

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on January 22, 2019 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Bartus called the meeting to order at 5:30 p.m.

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Vice Mayor Steven Cook

Councilmember Luis Gonzalez

Councilmember Mark Senmartin

Councilmember Dr. Daniel Zieg

Mayor John Bartus, comprising a quorum

Also in attendance were:

City Manager, Chuck Lindsey

City Attorney, David Migut

City Clerk, Diane Clavier

Finance Director Jennifer Johnson

Planning Director/Deputy City Manager George Garrett

Utilities Director Dan Saus

Growth Management Director, Doug Lewis

Public Works Director, Carlos Solis

Marina Director, Sean Cannon

Parks and Recreation Director, Jimmy Schmidt

Approval of Agenda and Consent Agenda

Mayor Bartus added a Martin Luther King Day Proclamation as item 5B and moved the other items down under City Council Items. Lindsey added Resolution 2019-13 as item 9D under Resolutions for Adoption.

MOTION: Zieg moved to approve the agenda as amended.
SECOND: Cook

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

City Council Items

* Approval of Minutes

Dr. Martin Luther King Day of Service Proclamation – Reverend White accepted the proclamation from the Council

Sunrise Isle Canal Restoration Project Request to waive permit fees and Contribution of NRCS Funding – Lindsey explained the Sunrise Isle Canals were impacted by sediment and there was not assistance for sediment improvement in canals. We have tried with grants and the neighbors are doing this on their own, and have hired their own contractor. If we could have procured a grant, the City would may been on the hook for twenty five percent cost share, and Lindsey explained staff was recommending approval of refund of City building permit fees paid for this project.

David Grego spoke for the project, and the great job the contractor did as well as what the residents have accomplished.

MOTION: Zieg moved to approve the request
SECOND: Cook

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

Request for exemption to Vending ordinance from Battle in the Bay Dragon Boat Racing at Sombrero Beach for June 1, 2019 event. Migut explained the policy and conditions established by Resolution 2016-66 regarding commercial events on Sombrero Beach and what the conditions must be met when an exception to the policy is approved by at least four-fifths supermajority vote of the City Council

MOTION: Zieg moved to approve
SECOND: Cook

Vote of the Motion:

Yes: Zieg, Cook, Senmartin, Gonzalez, Bartus
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Coral Head Music Festival Request (Mayor Bartus)

Rich Anderson requested fees to be waived for the Coral Head Blues Fest on October 19th. Anderson explained five percent of profits would go to the Children's soccer league. Gonzalez questioned when the re-sod of the fields would be completed. Solis explained this would begin in April and by the end of June the fields would be able to be used.

MOTION: Cook moved to approve the request
SECOND: Zieg

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

Marathon Seafood Festival Request to Waive Fees and Serve Beer and Wine (Mayor Bartus) Zieg questioned when the City would charge to mitigate damage to the field, and suggested discussing this in the future including damage waivers.

Daniel Samess spoke regarding the history of payment back to the City and the community.

MOTION: Zieg moved to approve waiver of fees and permission granted for beer and wine to be served.
SECOND: Cook

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

Community Announcements - the announcements were read. Bartus informed everyone he would be playing his 35th Anniversary concert on February 10th at the Key Colony Beach Sunset Park.

City Manager Report

Public Works Report – Solis gave an overview of his written report and explained low bid for the Aviation Bike Trail project was over \$700,000 over the estimated budget for the project. FDOT policy states that when bids are 25% over the budget, the bids should be rejected. Solis explained the lighting portion of the bids came in very high, therefore staff is modifying the plans to eliminate the light fixtures and some other modifications and expect to re-bid the project in 3 weeks. Senmartin suggested speaking with the electric co-op to mount lighting on their poles to save money. Solis explained the lighting would be decorative, much like Sombrero Beach. Zieg thanked Solis for fixing the lights on Sombrero Beach Road.

Bartus acknowledged former County Commissioner Neugent.

Lindsey informed everyone that the Village of Islamorada has endorsed Neugent for placement on the South Florida Water Management District Board. Lindsey asked if the Council could discuss this quickly.

MOTION: Cook moved to discuss this item now

SECOND: Gonzalez

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

Lindsey informed everyone he believed the County would be discussing this at their meeting the next day. Bartus stated he would like a letter or resolution supporting George Neugent as a board member of the South Florida Water Management District.

George Neugent thanked the Council for their support.

Bartus called for any additional speakers, hearing none, closed public comment.

MOTION: Cook moved to support George Neugent to the South Florida Water Management District board.

