

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on May 13, 2025, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Landry called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Del Gaizo

Councilmember Matlock

Councilmember Still

Vice Mayor Smith

Mayor Landry, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

City Attorney, Steve Williams

Deputy City Manager, Brian Bradley

Finance Director, Jennifer Johnson

Planning Director, Brian Shea

Deputy Utilities Director, Libby Soldano

Fire Chief James Muro

Code Director, Ted Lozier

Grants Coordinator, Maria Covelli

Park and Recreation Director, Scott Williamson

MCSO Captain Derek Paul

APPROVAL OF AGENDA AND CONSENT AGENDA

Mayor Landry added Rotary July 4th approval to serve beer and wine, and a FIRM (Fair Rates For Monroe) discussion under City Council Items. Garrett asked to move Resolution 2025-47 after K under City Manager items and pulled Resolution 2025-48 and will bring it back to the

Council in June. Smith added a discussion on the Ordinance regarding fish cleaning stations. Matlock pulled Resolution 2025-45 from the consent agenda.

MOTION: Smith moved to approve the agenda as amended.

SECOND: Matlock

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

CITY COUNCIL ITEMS

*A. Approval of Minutes

B. Sherriff Rick Ramsay – Presentation of a Check for Unused Funds – Captain Derek Paul informed everyone that Monroe County Sherriff's office has returned \$122,978 of excess unused funds to the City.

*C. 45th Annual 7-Mile Bridge Run (April 11, 2026) Approval

*D. Florida Keys Celtic Festival (January 10th & 11th, 2026) Permission To Sell Beer, Wine And Alcohol, Along With A Waiver Of Fees For Use Of Community Park

E. Rotary Approval to serve beer and wine July 4th at Sombrero Beach – the Council gave a head nod of approval

F. FIRM Discussion –Landry asked to pull FIRM off the grant application list and bring back a yearly donation via a Resolution. DelGaizo commented that we would be paying more if FIRM were not fighting for us. Smith commented that last year they were outside of the nonprofit scope, and he would like to continue in this way. Landry asked that the amount be left out of the Resolution, and it can be decided at the next meeting.

G. Fish Cleaning Table – Smith asked that the fish cleaning table height be reviewed and suggested looking at the code to revise the height. Still, Matlock commented she would not be opposed to looking at adjusting the height. Shea informed everyone he would reach out and coordinate with contractors to find out the standard heights.

CITY MANAGER REPORT

* A. MCSO Marathon Substation Report

* B. Grants Update

* C. Building Report

* D. Park and Recreation Report

* E. Marathon Fire Rescue Report

* F. Marina Report

* G. Code Report

* H. Wastewater Utilities Report

* I. Public Works Report

J. SS4A (Safe Streets for All) – Kush Bhagat, Deputy Project Manager for Stantec provided a PowerPoint and explained that a grant was approved through FDOT and the purpose of the study to develop a safety action plan that will align with the Federal Highway Administration's methodology. Bhagat gave an overview of the six-year summary of the

crash data, trends, and locations where injuries occur. Shea informed everyone that there would be a workshop on May 27th regarding the polling.

K. Discussion of Future Permitting Issues – Garrett gave an overview of the ROGO issues through the Senate and House bills which would also amend the evacuation times. The final bills were changed to 900 additional units to be issued over the next ten years; one unit per lot. The priority would be the workforce, affordable and owner occupancy with 24-and-a-half-hour evacuation time. Garrett reported a MOU between the jurisdictions would be coming to the Council in a few months. Matlock questioned whether we would be able to modify the ten years to distribute. Garrett explained not without a legislative change. Shea informed everyone the 20 percent affordable must be maintained. Smith commented that once it is signed, we need to do a comprehensive review. Williams explained it is not what the municipalities asked for, we will have a lot to work on. Shea commented that the City was trying to submit a grant to fund the modifications.

I. Resolution 2025-47, Approving a Design Build Contract with Platform Group, LLC via a Piggy-Back Contract with the City of Ocala for the Construction of A New Skate Park and Associated Improvements in the Amount Not To Exceed \$1,265,800.00; Authorizing The City Manager To Execute A Contract And Expend and Appropriate Funds; And Providing For An Effective Date

Matt Sexton – gave a background on the planning of the replacement of the aging Skate Park and thanked Council.

