

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on August 9, 2022, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Bartus called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Steve Cook

Councilmember Luis Gonzalez

Councilmember Robyn Still

Vice Mayor Dr. Daniel Zieg

Mayor John Bartus, comprising a quorum

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

Attorney, Steve Williams

Planning Director, Brian Shea

Finance Director, Jennifer Johnson

Parks & Rec Director, Paul Davis

Marina Director, Sean Cannon

Building Official, Gerard Roussin

Public Works Director and Engineer, Carlos Solis

Code Director, Ted Lozier

Deputy Utilities Director, Libby Fraizer

Deputy Fire Chief, Cameron Bucek

Grants Coordinator, Maria Covelli

Monroe County Sherriff's Office, Captain Hiller

Approval of Agenda & Consent Agenda

Zieg added Resolutions 2022-83, 2022-84, 2022-86, and 2022-92 to the consent agenda. Bartus added item 5E, BPAS Discussion and added items 6A, B, C, F, G, H to the consent agenda. Garrett asked for Resolutions 2022-95 and 2022-96 to be removed from consent and asked that item 6K (Discussion of Permitting Issues) be moved before 6A.

MOTION: Zieg moved to approve the agenda as amended.

SECOND: Gonzalez

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

City Council Items:

* Approval of Minutes

Use of the Harbor Boat Ramp Discussion (Still) Still urged staff to move forward with charging for boat ramps, as the system would pay for itself. The Council agreed again that permanent residents of Marathon and Key Colony Beach would not be charged.

Discussion about consumption of liquor at City Parks, particularly Community, Jesse Hobbs, & Rotary Parks (Gonzalez) Gonzalez explained that we are getting ready to have another park unveiling and he has received complaints about drinking. Gonzalez commented that the City's code is weak about penalties and suggested a first, second and third offense tier. Council gave head nods to bring back penalty stages.

Landry Sayer 2nd Annual Clean the Curb Day (Gonzalez) Gonzalez informed everyone that Landry Sayer would be having a bag signing on August 27th at 11:00 am at the Winn Dixie store and her art would be on the bags. Gonzalez also reported that another Clean the Curb event would be held and asked the Council to designate the 2nd Saturday of each September to have a clean the curb day, this year being Saturday, September 10th. The Council gave head nods.

BPAS Discussion (Bartus) – Bartus asked the following questions of Shea:

Has there ever been improper allocation of BPAS permits? Shea responded no.

Has there ever been changing the order on the BPAS allocation list without reason? Shea responded apart from human error, no.

Is there favoritism in BPAS permit awards? Shea responded no. Are rules broken for certain contractors? Shea responded no.

Does our code mandate removal from BPAS pool if found ineligible for Owner Occupied, or do they move back into the general pool? Shea responded no, they move back into the general pool.

Have BPAS units ever been issued along with conditional use/development agreements? Shea responded no.

Have there been fraudulent dollar value estimates on permit applications? Shea responded it is calculated by square footage.

Was there anything improper ever done by the Planning or Building Departments that would warrant reporting to DEO or other state agencies? Shea responded no, there are paper trails.

Garrett introduced the new building official, Gerard Roussin.

Garrett informed everyone that in 2018 Governor Scott issued 1300 ROGO units, Monroe County's allocation was 300 units which had to evacuate in 48 hours. An opinion was filed in the Third District Court of Appeal which seeks to appeal or rescind the 1300 units. Garrett informed everyone Smith Hawks has been handling the case. Williams reported that we will need to address several elements, some units are already constructed, and families are living in the homes, some are at various stages of development. We have 15 days to file notice of rehearing. Williams commented that we should not issue permits in the meantime. We have an executive session next Tuesday at 11 am. In the interim, we face potential liability, but three judges in Miami are telling us to not issue permits.

Christopher Dean with Smith Hawks – expressed his concern of liability is greater if you do not move forward with processing permits normally.

Williams suggested this would be something to consider in the executive session, it is only a one-week delay between now and next Tuesday. Council agreed to hold the permits for a week.

City Manager Report:

*MCSO Marathon Substation Report

*Grants Update

*Building Report

Park and Recreation Report – Davis gave an overview of his report

Marathon Fire Rescue Report – Deputy Chief Bucek gave an overview of the Fire Report.