SECOND: Zieg

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

Wastewater Utility Report – Saus explained that he would most likely have an emergency contract for approval at the next meeting for dewatering, as he would like to use the second lowest bidder because the current contractor is not working out.

Marathon Fire Rescue Report – Lindsey explained that Chief Johnson was not in attendance, but he would try to answer any questions or defer them to the next meeting.

Ordinances for Second Public Hearing and Enactment

Ordinance 2019-01, Amending Chapter 102, Article 15, “Temporary Placement Permits;” Chapter 103, Article 3, Section 103.15, Table 103.15.1, “Uses By Zoning District;” And Chapter 104, Article 1, Section 104.55, “Temporary Placement,” Of The City Code Of Ordinances, To Provide Minor Modifications To Allowances For The Temporary Placement Of Recreational Vehicles, Motor Homes, Mobile Homes, Or Other Temporary Residential Units After The Impact Of A Hurricane Or Other Natural Disaster; Providing For The Repeal All Ordinances Or Parts Of Ordinances Found To Be In Conflict, And Providing For Inclusion In The Code Of Ordinances; And Providing For An Effective Date.

Garrett explained the ordinance and changes to the code as well as the revision to the criteria regarding the time extensions. Senmartin asked that Garrett walk the Council thru the process. Garrett explained any denials would go through an administrative hearing process and we would have an appeal process. Cook thanked staff for all of the work on the policy. Lindsey explained that being more general is better as no two storms are alike. Gonzalez agreed with the Council on the policy that it went through staff vetting first. It was agreed that the ordinance would reference the appeal process contained elsewhere in the Land Development Regulations.

Katrina Spelker – thanked staff for their work on the ordinance. Spelker asked for a liaison to be hired deal with all of the agencies for the residents.

MOTION: Zieg moved to approve with the addition as discussed of an appeal process through Planning Commission and Council as needed.

SECOND: Gonzalez

Vote of the Motion:

Yes: Zieg, Gonzalez, Senmartin, Cook, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Citizens' Comments:

Diane Scott – spoke against the Sheriff’s office

Resolutions for Adoption

***A.Resolution 2019-10**, Approving A Purchase Order for Vacuum Sewer Infrastructure for 1655 Overseas Highway to Third Generation Plumbing In The Amount Of \$36,820.00; Authorizing The City Manager To Execute The Purchase Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

B. Resolution 2019-11, Approving Change Order’s #6 For “Marathon Area 3 & 4 WWTP Upgrades” To Reynolds Construction In The Amount Not To Exceed \$473,453.81; Authorizing The City Manager To Execute The Change Order And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date.

Saus explained the project that would be covered by grant funding.

MOTION: Cook moved to approve Resolution 2019-11

SECOND: Zieg

Bartus called for public comment; hearing none closed public comment.

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

***C.Resolution 2019-12**, Approving A Grant Agreement Between The City And The Florida Department Of Environmental Protection To Complete A Project In Consideration Of The Perils Of Flood Requirements Of The State Authorizing The Mayor To Sign Said Agreement; And Providing For An Effective Date

D. Resolution 2019-13 Approving A Project Specific Agreement Between The City And Bermello, Ajamil and Partners To Complete A Project In Consideration Of The Perils Of Flood Requirements Of The State; Authorizing The City Manager To Execute the Agreement and Appropriate and Expend Funds; And Providing For An Effective Date

Lindsey explained this was a companion item to the grant referenced in Resolution 2019-12. Garrett informed everyone the contract came in late Tuesday afternoon, and it is a timely item.

Bartus called for public comment; hearing none closed public comment.

MOTION: Zieg moved to approve

SECOND: Gonzalez

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

Citizens' Comments:

Diane Scott asked that the bus stop be moved back to the previous location.

Council Comments

Zieg provided a history of events that happened this month. Zieg thanked staff.

Gonzalez congratulated the Monroe County School System on their new athletic complex at Marathon High School. Gonzalez thanked staff.

Senmartin asked that a building report be on the next agenda and reminded everyone where to bring worn, torn, faded or badly soiled flags - Sheriff's Department, Elks Lodge, Publix, City Hall, American Legion, Fire Department or Home Depot by January 27th.

Cook thanked staff for preparing the Council and thanked Lindsey for his work to get post hurricane funding. Cook wished his wife Sheila a happy 22nd anniversary.

Bartus thanked Lindsey for getting positive results and explained our local newspaper does a good job.

ADJOURNMENT

With no further business to come before the Council, Mayor Bartus adjourned the meeting at 6:42 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of January 22, 2019

Diane Clavier, City Clerk

Date