

City of Marathon
City Council Action Minutes
November 14, 2023 5:30 pm City Council Meeting Minutes

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on November 14, 2023 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Gonzalez called the meeting to order at 5:38 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Landry

Councilmember Matlock

Councilmember Smith

Vice Mayor Still

Mayor Gonzalez, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

City Attorney, Steve Williams

Planning Director, Brian Shea

Finance Director, Jennifer Johnson

Public Works Director, Carlos Solis

Parks & Rec Director, Paul Davis

Deputy Utilities Director, Libby Soldano

Building Official, Gerard Roussin

Code Director, Ted Lozier

Marina Director, Sean Cannon

Grants Coordinator, Maria Covelli

Monroe County Sherriff's Lt. Donny Barrios

Monroe County Sherriff's Lt. Lissette Quintero

Mayor and Vice Mayor Selection

MOTION: Gozalez Nominated Still for Mayor

SECOND: Landry

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

MOTION: Gonzalez Nominated Landry for Vice Mayor

SECOND: Smith

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

Approval Of Agenda And Consent Agenda

Gonzalez removed the Building Report from a consent agenda because there was resident who wanted to speak. Matlock added a contractors update as item G under City Council items. Garrett added an item under the City Manager report regarding Lt. Donny Barrios and Lt. Lissette Quintero.

MOTION: Smith moved to approve the agenda as amended

SECOND: Landry

With no objection from the members of Council, Mayor Still declared the motion approved by unanimous consent. Mayor Still recognized former City of Marathon Councilmember John Bartus and Key Colony Beach Mayor Beth Vicory Ramsay.

City Council Items

* Approval of Minutes

Smart Ride Proclamation – Stephen Aube with Smart Ride accepted the proclamation and informed everyone this would be the last Smart Ride and thanked everyone.

Garrett asked that the mural discussion be moved up before the code update.

Wyland Wall Mural Discussion (Gonzalez) – Gonzalez applauded the residents for coming together and explained that this was a private landlord- tenant issue. Gonzalez explained he added this to the agenda as a platform for the residents to be heard. Gonzalez informed everyone he has been in communication with the COO of Surf Style and everyone's concerns would be addressed.

The Surf Style managing partner, Gilad Ovaknin, informed everyone he was very excited to bring Surf Style to the Keys and the Wyland mural would remain untouched as the intent was not ever to discount the mural, and hearing the strong sentiment from the residents, we understand we made a mistake.

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Ovaknin explained that the design team would go back to the drawing boards and redesign the elevation to incorporate the existing mural and expand the remainder of the façade.

Mary Stella wanted confirmation that the wall will in fact be in place as is. Ovaknin confirmed that the mural would not be touched and would remain.

Mandy Rodriguez – thanked Ovaknin for changing his business model.

John Bartus commented he was happy that the wall would remain and congratulated Mayor Still and Vice Mayor Landry on their appointments.

Toni Appell – thanked Ovaknin.

Diane Scott – commented that you cannot tell people what to do, she was neither for nor against the mural.

Gonzalez commented that after the last meeting he realized he could not bring the Quay boat ramp item up for discussion as the prevailing side must bring the item back. After some discussion, Vice Mayor Landry moved to bring the item back to a later meeting in January, Councilmember Smith seconded the motion. Garrett informed everyone he would get a firm to work on this and bring it back.

Garrett wanted to recognize Suzannah Folsom with Juturna Consulting for all of her and her team's work.

Code Department Vacation Rental Compliance Update – Lozier gave an overview of his written report. Matlock asked if the Department had an emergency cell phone yet for Saturday and Sunday coverage. Garrett commented there is a cell phone but if there is an urgent matter at 2:00 am, the police should be called. Residents could go on line to file a complaint through the Open Gov system, or email and we do have officers working on Saturday and Sundays reported Lozier.

* Celtic Festival January 6 and 7 Request to Serve Alcohol at Community Park.

Workshop Discussion Items for 2024 – Garrett commented that he sent the Council emails regarding this and asked the Council to email him and the Clerk. Still asked for a workshop on getting to know your City Council as well as what the department heads do.

Contractors Meeting Update – Armand Messina congratulated the Council on their appointments. Messina reported the Contractor workshop went really well and it cleared up code and permit issues. Messina encouraged the public to contact him if they had any issues. Messina reported that the biggest issues were communication and things being held up by the state and that he was working with the staff for a Flood and FEMA workshop next. Matlock questioned that if emails go unanswered for a period of time, could there be a flag built into the permitting system. Garrett commented that the permitting system and emails were two different systems, but there could be a flag built into the permitting system. Messina commented that one of the biggest issues was the locked doors. Williams explained that progress was being made but for the safety of the employees he was not willing to put employees at risk. There is a process to enter the building, people are not denied. Williams informed everyone there have been two

death threats this year, we could have an active shooter situation. Smith suggested a video screen so that people could see inside, and it would be more personal. Messina explained people are feeling alienated. Still explained the world is not what it used to be and to please be patient while we reconfigure the front part of the building.

Citizens' comments

Sandra Van Dusen – commented that she went to see the people who live on 20th Street, and she asked what they wanted and needed and had a list of suggestions to include another dumpster, a larger porta potty with hand sanitizer, electric, water, ant bait and tents. When people are released from jail, that is where they go, and they need to charge their ankle bracelets.

Diane Scott – said she didn't want the chamber doors closed because she couldn't breathe, and the sheriff's officers should be fired as she was falsely arrested twice.

