

**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-07**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, WAIVING THE \$600.00 ADMINISTRATIVE FEE ASSESSED AGAINST THE PLAINTIFFS IN CASE NO. 13-CA-222-M RICHARD WARNER AND JOHN PARENTE, AS CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF JOSEPH ARDOLINO II BY THE CITY OF MARATHON (“ARDOLINO CODE ENFORCEMENT CASE”) PURSUANT TO THAT CERTAIN ORDER OF THE CODE ENFORCEMENT BOARD ON JULY 27, 2013; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on December 15, 2014 Chief Circuit Judge Luis Garcia in the Ardolino Code Enforcement Case issued an Order Remanding the Matter to the City’s Code Compliance Board for certain action; and

WHEREAS, the City on December 30, 2014 filed a Motion for Clarification with the Plaintiff’s in the case filing a Response on January 8, 2014 requesting among other things that the matter be heard again and reserving his right to collect attorney’s fees and costs; and

WHEREAS, the City of Marathon in an effort to have this case resolved wishes to waive what it believes is the only justiciable outstanding issue which is the unpaid fees (since there has been compliance long ago);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The Council agrees to and directs the City Manager to hereby waive any and all administrative fees and/or costs associated with the Ardolino Code Enforcement Case.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 13th day of January, 2015.

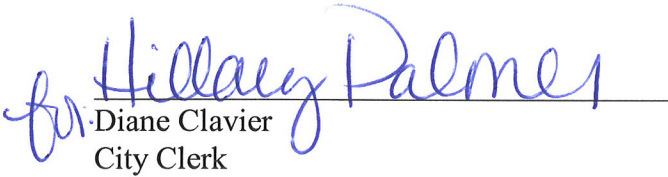
THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Zieg, Kelly, Senmartin, Bull
NOES: Keating
ABSENT: None
ABSTAIN: None

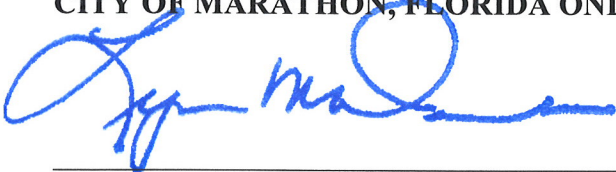
ATTEST:



for Hillary Palmer
Diane Clavier
City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



Lynn M. Dannheisser, City Attorney