



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, July 11, 2023 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. Workshop Discussion Items
 - C. Endorsing The Southeast Florida Climate Action [Pledge](#)
- 6. City Manager Report**
 - * A. MCSO Marathon Substation Report
 - * B. Grants [Update](#)
 - * C. Public Works Report
 - * D. Park and Recreation [Report](#)
 - * E. Marathon Fire Rescue [Report](#)
 - * F. Marina [Report](#)
 - * G. Code [Report](#)
 - * H. Wastewater Utilities [Report](#)
 - * I. Building [Report](#)
- 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 2023-61**, Consideration Of A Request For A Conditional Use Permit For Ruth Ebert Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled “Conditional Use Permits” To Convert A Triplex Into A Single Family Residential With 11 Bedrooms; Located At 213 S. Anglers Dr; Which Is Legally Described As Lot 38 Sombbrero Anglers Club South Boot Key PB6-87, Monroe County, Florida; Having Real Estate Number 00355418-000500, Nearest Mile Marker 50.—Continued by the applicant to the August 8th, 2023 meeting.~~

9. Ordinances for Second Public Hearing and Enactment

A. Ordinance [2023-10](#) Amending Chapter 14 “ Environment and Natural Resources”, Article 3 “Protection of Sea Turtles”, Amending Section 14-61 “Definitions”, Amending Section 14-63 “Standards for exterior artificial lighting”, Amending Section 14-64 “ Standards for Interior artificial lighting”, Adding Section 14-68 “Applicability”, Amending Sections 14-68 through 14-92 “Reserved”; Of The City Of Marathon Code of Ordinances; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code.

B. Ordinance [2023-11](#), Deleting City Of Marathon’s Code Of Ordinances Section 14-4 Titled “Unloading Of Shrimp By Commercial Fishing Vessels Restricted.”; 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 [2023-12](#), Amending Chapter 107, Article 2 Entitled “Transfer Of Building Rights”, Specifically Section 107.17. Entitled “General Provisions”, 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.

B. Ordinance [2023-13](#), Amending Chapter 108, Article 2 (“Nonconforming Structures”) By Deleting A Portion Of Section 108.15 Titled “Additional Standards For Nonconforming Sexually Oriented Businesses.”; Specifically, Subsection B Part 2 To Comport With Modern Constitutional Constraints; 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 After Final Adoption By The City Council; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

11. Resolutions For Adoption

***A. Resolution [2023-62](#)**, Accepting The Responsible Bid And Approving A Contract Between The City And Cortez Heating and Air In An Amount Not To Exceed \$220,743 For The Replacement Of The A/C System At City Hall; Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

*B. **Resolution [2023-63](#)**, Approving Change Order #1 to the contract with Tropical Underground in An Amount Not to Exceed \$31,889.00 For The Additional Work Of Converting Existing Underground Vacuum Pit To A Connector Manhole In Order For Proper Connection To The New Lift Station; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; 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 clavird@ci.marathon.fl.us if you would like to receive any of the items on the agenda by email.