



City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, June 27, 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](#) 1
 - B. Juneteenth [Proclamation](#).....16
 - C. Recognition of Fire/EMS Personnel Concerning Shark Attack (Still)
 - D. Eagle Scout Presentation (Landry)
6. **City Manager Report**
 - * A. MCSO Marathon Substation [Report](#)17
 - * B. Grants [Update](#)24
 - C. Public Works [Report](#).....28
 1. Boat Ramp/Sombrero Beach Parking Update
 - * D. Park and Recreation [Report](#).....34
 - * E. Marathon Fire Rescue [Report](#)38
 - * F. Marina [Report](#).....43
 - * G. Code [Report](#).....46
 - * H. Wastewater Utilities [Report](#).....47
 - * I. Building [Report](#).....51
 - J. Process and Procedure during Tropical Storm/Hurricane Events
 - K. Discussion and direction regarding an unsolicited “public private partnership” proposal submitted by Chris Tel Construction to design, build and finance a replacement fire station for the City of Marathon at the current location of 33rd Street.
 - L. Approval of Marathon Rotary 4th of July event, including parade, fireworks, and sale of beer & wine
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. **Ordinances for Second Public Hearing and Enactment**

A. Ordinance 2023-07, Amending Chapter 107, Article 2, Entitled “Transfer Of Building Rights”, And Intending To Modify Section 107.15 Entitled “Site Criteria”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; And Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing For An Effective Date.....52

B. Ordinance 2023-09, Amending Chapter 107, Article 2, Entitled “Transfer Of Building Rights”, And Intending To Modify Section 107.14 Entitled “Types Of Transfers”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; And Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing For An Effective Date.....55

9. Ordinances for First Public Hearing

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.....58

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.79

10. Resolutions For Adoption

***A. Resolution 2023-52**, Approving A Standard Local Agency Program Agreement Between The City Of Marathon And The Florida Department Of Transportation To Receive Federal Funds For The Design Services Related To The Replacement Of the 112th Street Bridge; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.....82

***B. Resolution 2023-53**, Authorizing A “Sole Source” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Authorizing Pantropic Power Products, Inc. To Perform Corrective Maintenance Service On The Area 5 WWTP Backup Diesel Generator In The Amount Of \$50,193.94; Authorizing The City Manager To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date.....100

*C. [Resolution 2023-54](#), Authorizing The City Manager To Execute A Release Of Unity Of Title On Behalf Of The City In The Form Attached To This Resolution Concerning Property Described As The Block 50, Lots 1 & 2, Crains Subdivision; And Providing For An Effective Date

*D. [Resolution 2023-55](#), Approving Change Order #1 For The General Consulting Contract PSA-23-5 To Weiler Engineering Corporation; Approving An Increase In Contract Amount Of \$40,000; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.....120

*E. [Resolution 2023-56](#), Approving Change Order #2 For Area 4 Disk Filter Upgrades To Reynolds Construction, LLC; Approving A Time Only Increase; Authorizing The City Manager To Execute The Change Order On Behalf Of The City; And Providing For An Effective Date.....142

*F. [Resolutions 2023-57](#), Approving Change Order No. 1 To The Agreement Between The City Of Marathon, Florida And K2m Design, Inc In Connection With The 33rd Street Corridor Design Project.....149

*G [Resolution 2023-58](#) , Approving A Request To Waive Building Permit Fees For The Project Known As Coco Vista Pursuant To Chapter 6-23 (b) (2) c.; Building Fees / Fee Exemptions; And Providing For An Effective Date.....154

*H. [Resolution 2023-59](#), Approving A Fifth Amendment To The Lease Agreement No. 4547 With The Board Of Trustees Of The Internal Improvement Trust Fund Of The State Of Florida For The Management Of Properties With The City Of Marathon Purchased For The Purpose Of Conservation; Authorizing The Mayor To Execute The Amendment To The Agreement; And Providing An Effective Date.....158

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 clavierd@ci.marathon.fl.us if you would like to receive any of the items on the agenda by email.