Brad Hager – commented he was happy to get to this point in the project. He thanked past and present Council, Matt Sexton and Maria Covelli.

Landry thanked Sexton for his contributions and commented that this will be fantastic for the community.

MOTION: Still moved to approve Resolution 2025-47

SECOND: Smith

Vote of the Motion:

Yes: Still, Smith, Matlock, DelGaizo, Landry

No: None

Absent: None

Abstain: None

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

QUASI-JUDICIAL PUBLIC HEARINGS – The clerk swore in speakers and Council stated they did not have exparte communications except for Matlock spoke with the contractor but it would not affect his vote.

Resolution 2025-37, Consideration Of A Request By Marathon LLC For An Amendment To A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (“The Code”) Entitled “Conditional Use Permits”, Authorizing The Development Of A Climate Controlled Storage Facility and Twenty-four (24) Single Family Residential Units Consisting Of Five (5) Parcels Located At 765 107th Street Ocean; Which Is Legally Described As Township 66 Range 33 Key Vaccas Part Government Lot 1 and Part Government Lot 2 Part Parcel 3 And Adjacent Bay Bottom South Of And Adjacent Part Government Lot 1 and Lots 1, 2, 3, & 4 Of Seaglass Flats A Plat Of Lands Located In A Part Of Government Lot 1 Section 6 Township 66S Range 33E On Key Vaca City Of Marathon As Recorded In Plat Book and Page 7-97, Monroe County, Florida, Having Real Estate Numbers 00104260-000000, 00104251-000100, 00104251-000200, 00104251-000300 and 00104251-000400. Nearest Mile Marker 53.

Resolution 2025-38, Consideration Of A Request For An Annulment Of A Plat, For Marathon LLC, Pursuant To Chapter 102, Article 10 Of The City Of Marathon Land Development Regulations (“The Code”) Entitled “Subdivision Of Land/Plats And Replats” For The Abandonment Of Seaglass Flats Subdivision; A Plat Of Lands Located In A Part Of Government Lot 1 Section 6 Township 66S Range 33E On Key Vaca City Of Marathon As Recorded In Plat Book and Page 7-97, Monroe County, Florida, Having Real Estate Numbers 00104251-000100, 00104251-000200, 00104251-000300 and 00104251-000400. Nearest Mile Marker 53.

Shea explained the project site of five parcels on 107th Street Ocean and the request to amend the conditional use permit for the redevelopment of 24 single family units and a climate-controlled storage facility. Shea reported that 13 market rate rights currently exist on the combined parcels. Shea explained that the Planning Commission recommended approval two to one with conditions as Shea then outlined.

Jim Saunders for the applicant was sworn in. Saunders asked if there were any questions.

Still quoted multiple sections of the comprehensive plan and land development regulations regarding community character and environmental issues. Matlock explained the potential for the neighborhood to have 336 new neighbors every week and that it will affect the welfare of the neighboring areas as well as utilities. There are 15 to 20 boat lifts and parking spaces for five trailer spaces and the development would be a drastic burden for everyone in the neighboring area.

The Mayor called for Speakers

Amy Johnson – spoke against the development and provided photos of dust and debris.

Megan Hughes – spoke against the development

Debra Struyf – spoke against the development

Roger Johnson – spoke against the development

MOTION: Matlock moved to deny Resolution 2025-37 based upon our charter

SECOND: DelGaizo

Williams explained the motion needed to be more specific. DelGaizo withdrew her second and Matlock withdrew his motion

MOTION: Still moved to deny Resolution 2025-37 as the project does not meet Comprehensive plan policy 1-1.1.(a), 1-3.1, and LDR Section 100.02(a)-(m)

SECOND: DelGaizo

Saunders asked the Council to table the Resolution. Still stated she did not wish to amend her motion.

Vote of the Motion:

Yes: Still, DelGaizo, Matlock, Smith, Landry

No: None

Absent: None

Abstain: None

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

Resolution 2025-38 was removed.

Citizens Comments on agenda items not scheduled for public hearing and items other than those appearing on the agenda:

Diane Scott – commented the Sheriff's office was corrupt and they will not investigate her complaints.

ORDINANCE FOR SECOND PUBLIC HEARING AND ENACTMENT

Ordinance 2025-02, Amending Chapter 18, Article 3 ("Abatement Of Criminal Nuisances") By Deleting Sections 18-186, 18-187, 18-888, 18-189, And 18-190; 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.

