

**CALL TO ORDER** - A Meeting of the City Council of Marathon, Florida was held on August 27, 2024 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Still called the meeting to order at 5:30 pm.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ROLL CALL - There were present:**

Councilmember Gonzalez

Councilmember Matlock

Councilmember Smith

Vice Mayor Landry

Mayor Still, 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

Utilities Director, Dan Saus

Code Director, Ted Lozier

Marina Director, Sean Cannon

Grants Coordinator, Maria Covelli

Park and Recreation Director, Paul Davis

MCSO Sheriff's Officer, Lt. Derek Paul

The Mayor recognized Sherriff Ramsay.

**Approval Of Agenda And Consent Agenda**

Still added Landry Sayer Clean Up Day and Matlock removed Resolutions 2024-66 and 2024-74 from the consent agenda.

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

### City Council Items

- \*A. Approval of Minutes
- B. Revisit Resolution 2023-84, Interlocal with Key Colony Beach for the Provision of Emergency Medical and Fire Rescue Services Discussion – Garrett explained the fee this year would be \$900,000, but next year would be their full portion.
- C. Vulnerability Assessment Presentation – Erin Deady, attorney and planner gave her background and presented a PowerPoint presentation on vulnerability assessment, the project objectives and explained the types of vulnerabilities (flooding), and asset classes as required by the state.
- D. Landry Sayer Annual Cleanup Day – Still informed everyone they would meet at Coco Plum Beach from 8:00 am until 10:00 am on September 21<sup>st</sup>.

### City Manager Report

- \* A. MCSO Marathon Substation Report
- \* B. Grants Update
- C. Public Works Report
  - 1. Cost Estimate and Timeframe for Kayak Ramp Installation at 109<sup>th</sup> or 110<sup>th</sup> Street. – Smith questioned the repair costs versus building a new ramp and Council discussed 110<sup>th</sup> Street versus 109<sup>th</sup> Street installation locations. Solis commented that 109<sup>th</sup> Street permitting would be easier.

The Mayor called for speakers.

Holly Nolan – read an email from Samuel Demming in favor of installing a kayak ramp. Holly Nolan also asked for the community to be involved with the project.

Chris Nolan – commented that he supports the ramp and is trying to get back what we had, the community and would like to be involved in the project.

- \* D. Building Report
- E. Marathon Fire Rescue Report
  - 1. Emergency Management Procedures for Declared Storms Presentation (Chief Muro) Chief explained staff and the Mayor did a full stand up of the EOC (Emergency Operations Center) and a similar one with Key Colony Beach. The Chief informed everyone he had a new agreement for a medical director for the next sixty days which is renewable and a software program in place for the inventory of controlled substances and requires two people to access.

- \* F. Marina Report
- \* G. Code Report
- \* H. Wastewater Utilities Report
  - I. Not To Exceed Amount for FOLKS, Requesting \$600K (Was \$500K) - The Council gave a head nod of approval.

### Quasi-Judicial Public Hearings

**A. Resolution 2024-62**, Amending An Existing Development Agreement Documented And Recorded In City Of Marathon Resolution 2013-02, And Previously Extended Under Resolution 2015-128, For Wharf Marina Inc., Previously Bonefish Properties, LLC, Pursuant To Chapter 102, Article 8 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Development Agreement” In Order To Amend And Rectify The Scriveners Errors Between The Agreement And Conditional Use Resolution 2013-01; For Property Which Is Legally Described As Lot 2 And Easterly 5 Ft Of Part Of Lots 1-2 Fat Deer Key, Having Real Estate Number 00100350-000000. Nearest Mile Marker 54.

Clavier swore in speakers, Council stated they had no exparte communications.

Shea explained the there were no changes since the first hearing.

The Mayor called for speakers, hearing none, closed the public hearing.-

**MOTION:** Gonzalez moved to approve

**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

### Ordinance For First Public Hearing

**A. Ordinance 2024-09**, Modifying Sections 32-31 And 32-34 Of The City Code Of Ordinances, “Prohibition Or Restrictions On Stopping Or Parking Vehicles; Signs To Be Erected; Penalties” And “Tow Away Zones” In Order To Increase The Penalty For No Parking To \$500.00 For The Sombrero Beach Right Of Way Area And Remove The Sombrero Beach Road Tow Away Zone From The Code Of Ordinances; 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.

Gonzalez asked if the parking enforcement for the beach could patrol the areas. Still stated she would like that. Solis informed everyone he would contact the company and questioned if the violator paid the ticket within 15 days would they be eligible for a fifty percent discount. The Council stated they did not want to discount these violations.

The Mayor called for speakers, hearing none, closed the public comment.

**MOTION:** Matlock moved to approve Ordinance 2024-09

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Matlock, Gonzalez, Smith, Landry, Still  
No: None  
Absent: None  
Abstain: None

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

**Resolutions For Adoption**

**\*A. Resolution 2024-63**, Accepting The Responsible Bid And Approving A Contract Between The City And Pedro Falcon Contractors.; In An Amount Not To Exceed \$394,967.00 For The Quay Property Restroom; Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

**\*B. Resolution 2024-64**, Approving And Ratifying The First Extension To The Professional Services Agreement Between The City Of Marathon And Professional Practice Support, Inc., Third Party Healthcare Billing Agreement; Authorizing The City Manager To Execute The Extension And Expend Budgeted Funds; And Providing For An Effective Date

**C. Resolution 2024-65**, Modifying the City's Wastewater Rates; Authorizing The City Manager To Administer Wastewater Rate Implementation; And Providing An Effective Date.

Matlock commented that not everyone's rate will increase, just those that use above 12,000 gallons a month will no longer be capped.

