

MINUTES
SPECIAL CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
TUESDAY, AUGUST 17, 2010

A special meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, August 17, 2010.

Mayor Craig Cates called the meeting to order at 6:00 p.m.

Answering roll call were Commissioners Barry Gibson, Teri Johnston, Clayton Lopez, Mark Rossi, Billy Wardlow, Jimmy Weekley and Mayor Craig Cates.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, City Planner Amy Kimball-Murley, Community Services Director Greg Veliz, Utilities Manager Jay Gewin, and City Clerk Cheri Smith.

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

APPROVAL OF THE AGENDA

The City Clerk announced there was a speaker signed up for Item 4 and it would need to be removed from the consent agenda. Commissioner Johnston requested Items 3 & 5 be removed from the consent agenda for discussion.

Without opposition, the agenda was accepted as changed.

PRESENTATIONS:

- 1 Southernmost Homeless Assistance League – Wendy Coles
 - 2 Budget – Assistant City Manager Mark Finigan
- City Attorney’s Report – No Report
- City Manager’s Report

City Manager Scholl reported the cemetery gate on Frances Street still remains an issue and he is working with the residents and will bring back a report to the Commission at the next regular Commission meeting.

CONSENT AGENDA:

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolutions as read.

RESOLUTIONS:

RESOLUTION NO. 10-243

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING SOUTHERNMOST BEACH CAFE THE USE OF CITY PROPERTY AT 1405 DUVAL STREET FOR A BREWFEST KEY WEST FESTIVAL ON SATURDAY, SEPTEMBER 4, 2010 FROM 4:00 P.M. TO 8:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE BARRICADED AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-244

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE CONTRACT FOR THE WHITE STREET STORMWATER PUMP STATION PROJECT WITH CHARLEY TOPPINO AND SONS, INC. UNTIL OCTOBER 6, 2010; 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. 10-245

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TO SEEK AN OPINION FROM THE FLORIDA ATTORNEY GENERAL REGARDING THE PERMISSIBLE USE OF HIGH TOURISM IMPACT TAX REVENUES FOR HISTORIC TRUMAN WATERFRONT AND THE CONTINUED VALIDITY OF THE COUNTY ORDINANCE AUTHORIZING SUCH TAX; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Christine Russell, 1014 Grinnell Street

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

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley 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. 10-246

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-NOMINATING PROPERTY LOCATED AT 2700-2706 FLAGLER AVENUE FOR ACQUISITION FUNDING FROM THE MONROE COUNTY LAND AUTHORITY; REQUESTING THAT SAID PROPERTY BE PURCHASED BY THE HOUSING AUTHORITY OF THE CITY OF KEY WEST AND LEASED TO SAMUEL'S HOUSE, INC.; PROVIDING REQUIREMENTS; PROVIDING REPEAL OF RESOLUTION 09-290 TO THE EXTENT OF CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Ann Drago, 2310 Patterson Avenue
Michael Dygerrt, 2607 Flagler Avenue
Margaret Romero, 1615 Washington Street
Elmira Leto
Don Craig
Peter Batty

It was moved by Commissioner Weekley and seconded by Commissioner Johnston that the Resolution be passed and adopted as amended; the re-nomination and request is specifically conditioned upon the project remaining as presented to the City Commission and as it exists today, with 20 transitional beds, ten HUD units, one residential housing unit and services for homeless men.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley 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. 10-247

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, WAIVING BUILDING PERMIT FEES FOR RENOVATIONS TO BE DONE AT THE WATERFRONT PLAYHOUSE; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

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

Yeas: Commissioners Gibson, Johnston, Lopez, Weekley and Mayor Cates

Nays: Commissioners Rossi and Wardlow

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 SECOND READING: (Public Hearing)

ORDINANCE NO. 10-17

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA PURSUANT TO SECTION 1.08 OF THE CITY CHARTER CALLING FOR A REFERENDUM AUTHORIZING THE CITY OF KEY WEST TO ACQUIRE THE GLYNN ARCHER SCHOOL SITE AT 1302 WHITE STREET FROM MONROE COUNTY SCHOOL BOARD FOR USE AS A CITY HALL; 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

The Clerk read the title of the Ordinance.

The following people spoke on the matter:

John Jones, 1024 James Street
Kate Miano, 520 Angela Street
Dave Oatway, 623 Simonton Street
Richard Tallmadge, 1700 Jamaica Drive
Bert Bender, 619 Elizabeth Street
Rudy Molinet, 510 Frances Street
Mike Mongo, 1218 Pearl Street
Christine Russell, 1014 Grinnell Street
Margaret Romero, 1615 Washington Street
Edward Knight

It was moved by Commissioner Wardlow and seconded by Commissioner Lopez for the Ordinance to be passed on second reading as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Lopez, Wardlow, Weekley and Mayor Cates

Nays: Commissioners Johnston and Rossi.

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first and second reading and was adopted and authenticated with the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

ORDINANCE NO. Withdrawn

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA PURSUANT TO SECTION 1.08 OF THE CITY CHARTER, CALLING FOR A REFERENDUM AUTHORIZING THE CITY OF KEY WEST TO PURCHASE 4.25 ACRES OF REAL PROPERTY COMMONLY KNOWN AS 2800 FLAGLER AVENUE (RE NUMBER 00065090-000100) FROM THE FT. ZACHARY TAYLOR SURCHARGE FUND, WHICH IS SET APART FOR THE PURCHASE OF SUCH LANDS, FOR THE USE AS A PUBLIC PARK INCLUDING A CHILDREN'S PLAYGROUND AND PASSIVE RECREATIONAL SPACE; 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.

The Clerk read the title of the Ordinance.

Commissioner Barry Gibson withdrew the Ordinance.

CITIZEN COMMENTS:

Christine Russell, 1014 Grinnell
Victor Cushman
John Jones, 1024 James Street
Mike Mongo, 1218 Pearl Street

COMMISSION COMMENTS:

Commissioner Weekley reported the Florida Keys Outreach Coalition (FKOC) is starting a new program "Share Change for Real Change" and they are asking local businesses to put the FKOC boxes in their business for people to put spare change into. The money will be used for services to the homeless. Anyone who would like a box for their business please contact Rev. Braddock with the FKOC.

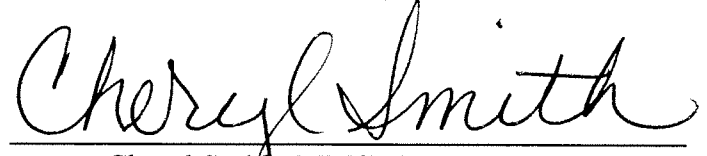
Commissioner Rossi stated there was a meeting with Fantasy Fest last week and one of their topics was recycling for Fantasy Fest. Greg Sullivan from Waste Management was present and they are diligently working to make sure it happens. He also stated the rain dates for Fantasy Fest are November 15 through 21.

Commissioner Gibson stated Linda O'Brien owes the Commissioners a report on the sufficient changes in the operation of Fantasy Fest. Commissioner Rossi stated he would relay the message to Ms. O'Brien and they are working on changes for code of conduct for the event.

Commissioner Lopez thanked the participants and staff that helped with the recent Spelling Bee at the Douglass Gym.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 9:17 p.m.


Cheryl Smith, MMC, CPM
City Clerk