

CALL TO ORDER

A Meeting of the City Council of Marathon, Florida was held on May 25, 2010 in the Government Center, 2798 Overseas Hwy., Marathon, Florida, Vice-Mayor Mike Cinque called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

There were present:

Councilmember Richard Keating

Councilmember Dick Ramsay

Councilmember Pete Worthington

Vice-Mayor Mike Cinque, comprising a quorum

Mayor Ginger Snead, Absent

Also in attendance were:

City Manager, Roger Hernstadt

City Attorney, Joe Jimenez

Acting City Clerk, Hillary Harrison

Finance Director, Peter Rosasco

George Garrett, Planning Director

Community Services Director, Susie Thomas

Public Works Manager, Carlos Solis

Utilities Manager, Zully Hemeyer

Ed Castle, Weiler Engineering

Cinque stated Snead is absent due to her father passing and asked for a moment of silence with regard to Snead's father passing away.

Approval of Agenda and Consent Agenda

Hernstadt asked that item 5C (City Anniversary Party) be deferred to allow for Snead to be present to speak on the item. He asked for a Gulf Oil Spill update from the U.S Coast Guard and BP in its place.

Hernstadt pulled item 6A1 (Airvac Information) from the agenda until a report that includes both the expenditure and revenue items be given to Council.

MOTION: Worthington moved to accept the agenda as amended.

SECOND: Keating

With no objection from the members of Council, Cinque declared the motion approved by unanimous consent.

30th Annual 7 Mile Bridge Run Request for April 9, 2011

Hernstadt asked for approval for the 30th annual 7 Mile Bridge Run on April 9, 2011.

MOTION: Worthington moved to approve 30th Annual 7 mile Bridge Run for April 9, 2011.

SECOND: Keating

With no objection from the members of Council, Cinque declared the motion approved by unanimous consent.

U.S. Coast Guard/B.P Oil in the Gulf Update

Captain Pat DeQuattro, U.S. Coast Guard Commander, provided a PowerPoint presentation illustrating a timeline with regard to pollution reports concerning tar balls in the waters off the Florida Keys. DeQuattro explained the tar balls were sent to a lab for testing and analysis and they determined the tar balls were not related to the Deep Water Horizon Gulf oil spill. The U.S. Coast Guard established a clean up operation for tar balls that were reported at the Dry Tortugas and has established a unified command led by the Coast Guard to respond. DeQuattro explained the U.S. Coast Guard is watching the situation very closely and is ready to employ the right resources at the right time.

De Quattro stated the NOAA website is a great resource for the public to track the spill.

De Quattro stated the overall plan for the Florida Keys is the contingency plan, which is a grid that identifies environmentally sensitive areas. We have response teams in our lower, middle and upper Keys, which is funded by the oil spill liability trust fund. He also mentioned the protection of mangroves is headed by an environmental team, which has put together a matrix of information.

DeQuattro stated the U.S. Coast Guard is working with BP in the Florida Keys full time, helping prepare and bringing in any information they have to minimize any impacts with regard to the spill.

A representative will be present later to discuss claim information, etc. DeQuattro stated he will be glad to share his contact information.

Cinque stated he would like to get the contact information on the website.

Worthington asked if there are any plans to restrict commercial fishing vessels out of the oil spill areas.

DeQuattro stated NOAA has imposed fishing restrictions in the Gulf of Mexico, but stated there are no plans at this point from the U.S. Coast Guard to restrict fishing areas in the gulf near the Florida Keys.

DeQuattro provided BP Community Relation Liason, Andrew Van Chau's cell phone number as 630-414-5415.

Overseas Heritage Trail Discussion

Cinque recused himself from the discussion.

Ramsay asked if Council would allow Richard Warner to speak on the situation relating to FDOT and the local community.

No objection from Council.

Richard Warner, representing Save Our Spaces and the Ardolino estate spoke against Overseas Heritage Trail improvements installed in front of the Overseas Lounge/Stuffed Pig Restaurant due to blocking access to US1. Warner gave Council a handout referencing the statute from FDOT. Warner recommended Council sponsor a resolution to tell FDOT to conform with their Statute, that he feels they are in direct violation of.