The Mayor called for speakers, hearing none, closed the public comment.

**MOTION:** Smith moved to approve Resolution 2024-65

**SECOND:** Landry

**Vote of the Motion:**

Yes: Smith, Landry, Gonzalez, Matlock, Still  
No: None  
Absent: None  
Abstain: None

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

**D. Resolution 2024-66**, Approving Grant Agreement ID# 3256 Between The City And The Monroe County Tourist Development Council For Construction of an Information and Security Station at Sombrero Beach; Appropriating Funds; And Providing For An Effective Date

Matlock questioned if we really wanted to do this project and feared it would take away from the green space and become an air-conditioned break room for staff. Davis explained that staff would rotate shifts, and this would be used for lost and found, as an information booth and for staff to get out of the heat instead of being in a vehicle in the parking lot, it would make staff more accessible, and we would have a presence on the beach. Smith, still and Gonzalez spoke in favor of a reasonable plan to provide additional resources as we now have paid parking for visitors.

**\*E Resolution 2024-67**, Approving Grant Agreement ID# 3252 Between The City And The Monroe County Tourist Development Council For Construction of Finger Docks and an Electronic Sign at 7-Mile Marina; Appropriating Funds; And Providing For An Effective Date

**\*F. Resolution 2024-68**, Approving Tourist Development Council Inter-Local Grant Agreement No. 3253 (Tennis Court Resurfacing/Restriping At Community Park) Authorizing The City Manager To Execute The Agreement, And Providing For Conflicts, Severability, And An Effective Date.

**\*G. Resolution 2024-69**, Restricting Parking On Certain Rights-Of-Way On Sombrero Beach Road Pursuant To City Code Section 32-31(A); And Providing An Effective Date.

**Citizens Comments:**

Bettye Chaplin – commented that the homes on Sombrero Beach Road with driveways took away ten parking spaces and questioned if the people who have those homes would give the space back to the City.

Brad Hagar – questioned the timeline for the completion of the skate park as it has been a year and a half.

Dustin Huff – commented about the golf course and an April 12<sup>th</sup> letter from SFWMD which was stalled for a month because of a phone call from the City. Matlock commented that he spoke with the State and questioned why the City did not give the golf course a violation. Garrett commented that he would like to sit down and have a conversation as we did not direct SFWMD to do anything, but we did have a conference call regarding the flooding. The easiest thing to do would be to sit down with Dustin and have a conversation.

Diane Scott – commented she felt we needed our own police department.

**H. Resolution 2024-70**, Impose And Provide For Collection Of Wastewater Special Assessments For Service Areas 1, 3, 4, 5, 6 And 7 (Including The Supplemental Assessment Program) For Fiscal Year Commencing October 1, 2024; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date.

Johnson explained both resolutions 2024-70 and 71 were a continuation of our annual assessments. The Mayor called for speakers, hearing none, closed the public comment.

**MOTION:** Gonzalez moved to approve Resolution 2024-70

**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

**I. Resolution 2024-71,** Imposing The Annual Stormwater Utility Special Assessments For Fiscal Year Commencing October 1, 2024; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date.

The Mayor called for speakers, hearing none, closed the public comment.

**MOTION:** Gonzalez moved to approve Resolution 2024-71

**SECOND:** Smith

**Vote of the Motion:**

Yes: Gonzalez, Smith, Matlock, Landry, Still  
No: None  
Absent: None  
Abstain: None

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

**\*J. Resolution 2024-72,** Approving The Submittal Of A Grant Application To The State Of Florida Department Of Transportation (FDOT), Highway Beautification Grant Program To Provide For The Landscaping Along Us 1 Right Of Ways; Authorizing The City Manager To Execute Documents On Behalf Of The City, And Providing For Conflicts, Severability, And An Effective Date.

**\*K. Resolution 2024-73,** Approval Of The Rankings Of The Proposers To Provide Design, Bidding, And CEI Services For The Class I Deep Well Project; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City With The Highest Ranked Firm And The Second Ranked Firm Should The City Not Reach Agreement With The Highest Ranked Firm; And Providing For An Effective Date.

**L. Resolution 2024-74,** Retroactively Approving And Accepting Deeds In Lieu Of Foreclosure For Two Parcels; Having Real Estate Numbers 00339310-000000 & 00348300-000000; Designating Their Use As Public Purpose; And Providing An Effective Date.

Matlock questioned if we could sell a canal lot back to the public to have one less taking case, it would decrease our liability. Smith commented he understood both sides. Williams commented that it is a policy call, you have the authority and have many options.

The Mayor called for speakers, hearing none, closed the public comment.

**MOTION:** Gonzalez moved to approve Resolution 2024-74

**SECOND:** Smith

**Vote of the Motion:**

Yes: Gonzalez, Smith, Matlock, Landry, Still

No: None

Absent: None

Abstain: None

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

**Council Comments:**

Gonzalez thanked staff, MCSO, Marathon Fire Rescue, and reminded everyone to be careful on the holiday weekend. Gonzalez informed everyone Lake Mary won the little league baseball world series.

Matlock encouraged everyone to be who you are.

Smith reminded everyone that school was back in session, to be careful and thanked the staff.

Landry also reminded everyone school was back in session and staff is maintaining the medians, slow down and give them room to work. Landry wished everyone a safe holiday weekend.

Still thanked Marathon Fire Rescue, MCSO, and public works. Still thanked everyone for attending and for the comments and wished everyone to stay safe.

**ADJOURNMENT**

With no further business to come before the Council, Mayor Still adjourned the meeting at 6:51 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of August 27, 2024.

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Diane Clavier, City Clerk

\_\_\_\_\_  
Date