



**City of Marathon City Council Agenda**  
**Marathon Government Center, 2798 Overseas Hwy., Marathon**  
**Tuesday, July 28, 2015, 5:30 P.M.**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of agenda and consent agenda** [Approval of Consent Agenda passes all routine items indicated by asterisk (\*). Consent Agenda items are not considered separately unless a council member so requests.]
5. **City Council Items**
  - \*A. Approval of [Minutes](#)
  - B. [Statement](#) of Support for the Guard and Reserve (Mayor Bull)
  - C. Community [Announcements](#)
6. **City Manager Report**
  - A. FIU Affordable Housing [Update](#)
  - B. [Request](#) to Sell Beer and Wine and Waive Fees for 3<sup>rd</sup> Annual Florida Keys Celtic Festival January 9-10, 2016
  - C. Parks & Recreation Department [Report](#)
  - D. Public Works Department [Report](#)
  - E. City Hall Construction Progress Report
  - F. Wastewater Utility Departmental [Report](#)
  - G. Legal [Report](#)
7. **Citizens' comments on agenda items not scheduled for public hearing and items other than those appearing on the agenda** [Those who have signed in will be given the first opportunity to speak. Time is limited to 2 minutes per speaker and 30 minutes total time for this agenda item.]  
**6:30 PM OR AS SOON AS POSSIBLE THEREAFTER OR AFTER THE LAST AGENDA ITEM; WHATEVER COMES FIRST**
8. **Quasi-Judicial Public Hearings:** Please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to comment upon these items, please inform the Clerk by filling out the available sign-up form. An opportunity for persons to speak on the items will be made available after the applicant and staff has made their presentations on the items. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will not be considered. The general public will not be permitted to cross-examine witnesses, but the public may request the Council to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. (Councilmember's to communicate ex parte communication.)

A. A [Request](#) for an Extension of One (1) Year for the Development Agreement for Marlin Bay Yacht Club.

## 9. Ordinances for First Public Hearing

A. **Ordinance [2015-08](#)**, Repealing Chapter 26, Article 1 Of The City Code Of Ordinances; Providing For The Adoption Of A New Article 1, Entitled “Abandonment Of Right-Of-Way,” To Include New Procedures For Abandonment Of City Owned Right-Of-Way, Provisions For Definitions, General Procedures, Applications And Privilege Fess, Petition Application Procedures, Review Of Petition, Notice Of Intent, And Review By The City Council; Providing For Severability; Providing For The Repeal All Ordinances Or Parts Of Ordinances Found To Be In Conflict, And Providing For Inclusion In The Code; And Providing For An Effective Date

## 10. Ordinances for Second Public Hearing and Enactment

A. **Ordinance [2014-17](#)**, Amending The Comprehensive Plan Future Land Use Map (FLUM) Designation From Residential High (RH) To Public (P) For The Breadth Of The Northerly 240 Feet Of Property Described As Lot 1 Of La Palma Of The Florida Keys And The Northerly 50 Feet Of Lot 5, Block 1, The Palms Subdivision, Section 06 , Township 66, Range 33, Key Vaccas, Marathon, Monroe County, Florida, Having A Real Estate Numbers 00104441-000100 & 00332680-000000; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity (The “Department”); And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department In Accordance With State Law.

## 11. Resolutions for Adoption

A. **Resolution [2015-75](#)**, Relating To The Construction Of Wastewater Collection And Treatment Facilities Within Service Areas 1, 3, 4, 5, 6 & 7 And Little Venice In The City Of Marathon, Florida; Imposing The Annual Wastewater Assessments For The Fiscal Year Commencing October 1, 2015; Approving The Assessment Roll; Providing For The Collection Of The Assessments; And Providing An Effective Date

B. **Resolution [2015-76](#)**, Relating To The Construction Of Wastewater Collection And Treatment Facilities Within The Supplemental Assessment Program Area In The City Of Marathon, Florida; Imposing The Annual Wastewater Special Assessments For The Fiscal Year Commencing October 1, 2015; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing An Effective Date

C. **Resolution [2015-77](#)**, Imposing The Annual Stormwater Utility Special Assessments For Fiscal Year Commencing October 1, 2015; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date

D. **Resolution [2015-78](#)**, Approving an employment agreement between David Migut and the City of Marathon, Florida for City Attorney Services; Authorizing the Mayor to execute the Agreement on behalf of the City; and Providing for an Effective Date

**\*E. Resolution [2015-79](#),** Approving A Contract Between The City And The Monroe County Sheriff's Office For Local Police Services In An Amount Not To Exceed \$1,595,048 For FY 2015-2016; Authorizing The City Manager And City Attorney To Finalize The Terms And Conditions Of The Contract; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

**\*F. Resolution [2015-80](#),** Approving Second Amendment To The Contract With Carlos Rivero Plumbing & Septic Tank Contractor, Inc., For Sludge Removal Services Previously Approved By Resolution 2015-53 Dated May 26, 2015; Increasing The Contract Amount From \$64,279 to \$154,679; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

- 12. Citizens' comments** [2 minutes per individual - Each individual has one opportunity to speak.]
- 13. Council comments**
- 14. Adjournment**

The public hearings will commence at 5:30 p.m., or as soon thereafter as business permits, at the Monroe County Government Center, 2798 Overseas Highway, Marathon, FL. All interested persons are invited to attend the meeting and participate in the discussion; or, written comments may be sent to the City of Marathon, c/o City Clerk, 9805 Overseas Hwy, Marathon, FL 33050. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. ADA Assistance: Anyone needing special assistance at the City Council hearing due to disability should contact the City of Marathon at (305) 289-5020 at least two days prior thereto. Please contact the City Clerk at [clavierd@ci.marathon.fl.us](mailto:clavierd@ci.marathon.fl.us) if you would like to receive any of the items on the agenda by email.