*Marina Report

*Code Report

*Wastewater Report

Best Of Marathon request to sell alcohol & use Community Park on 9/17/22. Bartus commented he and Garrett were members of Rotary but are not receiving any compensation.

MOTION: Gonzalez moved to approve the event and allow alcohol
SECOND: Zieg

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

MHS Homecoming Parade 10/13/22

MOTION: Gonzalez moved to approve the parade
SECOND: Zieg

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

Quasi-Judicial Public Hearings

Resolution 2022-75, Consideration Of A Request By Skocean LLC 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 Outdoor Boat Trailer Storage Yard Located At 8151 Overseas Highway; Which Is Legally Described As Block 3 Lots 1, 2, 3, and 45 Lida Subdivision First Addition, Key Vaca PB4-103, Monroe County, Florida, Having Real Estate Number 00348171-000000. Nearest Mile Marker 51.

The clerk swore in speakers and Bartus informed everyone he had exparte communications, but it would not affect his vote. The rest of Council did not have exparte communications.

Shea explained the request of the conditional use approval for the development of an outdoor boat trailer storage yard and proposed storage rack and recommended approval.

Mike Card – asked if there were any questions.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Resolution 2022-75

SECOND: Cook

Vote of the Motion:

Yes: Zieg, Cook, Still, Gonzales, Bartus

No: None

Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Resolutions for Public Hearing and Adoption

Resolution 2022-81, Relating To The Construction Of Wastewater Collection And Treatment Facilities Within Service Areas 1, 3, 4, 5, 6, 7, Little Venice & Supplemental Assessment Program Area In The City of Marathon, Florida; Imposing The Annual Wastewater Special Assessments For The Fiscal Year Commencing October 1, 2022; Approving The Assessment Roll; Providing For The Collection Of The Assessments; And Providing For An Effective Date.

Garrett informed everyone a portion of Little Venice service area has been paid out

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Resolution 2022-81

SECOND: Gonzalez

Vote of the Motion:

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

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Resolution 2022-82, Imposing The Annual Stormwater Utility Special Assessments For Fiscal Year Commencing October 1, 2022; Approving The Assessment Roll; Proving For Collection Of The Assessments; And Providing For An Effective Date.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Resolution 2022-82

SECOND: Cook

Vote of the Motion:

Yes: Zieg, Cook, Still, Gonzales, Bartus
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Ordinances for Final Public Hearing and Adoption

Ordinance 2022-05, Amending The Future Land Use Map (FLUM) From Mixed Use Commercial (MU-C) To Industrial (I-G) For Property Described As Bk 1, E ½ Of Lot 4 Stirrup Key Bight PB3-168 Key Vacas, Marathon, Monroe County, Florida, Having Real Estate Number 00333450-000100; 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 2022-06, Amending The Zoning From Mixed Use (MU) To Industrial (I-G) For Property Described As Bk 1, E ½ Of Lot 4 Stirrup Key Bight PB3-168 Key Vacas, Marathon, Monroe Co., Florida, Having Real Estate Number 00333450-000100; 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 explained there were no changes since the first reading.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Gonzalez moved approval of Ordinance 2022-05

SECOND: Zieg

Vote of the Motion:

Yes: Gonzalez, Zieg, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

MOTION: Gonzalez moved approval of Ordinance 2022-06

SECOND: Zieg

Vote of the Motion:

Yes: Gonzalez, Zieg, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Citizens' Comments on items other than those appearing on the agenda

Richard Tamborrino – informed everyone that United Way was designating October 21st “Be Like Mike” day in memorandum of Mike Forester and asked that everyone perform random acts of kindness on October 17th. Tamborrino informed everyone the BOCC would have a proclamation and asked the Council to proclaim October 21st “Be Like Mike” Day. Williams asked to be careful with copyright or trademark issues. Tamborrino commented that United Way took care of it.

Diane Scott – commented the police department does not investigate her complaints and ignores her. Scott said she has a reaction to dogs and stated the City should pay for her epi pen.

