

**MINUTES**

**CITY CHARTER AND DISTRICT  
BOUNDARY REVIEW COMMITTEE**

**OLD CITY HALL, 510 GREENE STREET**

**THURSDAY, JUNE 9, 2011**

A regular meeting of the City Charter and District Boundary Review Committee of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Thursday, June 9, 2011.

Chair Panico called the meeting to order at 1:00 p.m.

Answering roll call were Robert Harvey, Perry Johnston, Clark Knight, Bill Lilley, Philip Schaeffer and Chair Virginia Panico.

Absent was Committee Member Tom Milone.

Also present were City Attorney Shawn Smith, Commissioner Jimmy Weekley, Senior Deputy City Clerk Sue Harrison 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 AGENDA**

It was moved by Mr. Johnston and seconded by Mr. Harvey to approve the agenda. There were no objections.

**APPROVAL OF MINUTES**

1) May 31, 2011

It was moved by Mr. Harvey and seconded by Mr. Lilley to approve the minutes of May 31, 2011 with the correction on page 1, paragraph 7 changing Mr. Clark to Mr. Knight.

The Chair asked for objections, seeing none the minutes were approved as corrected.

## **APPROVAL OF PROPOSED MEETING DATES**

It was moved by Mr. Schaeffer and seconded by Mr. Harvey to approve the meeting dates as provided.

The Chair asked for objections; seeing none the meeting dates were approved.

## **ADOPTING RULES OF PROCEDURE FOR MEETINGS**

Mr. Johnston recommended Section 3(c) regarding limiting discussion to one hour should be eliminated.

It was moved by Mr. Lilley and seconded by Mr. Johnston to remove item (c) from Section 3 as discussed.

The Chair asked for objections and seeing none the motion was approved.

Mr. Johnston recommended Section 4(e) did not apply to this Committee.

It was moved by Mr. Johnston and seconded by Mr. Lilly to eliminate item (e) from Section 4 as discussed.

The Chair asked for objections and seeing none the motion was approved.

Mr. Johnston recommended Section 4(g) also did not apply to this Committee.

It was moved by Mr. Johnston and seconded by Mr. Lilly to eliminate item (g) from Section 4.

The Chair asked for objections and seeing none the motion was approved.

Mr. Smith asked if they would like to set parameters with respect to the length of their meetings with provisions included to extend the time.

It was moved by Mr. Lilly and seconded by Mr. Schaeffer to limit the meetings to two hours.

The Chair asked for objections and seeing none the motion was approved.

Mr. Knight asked about the workshop provisions in the procedures. It was determined that a workshop type meeting would not be necessary for this Committee.

It was moved by Mr. Schaeffer and seconded by Mr. Johnston to approve the changes to adopt the rules of procedure for the meetings.

The Chair asked for objections and seeing none the motion was approved.

The City Attorney would take the suggestions proposed today and form a document to meet the Committee's specific needs.

## **REVIEW OF CITY CHARTER**

The Committee discussed how to start with the review of the City Charter. The City Attorney suggested inviting speakers to give presentations on the sections of HARC (Historic Architectural Review Committee), the CRB (Citizen Review Board) and the Civil Service Board. A presentation by the Supervisor of Elections, Mr. Harry Sawyer, could be scheduled for one meeting by himself. There were other areas of the Charter that would not need to be changed. The members agreed that more controversial items should be presented at the 5:00 p.m. meetings and that the specific Charter provision to be discussed would be stated in the advertisement.

The Chair asked for suggestions on how they would like to review each area of the Charter. The following discussion related to the sections under Article I - General.

Mr. Harvey suggested splitting Section 1 into two meetings; Section 1.01 to 1.05 in one afternoon meeting and Section 1.06 to 1.08 at an evening meeting. Discussion ensued regarding Section 1.05 on height restrictions.

Mr. Johnston suggested eliminating Section 1.01 (City Created) for discussion at a future meeting.

After a brief discussion it was decided not to schedule Section 1.02 (Police Powers and Jurisdiction) and Section 1.03 (Authority of City Commission in Development of Free Port) for a meeting unless the City Attorney's research necessitated further discussion.

It was decided that the Committee would not revisit Section 1.04 (Equality of Rights) unless the City Attorney or a Committee member has a concern with this item at a later time.

Section 1.05 (Height Restriction) should be set for discussion at a meeting. Mr. Knight requested they receive information on Bill 7207 that impacted Section 1.05. Mr. Smith would send the pertinent information that related to the height restrictions to the members.

The Chair suggested Section 1.06 (Historic Architectural Review Commission) and Section 1.07 (Citizen Review Board) could be discussed at the meeting to be held June 23, 2011 at 5:00 p.m. Key West Police Chief Lee would also be invited to attend this meeting.

