



**AGENDA**  
**CITY COMMISSION MEETING**  
**OLD CITY HALL, 510 GREENE STREET**  
**TUESDAY, NOVEMBER 18, 2008 - 6:00 P.M.**

1. **CALL MEETING TO ORDER – 6:00 P.M.**
2. **ROLL CALL – Mayor Morgan McPherson Absent**
3. **INVOCATION – Pastor Ruben Velasco, Key West United Methodist Church**
4. **PLEDGE OF ALLEGIANCE TO THE FLAG**
5. **APPROVAL OF THE AGENDA**
6. **PROCLAMATIONS:** (Mayor McPherson)

**ADD ON:** (a) National Hunger and Homeless Awareness Week  
**ADD ON:** (b) Take Stock in Children Week in the City of Key West  
**ADD ON:** (c) World AIDS Day

7. **PRESENTATIONS:**

**ADD ON: Dedication to the Memory of Sheila Rowan**  
(a) City Attorney's Report  
(b) City Manager's Report

8. **CONSENT AGENDA\* - Unanimous Vote**

9. **APPROVAL OF MINUTES:**

\*(a) October 21, 2008 (Regular)

10. **RESOLUTIONS:**

**08-311 – Unanimous Vote**

- ⊙(a) Approving the placement of a replica of a cigar makers home (Façade of Frame Vernacular House) at the Pocket Park located at 616 Louisa Street.  
(Commissioners Johnston and Lopez)

**08-305**

- \*(b) Approving a settlement between the City of Key West and Melinda Morrison. (City Attorney)

**08-306**

- \*(c) Sponsoring a Holiday Season Parade on Saturday, December 6, 2008 between 7:00 P.M. and 10:00 P.M.; and a Children’s Holiday Festival at Bayview Park on Sunday, December 7, 2008 between 1:00 P.M. and 5:00 P.M.; Providing additional conditions. (City Manager)

**08-307**

- \*(d) Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Evie Evers Kling for an event to take place during the hours of 6:00 P.M. to 11:00 P.M. at the Oldest House 322 Duval Street on Saturday, January 31, 2009. (City Manager)

**08-308**

- \*(e) Establishing Key West City Commission Dates for 2009. (City Manager)

**08-309**

- \*(f) Approving the Grant Award Agreement with Monroe County for Renourishment of Smathers and Rest Beaches in the amount of \$43,000.00. (City Manager)

**Postponed**

- \*(g) Urging the Florida State Legislature to assist the City of Key West in the implementation of funding sources dedicated to the creation and retention of Affordable Workforce Housing. (Mayor McPherson)

**08-312 - Unanimous Vote**

- (h) Appointing a member of the Key West Bight Preservation Association, Inc. to the Key West Bight Management District Board. (Mayor McPherson)

**08-313 – Vote: 6/0**

- (i) Allowing a Variance to Section 18-28 of the Code of Ordinances of Key West, Florida, regarding the sale of alcohol within 300 feet of a church, school, cemetery or funeral home for property located at **1004 Duval Street**. (#00027200-000000). (City Manager)

**08-314 – Vote: 5/1; Commissioner Johnston - No**

- ADD ON:**
- (j) **Urging continuation of the Florida Department of Transportation’s Roadway Improvement Plans for U.S.1 between Mile Marker 93 and 106; Providing for transmission of this resolution. (Commissioner Verge)**

\*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.

**08-310**  
**ADD ON: \*(k) Expressing concern about the possible impact on Monroe County’s elderly population and their families if the Key West Convalescent Center is required to close and requesting at least a 90-day extension of time to transition ownership to a new firm with time to come into compliance with AHCA and CMS regulations, or transfer patients to another facility. (Mayor McPherson and Commissioners Gibson and Kolhage)**

**11. ADMINISTRATIVE APPEAL:**

**08-315 – Vote: 6/0**

**Upholding the Chief Building Official’s decision to deny a building permit for the property located at 1432-1460 Kennedy Drive.**

- (a) An Appeal of the Chief Building Official’s denial of a Building Permit for the property located at 1432-1460 Kennedy Drive a/k/a Luani Plaza filed by John R. Allison, III Appellant.

**12. ORDINANCES – FIRST READING:**

**Second Reading December 2, 2008 – Vote: 6/0**

- (a) 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, Division 6 entitled “Employee Assistance Parking Program” by adding provisions defining eligibility in Section 70-254 and including an exception for business owners in Section 70-256; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Mayor McPherson)

**Second Reading December 2, 2008 – Vote: 6/0**

- (b) An Ordinance of the City of Key West, Florida, amending Chapter 18, Article VI of the Code of Ordinances entitled “Mobile Vendors” by amending Section 18-324 to clarify the definition of Restricted Areas; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date (City Manager)

**Second Reading December 2, 2008 – Vote: 6/0**

- (c) An Ordinance of the City of Key West, Florida, adding Chapter 31 of the Code of Ordinances entitled “Law Enforcement Alarm Regulation” by adding Sections 31-1 through 31-10 to provide regulations and fees pertaining to false alarms; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

**13. CITIZENS COMMENTS**

**14. COMMENTS BY THE COMMISSION**

**15. ADJOURNMENT – 8:42 P.M.**

⊙Removed from Consent Agenda

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