



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, October 11, 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](#)
6. **City Manager Report**
 - A. MCSO Marathon Substation [Report](#)
 - B. Grants [Update](#)
 - C. Building [Report](#)
 - D. Park and Recreation [Report](#)
 - E. Marathon Fire Rescue [Report](#)
 - * F. Marina [Report](#)
 - * G. Code [Report](#)
 - * H. Wastewater Utilities [Report](#)
 - I. 300 Unit Appeal Direction
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 2022-112](#), A Request For A Conditional Use Permit For A Preliminary Plat And Site Plan Approval As Submitted By Casa Marabella LLC For A Portion Of Land Having The Addresses Of 12670, 13380, And 13440 Overseas Highway, Which Is Described As Part Of Government Lot 1 And Part Of Bay Bottom Adjacent To Lot 1 Section 5 South Township 65 South Range 33 East And Government Lot 2 And Bay Bottom Northerly Of Lot 2 Section 33 South Township 65 South Range 33 East, Fat Deer Key, Marathon, Monroe County, Florida, Having Real Estate Number 00099610-000000.

B. [Resolution 2022-113](#), Consideration Of A Request By Marathon Development Partners 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 Nine (9) Duplexes On Properties Located At 57578 And 57468 Overseas Highway, Which Are Legally Described As Block 58, Lots 10, 11, 12, 13, 14, And 15, Crains Subdivision, Grassy Key, Monroe County, Florida, Having Real Estate Numbers 00374650-000000, 00374660-000000, 00374670-000000, 00374680-000000, 00374690-000000, And 00374700-000000. Nearest Mile Marker 57.5.

9. **Ordinances for Final Public Hearing and Adoption**

A. [Ordinance 2022-15](#), 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](#), 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 2022-23](#), Amending Chapter 18, Article III (“Offenses Involving Public Peace, Order, And Morals”) Of The Code Of Ordinances Of The City Of Marathon By Amending Section 18-124 To Create Subsection D Which Will Provide An Enforcement Mechanism For Section 18-124; 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.

10. **Ordinances for First Public Hearing**

A. [Ordinance 2022-24](#), Amending Chapter 107, Article 7 (“Signs”) By Deleting Section 107.621(F)G Which Previously Required A Photometric Study To Be Conducted For Every Digital Sign; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; Providing For An Effective Date Upon The Final Approval Of This Ordinance By The State Department Of Economic Opportunity; And Providing For Inclusion In The Code Of Ordinances.

B. Ordinance 2022-25, Amending Chapter 102 “Subdivision of Land/Plats and Replats”; Amending Table 102.46.1 And Adding Table 102.47.1; 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.

C. Ordinance 2022-26, Adding Sections 15-5 And 15-6 Of The City Code Of Ordinances, ‘Recreational Fires’ And ‘Penalty’ Respectively; Providing For Renumbering Of This Chapter; 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.

11. Resolutions For Adoption

***A. Resolution 2022-114**, Approving An Amendment Revising The Rates For The Vacation Rental Fee Schedule; And Providing For An Effective Date.

***B. Resolution 2022-115**, Approving and Ratifying The Second Extension to the Professional Services Agreement Between The City Of Marathon And Professional Practice Support, Inc., Third Party Healthcare Billing Agreement; Authorizing the City Manager To Execute The Extension And Expend Budgeted Funds; And Providing For An Effective Date

***C. Resolution 2022-116**, Approving the Corrected Third Amendment to the Fire Rescue – EMS Medical Director Agreement With Professional Emergency Services, Inc., In An Amount Not To Exceed \$46,305.00; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds: And Providing For An Effective Date And Providing An Effective Date

***D. Resolution 2022-117**, Approving Change Order No. 2 To Contract Between The City And CEKRA, Inc. In The Current Amount Of \$1,040,577.00 For The Balance Funding Of The Replacement Of The Coco Plum Bridge; Increasing The Contract In An Amount Not To Exceed \$969,693.80; 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 2022-118**, Approving a Grant Agreement Between The City of Marathon And The State of Florida Bureau of Fire Standards and Training For Purchase of Cancer Decontamination Equipment for Station #14; Appropriating Funds; And Providing For An Effective Date

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.