



**City of Marathon City Council Agenda  
9805 Overseas Hwy., Marathon, FL  
Tuesday, November 15, 2022 5:30 P.M.**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of [Minutes](#)**
5. **[Resolution 2022-119](#)**, Accepting The Results Of The Municipal General Election Held November 8, 2022 For The Election Of Four At Large City Council Seats; And Providing For An Effective Date
  - A. [Swearing in of Council Members](#)
  - B. Mayor and Vice Mayor Selection
6. **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.]
7. **City Council Items**
  - A. [Appointment of Marathon Board of Trustee for Fire Retirement Plan](#)
  - B. Hours of Operation for Construction Discussion (Gonzalez)
  - C. KAIR [Request](#) to waive fees and allow use of the beach and serve wine and beer  
January 20 and 21, 2023
  - D. Discussion of Providing Administrative Relief Allocations to Guillermo Torres (Gonzalez)
8. **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. Planning Department [Report](#)
  - J. Public Works [Report](#)
  - J. FOLKS Case Not to Exceed Amount

**9. 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.**

**10. 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 [2022-120](#),** Consideration Of A Request By Coastal Properties – Vaca Cut Annex 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 A Two (2) Story, Six (6) Unit Multi-Family Affordable Housing Unit Located At 11990 Overseas Highway, Which Is Legally Described As Block E Lots 4, 5 And 6 Hawaiian Village PB4-70 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00357680-000000. Nearest Mile Marker 53.

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

**A. Ordinance [2022-21](#),** Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Recreation (R) For Property Described As Waloriss Subdivision 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.

**B. Ordinance [2022-22](#)** Amending The Zoning From Residential Medium (RM) To Parks and Recreation (PR) For Property Described As Waloriss Subdivision 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.

**C. 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.

**D. 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.

**E. 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.

## **12. Resolutions For Adoption**

**A. Resolution [2022-121](#)**, Amending The City’s Fiscal Year 2021-2022 Budget; And Providing For An Effective Date

**B. Resolution [2022-122](#)**, Approving An Amendment To All Contracts For Goods And Services Related To The Recovery From Hurricane Irma, And The City Of Marathon, Florida; And Providing For An Effective Date.

**C. Resolution [2022-123](#)**, Approval of a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) grant award of \$187,068.75 passed through as a subrecipient agreement with the Florida Division of Emergency Management to create the City Watershed Management Plan, plus a \$62,356.25 match provided by Resilient Florida Vulnerability Assessment grant 22PLN65, for a total project value of \$249,425.00

**D.\* Resolution [2022-124](#)** Authorizing The City To Extend The Agreement With Ronald L. Book, P.A. For Professional Consulting And Lobbying Services Before The Legislature Of The State Of Florida; Authorizing The City Manager To Expend Budgeted Funds, And Execute The Extension Agreement; And Providing An Effective Date

**E.\* Resolution [2022-125](#)**, Approving And Authorizing The City Manager To Extend the Agreement With Culver’s Cleaning Company For Cleaning Services At Marathon City Hall, Fire Station And Utility/Public Works Building In An Amount Not To Exceed \$53,300 Per Year; And Providing For An Effective Date

**F.\* Resolution [2022-126](#)** Approving a Contract Between The City of Marathon And Thomas A. Morris for the Purchase of the Property at 383 112<sup>th</sup> Street, Marathon, FL with Parcel ID 00344450-000000; Appropriating Funds; And Providing For An Effective Date

**G.\* Resolution [2022-127](#)**, Approving And Accepting A Warranty Deed For The Conveyance Of Land From Wilgens Torres, Sr., Recipient Of A Residential Dwelling Unit Allocation Award; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

**H.\* Resolution [2022-128](#)**, Approving And Accepting A Warranty Deed For The Conveyance Of Land From Christopher B. Daughtry, Recipient Of A Residential Dwelling Unit Allocation Award; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

**I.\* Resolution [2022-129](#)**, Approving An Amended Agreement Between The City Of Marathon And Jeff D. Vastola, Esq. For Code Enforcement Special Magistrate Services; And Providing For An Effective Date.

**J.\* Resolution [2022-130](#)**, Approving A One Year Extension Of The Renewable Contract Agreement With Sarah Matthis To Provide Services To The City As A Public Information Officer; And Providing For An Effective Date.

**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.