

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on August 12, 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

Finance Director, Jennifer Johnson

Deputy City Manager, Brian Bradley

Planning Director, Brian Shea

Park and Recreation Director, Scott Williamson

Deputy Utilities Director, Libby Soldano

Senior Planner, Dan Gulizio

Public Information Officer, Carlos Garcia

Information Technology Director, Hank Kokenzie

Fire Rescue Chief Muro

MCSO Sherriff Ramsay

MCSO Capt. Derek Paul

MCSO Lt. Elmore

Approval Of Agenda and Consent Agenda

Williams removed item 7A as the MOU has now been executed. Williams also removed ordinance 2025-05 from the agenda.

MOTION: Smith moved to approve the agenda as amended.

SECOND: Still

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. Recognition of Monroe County Sherriff's Officers Avrian Casanova and Gabriel Rivera for Performing Life Saving CPR. Chief Muro and Sherriff Ramsay along with the City Council congratulated both deputies for their training and preparedness that helped them save a life.

*C. MHS Homecoming Parade October 9, 2025

*D. Approval to Allow Alcohol Consumption at Oceanfront Park for Baptist Health Foundation Fundraising Event On April 10th 2026

*E. July 4, 2026 Permission To Hold Parade And Sell Beer And Wine At Sombrero Beach As Well As Offer Free Parking And Parking In The Right Of Way On That Day.

City Manager Report

- * A. MCSO Marathon Substation Report
- * B. Grants Update
- * C. Public Works Report
- * D. Park and Recreation Report
- * E. Marathon Fire Rescue Report
- * F. Marina Report
- * G. Code Report
- * H. Wastewater Utilities Report
- * I. Building Report

City Attorney Report

~~A. Health Insurance MOU with Marathon Fire Rescue Discussion~~

Ordinances for Second Public Hearing and Enactment

A. **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 ordinance was before them for second hearing with an updated alternative compliance section.

The Mayor called for public comments, hearing none, closed the public hearing.

MOTION: Matlock moved to approve the Ordinance as written.

SECOND: Smith

Vote of the Motion:

Yes: Matlock, Smith, Still, Del Gaizo, Landry

No: None

Absent: None

Abstain: None

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

Ordinances For First Public Hearing

~~A. **Ordinance 2025-05**, Amending The City's Code Of Ordinances, Chapter 6, "Building And Building Regulations," Article 2, "Building Code," Division 2, "Permits," Section 6-58, "Expiration Of Building Permit"; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; And Providing For An Effective Date~~

Quasi-Judicial Public Hearing

The Council stated they had no exparte communications. The Clerk swore in speakers.

A. Resolution 2025—72, 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 plat was no longer needed

The Mayor called for public comments, hearing none, closed the public hearing.

MOTION: Still moved to approve Resolution 2025-72

SECOND: Smith

Vote of the Motion:

Yes: Still, Smith, Matlock, Del Gaizo, Landry
No: None
Absent: None
Abstain: None

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

Resolutions for Adoption

A. Resolution 2025-73, Approving A Modification To The City's Fee Schedule For Building Permits; Providing That There May Be Further Modifications In Future Years; Providing That There Will Be An Approximate Annual Review Of Fees Base On The Statutory Requirements Of 553.80 F.S.; And Providing For An Effective Date.

Shea explained there were two amended versions of the fee schedule that reduces some administrative costs and additional reviews of expired permits, Shea recommended the schedule with the additional language regarding hurricanes or other disasters –“For the first 30 days after the City experiences a Hurricane, Tropical Storm, or other disaster, only the minimum permit fee must be paid to issue the permit. The remainder of the fees will be deferred until the closure of the permit. This time frame may be extended upon City Council resolution.” Smith questioned if the fees would be reviewed yearly. Garrett replied that staff were currently speaking with our consultant Raftellis regarding fees.

The Mayor called for public comments, hearing none, closed the public hearing.

MOTION: Still moved to approve Resolution 2025-73

SECOND: Smith

Vote of the Motion:

Yes: Still, Smith, Matlock, Del Gaizo, Landry
No: None
Absent: None
Abstain: None

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

***B. Resolution 2025-74,** 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 2025-75,** Approving An Agreement With The United States Geological Survey To Install And Maintain Water Pressure Sensors At Coco Plum Beach; And Providing For An Effective Date.

