



**City of Marathon City Council Agenda**  
**9805 Overseas Hwy., Marathon, FL**  
**Tuesday, December 12, 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 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. Approval Settlement Agreement Friends of the Lower Keys LLC
  - \* B. Grants [Update](#)
  - \* C. Public Works [Report](#)
  - \* D. Park and Recreation [Report](#)
  - \* E. Marathon Fire Rescue [Report](#)
  - \* F. Marina [Report](#)
  - \* G. Building [Report](#)
  - \* H. Code Compliance [Report](#)
  - \* I. Wastewater Utilities Report
  - J. Legal Department - Authorization to initiate litigation against JOE'S SEAFOOD INC. and their properties, 520 12<sup>th</sup> Street Gulf, Marathon, FL 33050 (Parcel ID 00101610-000200) and Vacant Land 12<sup>th</sup> Street, Marathon, FL 33050 (Parcel ID 00101610-000300), to enforce the lien(s) arising from code compliance case number C2019-0088.
  - K. Discussion of Hurricane Evacuation and BPAS
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 [2023-117](#),** Consideration Of A Request For A Conditional Use Permit For Scott Ebert Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled “Conditional Use Permits” For Unification Of Two Residential Units Into A Single Family Residential Until With 11 Bedrooms And 11 Bathrooms; Located At 574 Sombrero Beach Road; Which Is Legally Described As Block 2 (Bottom Floor) Southerly And Northernly (Top Floor) Part Of Lot 17, Sombrero Beach Village Boot Key PB5-86, Monroe County, Florida; Having Real Estate Number 00355110-000000 And 00355110-000100, Nearest Mile Marker 50.

## **9. Ordinances for First Public Hearing**

**A. Ordinance [2023-23](#),** 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 A Subsection D(a) 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. Resolutions For Adoption**

**\*A. Resolution [2023-118](#)** Approving And Accepting A Warranty Deed And Conservation Easement For The Conveyance Of Land From the Monroe County Land Authority; Having Real Estate Number 00356680-000000; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

**\*B. Resolution [2023-119](#),** Approving An Interlocal Agreement Between The Monroe County Comprehensive Plan Land Authority And The City Of Marathon Regarding The Administration Of Land Acquisition Programs; Providing For Transmittal Of This Resolution To The Land Authority; And Providing For An Effective Date.

**\*C. Resolution [2023-120](#),** Authorizing The City To Enter Into An Agreement With The Southern Group For Professional Consulting And Lobbying Services Before The Legislature Of The State Of Florida; Authorizing The City Manager To Finalize And Execute The Agreement; And Providing An Effective Date.

**\*D. Resolution [2023-121](#),** Approving Grant Agreement No. A2451 Between The City And The State of Florida Department of Environmental Protection For Resurfacing, Restriping, New Fencing, and Pickleball Courts at Community Park Basketball Courts Appropriating Funds; And Providing For An Effective Date

**\*E. Resolution [2023-122](#)** Awarding a work authorization for modification the Sombrero Blvd storm water drainage system to Weiler Engineering In An Amount Not To Exceed \$103,150.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

## **11. Council comments**

## **12. 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 [claviera@ci.marathon.fl.us](mailto:claviera@ci.marathon.fl.us) if you would like to receive any of the items on the agenda by email.