



City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon
Tuesday, March 9, 2021 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. In the event of such a request, the item is returned to the Regular Agenda.]
5. **City Council Items**
 - *A. Approval of [Minutes](#)
 - B. School Board [Request](#) to hold end of year banquet May 14th 6-10 pm in Chambers
 - C. Hospital Finance Report and Assessment (Councilmember Zieg)
 - D. Request to host a fundraiser event and serve alcoholic beverages: FL Keys BrewBQ on July 17-18, 2021 at Marathon Community Park
 - E. Lobster Mini-Season Task Force Update (Councilmember Bartus)
6. **City Manager Report**
 - A. MCSO Marine Vessel Discussion
 - B. Marathon Fire Rescue [Report](#)
 - C. Park [Report](#)
 - D. Public Works [Report](#)
 - E. Wastewater [Report](#)
 - F. Marina [Report](#)
 - G. MCSO Marathon Substation [Report](#)
7. **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.] **TIME CERTAIN TO 6:30 PM OR AS SOON AS POSSIBLE THEREAFTER OR AT THE CONCLUSION OF ALL COUNCIL BUSINESS; WHICHEVER OCCURS FIRST.**
8. **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. A [Request](#) For A Conditional Use Permit For A Plat And Site Plan Approval As Submitted By Season's, Inc. For A Portion Of 50th Street Gulf, Which Is Described As Thompson And Adams Subdivision PB2-24, Gov Lot 1 Section 10, TWP 66S, Range 32E; And Pt Lots 5-6, Pt Of Lot 1 Overseas Hwy And Bay Bottom Adj To Lots 5-6, Chancery and Bk 1, Pt Of Lots 1 And 9, All Of Lots 10-11-12 And 13 Vaca Village PB2-106, Marathon, Monroe County, Florida, Having Real Estate Number 00327150-000100.

B. **Resolution [2021-13](#)**, A Request By G98 Development LLC For A Re-Plat Pursuant To Chapter 102, Article 10 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Subdivision Of Land/Plats And Re-Plats," Particularly, For A Part Of Government Lot 1, Section 8, Township 66 South, Range 32 East, Marathon, Monroe County, Florida, Having Real Estate Numbers 00319960-000000 & 00319970-000000. Nearest Mile Marker 47.5.

C. **Resolution [2021-14](#)**, Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Building Permit Allocation System (RBPAS) For Period 2, Year 29 (January 13, 2021 To July 14, 2021); And Providing For An Effective Date.

9. **Ordinances for Second Public Hearing and Enactment**

A. **Ordinance [2021-02](#)**, Amending Chapter 22, Article II ("Collection And Disposal") Of The Code Of Ordinances Of The City Of Marathon By Amending Section 22-20 To Create Subsections A Through C, To Provide For Uniform Trash Receptacle Use And Placement Throughout The City; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

B. **Ordinance [2021-05](#)**, Amending Chapter Five Section 5-23 Entitled Dog-Friendly Restaurants, Repealing The Automatic Yearly Expiration Of Licenses; Providing For Severability; Providing For The Repeal Of All Ordinances Or Parts Of Ordinances Found To Be In Conflict; And Providing For Inclusion In The Code; And Providing For An Effective Date.

C. **Ordinance [2021-06](#)**, Amending Chapter 107 Article 12 Entitled Floodplain Management; Providing Criteria For Accessory Structures In Flood Hazard Areas And To Specify Elevations Of Manufactured Homes In Flood Hazard Areas; Amending Chapter 110 Definitions; Providing For Severability; Providing For The Repeal Of All Ordinances Or Parts Of Ordinances Found To Be In Conflict; And Providing For Inclusion In The Code; And Providing For An Effective Date.

D. **Ordinance [2021-07](#)**, Amending Chapter Fourteen Article 4 Entitled Water Conservation, Providing For Local Implementation Of The Mandatory Year-Round Landscape Irrigation Conservation Measures Rule Of The South Florida Water Management District (40e-24, F.A.C.); Providing Definitions; Providing For The Applicability Of The Ordinance; Providing The Landscape Irrigation Schedule; Providing Exceptions To The Landscape Irrigation Schedule; Providing For A Requirement To Operate Technology That Inhibits Or Interrupts An Irrigation System During Periods Of Sufficient Moisture; Providing For Variances From The Specific Day Of The Week Limitations; Providing For Enforcement Of The Ordinance; Providing For Penalties For Violation Of The Ordinance; Providing For Severability; Providing For The Repeal Of All Ordinances Or Parts Of Ordinances Found To Be In Conflict; And Providing For Inclusion In The Code; And Providing For An Effective Date.

