

CALL TO ORDER

A Workshop of the City Council of Marathon, Florida was held on January 24, 2023 at the Marathon City Hall, Council Chambers, Marathon, Florida, Mayor Gonzalez called the meeting to order at 4:32p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Lynn Landry

Councilmember Kenny Matlock

Councilmember Jeff Smith

Vice Mayor Robyn Still

Mayor Gonzalez, comprising a quorum.

Also in attendance were:

City Manager, George Garrett

City Attorney, Steve Williams

Deputy City Clerk, Hillary Palmer

Finance Director, Jennifer Johnson

Planning Director, Brian Shea

Anna Hendricks, Vacation Rental Admin./Fire Inspector

Karly Good, Fire Department Administrative Officer

Code Director Ted Lozier

Utilities Director, Dan Saus

Ports and Marina Director, Sean Cannon

Sam Steele, Monroe County Tax Collector

Monroe County Sheriff's Office, Captain Don Hiller

Gonzalez thanked the public for attending and acknowledged Monroe County Tax Collector Sam Steele as a presenter.

Garrett explained how the agenda layout will be addressed and introduced City Attorney, Steve Williams.

Williams explained the history of the City's vacation rental ordinance, state statute and exemption and how it currently relates to revising the Ordinance.

Garrett commented on the importance of maintaining local control of the City's vacation rental ordinance and introduced Monroe County Tax Collector Sam Steele to speak.

Steele provided a PowerPoint presentation and explained the Monroe County Tax Collectors role in obtaining and maintaining a vacation rental license. He elaborated on the various state and county agencies that also require licenses and collect fees. He explained the many requirements each agency has implemented on the vacation rental licensing process. He provided figures and percentage breakdowns on the allocation of collected fees. He also explained the property manager and owners' responsibility with compliance and maintaining an account with the Tax Collectors office. He informed everyone about the illegal vacation rental hotline and various sources of information that can be found through the Tax Collector's education outreach program.

Citizen asked if illegal renters are turned over to the City of Marathon for non-compliance?

Steele responded that his office is limited on how they are allowed to process non-compliance issues.

Citizen asked if he could have a copy of the Tax Collector's PowerPoint presentation?

Garrett replied that staff will post it on the City's website.

Citizen asked how the 2022 30% increase was contributed by compliance?

Steel explained that the percentage rate was a mixture of several things including compliance.

The Mayor called for a short break at 5:05pm.

Mayor called the meeting back to order at 5:09pm.

Steel explained the City's application currently has a line item for the business tax account and asked if it would be possible to add the tourist development account to the application.

Garrett confirmed it will be added to the application.

Citizen asked if Steel could explain the business tax portion in more detail.

Steel cited the Florida Statutes and Monroe County code of Ordinances as a reference point for requiring the business tax. Steel explained the business tax is required for anyone conducting business and earning monetary revenue off it. He also explained the fees and license requirements associated with the business tax.

Garrett thanked Steel and introduced Anna Hendricks and Karly Good from the Marathon Fire Department Vacation Rental Department as speakers.

Hendricks and Good provided a PowerPoint presentation and explained the application & review process for obtaining a vacation rental license. They explained how to navigate the City's website to find the vacation rental section, spoke on the various forms and training requirements associated with obtaining and maintaining a vacation rental license and also spoke on the annual renewal & inspection process and online training program. Hendricks highlighted the requirement of having a sign in the yard of the rental and Good highlighted the application process is online only and paper copies are not acceptable.

Citizen asked if the City has ever considered streamlining the vacation rental application process.

Williams responded that previous discussions to streamline the process were unlikely to have occurred.

Citizen suggested restricting the application process and increasing the fees.

Steel replied that each City has different requirements.

Good spoke on the state and county level taxes and licenses.

Sam reconfirmed adding the tourist development tax account portion on the City's vacation rental application.

City Code Compliance Director Ted Lozier introduced himself and provided a PowerPoint presentation which covered an overview of the history and functions of the Code Department. Lozier spoke on the non-compliance issues such as noise, wastewater, trash, debris, and parking issues. Lozier explained the City has a 7 day minimum for vacation rentals and noted other Cities have different rental limits. He spoke on common vacation rental complaints such as renting without a license, trash cans out too soon or in too late, advertising for less than seven nights and occupancy violations. He also spoke on the resources to verify if a property has a valid vacation rental license and noted the City has a tracking software program which the department uses to investigate vacation rental violations. Lozier spoke on the rise of violations which in turn has created more fines and added to the department's revenue.

