



City of Marathon City Council Agenda
Marathon Government Center, 2798 Overseas Hwy., Marathon
Tuesday, September 8, 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. First Public Hearing to Adopt the Tentative Budget and Millage Rate.

- A. Presentation of 2015-2016 Proposed Budget
- B. First Public Hearing On Tentative Budget And Millage

6. Resolutions for Adoption

- A. **Resolution [2015-92](#)**, Adopting The Tentative Millage Rate And Levy Of Ad Valorem Taxes For The City Of Marathon, Florida For Fiscal Year 2015-2016; And Providing For An Effective Date
- B. **Resolution [2015-93](#)**, Adopting The Tentative Budget For Fiscal Year 2015-2016; and Providing For An Effective Date.

7. City Council Items

- * A. Approval of [Minutes](#)
- B. BP Settlement Proceeds Discussion (Vice Mayor Senmartin)
- C. Community [Announcements](#)

8. City Manager Report

- A. IT Audit Presentation (EssentialNet Solutions)
- B. Building and Code Departmental [Report](#)
- C. Monroe County Sheriff's [Report](#)
- D. Planning Departmental [Report](#)
- E. Marina Departmental [Report](#)

9. 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**

10. Ordinances for Second Public Hearing and Adoption:

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, Application Fees, Petition Application Procedures, Review Of Petition, Notice Of Intent, And Review By The City Council; Providing For Severability; Providing For The Repeal Of All Ordinances Or Parts Of Ordinances Found To Be In Conflict,

11. 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. Resolution [2015-94](#), Approving The Request By Knight's Key Investors, LLC And Knight's Key Road, LLC For A Development Agreement, Pursuant To Chapter 102, Article 8 Of The City Of Marathon Land Development Regulations (Code) Entitled "Development Agreements", Authorizing 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; And Providing For An Effective Date

12. Resolutions for Adoption

A. Resolution [2015-95](#), Providing For A Binding Referendum Ballot Measure To Be Presented To The Electors Of The City Prohibiting Open Burning, Outdoor Burning, And Refuse Burning On Residential Lots In The City Of Marathon; Providing Requisite Ballot Language For Submission To The Electors; Providing For Notice Of Election; Providing For Severability; And Providing An Effective Date.

***B. Resolution [2015-96](#),** Approving The Request By Knight's Key Investors, LLC And Knight's Key Road, LLC For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled "Conditional Use Permits", Authorizing 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.; And Providing For An Effective Date

***C. Resolution [2015-97](#),** Approval 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.

***D. Resolution [2015-98](#)**, Approval 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.

***E. Resolution [2015-99](#)**, Approving A Two Year Extension To The Agreement Between The City And EssentialNet Solutions, Inc. For The Provision Of Information Technology Services In An Amount Not To Exceed \$8,392.00 per month; Authorizing The City Manager To Execute The Extension And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

***F. Resolution [2015-100](#)**, Approving A Second Amendment To The Interlocal Agreement With Florida Keys Aqueduct Authority; Increasing Charges For Billing Services From \$1.07 To \$1.17 Per Bill Generated Each Month; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

G. Resolution [2015-101](#), Approving A Second Amendment To The Agreement Between The City And Bishop, Rosasco And Co., For A Six Month Extension To The Agreement; Authorizing The City Manager To Execute The Extension And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

H. Resolution [2015-102](#), Approving An Employment Agreement Between Charles Lindsey And The City Of Marathon, Florida For City Manager Services; Authorizing The Mayor To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date

13. **Citizens' comments** [2 minutes per individual - Each individual has one opportunity to speak.]
14. **Council comments**
15. **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 Hwy. in Marathon. 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 & 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