

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on February 11, 2020 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Cook called the meeting to order at 5:30 pm.

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember John Bartus

Vice Mayor Luis Gonzalez

Councilmember Mark Senmartin

Councilmember Dr. Daniel Zieg

Mayor Steven Cook, comprising a quorum

Also in attendance were:

Chuck Lindsey, City Manager

Planning Director George Garrett

Attorney, Vernis and Bowling, Dale Coburn

City Clerk, Diane Clavier

Finance Director Jennifer Johnson

Growth Management Director, Doug Lewis

Public Works Director, Carlos Solis

Fire Chief John Johnson

Parks and Recreation Director, Paul Davis

Marina Director, Sean Cannon

Captain Don Hiller, Monroe County Sheriff's Office

Sherriff Ramsay, Monroe County Sheriff's Office

Approval of Agenda and Consent Agenda

It was noted that the request to serve alcohol should be changed to beer and wine for the Marathon Memorial Foundation Softball Tournament. Gonzalez added a discussion concerning Grassy Key Kayak Dock and Restrooms. Cook added one Meeting a Month Discussion, Senmartin removed Resolution 2020-14 from the consent agenda, Bartus removed Resolution 2020-15 from the consent agenda.

MOTION: Bartus moved to approve the agenda as amended.

SECOND: Gonzalez

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

City Council Items

* Approval of Minutes

Request to waive fees & serve beer & wine at the 14th annual Sombrero Beach Run March 7, 2020

MOTION: Bartus moved to approve.

SECOND: Gonzalez

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

Request to serve alcohol at the Marathon Memorial Foundation Softball Tournament April 24 through 26th

MOTION: Bartus moved to approve for beer and wine only.

SECOND: Gonzalez

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

Grassy Key Kayak Dock and Restrooms Discussion – Gonzalez asked for the status of this project and the history. Solis informed everyone the City did not win the TDC Grant for the restrooms because TDC said it was not a beach, but since it is a beach, we will apply again for funding with additional information. Solis informed everyone the Kayak docks are in permitting, plans are being completed and then the project will be put out to bid.

One Meeting A Month Discussion – Cook explained that the Council has been cancelling the second meetings on a month by month basis, and suggested skipping the second meeting and just reserve it for special calls and workshop dates if needed. Senmartin opposed, explaining, there is limited access when the public can address us all at our meetings. Bartus also opposed, explaining that he would

like to make himself available for the public. Zieg suggested reserving the second meeting for workshops or special call meetings as necessary. Lindsey commented that we do not want to have a meeting just to have a meeting, there is nothing again for the next agenda, however, we have a lot of workshops such as the building fees and the Quay property to discuss.

MOTION: Zieg moved to reserve the 4th meeting as a special call or workshop as necessary
SECOND: Gonzalez

Vote of the Motion:

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

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

City Manager Report

Marina Report – Cannon gave a brief overview of his report, informing everyone that bids for marina repairs were due on Thursday and the Marina remained full with a waiting list the entire month of January.

Parks and Recreation Report – Davis highlighted the many events going on and coming up at the parks such as the Coral Head Music Fest, Hempfest, Seafood Festival, Youth T-Ball, Youth Basketball, and Spring Break Camp. Gonzalez questioned the status of the expansion of the park office project. Solis informed everyone that project was ready to go out to bid, after staff closes out two other projects. The Council thanked Davis for his report.

Growth Management Report - Lewis informed everyone a new building official, new code officer and two more offers were sent for the code department to get the department fully staffed. Lewis informed everyone a new vehicle was ordered and staff wanted to trade in the Prius for \$10,000 and asked for a head nod from the Council for approval for the trade in. Council gave their approval. Lewis also stated he would be providing a draft ordinance for the cargo lift. Bartus questioned the potential cost savings of having a contract building official and inspectors versus hiring. Lewis explained we could use Causley contract as needed and can cancel the contract at any time. Zieg questioned when the fines would begin regarding the code case with the stipulated agreement, Lewis responded Tuesday. Senmartin asked for the status of the golf course drainage issue. Lewis responded the permit application was submitted and it was in review. Lindsey informed everyone that a cost benefit analysis would be done as well as a hybrid model, including the benefits and repercussions.

Community Announcements – the announcements were read.

Quasi-Judicial Public Hearings:

The clerk swore in speakers. Senmartin informed everyone he had spoken with George Saparo and Larry Abo with Serenity Cove and Cook stated he spoke with Mr. Abo and that the communications would not affect their votes. The rest of the Council had no ex parte communication.