Ramsay thanked Warner for his presentation.

Worthington asked Warner if he has given the City any conceptual plans of the continuation of the heritage trail.

Warner stated he is working on that project, however he is waiting on Cinque's approval and also, he is obligated to serve the lawsuit to the State of Florida.

Keating asked Warner if FDOT has set precedence in Islamorada in regards to their historic district.

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Warner stated that yes; they have set a precedence, which would be Ziggy's in Islamorada.

He stated that they could have cut Ziggy's off and turned them into a nothing property, however, they put painted lines and that is all he is currently asking for.

Ramsay thanked Warner and asked for any further input from Council.

Worthington asked Warner to get a set of conceptual plans to the City Manager.

Warner said he would do so and prepare a proposed resolution in addition.

Ramsay stated he would like to see the City well represented from a community and business standpoint. He also spoke regarding the recent planting of buttonwood trees by the NAPA auto parts store in Marathon and wanted to make sure that NAPA has the proper exposure to conduct business. Ramsay also expressed concerns regarding the visibility of pedestrian, bikers, etc. with regard to the Heritage Trail that runs into Grassy Key.

Ramsay asked the City Manager to put on the agenda for the next meeting an item for consideration to write a letter or pass a resolution for the Ardolino Estate and the Stuffed Pig property.

Hernstadt stated he spoke with FDOT last week about potential dates to get together with their chief engineer.

Hernstadt stated that Andrew Van Chau, BP Response Public Information Officer is present now and would like to speak.

Van Chau apologized for being late and stated the purpose of BP setting up a claims office in Marathon is to provide information on how to go through their claims process. Van Chau stood available to answer any questions.

Worthington stated he is concerned with the commercial fishing industry in the Florida Keys and stated there are a lot of fishermen that want to be helpful in the clean up of the oil spill. He went on to ask if there is going to be any official HAZMAT training provided for residents in the Keys funded by BP?

Van Chau stated BP has provided a grant in the amount ten thousand dollars to the Florida Keys Community College for training purposes. Van Chau also spoke in regards to the Vessel Operations program, where BP reaches out to fishermen in the event of needed support offshore. If the need arose in the Florida Keys, the training would be implemented at that time. There is an initial four hour training program and then it branches into a charter program, where there would be additional training.

Worthington stated there is a large group of fishermen that were trained in the 1990s' with MSRC, and asked if BP is working with that organization.

Van Chau stated yes, BP is working with that group.

Ramsay asked what the procedure will be for filing claims?

Van Chau stated there is a claims process in place and provided the phone number: 1-800-440-0858.

Cinque asked to get that information on the website.

Hernstadt confirmed the City will get the contact information on the web and he also stated he would like to set up a meeting with some of our local businesses in conjunction with the Chamber of Commerce.

Van Chau also provided their website www.deepwaterhorizon.com for further information.

Land Acquisition Committee Member Replacement Due to Resignation

Worthington thanked Dan Zieg for his four years of service on the Land Acquisition Committee. Worthington appointed Jason Koler to the Land Acquisition Committee.

Little Venice Roadway Paving Update

Hernstadt reported the paving would be completed in 14 months, with \$3.579 million budgeted to complete the work, which includes stormwater and paving.

He stated the contract is expected to be awarded on August 10th.

Reports and Presentations

Hernstadt spoke on the Fire Fee Formula report for Key Colony Beach.

MOTION: Cinque moved to instruct staff and City Manager to begin negotiations and bring this issue back, keeping us updated and have a joint workshop with the Council of Key Colony Beach.

SECOND: Ramsay

With no objection from the members of Council, Cinque declared the motion approved by unanimous consent.

Quarterly Finance Report

Rosasco provided a quarterly finance report to council. Rosasco reviewed expenditures, revenues, assets and liabilities.

Rosasco also stated he will begin to build the projected budget for the next fiscal year.

