, on behalf of Last Stand
Judy Martinez, 1020 Emma Street

Donna Bosold, P O Box 1553, Key West
Veronica Stafford, 331 Avenue B
Naja Girard, 1214 Newton Street
George Halloran, 16-B Hilton Haven Drive
Christine Russell, 1014 Grinnell Street
Maureen Bramlige, 812 Carsten Lane

The Clerk read letters into the record from Edwin O. Swift, III and Omar Garcia.

It was moved by Commissioner Yaniz and seconded by Commissioner Lopez, for discussion, to amend condition number 2 to “the affordable housing is subject and would be negotiated and addressed in the agreement itself” and to amend condition number 3 “to assure the development agreement will be contingent upon approval of the comprehensive plan amendment and land development regulations by the city and state” (in other words, they would run concurrent).

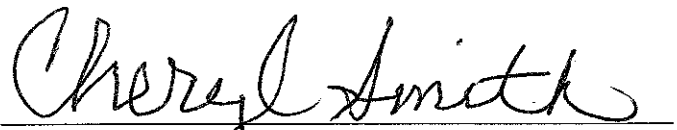
After discussion Commissioner Yaniz withdrew his motion; Commissioner Lopez withdrew his second.

Mr. Brooks approached the Commission and withdrew his application for Permission to Initiate a Development Agreement for the Peary Court property.

SO ORDERED

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 9:04 p.m.


Cheryl Smith, MMC, CPM
City Clerk