Resolution 2020-09, Approving A Request By Marathon Land Holdings 3, LLC (Serenity Cove) For A Conditional Use Permit Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (LDRS) Entitled “Conditional Use Permits” Proposing The Development Of Three Undeveloped Lots With The Development Of Townhomes And Commercial Uses On Property Located At 12550 Overseas Highway, Which Is Legally Described As Township 66, Section 5, Range 33; Pt Lots 3, Fat Deer Key, Marathon, Florida; Having Real Estate Numbers 00100280-000, 00100620-00000 And 00100630-000000. Nearest Mile Marker 54.5.

Garrett informed everyone there were no changes since the last hearing.

Larry Abo introduced all of the team members. Gonzalez questioned how many of the 300 allocations if we should receive them, are committed. Garrett explained approximately 220 of the projects that could use these. Senmartin wanted to be clear that we were not awarding them units, there would be a process of awarding the allocations. Zieg agreed, when the 300 units are awarded, we will have to rank the projects and it would not be automatic.

Cook called for public comments. Additional speakers were sworn in.

General Manager of Marriott – commented that the team struggles to make a difference, and the magnitude would be unreal.

Danielle Hanes, Assistant General Manager commented that acquiring housing is frustrating and not only for herself personally, but the staff of 65 people, it is a constant struggle.

Jamie – commented that the project is important for us, and he lives in a two bedroom house with six people.

Bartus thanked the Marriott for providing a home for five months after Irma.

George Saparo commented that the staff has a hard time finding housing because they do not always qualify for affordable housing.

Larry Abo gave a history of other like projects they completed and asked for approval.

Senmartin commented that rent prices had not been discussed, and when we do distribute allocations, rent prices will come into play. Senmartin also requested that the pamphlet that was distributed become part of the agreement of what is expected.

Bartus questioned if allocations are distributed in September when the project would break ground. Abo gave a timeline of approximately a year to break ground after creation of plans and permitting process.

MOTION: Gonzalez moved to approve Resolution 2020-09 with the conditions outlined for approval, including the pamphlet provided to be attached.

SECOND: Zieg

Vote of the Motion:

Yes: Gonzalez, Zieg, Senmartin, Bartus, Cook

No: None

Absent: None

Abstain: None

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

Resolution 2020-10, Approving A Request By Marathon Land Holdings 3, LLC (Serenity Cove) For A Development Agreement Pursuant To Chapter 102, Article 8 Of The City Of Marathon Land Development Regulations (LDRS) Entitled “Development Agreement” Proposing The Development Of Three Undeveloped Lots With The Development Of Townhomes And Commercial Uses On Property Located At 12550 Overseas Highway, Which Is Legally Described As Township 66, Section 5, Range 33; Pt Lots 3, Fat Deer Key, Marathon, Florida; Having Real Estate Numbers 00100280-000, 00100620-00000 And 00100630-000000. Nearest Mile Marker 54.5.

MOTION: Bartus moved to approve Resolution 2020-10

SECOND: Gonzalez

Vote of the Motion:

Yes: Bartus, Gonzalez, Zieg, Senmartin, Cook

No: None

Absent: None

Abstain: None

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

Citizen’s Comments

Diane Scott – commented that she felt we needed our own police department and no one enforces or follows rules.

Resolution 2020-11, Consideration Of A Request By JoJo’s Of the Florida Keys, LLC. And Nomad Outfitter’s LLC. To Approve An Extension To A Development Agreement And A Conditional Use Permit Pursuant To Chapter 102, Articles 8 And 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Development Agreement” And “Conditional Use Permits” Respectively, Seeking To Redevelop A Mixed Use Project Consisting Of Fourteen (14) Single Family Residences, A Convenience Store With Fuel, And A Marina; On Property Which Is Legally

Described As Grassy Key Pt Govt. Lot 5; Having Real Estate Numbers 00100110-000000, 00100110-000200, 00100110-000300, 00100110-000400 And 00100130-000000; Located At 59720 And 59740 Overseas Highway, Grassy Key, Marathon, Florida. Nearest Mile Marker 60.

Council had no ex parte communication. Clerk swore in speakers.

Garrett provided a staff report, explaining the project site and stated nothing changed since the first hearing.

Richard McChesney, agent with Spotswood and Sterling spoke for the project and requested the Council's support.

Mayor Cook called for public comments.

Patricia McGrath – spoke against the project.

Garrett explained the code cases were largely resolved.