Worthington asked questions regarding the influx of tax certificates for sale, is this normal in relation to ad valorem taxes.

Rosasco stated it will depend on the tax sales this year. He also said the intergovernmental revenues are looking up.

Worthington asked Rosasco to comment on the property values for this year.

Rosasco stated he feels we will not see any increase on our property values this year, however we will have that information in the near future.

Citizens Comments

***Resolution 2010-48**, Supporting The Efforts Of Governor Charlie Crist And The South Florida Water Management District To Acquire Land South Of Lake Okeechobee For The Protection And Restoration Of America's Everglades And Florida's Coastal Estuaries; and Providing For An Effective Date.

***Resolution 2010-49**, Approving Certain Purchases In Excess Of \$10,000 And Less Than \$25,000; Waiving Competitive Bidding as a Sole Source procurement, And Authorizing The City Manager To Enter Into Agreements In Connection Therewith; Appropriating Funds; And Providing For An Effective Date.

Resolution 2010-50, Approving A Contract With Fountain Engineering Inc, For Construction Of Service Area No. 7 Wastewater, Stormwater Collection Systems & Water Re-Use Distribution System In An Amount Not To Exceed \$3,571,229.67; Authorizing The City Manager To Execute The Contract On Behalf Of The City And Expend Budgeted Funds; And Providing For An Effective Date.

MOTION: Ramsay moved to pass Resolution 2010-50.

SECOND: Worthington

Vote on the Motion

Yes: Ramsay, Worthington, Keating, Cinque

No: None

Absent: Snead

Abstain: None

Vote on the Motion: 4 Yes, 0 No, 1 Absent, 0 Abstain

Resolution 2010-51, Waiving The City's Purchasing Policies And Procedures And Approving A Sole Source Purchase From Water Resources Technologies For 130 Grinder Pump Stations And Accessories For Service Area No. 7 In An Amount Not To Exceed \$1,206,224.00; Authorizing The City Manager To Execute The Contract On Behalf Of The City And Expend Budgeted Funds; And Providing For An Effective Date.

Hernstadt provided a report, stating that they saved over \$100,000 which put them in a better position for ACOE stimulus funding.

MOTION: Worthington moved to adopt 2010-51.

SECOND: Ramsay

Vote on the Motion

Yes: Worthington, Ramsay, Keating, Cinque

No: None

Absent: Snead

Abstain: None

Vote on the Motion: 4 Yes, 0 No, 1 Absent, 0 Abstain

Resolution 2010-52, Approving A Contract Between The City Of Marathon And Korkat, Inc., For Americans With Disability Act Compliant Playground Equipment To Be Installed At Sombrero Beach Park In An Amount Not To Exceed \$75,000; Appropriating Funds; Authorizing The City Manager To Execute The Agreement On Behalf Of The City, And Expend Budgeted Funds; And Providing For An Effective Date.

Jimenez read into the record the revised version or Resolution 2010-52, as scrivener's error was found at the 10:00 am staff meeting.

Hernstadt provided a staff report on the playground equipment and stated the new and cutting edge equipment will encourage physical activity.

Worthington asked when the equipment would be installed.

Hernstadt stated we will hopefully have a portion of the equipment in by July 4th.

MOTION: Keating moved to adopt Resolution 2010-52.

SECOND: Worthington

Vote on the Motion

Yes: Keating, Worthington, Ramsay, Cinque

No: None

Absent: Snead

Abstain: None

Vote on the Motion: 4 Yes, 0 No, 1 Absent, 0 Abstain

Council Comments

Worthington sent regards to Snead's family.

Ramsay encouraged everyone to enjoy the holiday weekend.

Keating stated the tarpon are running and encouraged everyone to invite people to town and tell them we are open for business.

Cinque encouraged residents to treat guests like family.

ADJOURNMENT

With no further business to come before the council, Vice Mayor Cinque adjourned the meeting at 6:40 pm by unanimous consent.

I certify the above represents an accurate summary of the regular council meeting of May 25, 2010.

Diane Clavier
Diane Clavier, City Clerk

6/9/10
Date