Ordinance 2022-07, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Four, “Conservation And Coastal Element,” And Intending To Modify Policy 4-1.4.2, “Maintain A 50 Foot Buffer Adjacent To Wetlands,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After The First Hearing By The City Council; And Providing For An Effective Date. Shea explained there were no changes since the first reading.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Ordinance 2022-07

SECOND: Cook

Vote of the Motion:

Yes: Zieg, Cook, Still, Gonzalez, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Ordinance 2022-08, Amending Chapter 106 “Natural And Historic Resources Protection”, Article 4 “Open Water, Surface Waters And Wetlands”, Updating Table 106.28.1 “Water Resource And Wetland Buffers”; 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.

Shea explained there were no changes since the last reading.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Cook moved approval of Ordinance 2022-08

SECOND: Gonzalez

Vote of the Motion:

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

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Ordinance 2022-13 Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Mixed Use (MU-C) For Property Described As Bk 3 Lot 6 Key Colony Subdivision 4 PB4-23, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00335170-000000; 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 2022-14, Amending The Zoning From Residential Medium (RM) To Mixed Use (MU) For Property Described As Bk 3 Lot 6 Key Colony Subdivision 4 PB4-23, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00335170-000000; 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 explained there were no changes since the first reading.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Ordinance 2022-13

SECOND: Gonzalez

Vote of the Motion:

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

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Cook moved approval of Ordinance 2022- 14

SECOND: Gonzales

Vote of the Motion:

Yes: Cook, Gonzales, Still, Zieg, Bartus
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Ordinances for First Public Hearing

Ordinance 2022-20, Amending Chapter 102 “Development Application Review Procedures”, Article 6 “Comprehensive Plan Amendment”, Amending Figure 102.22.1 “Comprehensive Plan Amendment Review Process”, And Article 7 “Land Development Text Amendment”, Amending Figure 102.28.1 “Land Development Regulation Text Amendment Process”, And Article 11 “Rezoning”, Amending Figure 102.62.1 “Rezoning Review Process”, And Article 13 “Conditional Use”, Amending Figure 102.80.1 “Conditional Use Permit Review Process”, And Article 17 “Appeals”, Amending Figure 102.98.1 “Appeals Review Process”, And Article 18 “Beneficial Use Determinations”, Amending Figure 102.104.1 “Beneficial Use Determinations Process”, And Article 19 “Vested Rights Determinations”, Amending Figure 102.112.1 “Vested Rights Determinations”, And Article 18 “Beneficial Use Determinations”, Amending Section 102.104 “Final Determination By Council”, And Article 19 “Vested Rights Determinations”, Amending Section 102.110 “Final Determination”; And Amending Chapter 110 “Definitions”, Article 2 “Acronyms”; To Update Language Pertaining To The Obsolete Department Of Community Affairs (DCA) To Reflect The Current Department Of Economic Opportunity (DEO); 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.

Shea explained DCA will now say DEO.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Cook moved approval of Ordinance 2022- 20

SECOND: Zieg

Vote of the Motion:

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

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Ordinance 2022-21, Amending The Zoning From Residential Medium (RM) To Parks And Recreation (PR) For Property Described As Waloriss Sub Pb3-113 (Park), Having Real Estate Number 00354681-000000; 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 2022-22, Amending The Future Land Use Map (FLUM) From Residential Medium (Rm) To Recreation (R) For Property Described As Waloriss Sub Pb3-113 (Park), Having Real Estate Number 00354681-000000; 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 explained this was a County park that we took over.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Ordinance 2022-21

SECOND: Cook

Vote of the Motion:

Yes: Zieg, Cook, Still, Gonzales, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Ordinance 2022- 22

SECOND: Gonzales

Vote of the Motion:

Yes: Zieg, Gonzales, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Resolutions for Adoption:

* **Resolution 2022-76**, Approving A Draft Sovereignty Submerged Land Lease, Subject To Final Document Modifications, For Bay Bottom Located Within The Boundary And Surrounded By Lands At The Historic 7 Mile Marina; And Providing For An Effective Date.

* **Resolution 2022-77**, Pursuant To Section 32-31 Identifying The Street Corte Chica As An Additional No Parking Area Subject To Ticketing Under The Section; And Providing For An Effective Date.