MOTION: Zieg moved to approve Resolution 2020-11

SECOND: Gonzalez

Vote of the Motion:

Yes: Zieg, Gonzalez, Bartus, Senmartin, Cook

No: None

Absent: None

Abstain: None

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

Resolution 2020-12, Consideration Of A Request By Design Center And Yadira Blanco 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 On 79th Street, Which Is Described As Lot 11 Atlantic Shores PB 3-5, Key Vaca, Monroe County, Florida, And Having Real Estate Number 00347110-000000, Nearest Mile Marker 51.

Bartus and Cook stated they had exparte communications with neighbors, but it would not affect their vote.

The Clerk swore in speakers.

Garrett gave a brief overview of the request.

Andrew George gave a PowerPoint presentation of the proposed duplex.

Cook called for comments; hearing none, closed public comment.

MOTION: Zieg moved to approve Resolution 2020-12
SECOND: Gonzalez

Vote of the Motion:

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

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

Ordinances for First Public Hearing

Ordinance 2020-01, Amending Chapter 14 Of The Code Of Ordinances Of The City Of Marathon (“Environmental And Natural Resources”) By Creating Article V (“Regulation Of Plastics”) Opting Out Of Monroe County’s Ordinance 044-2019 Which Regulates Use Of Plastic Straws And Stirrers; Providing For Severability; And Providing For An Effective Date.

Senmartin commented that he was bothered we have to even do this, with all of the home rule we are fighting for, the County wrote their ordinance so that we have to opt out.

Cook called for comments; hearing none, closed public comment.

MOTION: Bartus moved approval
SECOND: Zieg

Vote of the Motion:

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

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

Resolutions for Adoption

* **Resolution 2020-13**, Accepting The Lowest Responsive And Responsible Bid, And Approving A Contract Between The City And Marathon Electric Sign & Light Inc, In An Amount Not To Exceed \$81,600.00 For The Repairs Of The Sombrero Beach Road Lights Resulting from Damage from Hurricane Irma; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

Resolution 2020-14, Approving An Extension For One Year To The City’s Agreement With The Firm Of M. T. Causley To Provide Building Inspection Services In An Amount Not To Exceed \$315,000; Appropriating Funds; and Providing For An Effective Date

Senmartin stated he removed this from the consent agenda, there was not an agreement attached and it is a large amount of money. Lewis explained the hourly rate for the contracted building official along with the additional inspectors, we use them as we need them, they typically do not work forty hour weeks, the contract was approved two Council's ago, when the original contract was to have the additional help after the hurricane. For the time being, we are moving the money from salary to contract in the building department and we have a thirty day out. Gonzalez explained he would like more clarification on where we are spending the money per man hour. Zieg suggested for continuity of service, that the Council pass this tonight and have the particulars provided at the next meeting. Lewis informed everyone of the contractors used thru Causley; a plan reviewer, two inspectors and a building official as well as one plan examiner one day a week. Lindsey commented that this fills vacant positions and there are other beneficial factors to having this contract, we have to have people in those positions. Senmartin commented that he was not in favor of giving a year to figure it out. Bartus commented that the City is in the same boat as many other employers.

Cook called for comments; hearing none, closed public comment.

MOTION: Zieg moved to approve Resolution 2020-14

SECOND: Bartus

Vote of the Motion:

Yes: Zieg, Bartus, Senmartin, Gonzalez, Cook

No: None

Absent: None

Abstain: None

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

Resolution 2020-15, Approving The Assignment Of The Contract For Purchase For Property Located At 7931 Overseas Highway, Marathon, Florida (Owned By IMBY Inc - RE No. 00347290-000000) From Habitat For Humanity Of The Middle Keys To The City Of Marathon; Approving The Purchase Of Said Property From IMBY Inc., As Previously Approved By the City Council: Approving The Receipt Of \$800,000 From the Monroe County Land Authority To Assist In the Purchase Of IMBY Inc. And The Appropriation of \$150,000 From The City's Affordable Housing Fund, Summing To A Purchase Price Of \$950,000; And Providing Direction To Staff To Bring Back To The City Council A Long Term Lease Agreement Between The City and Habitat For Humanity Of The Middle Keys For The Use, Redevelopment And/Or Construction Of Eleven Affordable Residential Units; Management Of The Property, And Limited Commercial Use Of The Property.

Bartus explained he removed this off the consent agenda to let everyone know that we were working together with Habitat for Humanity and Monroe County Land Authority to create affordable housing

MOTION: Bartus moved approval of Resolution 2020-15.