Patricia McGrath commented that she had been watching the government in Marathon since 1982 and has concluded that it is a failed government; we cannot control sewage and it is so hot outside in the hallway, the city hall building is no good, permits issued are for future vacation rentals and this is not a good place for opportunity. McGrath warned that someone will die swimming in the canals because of sewage.

Bruce Tyson – explained Mike Goldberg is eligible to win the CNN hero of the year award for his coral restoration work and if he wins, it is another \$10,000 for our oceans. Tyson informed everyone they could cast votes at <https://www.cnn.com/SPECIALS/cnn.heroes/vote/10/#> until December 5th.

Cheryl Miller – suggested a 2024 workshop discussion topic should be our near shore waters as it is our most significant issue, and we have a lot of issues right now.

City Manager Report

- * A. Wastewater Utilities Report
- * B. Grants Update
- * C. Public Works Report
- * D. Park and Recreation Report
- * E. Marathon Fire Rescue Report
- * F. Marina Report
- G. Building Report – Still called for public comment.

Patricia McGrath – commented that 113 permits were issued in August and asked what they were.

Matlock explained that they could be for pavers, windows, a remodel, etc. but not necessarily a new home.

Garrett introduced Lt. Donny Barrios and Lt. Lissette Quintero who were both in Leadership Monroe and explained Lt. Barrios has been a huge asset to Marathon and he was thrilled that Lt. Quintero would be joining us.

Ordinances for Second Public Hearing and Adoption

A. Ordinance 2023-20, Modifying Section 32-34 Of The City Code Of Ordinances, ‘Tow Away Zones’; Add One Tow Away Zone And Adding Section 32.35 ‘Parking Prohibitions In Specified Places’; 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.

Shea explained that the B1C line was stricken and that was the only change.

Still called for speakers.

Kimberly Leonard – thanked code and Council for the ordinance as parking was difficult to come by and this had been an issue since 2016.

MOTION: Gonzalez moved approval of Ordinance 2023-20

SECOND: Landry

Vote of the Motion:

Yes: Gonzalez, Landry, Matlock, Smith, Still

No: None

Absent: None

Abstain: None

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

B. Ordinance 2023-21, 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.

Shea explained there were no changes since the first reading.

There were no speakers.

MOTION: Smith moved approval of Ordinance 2023-21

SECOND: Gonzalez

Vote of the Motion:

Yes: Smith, Gonzalez, Landry, Matlock, Still

No: None

Absent: None

Abstain: None

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

Resolutions For Adoption

- *A. Resolution 2023-111,** Approving A Lease Agreement Between The City Of Marathon, Florida As The Owner, And QOF, Inc. As Lessee For Submerged Lands Identified By Real Estate Number 00355400-000000; Including, But Not Limited To Establishing A Lease Area, Lease Amount, Lease Duration, And Release Of Liability; Authorizing The City Manager To Execute The Lease Agreement On Behalf Of The City; And Providing For An Effective Date.
- *B. Resolution 2023-112,** Modifying the City's Wastewater Rate Policy to amend the Alternative Water Supply Customer rate; Authorizing The City Manager To Administer Wastewater Rate Implementation; Accordingly, And Providing An Effective Date
- *C. Resolution 2023-113,** Approving the Use Utilities Fund Balance Reserves to Pay off the City's State Revolving Fund (SRF) Loan WW637090; And Providing For An Effective Date.
- *D. Resolution 2023-114,** Approving A Project Specific Agreement In The Amount Of \$80,000 With The Firm Of Florida Technical Consultants (FTC), A Continuing Services Contractor For City Wide GIS Support Services; Authorizing The City Manager To Sign The Agreement; And Providing For An Effective Date
- *E. Resolution 2023-115,** Approving The Professional Service Agreement Between The City And Stantec Consulting Services, Inc., For Professional Engineering Services For The Design of The Decking Replacement of the 117th Street and 116th Street Bridges In An Amount Not To Exceed \$208,355.60; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.
- *F. Resolution 2023-116,** Accepting The Ranking And Recommendation Of The City's Evaluation Team In Response To An RFQ For Professional Design Services For The Design Of The 112th Street Bridge; Authorizing The City Manager And Staff To Negotiate A Contract With The Top Ranked Firm Of Stantec Consulting Services, Inc; And Providing For An Effective Date.

Council Comments:

Matlock commented it was nice to see a turn out and congratulated the new Mayor and Vice Mayor. Matlock wished everyone a happy thanksgiving and thanked everyone.

Smith thanked the staff and congratulated the new Mayor and Vice Mayor. Smith also commented that it was nice to see the public and the power of the voices being heard. Smith thanked both Lt. Barrios and Lt. Quintero, wished everyone a happy thanksgiving and reminded everyone to shop locally.

Gonzalez thanked Mayor Still, sheriff's officers, Marathon Fire Rescue for helping to send off the cross-country team at the last minute to compete in the state finals, which is the ninth year for the boy's team and the fifth year for the girl's team to participate at the state level. Gonzalez also thanked the Surf Style COO for listening and wished everyone a safe and enjoyable holiday.

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Still thanked the Council for their patience and reminded everyone that their voices can be heard and can inspire change. Still thanked the staff, and reminded people to thank public works and public safety especially during the holidays when they cannot be with their families.


Garrett reminded everyone of the lighting at the Community Park on December 2nd and December 15 event at Community Park where there would be a surprise.

ADJOURNMENT

With no further business to come before the Council, Mayor Still adjourned the meeting at 7:07 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of November 14, 2023


Diane Clavier, City Clerk


Date