



**City of Marathon City Council Agenda  
9805 Overseas Hwy., Marathon, FL  
Tuesday, June 14, 2022 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. Juneteenth [Proclamation](#) (Councilmember Gonzalez)
  - C. Pet Adoption Month [Proclamation](#) (Vice Mayor Zieg)
  - D. Gymkhana/Hoonigans Boot Key Bridge Jump (Mayor Bartus)
  - E. Support of AHEC – Proposed \$30K
  - F. Cisterns (Vice Mayor Zieg)
  - G. Boat Ramps and Key Colony Beach Fire Rescue MOU (Vice Mayor Zieg)
6. **City Manager Report**
  - A. MCSO Marathon Substation [Report](#)
  - \*B. Grants [Update](#)
  - C. Building [Report](#)
  - \*D. Park and Recreation [Report](#)
  - \*E. Wastewater [Report](#)
  - \*F. Marathon Fire Rescue [Report](#)
  - G. Marina [Report](#)
  - H. Code [Report](#)
  - I. City Attorney: DEO
  - J. City Manager [Updates](#)
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. Resolution [2022-47](#),** Consideration Of A Request By Candice Lee 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 A Dog Boarding, Grooming, Daycare and Shaved Ice Store Located At 12535 Overseas Highway; Which Is Legally Described As 5 66 33 Part Government Lot 3 Crawl Key, Monroe County, Florida, Having Real Estate Number 00100390-040001. Nearest Mile Marker 53.

**B. Denying A [Request](#)** By Van Fischer For An Ordinance Of The City Of Marathon Florida Amending The Zoning From Residential Low (R1) To Residential Medium 1(Rm-1) For Property Described As Block 18 Lot 7 Coco Plum Beach Pb4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00365960-000000; And Providing For An Effective Date. (First Hearing)

**C. Denying A [Request](#)** By Van Fischer For An Ordinance Of The City Of Marathon, Florida Amending The Future Land Use Map (FLUM) From Residential Low (R1) To Residential Medium (Rm) For Property Described As Block 18 Lot 7 Coco Plum Beach Pb4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00365960-000000; And Providing For An Effective Date. (First Hearing)

## **9. Ordinances for Second Public Hearing and Adoption**

**A. Ordinance [2022-09](#),** Amending Chapter 103 “Zoning Districts”, Article 3 “Use And Intensity Tables”, Updating Table 103.15.1 “Uses By Zoning District”, Updating Table 103.15.2 “Density, Intensity And Dimensions For Zoning Districts”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing An Effective Date.

**B. Ordinance [2022-10](#),** Amending Chapter 102 “Development Application Review Procedures”, Article 17 “Appeals”, Amending Section 102.92 “Appeal Period” And Section 102.93 “Applicability” To Address Timeframes, Of The City Of Marathon Land Development Regulations; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; 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 Department Of Economic Opportunity In Accordance With State Law.

**C. Ordinance [2022-11](#),** Amending Chapter 104 “Specific Use Regulations”, Article 1 “General Provisions”, Amending Section 104.52 “Small Animal Shelter Or Animal Day Care”, Of The City Of Marathon Land Development Regulations; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; 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 Department Of Economic Opportunity In Accordance With State Law.

**D. Ordinance [2022-12](#)**, Modifying Section 32-34 Of The City Code Of Ordinances, ‘Tow Away Zones;’ Providing For Modifying The Existing Code Section To Consolidate Code Language, Modify The Individuals With Authority To Authorize Towing, And Add Two Tow Away Zones Predicated On Previous Council Actions; Providing For Rescinding Resolutions 2021-6 And 2022-37; Providing For Removal Of Any Sections Of The Code Found In Conflict With This Change In The Ordinance; Providing For Severability; Providing For Incorporation Into The Code Of Ordinances; And Providing For An Effective Date.

**E. Ordinance [2021-27](#)**, Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Mixed Use-Commercial (MU-C) For The Property Described As Block 2, Lot 2 First Addition to Seacrest, Key Vaca Marathon, Monroe County, Florida, Having Real Estate Number 00339240-000000; 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.

**F. Ordinance [2021-28](#)**, Amending The Zoning Designation From Residential Medium (RM) To Mixed Use (MU) For The Property Described As Block 2, Lot 2 First Addition to Seacrest, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00339240-000000; 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.

## **10. Ordinances for First Public Hearing**

**A. Ordinance [2022-15](#)**, Florida Amending The Future Land Use Map (FLUM) From Residential High (RH) To Mixed Use Commercial (MU-C) For Property Described As Block 2, Lots 1 Through 6, Excluding The North 150 Feet Of Lots 1 And 2, Parrish Subdivision, Key Vacas, Marathon, Monroe County, Florida, Having Real Estate Numbers 00326760-000000, 00326780-000000, 00326800-000000, 00326790-000000, 00326810-000000, 00326820-000000, 00326840-000000; 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.