SECOND: Gonzalez

Vote of the Motion:

Yes: Bartus, Gonzalez, Senmartin, Zieg, Cook

City of Marathon
City Council Action Minutes
February 11, 2020 5:30 pm City Council Meeting Minutes

No: None
Absent: None
Abstain: None

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

Citizen's Comments

Diane Scott – spoke against allowing dogs at City Hall, and spoke about the vacancies in the Code and Building Departments.

Council Comments

Senmartin commented he felt one meeting a month was a terrible idea.

Zieg thanked staff and gave an overview of historical events on this day and informed every one of the status of the lighting project on Sombrero Beach Road.

Bartus informed everyone HUD offered to help the State of Florida with their backlog of reimbursements from the hurricane, and the State declined the offer.

Gonzalez thanked staff and reminded everyone of the Quay property workshop on the 18th and of the Baseball Tournament at Marathon High School on Friday and Saturday.

Cook thanked staff, the Sheriff's Office, Marathon Fire Rescue for all of their hard work and mentioned that the Council was in Tallahassee trying to nudge funds this way. Cook thanked Representatives Rachein and Florez, this will be their last session and thanked them for all of the hard work they did for the Keys and thanked Lobbyists Book and Ballard for all they do as well as Federal Lobbyist Rick Marks

ADJOURNMENT

With no further business to come before the Council, Mayor Cook adjourned the meeting at 7:24 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of February 11, 2020

Diane Clavier, City Clerk

Date

March 10, 2020
Marathon City Council Meeting Action Minutes

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on March 10, 2020 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Cook called the meeting to order at 5:30 pm. The Pledge of Allegiance was recited.

ROLL CALL - the following were present:

Councilmember John Bartus

Councilmember Mark Senmartin

Councilmember Dr. Daniel Zieg

Vice Mayor Luis Gonzalez

Mayor Steven Cook, comprising a quorum.

Also present were

City Manager Chuck Lindsey

Planning Director, George Garrett

City Clerk, Diane Clavier

Attorney Dirk Smits

Community Development Director Doug Lewis

Finance Director, Jennifer Johnson

Public Works Director Carlos Solis

Sherriff Rick Ramsay

MCSO Captain Don Hiller

Marathon Fire Chief John Johnson

Utilities Director Dan Saus

Park and Recreation Director Paul Davis

Marina Director Sean Cannon

County Commissioner Michelle Coldiron

APPROVAL OF AGENDA AND CONSENT AGENDA: Bartus added 5G under City Council items, Substantial Damage Rule Review. Mayor Cook moved item 5D, Mary Duval Centenarian Presentation to the first item on the agenda and removed approval of minutes from the agenda. Lindsey removed Resolution 2020-17 and Marathon Fire Rescue Report from the agenda.

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

March 10, 2020
Marathon City Council Meeting Action Minutes

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

CITY COUNCIL ITEMS –

Mary Duval Centenarian Presentation – The Council presented Mrs. Duval with a Key to the City and Commissioner Coldiron presented her with an honorary Conch certificate.

Fishermen’s Community Hospital/Baptist Health South Florida Progress (Mike Leonard) – Rick Freiberg provided a PowerPoint presentation and informed everyone construction had begun on the new hospital. Patti Boyd provided preliminary costs for indigent care for FY2019 and the first quarter of 2020. The net calculated cost of uninsured and underinsured for the FY2019 was \$1,817,506 and for the preliminary first quarter, \$509,264. Boyd informed the Council they would have full report in May. Zieg explained the numbers were needed because the Council needed to vote each year to adopt or not. Senmartin stated it should have been noticed properly. Smits suggested we could ratify in April.

MOTION: Bartus moved to add the renewal of the MSTU to the agenda
SECOND: Zieg

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

MOTION: Zieg moved to renew the MSTU for another year.
SECOND: Bartus

VOTE ON THE MOTION: 4 Yes, 1 No, 0 Absent, 0 Abstain

YES: Zieg, Bartus, Gonzalez, Cook
NO: Senmartin
ABSENT: None
ABSTAIN: None

Mayor Cook recognized Sherriff Ramsay, Monroe County Commissioner Coldiron and County Attorney Steve Williams.

Request to waive fees and serve beer & wine at the annual Seafood Festival March 14-15.

Smits explained that Bartus and Senmartin did not have to abstain since they would not profit from beer and wine sales.

