



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, December 14, 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. New Life Church waiver of fees for Community Park Joy on the Rock event on Friday, February 18th from 5 pm to 10 pm.
 - C. Request to Serve Beer after the 15th Annual Sombrero Beach Run on January 22, 2022, & Serve Beer and Wine at the Registration at Sombrero Beach January 21 from 5-6:30 pm and Waive Permit Fees benefiting KAIR
6. **City Manager Report**
 - A. Park and Recreation [Report](#)
 - B. Marathon Fire Rescue [Report](#)
 - C. Public Works [Report](#)
 - D. Grants [Update](#)
 - E. Marina [Report](#)
 - F. MCSO Marathon Substation [Report](#)
 - G. Wastewater [Report](#)
 - H. Code [Report](#)
 - I. Building [Report](#)
 - J. Boat Ramp Launch Fee [Discussion](#)
 - K. Sign Code Review and Discussion
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. (Councilmembers to communicate exparte communication.)

A. Resolution [2021-116](#), Consideration Of A Request By Tranquility Bay Adult Daycare For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (“The Code”) Entitled “Conditional Use Permits”, Authorizing The Development Of An Adult Daycare; Located At 11524 Overseas Highway; Which Is Legally Described As Blocks 2, Lots 7-8, Key Colony Subdivision 3, Key Vaca, Monroe County, Florida, Having Real Estate Number 00334750-000000. Nearest Mile Marker 53.

B. Resolution [2021-117](#), A Request For A Final Plat Approval Pursuant To Chapter 102 Article 10 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Subdivision Of Land/Plats And Re-Plats,” For A Plat And Site Plan Approval As Submitted By Novoa Angela C 2012 Irrevocable Trust 11/16/12 For Vacant Land On Avenue A (Pescayo Avenue), Which Is Described As Lots 1 Through 6 Of Block 5 And Bay Bottom Adjacent To Lots 1 Through 6 Of Block 5, Coco Plum Beach Subdivision, Fat Deer Key, Marathon, Monroe County, Florida, Having Real Estate Numbers 00363430-000000, 00363450-000000, 00363460-000000, 00363460-000100, 363470-000000, 00363480-000000, 00363490-000000, 00363490-000000, and 00363500-000000.

9. Ordinances for First Hearing

A. Ordinance [2021-29](#), Amending Chapter 6, Article III (“Unsafe Structures And Equipment”) Of The Code Of Ordinances Of The City Of Marathon By Amending Section 6-95 (c) II, Which Shall Provide For A Certification And Recertification Process For Existing And Future Multistory Structures; 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 [2021-30](#), Amending Section 5, Paragraph 2, “Term Of Office” To Change The Typical Term Of Office For City Council Members To Four Years; Providing For Copies Of These Charter Amendments To Be Available For Public Inspection; Providing For The Clerk To Utilize The Services Of The Monroe County Supervisor Of Elections; Providing For Severability; Providing For Inclusion In The Charter/Conformity Of Amendments; And Providing For An Effective Date.

10. Resolutions For Adoption

***A. Resolution [2021-118](#),** Ratifying A Motion To Authorize The Purchase Of Real Property From Grand Keys LLC (RE No. 00101780-000100) Made At The November 9, 2021 City Council Meeting; Authorizing The City Manager To Execute The Contract For Sale, Negotiate Terms, And To Consummate The Purchase In An Amount Not To Exceed Three Million Dollars (\$3,000,000); Appropriating Funds, And Providing For An Effective Date.

***B. Resolution [2021-119](#),** Interlocal Agreement Between The City Of Marathon, Florida And Monroe County, Florida, For Cooperation In Order To Facilitate The Purchase Of Real Property By The City Of Marathon To Be Used For Various Public Purposes Which Benefit Both The City And The County.

***C. Resolution [2021-120](#),** In Support Of The Florida Fish And Wildlife Conservation Commission And Its Law Enforcement Officers, And In Request Of An Increase In The Number Of Officers In Monroe County; And Providing For An Effective Date.

***D Resolution [2021-121](#)**, Approving Change Order No. 2 To Contract Between The City And Pedro Falcon Electrical Contractors, Inc. In The Contract Amount Of \$282,368.44 For The Marina Office Modifications; Increasing The Contract In An Amount Not To Exceed \$54,814.95 For Addition Of A Fire Alarm System; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

***E. Resolution [2021-122](#)**, Respectfully Urging The Florida Legislature To Appropriate Funds To Assist The Domestic Abuse Shelter, Inc., A Florida Not For Profit Corporation Located In Monroe County To Rebuild Its Facility That Was Damaged In Hurricane Irma; And Directing The Clerk To Forward Copies Of The Resolution To The City Of Marathon's Legislative Delegation.

***F. Resolution [2021-123](#)**, Approving Subject To Conditions, A Request By Deborah Kronebusch To Abandon The Public Right Of Way Located At 58652 Overseas Highway, Known As Flagler Street, Described As Being Adjacent To And Contiguous With Block 1, Lot 7, Crains Subdivision, Grassy Key, Having Real Estate Number 00366860-000000. Nearest Mile Marker 58; And Providing For An Effective Date.

***G. Resolution [2021-124](#)**, Approval Of A Resolution By the City Of Marathon, Florida Adopting An Interlocal Agreement Between Monroe County, Florida, And The City Of Marathon, Florida, For FKRAD Monitoring Services Under DEP Grant MN008.

H. Resolution [2021-125](#), Approval Of A Memorandum Of Understanding Between The City Of Marathon And First Responders Employed By The City Of Marathon To Receive American Recovery Plan Act (ARPA) Funds Pursuant To Provisions Of ARPA And The Treasury Department Guidance Concerning The Use Of Such Funds.

***I. Resolution [2021-126](#)**, Providing Recommendations From The Potential Solution List Of Projects Within Appendix G Of The Approved Monroe County, Florida U. S. 1 Transportation Master Plan To Improve Traffic Flow, Alleviate Congestion, Improve Safety And Assist In Improving The Level Of Service On U.S. 1; Providing For The Transmittal Of This Resolution To Monroe County, Florida; 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.