**B. Ordinance [2022-16](#)**, Florida Amending The Zoning From Residential Mobile Home (R-MH) To Mixed Use (MU) For Property Described As Block 2, Lots 1 Through 6, Excluding The North 150 Feet Of Lots 1 And 2, Parrish Subdivision, Key Vacas, Marathon, Monroe County, Florida, Having Real Estate Numbers 00326760-000000, 00326780-000000, 00326800-000000, 00326790-000000, 00326810-000000, 00326820-000000, 00326840-000000; 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.

**C. Ordinance [2022-17](#)**, Amending The First Time Homebuyer Assistance Program; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing An Effective Date

## 11. Resolutions For Adoption

**\*A. Resolution [2022-48](#)**, Approving An Interlocal Agreement Between The City Of Marathon, Florida (Hereinafter, The “City”) And Monroe County, Florida (Hereinafter, The “County”) Providing The Mechanism For The City To Coordinate With The Other Municipalities Through The County For The Engineering Survey Data Collection Using Mobile Scanning Technologies Utilizing Light Imaging Distance And Ranging (LiDAR) Scanners; Acknowledging That Such Work Will Be Funded By The City, The Cost Of Which Is \$150,281.00; Providing For Rights And Responsibilities Of The Parties Under The Agreement; Providing For Signature; And Providing For An Effective Date.

**\*B. Resolution [2022-49](#)**, Authorizing The Purchase Of The ProCare Service Plan For Our LUCAS and Lifepak 15 Devices In An Amount Not To Exceed \$47,666.86; Authorizing The City Manager To Appropriate Funds On Behalf Of The City; And Providing For An Effective Date.

**\*C. Resolution [2022-50](#)**, Adopting A Fee Schedule For The Donation Of Moneys Either For The Land Acquisition Or For Affordable Housing As Provided In Section 107.09 1. And 2. “Lot Dedication Or Cash In-Lieu Of Dedication,” As Part Of The BPAS Scoring System; Providing For An Effective Date; And Providing For Immediately Implementation.

**\*D. Resolution [2022-51](#)**, Adopting A Fee Schedule For The Payment Of Moneys For Affordable Housing As Provided In Section 107.18. “Affordable Housing Requirements,” As Part Of The Transfer Of Building Rights Process; Providing For An Effective Date; And Providing For Immediately Implementation.

**\*E. Resolution [2022-52](#)**, Approving Grant Agreement ID Code R0016 Between The City And Florida Department of Health For Purchase of EMS Equipment; Appropriating Funds; And Providing For An Effective Date.

**\*F. REVISED Resolution [2022-53](#)**, Approving a Contract Between The City of Marathon And Leland W and Jean H Cranmer for the Purchase of the Property at 8036 Porpoise Drive, Marathon, FL with Parcel ID 00329980-000000; Appropriating Funds; And Providing For An Effective Date.

**\*G. REVISED Resolution [2022-54](#)**, Approving a Contract Between The City of Marathon And Michele Cook for the Purchase of the Property at 200 39<sup>th</sup> Street, Marathon, FL with Parcel ID 00337670-000000; Appropriating Funds; And Providing For An Effective Date.

**\*H. Resolution [2022-55](#)**, Amending The Ambulance Fee Schedule Mileage Charge And Authorizing Rate Increases As Medicare Increases Its Rates; And Providing An Effective Date.

**\*I. Resolution [2022-56](#)** Awarding the contract for the Area 4 Filter Upgrade to Reynolds Construction, LLC In An Amount Not To Exceed \$379,500; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date.

**\*J. Resolution [2022-57](#)**, Accepting The Responsible Proposal And Approving A Contract Between The City And 3<sup>rd</sup> Generation Plumbing, Inc. In An Amount Not To Exceed \$53,980.00 For Utilities Installation At The Seven Mile Marina Property; Waiving The City’s Procurement Policy;

Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

**\*K Resolution [2022-58](#)**, Accepting The Responsible Proposal And Approving A Contract Between The City And Discount Rock and Sand In An Amount Not To Exceed \$57,340.00 For Site Clearing And Improvements At The Seven Mile Marina Property; Waiving The City's Procurement Policy: Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

**\*L. Resolution [2022-59](#)**, Rescinding Resolution 2022-43; Approving A Corrected Version Of Amendment Two To The Interlocal Agreement With Monroe County For Receipt Of Local Option Gas Tax Revenues Providing For The Transmittal To Monroe County And Other Local Jurisdictions; Providing For An Effective Date

**12. Citizens' comments** 2 minutes per individual - Each individual has one opportunity to speak.]

**13. Council comments**

**14. 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 [clavird@ci.marathon.fl.us](mailto:clavird@ci.marathon.fl.us) if you would like to receive any of the items on the agenda by email.