* **Resolution 2022-78**, Approving Delegation of Authority to Give the City Manager Authorization to Sign as the Responsible Entity Agency Official or Certifying Officer for Florida Department of Economic Opportunity Community Development Block Grant Documents; And Providing For An Effective Date.

* **Resolution 2022-79**, Approving A Grant Agreement Between The City Of Marathon And The Florida Department Of Agriculture And Consumer Services For Purchase Of Radios And Equipment Of Marathon Fire Rescue; Appropriating Funds; And Providing For An Effective Date.

* **Resolution 2022-80**, Awarding Contract For The Engineering Response To The FOLKS Lawsuit Regarding Shallow Injection Wells And The Responses As Required By Law To Weiler Engineering Corporation.; Approving Contract In The Amount Of \$50,000.00; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

***Resolution 2022-83**, Approving Grant Agreements Nos. 2853 Between The City And The Monroe County Tourist Development Council In The Amount Of \$243,000.00 For a Restroom At The Quay Property; Appropriating Funds; And Providing For An Effective Date.

***Resolution 2022-84**, Approving Grant Agreement No. 2852 Between The City And The Monroe County Tourist Development Council For Sombrero Beach Facilities Maintenance; Appropriating Funds; And Providing For An Effective Date.

Resolution 2022-85, Approving A Grant Contract Between The City And Florida Communities Trust In The Amount Of \$1,488,000.00 For Improvements At The Salty's/7 Mile Marina Property; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

Garrett asked that item 2A, B and D be removed from the agreement. Gonzalez asked if there were any conditions tied to the funds. Johnson explained with an approval, we do have to complete amenities.

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Zieg moved approval of Resolution 2022-85 with changes outlined.

SECOND: Cook

Vote of the Motion:

Yes: Zieg, Cook, Still, Gonzales, Bartus
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

***Resolution 2022-86**, Approving A Grant Contract Between The City And Florida Communities Trust In The Amount Of \$844,800.00 For Improvements At The Quay Property; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

*** Resolution 2022-87**, Approving A Change Order For Contract Between The City And Tetra Tech For The Voluntary Home Buyout Program, Demolition Services; Increasing The Contract In An Amount Not To Exceed \$487,540.00; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

*** Resolution 2022-88**, Awarding The Work Authorization For The Area 3 Odor Control Piping Upgrade To Reynolds Construction, LLC In An Amount Not To Exceed \$49,828.41; Authorizing The City Manager To Execute The Contract And Expending Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

*** Resolution 2022-89**, Awarding The Work Authorization For The Area 5 Chlorine Contact Tank Coatings Upgrade To Reynolds Construction, LLC In An Amount Not To Exceed \$117,871.33; Authorizing The City Manager To Execute The Contract And Expending Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

***Resolution 2022-90**, Ratifying A Change To The Agreement Between The City of Marathon, Florida And REVINU, Authorizing the City Manager To Execute The Agreement On Behalf of The City; And Providing For An Effective Date.

Resolution 2022-91, Approving A Project Specific Agreement (PSA) Between The City Of Marathon, Florida (“City”) And LPS Contracting For The Restoration Of Canal No. 257 South In An Amount Not To Exceed \$1,040,836.46; This Project Was Not Formally Bid As The Contractor Continuing Services Contractor And Is The Sole Holder Of ACOE And FDEP Permits To Complete The Project; Said PSA Is Otherwise Provided Pursuant To Resolution 2020-25 For Continuing Services Marine Construction; And Providing For An Effective Date.

Garrett reported we have worked on Canal 257 a few times, and we have the ability with Stewardship funds, LPS was the only contractor that has a permit to do this, and no local tax dollars are being used.

Paige Shriver – spoke for the Resolution but was opposed to the weed barrier and asked that the City withdraw the weed barrier application on the North side.

MOTION: Zieg moved approval of Resolution 2022-91

SECOND: Gonzales

Vote of the Motion:

Yes: Zieg, Gonzales, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

* **Resolution 2022-92**, Approving A Project Specific Agreement (PSA) Between The City Of Marathon, Florida (“City”) And Wood Environment & Infrastructure Solutions, Inc. (“Wood”) For The Project Management During The Contracted Restoration Of Canal No. 257 South In Sn Amount Not To Exceed \$78,425.00; Said PSA Is Provided Pursuant To Resolution 2020-22 For Continuing Services - Engineering; And Providing For An Effective Date.