E. Ordinance [2021-08](#), Amending Chapter 3, Article II (“Fair Housing”) Of The Code Of Ordinances Of The City Of Marathon By Amending Section 3-24; To Remove Chapter 5, Section 5-10 (“Seizure Of Animals By Property Owners Or Tenants; Delivery To Department Manager; Impoundment And Disposal; Standard Of Care To Be Exercised By Seizing Party”) In The Entirety And Provide For The Re-Numbering Of Subsequent Sections; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

F. Ordinance [2021-09](#), Establishing A Hybrid Code Enforcement System Utilizing A Special Magistrate And A Code Compliance Board; Amending Chapter 10 (“Code Compliance”) Of The Code Of Ordinances Of The City Of Marathon By Amending Sections 10-3, 10-4, 10-5, 10-6, 10-7, 10-8 And 10-10; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

10. Resolutions For Adoption

***A. Resolution [2021-15](#)** Urging The Florida Legislature To Adopt Governor Ron Desantis’s State Fiscal Year 2021-2022 Budget Recommendation To Create The “Resilient Florida” Program.

***B. Resolution [2021-16](#)**, Authorizing A Work Authorization For Reynolds Construction For Wastewater Treatment Tank Coating Upgrade At Service Area 4 WWTP In An Amount Not To Exceed \$69,185.48; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

***C. Resolution [2021-17](#)**, In Support Of SB 1086 / HB 639 And Additional Amendment Language Addressing Long-Term Anchoring, Reflecting The Continuing Efforts Of Florida Fish And Wildlife Conservation Commission To Improve Boater Safety, Reduce Vessel Dereliction, And Improve Marine Sanitation To Protect Our Natural Marine Resources, And In Support Of Additional FWC Staff And Financial Resources To Adequately Implement Existing And New Enforcement Measures, And Providing An Effective Date

***D. Resolution [2021-18](#)**, Approving Grant Agreement Nos. 2487 Between The City And The Monroe County Tourist Development Council For a Restroom At The Quay Property; Appropriating Funds; And Providing For An Effective Date

***E. Resolution [2021-19](#)**, Accepting The Responsible Bid And Approving A Contract Between The City And LPS Utilities, Inc. DBA LPS Contracting In An Amount Not To Exceed \$265,786.37 For The Sunset Park At Grassy Key Kayak Dock And Oceanfront Park Boardwalk Repair Projects; Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

***F. Resolution [2021-20](#)**, Approving The Sale Of Conservation Property Located On Dorsett Drive, Dorsett Subdivision, Grassy Key, Florida (Re No. 00376240-000000) To Drew Caterson And Cora Baggs (Buyers), Providing For Conditions Of Sale; And Providing For An Effective Date.

G. Resolution [2021-21](#), Approving The Extension Of The Contract Between The City Of Marathon And Gonzalez Brothers Landscaping For Landscaping And Facilities Maintenance Services; And Providing For An Effective Date.

*H. **Resolution [2021-22](#)**, Authorizing The Purchase Of An Ambulance From The Florida Sheriff's Contract Bid # FSA20-VEF 14.01 Fire Rescue Vehicles & Other Equipment Specification #01 Type I Ambulance, In An Amount Not To Exceed \$159,434.00; Authorizing The City Manager To Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

*I. **Resolution [2021-23](#)**, Authorizing The Purchase Of A Rescue From The Florida Sheriff's Contract Bid # FSA20-VEF 14.01 Fire Rescue Vehicles & Other Equipment Specification #03 Medium Duty Type I Ambulance, In An Amount Not To Exceed \$289,451.00; Authorizing The City Manager To Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

*J. **Resolution [2021-24](#)**, Approving Change Order #2 To The Contract With Key Honey Contracting LLC In An Amount Not To Exceed \$201,244.00 For The Emergency Repairs To The Service Area 6 Vacuum Main Near 120th Street And US1, And For Force Main Modifications Within The Service Area 3 WWTP; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

*K. **Resolution [2021-25](#)**, Approving Change Order's #10 For "Marathon Area 3 & 4 WWTP Upgrades" To Reynolds Construction In The Amount Not To Exceed \$1,627,552.68; Authorizing The City Manager To Execute The Change Order And Expend Appropriated Funds On Behalf Of The City; And Providing For An Effective Date

*L. **Resolution [2021-26](#)**, Approving A Contract Between The City Of Marathon And Deanna Lloyd For Grants Management Services In An Amount Not To Exceed \$81,120.00; And Providing For An Effective Date.

11. **Citizens' comments** [2 minutes per individual - Each individual has one opportunity to speak.]
12. **Council comments**
13. **Adjournment**

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 and for such purpose that person 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 City Attorney at (305) 289-4130 at least five 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.