

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on May 11, 2021 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Gonzalez called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Mayor Gonzalez called for a moment of silence. Chief Johnson explained for Herve Thomas, who served Monroe County Fire Rescue since 2009 passed away suddenly while on duty and leaves a wife and fourteen-year-old daughter.

ROLL CALL - There were present:

Councilmember Steve Cook

Vice Mayor Mark Senmartin

Councilmember Dr. Daniel Zieg

Mayor Luis Gonzalez, comprising a quorum

Councilmember John Bartus was absent.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

City Attorney, Steve Williams

Finance Director, Jennifer Johnson

Building Official, Noe Martinez

Planning Director Brian Shea

Parks & Rec Director, Paul Davis

Public Works Director, Carlos Solis

Marina Director, Sean Cannon

Fire Chief John Johnson

Deputy Fire Chief Cameron

Sherriff Rick Ramsay

Captain Don Hiller

Approval of Agenda & Consent Agenda

Senmartin added 300 criteria discussion as item H under City Council items and asked to pull all items from A to F under the City Manager report from the consent agenda. Zieg added item I, IT Chamber Update. Gonzalez added item B1, National Poppy Proclamation and item J, a Presentation by Landry Sayer regarding cleaning up litter. Garrett added Resolution 2021-33, a Feasibility Report and acknowledgement of the approval of the BrewBQ Festival and Seafood Festival for 2022 under City Manager report.

MOTION: Zieg moved to approve the agenda as amended.

SECOND: Cook

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

Mayor Gonzalez acknowledged Sherriff Ramsay who introduced Coral the K9 dog.

City Council Items:

* Approval of Minutes

Proclamation Prevention week (Mayor Gonzalez) the Council presented the proclamation to Dr. Belotti and Marathon High School students who are members of Champions for Change.

National Poppy Proclamation (Mayor Gonzalez) – the Council presented the proclamation to the American Legion Auxiliary Unit 154 President Dona Beckman, Secretary/Treasurer Victoria Fairbrother-Smith and Executive Committee Member Annette Plattner. Gonzalez, Cook and Zieg also gave a donation to the American Legion Auxillary.

Code Board Appointment (Councilmember Zieg) Zieg informed everyone Patti Childress was his appointment and thanked and welcomed her.

Code Board Appointment (Councilmember Cook) Cook informed everyone that Doug Lewis was his appointment, and he would be a welcome asset to the board. Councilmember Senmartin stated he objected to Cook's appointment, "for the record, we had Mr. Lewis as the head of the Code department when there was a scandal that was in all the papers it was not a proper fit for the Code Board and the transparency and the image of the City of Marathon, this is supposed to be an unbiased board". Senmartin objected again to Mr. Lewis's appointment. Williams explained the objection could be noted, but it was Councilmember Cook's appointment, not an at large appointment.

Code Board Appointment (Councilmember Bartus) the Mayor informed everyone that Councilmember Bartus' s appointment was Jennifer Wile.

Request for Approval of 41st 7 Mile Bridge Run April 2, 2022 from 6:30 – 9 am

City of Marathon
City Council Action Minutes
May 11, 2021 5:30 pm City Council Meeting Minutes

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

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

Mike Puto, FKEC Introduction of New Co Op Administration (Mayor Gonzalez) – Mike Puto introduced Maria Jones, the new Director of Member Service and Government Relations. Jones gave an update on the various construction and storm hardening projects being completed.

300 Units Update (Vice Mayor Senmartin) Shea explained staff would be providing preliminary criteria at the next meeting. Garrett commented that we have 226 units approved and our ordinances are in place.

Government TV Station Update (Councilmember Zieg) – Zieg explained at the last meeting he commented on the March meeting having no audio and we are still showing meetings from 2018. Garrett explained he was concerned as well and spoke with ENS staff and has not engaged Bowman to work on the kiosk as he is still in the building department but will have an update at the next meeting.

Landry Sawyer Presentation – A video depicting kindergartner Landry Sawyer and her sister showing litter in various areas of the City was shown, and it was explained that Landry picks up litter and she asked for help while she was going North to Minnesota for the summer to continue her clean ups. The Mayor commented that it is very impressive of this six-year-old making such a difference and that Staff and the Monroe County Sheriff's office, Marathon Fire Rescue would organize a City cleanup.

City Manager Report:

Garrett introduced two new City employees: Maria Covelli, the Grants Coordinator for the City and Deputy Chief Cameron Bucek for Marathon Fire Rescue.

Park and Recreation Report – Davis gave an overview of his written report. Senmartin explained he had so many residents calling him volunteering to help with Rotary Park and wanted to know how they would go about this. Davis responded they should contact the Parks Department. Senmartin questioned if they were taking volunteers for summer camp. Davis commented that staff was handling the summer camp.