MOTION: Zieg moved to approve the request.
SECOND: Gonzalez

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

New Public City Meeting Schedule (Councilmember Senmartin) – Senmartin explained he was not in favor of having one meeting a month, and if there was not a workshop scheduled, he would be holding a town hall meeting in the Chambers and everyone was welcome to come. Cook stated it would take a Council vote to hold a meeting in the chambers. Smits stated he would need to review the Chamber facility use policy and if you are able to do it, you can, and if you are not, you won't. Senmartin stated he would be here on the 24th if anyone wanted to join him. Zieg stated we have a workshop scheduled that date, so all that was just said is silly. Bartus stated that he too would like to hold a town hall as well when there isn't a meeting or workshop scheduled. Lindsey commented that they would need to review the facility use policy as well for use of staff time after hours and therefore, he would like there to be further discussion from the dais because it affects the workload of staff, and this is a decision that needs to be made with all of you.

Citizens Comments:

Diane Scott commented she felt the Council should meet on the 4th Tuesday and let the public talk back to them.

Community Announcements The community announcements were read. Senmartin commented that the Boy Scouts would be parking cars next to MGS during the Seafood Festival.

Substantial Damage Rule Review (Councilmember Bartus) Bartus asked that Council approve head nods to explore as the three years may not be necessary. Council agreed to have staff explore this and bring it back in April. Bartus also asked to look at this being retroactive.

City Manager Report

MCSO Marathon Substation Report – Sherriff Ramsay and Captain Hiller gave an update of the written report and Sherriff Ramsay presented the City with a check for surplus funds for \$116,000.

Building Department Update – Lewis gave an overview of his written report and mentioned that the outside inspectors use their own vehicles, and right now, we do not have the option to hire direct. Lewis informed everyone for the Code Department, he was now staffed with Code officers which were direct hires. Lewis explained there were ads for inspectors and a building official on a building website, Monster, the City's website as well as other sites.

Legal Services – Smits explained there were three litigation matters pending and that the Ardolino case had been inactive since 2014, the Hemeyer case had no new trial date, the Warner case was not set for trial and in the Matino vs. the City regarding ROGO by the end of the week the proposed recommended order will go to the judge then we can file objections, then DEO has thirty days.

Smits explained he would like to continue to act as the City's attorney for one year, as his firm could bring a lot to the table. Senmartin stated he would decline that offer. Bartus stated he appreciated the work that Vernis and Bowling provides, he understood Senmartin and would like to do a search. Gonzalez stated he was interested in looking at the Vernis and Bowling proposal.

March 10, 2020
Marathon City Council Meeting Action Minutes

Zieg agreed that he needed more details and would like to see the proposal. Smits explained what Vernis and Bowling contract with the school board, which would be similar; unlimited phone calls, one flat fee, two days a week in house. Smits encouraged the Council to contact the school board. Cook explained he too appreciated the level of service provided and ask that this be on the next agenda as well as the application process.

Citizens Comments:

Diane Scott commented that the City needed their own police department and a City employee and Council member should step aside and the police ignore her.

QUASI-JUDICIAL PUBLIC HEARINGS

The Clerk swore in speakers. Council stated they had no exparte communications.

Resolution 2020-16 Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Building Permit Allocation System (RBPAS) For Period 2, Year 28 (January 14, 2020 to July 13, 2020); And Providing For An Effective Date.

Cook opened public comments; hearing none, closed public comments

MOTION: Gonzalez moved approval

SECOND: Senmartin

Vote of the Motion:

Yes: Gonzalez, Senmartin, Bartus, Zieg, Cook

No: None

Absent: None

Abstain: None

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

ORDINANCES FOR SECOND PUBLIC HEARING AND ENACTMENT

Ordinance 2019-12, Amending The City's Comprehensive Plan To Modify Comprehensive Plan, Chapter 1, "Future Element, Goal 1-3, "Manage Growth;" Objective 1-3.2, "Regulate Density And Intensity;" Policy 1-3.2.5; "Maximum Height Limitation," Increasing The Maximum Building Height To Forty-Two Feet (42) For Residential Structures To Provide Compensation For Increases In Required Elevations For The New FEMA Firm Maps; Providing That Residential Structure Shall Not Thereby Exceed Three Stories Above Grade; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After Final Adoption By The City Council; And Providing For An Effective Date.

March 10, 2020
Marathon City Council Meeting Action Minutes

Garrett explained the minor changes since the first reading of the height ordinance for the comprehensive plan which will allow structures to be built to a limit of 42 feet in order to compensate for the expected changes in the FEMA FIRM maps.