* **Resolution 2022-93**, Authorizing The City Manager To Execute A Release Of Unity Of Title On Behalf Of The City In The Form Attached To This Resolution Concerning Property Described As The Easterly 15 Feet Of Lot 3, Block K, Amended Plat Or Maramead Subdivision; And Providing For An Effective Date.

* **Resolution 2022-94**, Requesting That The United States Congress Support Robust Funding For Sanctuaries And Marine Protected Areas Within The National Oceanic And Atmospheric Administration; And Providing For An Effective Date.

Resolution 2022-95, Waiving The City’s Purchasing Policies And Procedures And Authorizing A Contract With Flowbird Urban Intelligence. For Pay Station, Fee Collection And Associated Software In An Amount Not To Exceed \$58,392.00 Initial Cost For First Year And \$9,792.00/Year For The Following Two Years; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

Resolution 2022-96, Approving An Agreement With Pave Mobility For Installation Of Enforcement Camera, Monitoring, And Collection Services For Parking Violation At All City Operated Boat Ramps And Sombrero Beach For A Portion Of The Violation Fee Collected As Indicated In The Agreement; Authorizing The City Manager To Execute The Contract On Behalf Of The City; And Providing For An Effective Date.

Solis explained both resolutions and asked the Council for direction regarding establishing the fees. Council discussed the fees, settling on \$10 for the first two hours, then \$2 per hour after that for beach parking and Council agreed both parking and launch will be free for Marathon and Key Colony Beach

residents. The Council instructed staff to draft resolutions to set launch fees at \$25 “in” and \$25 “out” and \$20 per day trailer parking (no overnight parking allowed). Solis explained residents will need to register their vehicles and trailers.

Bette Chaplin commented that Sombrero Beach was a gift to us and the beach is for people who live here. Gonzalez reiterated that local residents would not be charged.

MOTION: Gonzalez moved approval of Resolution 2022-95

SECOND: Still

Vote of the Motion:

Yes: Gonzales, Still, Cook, Zieg, Bartus
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Bartus called for public comments, hearing none, closed the public hearing.

MOTION: Gonzalez moved approval of Resolution 2022-96 as amended to read ”Marathon and Key Colony permanent registered residents would not be charged”

SECOND: Still

Vote of the Motion:

Yes: Gonzales, Still, Cook, Zieg, Bartus
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Citizen Comments

Diane Scott – commented that we should not charge people for going to the Beach and the Sherriff’s office does not enforce the rules for dogs.

Staff Comments:

Steve Williams read into the record information on the executive session and scheduled a special call meeting immediately after and asked for a head nod to allow a person to participate remotely. Council gave a head nod.

Council Comments

Still thanked the citizens for attending as well as the staff , MCSO, and her fellow councilmembers.

Gonzalez thanked staff, MCSO, Marathon Fire Rescue, USCG, and FWC. Gonzalez reminded everyone of the ribbon cutting at Community and Rotary Parks.

Cook thanked every employee as well as Fire Rescue, USCG, MCSO and FWC and Council. Cook congratulated Boson Lindsey, Chuck Lindsey's nine-year-old son for taking second place in the US Tournament for wake boarding, a skill he learned at Keys Cable Park in Grassy Key.

Zieg gave an overview of historical events that happened on this date, thanked Williams, and Smith Hawks and thanked staff, and Solis and asked him not to forget the Kmart bus stop tiki hut.

Gonzalez reminded everyone that the students would be going back to school and to please watch out for children.

Bartus commented that us versus them is a myth, equality must be celebrated. Bartus recalled that the City of Marathon adopted a resolution when he was mayor twenty years ago to bring the one human family philosophy officially to the City of Marathon. Bartus commented that we can disagree agreeably, yet still find our common ground as we work together to build a better tomorrow.

ADJOURNMENT

With no further business to come before the Council, Mayor Bartus adjourned the meeting at 7:30 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of August 9, 2022.

Diane Clavier, City Clerk

Date