Mayor Gonzalez thanked all the presenters and opened public comment.

Citizen spoke against the increase of vacation rentals and commented on the negative effect and requested more enforcement from the City. She suggested creating a new department with two employees to include weekend work for enforcement. The citizen also suggested creating a public email address for comments related to vacation rental issues.

Citizen suggested measuring parking spots to address the parking issues.

Williams stated parking measurement requirements are not a part of the City's vacation rental ordinance.

Citizen asked if houseboats are allowed as vacation rentals?

Williams explained the regulations vary based on the type of boat and added Staff is looking further into how to regulate them.

Steel explained the houseboat rental tax is applied if someone is renting out the boat.

Citizen spoke for more code enforcement from the City. He suggested dividing the City into quadrants and assigning an officer to each quadrant and spoke in support of weekend code enforcement work.

Citizen spoke for more code enforcement officers and heavier code enforcement in general.

Garrett agreed with the Citizen in regard to heavier code enforcement.

Citizen complained that when she called the City to register a code complaint but was not given the anonymous phone number Mr. Steel mentioned and commented the focus should not be on trash can pick-up but rather on assisting homeowners with their permitting issues.

Williams explained per Florida law, code complaints must include your name, phone and address for the complaint to be investigated, but clarified the Monroe County Tax Collector has a different set of rules concerning anonymous complaints.

Steel clarified the Tax Collectors anonymous complaint system.

Citizen suggested increasing licensing fees to discourage lower end vacation rental properties and spoke for more long term rentals.

Citizen commented on the workforce problem and provided examples of restaurants closing during the week due to staffing shortages. Citizen also spoke against neighborhoods turning into vacation rentals.

Citizen spoke in favor of vacation rental properties having management companies, so the properties don't become nuisances.

Citizen asked if it's possible to control the density of vacation rentals in a neighborhood.

Williams commented such control couldn't be obtained without changing the vacation rental ordinance.

Garrett commented that every year the City works with lobbyists regarding the vacation rental issue.

Steel explained the revenues for rentals in Marathon.

Citizen suggested posting no wake signs in the waterways near vacation rentals and spoke for more educational outreach.

Garrett commented that vacation agencies do a lot of outreach.

Citizen complained about code enforcement issues.

Garrett commented that the code violation process can be lengthy in nature.

Citizen asked if there is something that can be done regarding the overgrown mangroves in the canals.

Shea commented that he would speak to the Citizen after the meeting concerning the matter.

Citizen asked the staff what can be expected after the meeting with regards to the meeting discussion.

Mayor Gonzalez stated he would like to see the topic of vacation rentals on future City Council agendas and commented that meetings with Council, Staff and Code enforcement will commence.

Citizen requested an explanation why Marathon has a seven day minimum vacation rental policy.

Williams explained the policy is written into the City's vacation rental ordinance.

Citizen asked if floating hotel rooms are in violation of the Hurricane evacuation policy?

Garrett commented that the ability to regulate live-a-boards is limited.

Citizen asked where the Tourist Development Council money goes.

Steel explained the Tax Collector Office only collects the money.

Garrett explained the revenue distribution.

Daniel Samess explained the distribution of funds from the tourist development council.

Citizen asked if it's possible to stretch the distribution of the tourist development funds in creative ways to fund more workforce housing efforts.

Daniel Samess explained the allocation of the funds to the Citizen.

Garrett explained the allocation and distribution of funds is a legislative issue.

Mayor Gonzalez called the meeting back to Council for comments.

Matlock spoke in favor of increasing fees to cover more code enforcement officers.

Smith encouraged the public to reach out to the state representatives in Tallahassee to encourage local control of the vacation rental ordinance. He also thanked the public for their participation in the meeting.

Landry thanked the public for their participation and spoke in favor of hiring more code enforcement officers. He also expressed concerns for the limited workforce housing stock in Marathon.

Still spoke for ongoing public input and more code enforcement officers. She thanked the public for their participation in the meeting.

Mayor Gonzalez thanked the public for attending and spoke for stricter code enforcement and said he would like to see the vacation rental topic on every agenda moving forward.

ADJOURNMENT

With no further business to come before the Council, Mayor Gonzalez adjourned the meeting at 6:35 PM by unanimous consent.

I certify the above represents an accurate summary of the City Council Workshop of January 24, 2023.


Hillary Palmer, Deputy City Clerk

3-15-23
Date