Williams informed Council there were no changes from the first hearing.

There were no residents wishing to speak on the item.

MOTION: Smith moved to approve Ordinance 2025-02

SECOND: Matlock

Vote of the Motion:

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

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

ORDINANCES FOR FIRST PUBLIC HEARING

Ordinance 2025-03, Amending Chapter 15 Fire Prevention Article 1 In General, Amending Section 15-6 Entitled Chickees And Tikis, Amending Section 15-7 Entitled Penalty, Amending Sections 15-8 Through 15-26 Entitled Reserved; Of The City Of Marathon Code Of Ordinances; Amending Chapter 110 Definitions Article 3 Entitled Defined Terms; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The Department Of Commerce After Final Adoption By The City Council; And Providing For An Effective Date.

Shea explained that the proposed ordinance amends the Fire Prevention code in the code of ordinances, and the definitions section in the land development regulations.

Matlock questioned if a tiki could be attached to a home. Chief Muro reported the 5' setback for tiki and chickee structures was set by a previous fire marshal as a policy. This has been consistently applied to the structures obtaining permits as permit conditions. The adoption of the ordinance codifies the policy that has been in place, but the Chief stated he would be open to including an attachment with fire suppression. Landry questioned how often the tikis catch fire. The chief responded that this is now being tracked.

MOTION: Matlock moved to approve with the amendment to include the attachment to a home would be allowed with fire suppression for a single-family residence.

SECOND: Still

Vote of the Motion:

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

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

Ordinance 2025-04, Amending Chapter 104, Article 1, Section 104.51.1 “Single-Family Dwellings (7 Bedrooms Or More)” As Defined Therein; Amending Chapter 110 Article 3 Entitled Defined Terms; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The Department Of Commerce After Final Adoption By The City Council; And Providing For An Effective Date. She explained the purpose of the proposed amendment to modify the Land Development Regulations that require that proposed residential development which has more than six bedrooms must be approved through a Conditional Use Permit review and approval. Particularly changing Chapter 104, Article 1, Section 104.51.1 “Single-Family Dwellings (7 Bedrooms or More)” and to change Chapter 110, “Defined Terms,” to modify or add necessary terms related to a change requiring Conditional Use permit approval.

DelGaizo suggested that the ordinance needed further tweaking and then bring it back to the Council. Shea explained that the Council approved a moratorium to address the changes needed to this ordinance based upon previous applications being submitted that did not meet the community character criteria as part of the conditional use review. Staff were given some directions to create a framework for this criterion, and this is the start. Matlock spoke against the large mixed uses; the defense is that you cannot do this and suggested keeping it as a defense mechanism. The council discussed the bedroom’s minimum square footage and closet requirements. Landry suggested bringing this back as a workshop topic.

MOTION: Landry moved to table the Ordinance with direction to provide analysis on the proposed options.

SECOND: Smith

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

RESOLUTIONS FOR ADOPTION

***A. Resolution 2025-39**, Approval Of The Turf And Landscape Maintenance Agreement With FDOT For The Maintenance Of The US 1 Corridor Within The City Of Marathon; Authorizing The City Manager To Execute The Agreement; And Providing For An Effective Date.

***B. Resolution 2025-40**, Awarding Project Specific Agreement for Area 5 WWTP MBR Tank Expansion to Weiler Engineering Corporation.; Approving A Not To Exceed Amount Of \$171,330.00; Authorizing The City Manager To Execute The Contract And Expend Appropriated Funds On Behalf Of The City; And Providing For An Effective Date. This Work May Qualify For Reimbursement Through A Grant.

***C. Resolution 2025-41**, Awarding Project Specific Agreement for Area 3 WWTP Vacuum Tank Replacement to Weiler Engineering Corporation.; Approving A Not To Exceed Amount Of \$123,757.50; Authorizing The City Manager To Execute The Contract And Expend

Budgeted Funds On Behalf Of The City; And Providing For An Effective Date. This Work May Qualify For Reimbursement Through A Grant.