Marathon Fire Rescue Report – Chief introduced Deputy Chief Cameron Bucek and gave an overview of vaccine distribution which would be winding down at the end of June, after that people would go to their primary care physician to obtain the vaccine.

Building Report – Martinez commented on the building software system having some glitches.

Wastewater Report – Garrett reported that Saus was not in attendance, but if there were any questions, he would either answer or get back to the Council with an answer.

Marina Report - Cannon gave an overview of his written report.

MCSO Marathon Substation Report - Captain Hiller gave an overview of his written report.

Discussion of Mask Restrictions – Garrett explained the Governors executive order 101/102 prevents mask orders for local governments and the BOCC rescinded their mask ordinance last week.

Use of the property near 33rd Street boat ramp by the Marathon Sailing Club Discussion – Betsy Lofler and Charlotte Quinn provided a PowerPoint presentation explaining the use of the property near the 33rd Street Boat Ramp for the Youth Sailing Club storage and commented that they would like to help with the cleanup the City was organizing.

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

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

Citizen Comments

Diane Scott spoke about someone calling her a dog.

Resolution 2021-33, Granting The City Of Key Colony Beach The Authority To Regulate Parking, Landscaping And Other Municipal Functions Within The Right-Of-Way Known As Coral Lane, A Part Of Botel Subdivision, Fat Deer Key; and Providing For An Effective Date.

MOTION: Zieg moved approval
SECOND: Cook

Council gave direction to come back with an abandonment.

Vote of the Motion:

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

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

Coco Plum Resiliency Phase II Report – Garrett commented that the report was provided, and he was looking at other areas as well, but focusing on the most vulnerable spots first. Garrett asked for direction to move forward.

MOTION: Zieg moved to acknowledge and direct staff to move forward.
SECOND: Cook

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

2022 Seafood Festival and Brew BQ Events Request for Approval

MOTION: Cook moved approval
SECOND: Zieg

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

Quasi-Judicial Public Hearings

Resolution 2021-29 - Considering The Second Amended And Restated Development Agreement Between The City Of Marathon And Marlin Bay Yacht Club, LLC, For The Redevelopment Of Property, Which Is Legally Described As Block 6 Lots 1 Thru 5 & The N 100' Of The S 430' Of Lot 6 And Adjacent Filled Bay Bottom, Marathon Beach Sub Pb2-16 And Block 2 Lots 1 Thru 6 Amended Plat Of Yacht Basin Tracts Real Estate Number 00337010-000000, Providing For Conditions And Requirements Of Development, Including But Not Limited To, Buffers, Building Heights, Setbacks, Up To Six (6) Months Within One (1) Year Tenancies At Marina Wet Slips, And Other Requirements; And Providing For An Effective Date.

The clerk swore in speakers. Council stated they had no ex parte communications.

Shea gave an overview of the staff recommendation and explained that the Development Agreement has been amended to revert to the previous Development Agreement. Bart Smith, Agent for the applicant asked for approval.

Mayor Gonzalez called for public comment, hearing none, closed public comments.

MOTION: Zieg moved approval
SECOND: Cook

It was noted that all parking must be provided on site, no cones in the right of way.

Vote of the Motion:

Yes: Zieg, Cook, Senmartin Gonzalez

No: None

Absent: Bartus

Abstain: None

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

Consideration Of A Request For A Development Agreement, For Island Homes Of The Keys Inc, Pursuant To Chapter 102, Article 8 Of The City Of Marathon Land Development Regulations ("The Code") Entitled "Development Agreement" For The Development Of A Single Family Home; Vacant Land; Which Is Legally Described As, Section 32, Township 65, Range 33, Government Lot 1 And Section 05, Township 66, Range 33, Part Of Government Lot 4, Formerly Known As Phase V (The Island) Seawatch At

Marathon A Condominium, Marathon, Monroe County, Florida; Having Real Estate Number 00104135-000000, Nearest Mile Marker 53.

The clerk swore in speakers. Council stated they had no ex parte communications.

Shea gave an overview of the request and staff recommendation of approval. Bart Smith, Agent for the applicant asked for approval.

Sylvia Ericksen – explained she had concerns and asked if the exotic invasive vegetation would have to be removed. Shea commented that they would need to be removed.

MOTION: Zieg moved approval

SECOND: Cook

Vote of the Motion:

Vote of the Motion:

Yes: Zieg, Cook, Senmartin Gonzalez

No: None

Absent: Bartus

Abstain: None

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

Ordinances For Second Public Hearing and Enactment

Ordinance 2021-03, Amending The Zoning Designation From Residential High (RH) To Mixed Use (MU) For The Property Described As Block C Lots 6 And 7, Sheryl Subdivision #2, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Numbers 00340010-000000 And 00340020-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

Ordinance 2021-04, Amending The Future Land Use Map (FLUM) From Residential High (RH) To Mixed Use-Commercial (MU-C) For The Property Described As Block C, Lots 6 And 7, Sheryl Subdivision #2, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Numbers 00340010-000000 And 00340020-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

Shea briefly explained both ordinances.