***D. Resolution 2025-76**, Awarding Project Specific Agreement For The Construction Phase Inspection Services For The Valhalla Force Main Project Phases 1 & 2 To Weiler Engineering Corporation.; Approving A Not To Exceed Amount Of \$98,600.00; Authorizing The City Manager To Execute The Contract And Appropriating And Expending Funds On Behalf Of The City; And Providing For An Effective Date. This Work May Qualify For Reimbursement Through A Grant.

E. Resolution 2025-77, 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, 2025; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date.

Garrett explained both Resolution 2025-77 and 78 are the updates to the roll for new ownership and new construction, there are no changes in the fees.

Mike Millard spoke about the increase in the fees. Johnson explained that there was not an increase in the fees, but there is a supplemental assessment charge.

MOTION: Matlock moved to approve Resolution 2025-77

SECOND: Smith

Vote of the Motion:

Yes: Matlock, Smith, Still, Del Gaizo, Landry

No: None

Absent: None

Abstain: None

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

F. Resolution 2025-78, Imposing The Annual Stormwater Utility Special Assessments For Fiscal Year Commencing October 1, 2025; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date

Mie Millard commented that the water quality was deteriorating and questioned if anyone was testing the water quality on Coco Plum.

Garrett explained that this year, the laws have changed and only the US Coast Guard can do the testing, and this is in a no discharge zone. Millard commented that there were more people riding electric bikes and more enforcement is needed. Millard questioned what the speed limit was on the curve of Coco Plum Drive. Garrett replied that the speed limit was still 30 miles per hour. Millard also commented on all of the objects at the beginning of Coco Plum Drive, and something needed to be done.

MOTION: Smith Moved to approve Resolution 2025-78

SECOND: DelGaizo

Vote of the Motion:

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

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

***G. Resolution 2025-79**, Approving A Change To The Agreement Between The City Of Marathon, Florida And Synagro, Authorizing The City Manager To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date.

***H. Resolution 2025-80**, Approving The Work Authorization Agreement Between The City And CW3 Engineering, Inc., For Professional Engineering Services For The Design of the Rehabilitation Of 92nd Street In An Amount Not To Exceed \$118,655.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

Council Comments

Matlock – thanked everyone for coming.

DelGaizo – thanked everyone for showing up and commented that the public works department was very busy as they move forward on many projects such as bridge replacements, Quay property redevelopment, Sombrero Beach information and security station, City Hall modifications, Seven Mile marina docks and redevelopment, 92nd Street project, the skate park, splash pad, park and recreation maintenance building, bike path improvements at Sombrero Beach, pickleball courts at Oceanfront Park, and master drainage planning.

Still congratulated the Deputies and thanked them for their sacrifices. Still reminded everyone to stop for school buses and informed everyone of the football game on Friday and thanked the staff and stated it was a pleasure to serve with this Council.

Smith reminded everyone to be safe on the roads and to support the teachers and thanked the staff for staffing the boat ramps during the mini lobster season. Smith offered his condolences to Barbara Rodgers family and the community co-op. Smith stated it was a pleasure to serve with this Council.

Landry informed everyone that on August 26th Comprehensive Plan Workshop and the August 27th Food Truck Jamboree, as there will be 10 food trucks and thanked Maria Covelli for getting that together along with the boat ramp scheduling. Landry reminded everyone of the September 9th meeting and the budget meetings on September 16th and 23rd.

ADJOURNMENT

With no further business to come before the Council, Mayor Landry adjourned the meeting at 6:01 pm with unanimous consent.

City of Marathon
City Council Action Minutes
August 12, 2025 5:30 pm City Council Meeting Minutes

I certify the above represents an accurate summary of the City Council meeting of August 12, 2025.

Diane Clavier, City Clerk

Date

DRAFT

CALL TO ORDER - A Workshop of the City Council of Marathon, Florida was held on August 26, 2025, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Landry called the workshop to order at 5:31 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

Planning Director, Brian Shea

Senior Planner, Dan Gulizio

Planner Mckenzie Fraley

Building Official Gerard Roussin

Code Director, Ted Lozier

MOTION: Smith moved to allow Councilmember DelGaizo to participate via Zoom.

SECOND: Still

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

Discussion Regarding The City's Code of Ordinances, Land Development Regulations and Comprehensive Plan.