***D. Resolution 2025-42** Authorizing and Approving A Contract For The Construction Of Phase 1 Force Main For The Deep Injection Well Project to DBE Utility Services In An Amount Not To Exceed \$5,321,846.32; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

***E. Resolution 2025-43**, Approving a Grant Agreement between the City of Marathon, and the Florida Department of Transportation in the amount of \$250,000.00 For Creation of a Bicycle and Pedestrian Master Plan; Appropriating Funds; And Providing For An Effective Date

***F. Resolution 2025-44** Approval Of A Second Amendment To The Existing Contract For Emergency Debris Removal Monitoring Services With Tetra Tech, Inc.; Authorizing The City Manager To Execute The Agreement; And Providing For An Effective Date

G. Resolution 2025-45 Approving A Work Directive Change With Charley Toppino and Sons For The Marathon Sombrero Blvd Drainage Improvements Project In The Amount Of \$46,074.33; Authorizing The City Manager To Sign The Work Directive Change And To Expend Appropriated Funds; And Providing An Effective Date.

Matlock explained he had a tough time approving this as when the project was bid, the poles were there. Garrett explained it was a question of where they needed to dig; the poles existed, but the FKEC will not let them drill without moving the poles. Matlock commented that the contractor was already asking for additional funding and have not broken ground yet. Smith commented that the plan specifications were not what was in the field, so the plans don't match what is in the ground. Garrett stated it is not our infrastructure; it is FKEC's. DelGaizo questioned if there would be more change orders. Garrett informed the Council he was hopeful there would not be, but nothing is currently in the pipeline.

MOTION: Matlock moved to approve and asked that the upcharge of +/- \$2,000 be renegotiated.

SECOND: Still

Vote of the Motion:

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

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

H. Resolution 2025-46, Approving A Contract With Safe Boat In An Amount Of \$476,557.07; Authorizing The Expenditure Of An Additional Amount Of Up To \$125,000 Above The Original Budgeted Amount Of \$375,000; Authorizing The City Manager To Execute The Agreement, And Expend Budgeted Funds; And Providing For An Effective Date.

The Chief explained Marathon Fire Rescue would be the only department with a working fire EMS rescue boat in the County and that there was a range in the pricing from four vendors. The Chief informed everyone that a \$150,000 grant from the State was received to go towards the total purchase price of \$476,557.07. Matlock commented that if tariffs go down, could we have a clause that the price would be reduced.

MOTION: Smith moved to approve Resolution 2025-46

SECOND: Still

Vote of the Motion:

Yes: Smith, Still, Matlock, DelGaizo, Landry

No: None

Absent: None

Abstain: None

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

~~**J. — Resolution 2025-48,** Authorizing The Issuance Of A Revolving Line Of Credit Note, Series 2025 In The Principal Amount Of Not To Be Outstanding In Excess Of \$10,000,000 To Finance The Project; Authorizing And Delegating To The Mayor The Sale Of The Note To The Lender Pursuant To The Terms And Conditions Of A Revolving Credit Agreement With The Lender; Approving The Execution And Delivery Of Said Revolving Credit Agreement; Providing Certain Other Matters In Connection With The Issuance Of The Note; And Providing An Effective Date.~~

***K. Resolution 2025-49** Authorizing A Purchase Pursuant To The City's Purchasing Policies And Procedures And Approving The Purchase of SCADA computer/software On-Going Maintenance, In An Amount Not To Exceed \$35,000.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

Council Comments

DelGaizo commented that the Council does not take lightly the issues that come before us, we put a lot of thought into our decisions.

Matlock informed everyone he does not own property in the 107th Street development.

City of Marathon
City Council Action Minutes
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Still thanked the public for their participation and thanked the staff and her fellow council members.

Smith commented that it was always a pleasure to serve, thanked Matt Sexton and it was nice to see progress at the park. Smith wished everyone a happy belated mother's day and gave his condolences to Councilmember Still and her family.

Landry congratulated Isabella Sanchez, Shane Edward, and Chris Cameron from the fire EMS department for passing the driver's promotional test. Landry congratulated FWC Captain Dupree and MCSO Captain Hiler on their retirements. Landry reminded everyone of the Pay it Forward event benefitting Marathon High School graduating students at the Elks Lodge. Landry thanked the Council.

ADJOURNMENT

With no further business to come before the Council, Mayor Landry adjourned the meeting at 7:48 pm with unanimous consent.

I certify the above represents an accurate summary of the City Council meeting of May 13, 2025.


Diane Clavier, City Clerk


Date