Mr. Schaeffer recommended setting a date to hear Section 1.05 (Height Restriction) and Section 1.08 (Approval by Electorate Required of Annexation of Any Real Property) for July 28, 2011 at 5:00 p.m.

Chair Panico confirmed if any of the department directors would not be available to attend the meetings they would be comfortable with switching topics to adjust the schedule.

Article II – Boundaries; this item would need no attention unless necessary during the Annexation discussion.

Article III – Legislative; Mr. Johnston wanted discussion scheduled for Section 3.01 (City Commission and Mayor; Election, Term; Term Limits). The Chair noted the next available evening meeting to be August 25, 2011 at 5:00 p.m. Mr. Schaeffer suggested Section 6.01 (City Commission Election; Runoff) should be discussed at the same meeting on August 25, 2011. Sections 3.02 (Qualifications for Mayor and Commissioner) and 3.03 (Determination of

Compensation for Mayor and Commissioners) were also set for discussion on August 25, 2011. These topics could run into two meeting and the additional date of September 22, 2011 was set for these sections if necessary.

At the recommendation of the City Attorney Section 3.04 (Duties of Commission Regarding Administrative Officers and Employees), Section 3.09 (Duties of Mayor), Section 4.01 (City Manager) and Section 4.02 (Appointment of Manager) could be combined for discussion at an afternoon meeting. The date of July 14, 2011 at 1:00 p.m. was set to hear these items.

It was suggested that a speaker be invited to talk about the forms of government. An invitation would be extended to the Florida League of Cities to have someone attend.

The City Attorney would confirm there were no material changes to Section 3.10 (Power of Voters to Propose Ordinances; Initiative and Referendum) to those provisions. No date was set to review this item.

Article IV – Executive and Administrative; Mr. Schaeffer confirmed Sections 4.03 to 4.10 may be subject to further review after their discussion regarding forms of government. No other dates were set for these sections at this time.

Article V – Civil Service (Section 5.01 – Civil Service Board); The City Attorney suggested Claire Hurd, Secretary for the Civil Service Board, and the Administrative Assistant from his office, provide information regarding the Civil Service Board. The meeting of August 11, 2011 at 1:00 p.m. was set for this item.

Article VI – Elections; Section 6.01 (City Commission Elections; Runoff) will be discussed on August 25, 2011 at 5:00 p.m.

Article VII – Ordinances; Right to be Heard; City Attorney Smith offered to provide information to the members on Florida Statute 166.041 if they needed it to review. There were no dates set to review Sections 7.01 (Acts requiring Adoption of Ordinance Generally), 7.02 (Emergency Ordinances) and Section 7.04 (Right of Individual to be Heard). Section 7.03 (Referendum Required for Conveyance of City Owned Real Property; Exceptions) was set for the meeting on August 11, 2011 at 1:00 p.m.

Article VIII – Charter Amendments; Records, Bonds. Mr. Johnston wanted to discuss having a mandatory ten-year review of the full charter. City Attorney Smith suggested a new provision could be established as 8.04 that would say the City Charter shall be reviewed every ten years by an advisory committee established by resolution of the City Commission. Chair Panico requested the City Attorney check to see if this already existed in ordinance form. If there is no current ordinance to have language ready for the Committee to review at the next meeting on June 23, 2011.

Chair Panico reviewed the dates for the items the Committee would be hearing as follows:

June 23 at 5:00 p.m.	-	Sections 1.06 and 1.07 (Police Chief Lee)
July 14 at 1:00 p.m.	-	Sections 3.04, 3.09, 4.01 and 4.02
July 28 at 5:00 p.m.	-	Sections 1.05 and 1.08
August 11 at 1:00 p.m.	-	Sections 5.01 (Claire Hurd) and 7.03
August 25 at 5:00 p.m.	-	Sections 3.01, 3.02, 3.03 and 6.01
September 8 at 1:00 p.m.	-	Nothing Assigned
September 22 at 5:00 p.m.	-	Roll Over Remaining Discussion from August 25

Mr. Lilley asked if the City Clerk knew when Mr. Sawyer would be available. City Clerk Smith would contact him and see if he would be available on either August 11 or September 8.

Mr. Johnston asked about the census figures. Ms. Smith stated she had preliminary census figures and had been working on the district boundary map.

Ms. Smith provided additional information regarding the meeting date of October 27, 2011. Considering this falls during the week of Fantasy Fest the Committee agreed to change the time of the meeting to 1:00 p.m.

**CITIZEN COMMENTS:**

There were no comments from the audience.

**COMMITTEE COMMENTS:**

There were no comments from Committee Members.

**ADJOURNMENT:**

There being no further business the meeting was adjourned at 2:35 p.m.



Susan P. Harrison, CMC  
Senior Deputy City Clerk