



City of Marathon City Council Agenda
Marathon Government Center, 2798 Overseas Hwy., Marathon
Tuesday, August 25, 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. Public Interviews for City Manager
 1. Lyndon Bonner
 2. Charles Lindsey
 - C. Eagle Scout [Proclamation](#), Ben Rider
 - D. 104th Street Property Utilization Plan Discussion (Vice Mayor Senmartin)
 - E. Keys AHEC Emergency Request – School Health Initiative (Mayor Bull)
 - F. Community [Announcements](#)
- 6. City Manager Report**
 - A. Update Regarding TDC Grant Options and Land Acquisition
 - B. Renewal of Residential Lease, 2150 Sombrero Beach Road (Informational)
 - C. Marathon Fire Rescue Departmental [Report](#)
 - D. Public Works Department [Report](#)
 - E. City Hall Construction Progress [Report](#)
 - F. Introduction of Dan Saus, Wastewater Utility Director
 - G. Legal Report
 1. Ethics Complaint Invoice
 2. Stearns Weaver Invoice
 3. Sustainability Partnership Donation
- 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. Consideration Of A Request By Diana Jones, Lora Landry, And Lynn Landry For A [Conditional Use](#) Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations Entitled "Conditional Use Permits", Authorizing A Duplex At Property Located At 863 86th Street, Which Is Legally Described As Bk Lt 22 And 23 Sunny Isle PB4-52 Key Vaca, Monroe County, Florida, Having Real Estate Number 00349260-000000 and 00349270-000000, Nearest Mile Marker 51.5.

B. Consideration Of A Request By Green Market Events For A [Conditional Use](#) Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations Entitled "Conditional Use Permits", Authorizing The Use Of An Open Air Market, Which Is Legally Described As Lots 1-3-4, Block 4 Of Lida Subdivision, Key Vaca, Monroe County, Florida, Having Real Estate Numbers 00348620-000000. Nearest Mile Marker 51.5.

C. Consideration Of A Request For A [Conditional Use](#) Permit And Development Agreement For Knight's Key Investors, LLC And Knight's Key Road, LLC, Pursuant To Chapter 102, Articles 8 & 13 Of The City Of Marathon Land Development Regulations (Code) Entitled "Conditional Use Permits" And "Development Agreements," For The Redevelopment Of A Property Into A Resort Facility; With Proposed Densities Of Approximately 9.16 Transient And Affordable Housing Units Per Acre, Proposed Intensities Of Less Than 10 Percent; And Including An Approval By The Director Of Planning To Allow "Minor Architectural Features" To Exceed The Maximum Height Limit Of 37 Feet To Approximately 44 Feet Pursuant To Chapter 107, Article 5, Section 107.41, "Height-Exceptions To Limits"; Located At 1 Knight's Key Blvd; Which Is Legally Described As Lot 1 And Part Of Lot 2 And Bay Bottom East Of And Adjacent To Government Lot 2, Section 8 And 17, Township 66 South, Range 32 East, Knights Key, Monroe County, Florida; Having Real Estate Number 00101800-000000, Nearest Mile Marker 47.

9. Ordinances for First Public Hearing

A. **Ordinance [2015-09](#)**, Regulating Outdoor Burning In The City Of Marathon; Providing For Enforcement And Penalties; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; And Providing For An Effective Date

10. Ordinances for Second Public Hearing and Enactment

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

11. Resolutions for Adoption

***A. Resolution 2015-88, Authorizing The City To Extend The Agreement With Ballard Partners Inc.. For Professional Consulting And Lobbying Services Before The Legislature Of The State Of Florida; Authorizing The City Manager To Expend Budgeted Funds, And Execute The Extension Agreement; And Providing An Effective Date**

***B. Resolution 2015-89, Authorizing The City To Extend The Agreement With Ronald L. Book, PA For Professional Consulting And Lobbying Services Before The Legislature Of The State Of Florida; Authorizing The City Manager To Expend Budgeted Funds, And Execute The Extension Agreement; And Providing An Effective Date**

***C. Resolution 2015-90, Approving A One Year Extension Of The Professional Services Agreement Between The City Of Marathon And Professional Practice Support, Inc., Third Party Healthcare Billing Agreement; Authorizing the City Manager To Execute The Extension And Expend Budgeted Funds; And Providing For An Effective Date**

***D. Resolution 2015-91, Approving Change Order No. 4 To Contract Between The City And Pedro Falcon Electrical Contractors In The Original Amount Of \$4,376,514.00 For The Construction Of City Hall And Council Chambers; Increasing The Contract In The Amount Of \$73,209.83 For The Relocation Of The Server Room And Other Additions And Deletions To The Project; Authorizing The City Manager To Execute The Change Order 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 if you would like to receive any of the items on the agenda by email.