Mayor Gonzalez called for public comment, hearing none, closed public comments.

MOTION: Zieg moved approval of Ordinance 2021-03

SECOND: Cook

Vote of the Motion:

Vote of the Motion:

Yes: Zieg, Cook, Senmartin Gonzalez

No: None

Absent: Bartus

Abstain: None

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

MOTION: Zieg moved approval of Ordinance 2021-04

SECOND: Cook

Vote of the Motion:

Vote of the Motion:

Yes: Zieg, Cook, Senmartin Gonzalez

No: None

Absent: Bartus

Abstain: None

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

Ordinance 2021-11, Amending Chapter 6, Article II (“Building Code”) Of The Code Of Ordinances Of The City Of Marathon By Amending Section 6-52 By Removing Outdated Section 6-52(B)(4) And Adjusting Subsequent Sections In Conformity Therewith; 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.

Mayor Gonzalez called for public comment, hearing none, closed public comments.

MOTION: Cook moved approval

SECOND: Zieg

Vote of the Motion:

Vote of the Motion:

Yes: Cook, Zieg, Senmartin Gonzalez

No: None

Absent: Bartus

Abstain: None

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

Ordinances For First Public Hearing

Ordinance 2021-13, Amending Section 104.62, “Mobile Vendor Food Units”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability;

Providing For Transmittal To The State Department Of Economic Opportunity; Providing For Inclusion In The Code; And Providing For An Effective Date.

Shea explained Florida Statue 509.102 was adopted preempting regulation of mobile food dispensing vehicles involving licenses, registrations, permits, and fees to the state. The City of Marathon must amend our regulations to align with this preemption.

Gonzalez commented that with this new ordinance, which removes the cap on licenses, those who want a license would now apply to the state, but they should be road ready. Gonzalez asked if the City would be able to monitor this? Garrett replied staff would monitor.

Mayor Gonzalez called for public comment, hearing none, closed public comments.

MOTION: Cook moved approval

SECOND: Zieg

Vote of the Motion:

Vote of the Motion:

Yes: Cook, Zieg, Senmartin Gonzalez

No: None

Absent: Bartus

Abstain: None

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

Resolutions for Adoption:

***A. Resolution 2021-30** Authorizing A “Piggy Back Purchase” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of Two (2) 2021 Ford Ranger XL 2WD Super Cab And A 2021 Chevy Silverado 2500HD Crew Cab 4WD Diesel, Under The Florida Sheriff’s Bid 2021-120716-NAF From Alan Jay Fleet Sales, In An Amount Not To Exceed \$97,761.80; Approving The Trade In Of Two (2) Of The City’s 2013 Ford F150 Trucks For A Credit of \$15,000.00, Two (2) 2015 Ford Interceptor Vehicles For A Credit Of \$6,000.00, And A 2015 Toyota Prius For A Credit Of \$8,500.00 To Be Applied Against The Purchase Of These Vehicles; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating Funds; And Providing For An Effective Date

***B. Resolution 2021-31**, Approving a Trade-in of the Service Area 3 WWTP Back-up Generator In The Amount of \$22,000.00; Authorizing The City Manager To Execute The trade agreement On Behalf Of The City; And Providing For An Effective Date

***C. Resolution 2021–32**, Accepting the Ranking and Recommendation of the City’s Evaluation Team of the Disaster Response Services RFP; Authorizing The City Manager And City Attorney To Negotiate Contracts With The Top Three Ranked Firms of Grubbs Emergency Services, LLC, D&J Enterprises, Inc and DRC Emergency Services; and Providing For An Effective Date.

Citizen Comments

Diane Scott - commented that the City needed its own police department.

Council Comments

Cook thanked staff. Cook also thanked Marathon Fire Rescue and MCSO and welcomed Deputy Chief Cameron Bucek.

Zieg gave an overview of historical events that happened on this date and thanked staff, Marathon Fire Rescue and MCSO and welcomed the new staff members.

Senmartin thanked everyone who came to the spaghetti dinner at the Elks and recognized the great job Shea did with Island Homes and explained he pulled all the reports off the consent agenda to be transparent and he would continue to do so. Senmartin welcomed the new staff members.

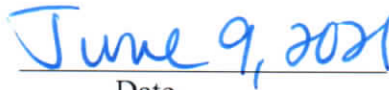
Gonzalez welcomed the new staff members thanked staff, first responders and MCSO.

ADJOURNMENT

With no further business to come before the Council, Mayor Gonzalez adjourned the meeting at 7:16 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of May 11, 2021.


Diane Clavier, City Clerk


Date