Cook opened public comments; hearing none, closed public comments

MOTION: Bartus moved approval

SECOND: Zieg

Vote of the Motion:

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

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

Ordinance 2019-13, Amending The City's Land Development Regulations, Chapter 103, Table 103.15.2, "Density, Intensity And Dimensions For Zoning Districts, Chapter 107, Article 5, "Setbacks And Height," Section 107.40, "Maximum Height" And Figure 107.40.1, "Building Height Measurement," Increasing The Maximum Building Height To Forty-Two Feet (42) For Residential Structures To Provide Compensation For Increases In Required Elevations For The New FEMA Firm Maps; Providing That Residential Structures Shall Not Thereby Exceed Three Stories Above Grade; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After Final Adoption By The City Council; And Providing For An Effective Date.

Garrett explained this was the companion height ordinance to amend the LDRs.

Cook opened public comments; hearing none, closed public comments

MOTION: Senmartin moved approval

SECOND: Bartus

Vote of the Motion:

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

March 10, 2020
Marathon City Council Meeting Action Minutes

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

Ordinance 2020-01, Amending Chapter 14 Of The Code Of Ordinances Of The City Of Marathon (“Environmental And Natural Resources”) By Creating Article V (“Regulation Of Plastics”) Opting Out Of Monroe County’s Ordinance 044-2019 Which Regulates Use Of Plastic Straws And Stirrers; Providing For Severability; And Providing For An Effective Date.

Cook explained he would be abstaining because it would affect he and his wife’s business.

Public Comments:

Mike Milard questioned why the Council would opt out.

The Council explained that they opted out because it would be impossible to enforce as well as the ordinance does nothing to help, since most straws are wrapped in plastic wrapping, and the state will most likely preempt us from doing this, just like bags and Styrofoam containers.

MOTION: Bartus moved approval

SECOND: Senmartin

Vote of the Motion:

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

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

RESOLUTIONS FOR ADOPTION

***A. Resolution 2020-18**, Approving A Third Amendment To The Residential Lease Between The City and MCSO Officer To Extend The Term Of The Contract By One Year; Authorizing The City Manager To Execute The Extension; And Providing For An Effective Date.

***B. Resolution 2020-19**, Approving A Contract Between The City Of Marathon, Florida And The Florida Division Of Emergency Management In The Amount Of \$125,459.56 For The Installation Of Generators At Fire Station 14 And At The City Of Marathon Marina, Providing Signature Authority, And Providing For An Effective Date.

***C. Resolution 2020-20**, Approving The Fourth Extension to Grant Agreement No. 1659 Between The City And The Monroe County Tourist Development Council For the Coco Plum Shoreline Restoration Project And Providing For An Effective Date.

***D. Resolution 2020-21**, Awarding Contract For The Construction Of The Marathon Marina Hurricane Irma Repair Project To Shoreline Foundation, Inc.; Approving Contract In The

Amount Of \$661,845.75, Which Has Been Obligated by FEMA as Reimbursable; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

***E. Resolution 2020-22**, Approving a Request for Qualifications for Professional Engineering Firms To Enter Into A Continuing Service Agreements For Multiple Engineering Disciplines. Authorizing The City Manager To Execute The Contract; And Provide For An Effective Date.

***F. Resolution 2020-23**, Approving A Contract With Stryker Sales Corporation For Two Lifepak 15 Defibrillators In An Amount Not To Exceed \$62,070.05 And Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

CITIZENS COMMENTS

Diane Scott – spoke against allowing dogs everywhere, they scare her, and she hurt herself. Scott also stated she felt the County should get rid of the people running the animal shelter and asked the Council to stop being friends with the top police.

COUNCIL COMMENTS

Senmartin commented that he was recently at a restaurant and someone brought a cat that was in a carrier.

Bartus commented that he would like a town hall meeting on the 4th Tuesday. Bartus reminded everyone of the Seafood Festival this weekend and provided statistics on the Corona virus cases.

Zieg thanked the staff and gave a history of events that happened on this day.

Gonzalez thanked staff and asked everyone to look at the ballgame schedule after spring break since they will be home games. Gonzalez reminded everyone the last day school before spring break is this Friday and urged everyone to be careful.

Cook thanked staff as well as Wastewater, Fire, Sherriff's Officers, department heads and the City Manager.

ADJOURNMENT

With no further business to come before the Council, Mayor Cook adjourned the meeting at 6:49pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of March 10, 2020.

March 10, 2020
Marathon City Council Meeting Action Minutes

Diane Clavier, City Clerk

Date