

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on October 24, 2023 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Gonzalez called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited. Mayor Gonzalez recognized County Commissioner and former City of Marathon Councilmember, Michelle Lincoln.

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

Building Official, Gerard Roussin

Approval Of Agenda And Consent Agenda

Williams informed the Council he would need to schedule an executive session regarding FOLKS and read the following into the record: the City Council consisting of Councilmembers Luis Gonzalez, Lynn Landry, Kenny Matlock, Jeff Smith and Robyn Still, City Manager George Garrett, and City Attorney Steve Williams, Utilities Director Dan Saus, Contractor Ed Castle with Weiler Engineering and Special Legal Counsel (FOLKS) Gary Perko and David Childs, Attorneys representing the City will meet at 4:30 pm or as soon as possible thereafter on November 14, 2023 at the Marathon City Hall, 9805 Overseas Highway in an Attorney-Client Session, pursuant to Section 286.011(8), Florida Statutes, to discuss litigation in regard to the following case: Folks-Friends of the Lower Keys, LLC. v. City of Marathon, Florida, Defendant; pending in the United States

City of Marathon
City Council Action Minutes
October 24, 2023 5:30 pm City Council Special Call Meeting Minutes

District Court for the Southern District of Florida, Case No.: 4:22-cv-100002. The session is estimated to last sixty minutes (1 hour).

MOTION: Smith moved to approve the agenda as amended.

SECOND: Landry

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

20th Street Update and Discussion – Garrett gave an update on the current status of the area, and informed everyone there was a fire on the 20th Street on October 1st and a clean up effort the week of October 9th. Garrett gave suggestions for the future to include routine surveillance, sheriff's presence daily to two to three times per week as well as routine clean up of the area, security cameras, larger dumpster, continued porta-potty placement as well as a possible installation of a fence and possible open container law and the last option would be to close the area to public use.

The Mayor called for public comments.

Diane Scott – commented that we needed to do something for homeless people.

Steve Pfaller – informed everyone he was trying to open a brewery and had interest in 20th Street, possibly the land could be leased to him.

Tony Iarocci – commented that we needed to address the homeless situation in Marathon, and to close the road would be a mistake. Iarocci commended the workers who cleaned up.

Patrick Stewart commented he has been driving down the street, it has not been cleaned up, it is not a safe place and the police do not want to touch it.

Matlock commented it was private property it would be different and asked if the City could lease the property. Williams commented that it would be a process, but we could. Matlock questioned if we could have an ordinance banning tents and camping on City property. Williams reminded everyone that this is a 20th Street safety issue. Williams also commented that we could abandon the right of way to the property owners.

Still questioned what Williams would advise. Williams commented as Garrett directed, keep cleaning and seeing the results, the other alternative we do not have a shelter, but you can ask how much it costs to run KOTS (Keys Overnight Temporary Shelter). We can address fire and safety, lawfully, keep with what Garrett suggested and have more often walk throughs. Matlock questioned if we could put up a fence in the right of way. Garrett replied the FDOT owns the right of way, but we could likely put up a fence.

Patrick Stewart – commented that he lives on 24th Street and goes down 20th Street on a day-to-day basis, you become numb, it is not safe or pleasant. Stewart suggested the Council go back in the dark.

Tony Iarocci commented that they put up a fence and the fence was torn down and the no trespass signs disappeared. We need another place for the homeless to go, they are screaming, swearing, and threatening.

Matlock suggested getting the property from FDOT and Garrett informed him it was a process. Gonzalez asked for head nods to get the property from FDOT.

Smith suggested a committee and feasibility study to address the underlining issues of mental health and addition issues, they are human beings, and he would like input from KAIR, etc. and he was not in favor of leasing the land for private enterprise.

Tony Iarocci – commented that he could put a committee together from the boat yard people.

Williams suggested that the Council watch the County and Key West is going through and explained the City of Miami Case of Pottinger, Carter Young against the City from 1988 on behalf of themselves and 6,000 other homeless people. Gonzalez asked for the budget for KOTS and a summary of all calls from the Sheriff's office for 20th Street. Smith again suggested a committee made up of those who work with the homeless.

Gonzalez suggested inviting them to come to a meeting to speak to us at a workshop. Matlock asked if we could have the bollard moved back quickly. Garrett commented that we would work on it.

Marine Resource Protections Discussion – Garrett provided a Sanctuary Advisory Council Resolution regarding the buoy working group recommendations to the Florida Keys National Marine Sanctuary and the recommended priorities from the Buoy Working Group.

Smith commented that we have 1,000 units turning over weekly vs. our 9,000 population and questioned if we could have an impact fee on our vacation rental license to generate funds to put in more markers and buoys. Williams commented that would be getting tenuous; maybe provide printed materials and charts. Matlock agreed that visitors need rules in front of them.

Quay Property Discussion – Shea gave the background timeline on the grant and the acquired Quay property along with the many workshops and public input in the parks and at the Planning Commission that ended with the renderings. Garrett commented that if we moved forward with an additional boat ramp, we would likely lose the \$844,000 grant and time with Army Corp of Engineers would be a year out before we could accomplish this plus at least six months. Smith commented that he was offended that the consultant was saying that another boat ramp could not be justified and that we needed an additional boat ramp and suggested pausing before we spend the money. Garrett explained the funding is there to be reimbursed, FCT would likely not allow the change, but we could ask. Gonzalez commented that we have a traffic situation where vehicles are backed up, if we have another ramp, it will not solve the issue and we have been discussing this since 2018; in two years we could have a different Council. Still agreed with Gonzalez and commented that there have been many workshops with much public input, this is not the location for an additional ramp, we need to move forward with the plan. Gonzalez commented that in the future, we may not be considered for grant funding because we don't look prepared. Landry commented that Boat Ramps were not

mentioned when we discussed developing the property, because they were not an issue before Covid. Key Colony decided not to have a ramp, there are other grants, and we did not have this issue with boat ramps before. Landry also mentioned that Harbor Drive boat ramp is inundated, and these problems are not going away, and he would like to explore the opportunity of an additional boat ramp at the Quay. Matlock agreed with Landry and commented that the design was bad, we could have two ramps and two years to design a park is absurd. Garrett explained that grants come in one- or two-year cycles. Smith suggested there were other sources of revenue to move this along faster. Gonzalez commented that we have three who want to stop the plan and change the project. Still commented that we were awarded a grant, and we will default on it by changing the project.

Resolutions for Adoption

***A. Resolution 2023-110**, Authorizing A “Piggy-Back” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase Of Two Chevrolet Silverado, one 1500 and one 2500 Vehicle Under The State of Florida Motor Vehicle Contract No. FSA23-VEL31.0 From Stingray Chevrolet In An Amount Not To Exceed \$97,449.55; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Funds; And Providing For An Effective Date

***Approval of Minutes**

ADJOURNMENT

With no further business to come before the Council, Mayor Gonzalez adjourned the meeting at 7:16 pm by unanimous consent.

I certify the above represents an accurate summary of the special call Council meeting of Octobe 24, 2023

Diane Clavier, City Clerk

Date