



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, July 12, 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. Mini Lobster Season Discussion (Vice Mayor Zieg)
 - C. Employee Raises (Vice Mayor Zieg)
- 6. City Manager Report**
 - *A. MCSO Marathon Substation [Report](#)
 - B. Grants [Update](#)
 - *C. Building [Report](#)
 - *D. Park and Recreation [Report](#)
 - E. Public Works [Report](#)
 - *F. Marathon Fire Rescue [Report](#)
 - *G. Marina [Report](#)
 - H. Code [Report](#)
 - I. City Manager Updates
 1. Approval Of An Amount Not To Exceed \$150,000 For Ongoing Litigation Expenses In The FOLKS – Friends of the Lower Keys LLC Case
- 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. FY22/23 General Fund Budget Discussion**
 - A. [Resolution 2022-60](#), Determining The Proposed Millage Rate, And The Current Year Rolled-Back Rate, And The Date, Time And Place For The First And Second Budget Public Hearings As Required By Law; Directing The Finance Director To File Said Resolution With The Property Appraiser Of Monroe County Pursuant To The Requirements Of Florida Statutes And The Rules And Regulations Of The Department Of Revenue Of The State Of Florida; And Providing For An Effective Date.

9. 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 2022-61](#) 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. (Final Hearing)

B. [Resolution 2022-62](#) 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. (Final Hearing)

C. [Resolution 2022-63](#) Consideration Of A Request By Thomas Francis-Siburg 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 Existing Convenience Store Providing Fuel Sales With The Addition Of A Car Wash At The Property Located At 6203 Overseas Highway, Ocean, Which Is Legally Described As Edmonds Acreage Tracts PB2-100 A Subdivision Of Part Government Lot 1 Section 11 Township 66S Range 32E Key Vaca Part E1/2 Tract 10, Marathon, Monroe County, Florida, Having Real Estate Number 00338730-000600 & Sheryl Subdivision 2 Plat Book 4-43 Key Vaca Lots 1-2 And Part 3-4 Block C, Monroe County, Florida, Having Real Estate Number 00339960-000000. Nearest Mile Marker 50.

10. Ordinances for Second Public Hearing and Adoption

A. [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. Ordinances for Third 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.

12. Resolutions For Adoption

*A. [Resolution 2022-64](#), Approving an Interlocal Agreement Between The City And Monroe County Board of County Commissioners for Boating Improvement Funding For Repairs to the Pilings at 33rd Street Boat Ramp; Appropriating Funds; And Providing For An Effective Date

*B [Resolution 2022-65](#), Of The City Council Of The City Of Marathon, Florida Recognizing That The Final Version Of The Florida Keys National Marine Sanctuary (FKNMS) “Restoration Blueprint” Will Be Released For Public Comment During The Month Of July, 2022; And Urging The FKNMS To Balance Natural Resource Conservation With Sustainable Uses And To Continue To Engage Stakeholders From Throughout The Florida Keys In The Review And Comment On This Document; And Providing For An Effective Date

*C. [Resolution 2022-66](#), Approving A First Amendment To The Contract Between The City And The Monroe County Sheriff’s Office For Local Police Services In An Amount Not To Exceed \$2,360,834 For FY 2022-2023; Authorizing The City Manager And City Attorney To Finalize The Terms And Conditions Of The Contract; Authorizing The Mayor To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

*D. [Resolution 2022-67](#) Awarding the contract for the Fairfield Inn Lift Station to Tropical Underground Contracting, LLC in amount not to exceed \$375,555.75; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

*E. [Resolution 2022-68](#), Awarding Change Order #1 for the Chemical Upgrades to Reynolds Construction, LLC.; Approving a change in contract amount of \$58,291.77; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

*F. [Resolution 2022-69](#), Approving An Interlocal Agreement Between The City Of Marathon, Florida (Hereinafter, The “City”) And School Board Of Monroe County, Florida (Hereinafter, The “School Board”) Providing The Mechanism For The Procedures In Coordinating The Development Of New Or Expanded School Facilities; Providing For Signature; And Providing For An Effective Date

*G. [Resolution 2022-70](#), Ratifying A Change To The Agreement Between The City Of Marathon, Florida And Synagro, Authorizing The City Manager To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date.

*H. [Resolution 2022-71](#), In Support Of Swift Progress On Florida Mainland Wastewater Treatment System Upgrades Affecting Waters Of The State Of Florida Including The Waters Surrounding The City Of Marathon And The Florida Keys National Marine Sanctuary; And Providing For An Effective Date.

*I. [Resolution 2022-72](#), Approving And Accepting A Warranty Deed For The Conveyance Of Land From Seasons 16 LLC; Having Real Estate Number 00369550-000000; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

*J. [Resolution 2022-73](#), Approving a Contract Between The City of Marathon And Anavel Mystique Corp for the Purchase of the Property at 592 83rd Street Ocean, Marathon, FL with Parcel ID 00347630-000000; Appropriating Funds; And Providing For An Effective Date

K. [Resolution 2022-74](#), Approving A Memorandum Of Understanding Between The City Of Marathon And The Professional Firefighters Of Marathon, To Include Non-Union Firefighters And Paramedic Of The City Of Marathon Fire Department; Said Memorandum To Be Approved In Consideration Of The Pay Disparity Between The City’s Fire Service And Similarly Sized Services, Including Monroe County, And Providing For An Effective Date.

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

14. Council comments

15. 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.