Shea provided a PowerPoint presentation and briefly went over the charter, Council, Charter officers, Code of Ordinances and Land Development Regulations, chapters 101 and 102, Conditional Uses versus Variances, with the long dock variance being the most common. Shea reviewed Chapters 103-111 and the Comprehensive Plan. Shea explained the State has preempted vacation rentals, and mobile food trucks for an example. Shea also reviewed the Building Permit Allocation System (BPAS) policies and scoring.

Matlock asked Shea to expand on the density bonus for affordable housing. Shea explained that we have maxed it out for affordable housing and as long as it meets code, it is allowed in the Live Local Act, and the State has waived impact fees for affordable housing.

Diane Scott – commented that her church floods when it rains and asked to put Citizens comments back on the agenda. Scott asked not to allow dogs on the beach.

Landry explained any changes to the Land Development Regulations (LDRs) has to be reviewed by state. Shea explained the process of going before the Planning Commission, before the Council, to the State for review and publication, the State sends objections and comments and then it comes back to the Council for approval and if an LDR, goes back to the state for sixty days and then back to the Council for approval.

Matlock questioned if we were waiting on Monroe County for the Food Trucks. Shea responded that we had an existing ordinance before the State preempted.

Mike Millard - questioned what the City did for enforcement of the codes and gave an example of electric bikes, also all of the junk on Coco Plum Drive such as containers, cars and boats in the right of way and asked if there was a code enforcement department.

Shea explained in the right of way as long as the vehicles have current registration, they may be parked in the right of way as it is allowed, but the Sheriff's office enforces the right of way.

Garrett commented that the code department actively enforces the codes as well as unkempt yards. Landry commented that the code compliance department was complaint driven and it is illegal to be anonymous, but as a councilmember, he would put his name on the complaint after he looks at the issue. Garrett commented that we have to be able to see the violation and we cannot trespass.

Smith asked Lozier to educate the public on how to file a code case. Lozier responded you could walk in, send an email, file a complaint on our website or call. Lozier explained there are three code officers, one administrative assistant and himself in the department.

Debra Struyf – questioned when someone files a code complaint, when do the officers work on it. Garrett replied within one day. Lozier commented that they acknowledge receipt of the complaint. Struyf questioned what the next action is after they acknowledge receipt of the complaint. Lozier explained that usually they would speak to the homeowner and monitor the situation, at times they may open a code case and may or not file a notice of violation, especially if it sounds that the owner

will come into compliance. Williams commented that when someone pulls a permit or applies for a vacation license, if an inspector observes something, we may open a case ourselves.

Mike Aranda commented that he has an issue with a building permit (zoning). The Building department has been amazing, but he has a seven-page permit and a plat and development order, and some comments are trying to override the order. Matlock commented he didn't know what he was speaking about specifically, but he would like to speak with Aranda after the meeting. Williams informed everyone that the City has been contacted by Aranda's attorney, so if you speak with him, you do so at your own risk.

Smith informed everyone about the preemptive state statute on vacation rentals, and we are very limited on what we can change, everyone who has a licensed rental must take a class on what the rules are. Shea explained the application, inspection process and criteria for vacation rentals. Williams read Section 8-12 of the code "[Sec 8-12 Licenses Required](#)

1. *Vacation rental license.*

1. A vacation rental property license is required for any property owner renting a legally existing dwelling unit for not less than seven (7) nights and not more than 28 nights. The renting of any private residence for a period of less than seven (7) nights is prohibited. If a lot has more than one (1) legally existing dwelling unit on the property, a vacation rental property license shall be obtained for each dwelling that is to be used for vacation rentals.

Williams explained that the three strikes rule applies and that after June of 2011, if we touch our ordinance, you go to state rules which becomes one night minimum rentals and the enforcement mechanism is DBPR which there are eight agents in South Florida for four to five million people. Williams quoted FS 509.032 (7) PREEMPTION AUTHORITY.—

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. [553.80](#) and [633.206](#).

(b) A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

(c) Paragraph (b) does not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern designation.

ADJOURNMENT

With no further business to come before the Council, Mayor Landry thanked the staff and adjourned the workshop at 6:34 pm.

City of Marathon
City Council Workshop Minutes
August 26, 2025 5:30 pm City Council Workshop Minutes

I certify the above represents an accurate summary of the City Council workshop of August 26, 2025.

Diane Clavier, City Clerk

Date

DRAFT