

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on September 9, 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

Deputy City Clerk, Mariah Muino

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

Marina Director, Sean Cannon

Public Works Manager, Paul Bartnik

City Engineer, Carlos Solis

Public Information Officer, Carlos Garcia

Information Technology Director, Hank Kokenzie

Fire Rescue Chief Muro

MCSO Capt. Derek Paul

Approval Of Agenda and Consent Agenda

Still added a Domestic Violence Awareness Month Proclamation.

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. Diaper Awareness Week Proclamation (Council Member Still) – A representative from the Florida Keys Healthy Start Coalition accepted the Proclamation on their behalf. The representative thanked council for the recognition and explained how every diaper donated, and every dollar contributed goes to relieve stress from the families in our community and ensure every baby has a healthy start.

C. November City Council Meeting Date Change to November 18th – City Clerk, Diane Clavier explained how staff is requesting to move November's meeting date to November 18th so that we may complete the audit of the precinct. Council gave a head nod approving the change of date for November.

D. Request to Serve Alcohol at the Domestic Abuse Survivor Fundraiser on October 4th at the Marathon Community Park – Shea explained that there is a DV non-profit (not our local one) looking to use the community park for an event and would like to allow alcohol use, and they are seeking council approval. Council gave a head nod approving the use of alcohol for the DV event.

* E. Key Colony Beach Fire/EMS FY25/26 Extended Agreement (Informational)

F. Domestic Violence Awareness Month Proclamation – Sherry Schwab the CEO of the domestic abuse shelter accepted the Proclamation. She thanked the city and the community for providing the opportunity for awareness of DV for the month of October, just to raise the level of awareness of DV and the more awareness also helps people to feel more comfortable reaching out for services and to volunteer.

City Manager Report

* A. MCSO Marathon Substation Report

* B. Grants Update

* C. Public Works Report

* D. Park and Recreation Report

* E. Information Technology Update

* F. Marina Report

* G. Code Report

* **H. Wastewater Utilities Report**

* **I. Building Report**

J. First Time Homebuyer Update – Shea explained where to find the report. Del Gaizo asked if we have had anyone to apply for the first time homebuyer recently. Josh Mothner the housing coordinator stated in the report you see the 6 applications for the last fiscal year and that we have 1 that was just approved that will go forward for the next fiscal year. Del Gaizo then asked if the amount given is still \$20,000 and Josh replied that we do both \$20,000 and \$10,000. Attorney Steve Williams spoke and asked if they should discuss the ship loan with council. Mothner explained that the goal is to put people in houses, the goal is to say yes in any way they can and recently they have had 2 or 3 where a local lender will do all it takes to join our program with the states program ship and they can provide up to \$45,000 but the only issue with it is fighting over lien position. Ship wants us to be in the 3rd position for the liens, and the ordinance does not say we need to be in 2nd position so it would not be an issue to be subordinate. Williams asked council if 3rd place would be acceptable to council and that this would need to be added to a future agenda. Mayor Landry said absolutely this needs to be brought back on a future agenda, and to bring it back to October's agenda. Del Gaizo asked if we can stack First time homebuyer with the hometown hero program. Mothner replied that the state will not allow it.

Ordinances for Second Public Hearing and Enactment

A. Ordinance 2025—06, Amending The City's Land Development Regulations, Chapter 104, "Specific Use Regulations," Article 1, "General Provisions," Section 104.64, "Waterfront Walkways And Docks:"; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department of Commerce After Final Adoption By The City Council; And Providing For An Effective Date.

Shea explained that the ordinance is to allow for up to 8 feet in height from the original 4 feet in height for fish cleaning tables. Changes included raising the maximum height for covered fish cleaning tables from 4 to 8 feet and adjusting height measurements, so they are taken from the highest walking surface of the dock, ensuring consistency across different dock types. Mayor Landry asked if any language regarding how many fish cleaning tables are allowed needed to be added in. Shea stated they would amend 6 to state it would limit 1 per slip and adding 6A to state allowed width for residential and 6B to state allowed width for commercial. Shea also stated that any person wanting a fish cleaning table will need a permit. Council and Shea concluded with consensus to finalize the amendments, refine language regarding pre-existing non-conforming structures, and bring the ordinance back to council for approval.

Speaker - David Daniels - stated that he supported the amendments and recommended a minimum standard height of seven feet for elevator lifts.

The Mayor called for public comments, hearing one, closed the public hearing.

MOTION: Smith moved to approve the ordinance as amended.

SECOND: Still

Vote of the Motion:

Yes:

No: None

Absent: None

Abstain: None

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

-Quasi-Judicial Public Hearing

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

A. Resolution 2025—81, Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Building Permit Allocation System (RBPAS) For Period 1, Year 34 (July 14, 2025 To January 13, 2026); And Providing For An Effective Date.

Shea gave an overview of staff report and stated that staff is recommending approval of the 4 allocations total. Shea explained that all of this is based off the hurricane modeling that was completed in 2010, which was then awarded to us in 2012 of those 300 units we have been giving out no more than 30 per year over that 10-year period. We used up all of the allocations and only have allocations from administrative relief. Shea stated that all permits need to be picked up and you have 90 days to pick up your permit or the allocations will be given away. Matlock asked if we could give out less and Shea responded that at least 20% has to be affordable.

B. Resolution 2025-82, Approving The Ranking And Allocations Of The Early Evacuation Affordable Residential Building Permit Allocation System (EE BPAS); And Providing For An Effective Date.

Shea gave an overview of early evacuation report; staff is recommending the approval of one applicant that has a score of 63 and that it can be done with previously awarded units. Smith asked how many were surrendered to the city? Shea responded and said we were awarded 55 total and that will leave 51 units. Josh asked if they were going to take the affordable and replace it with early evacuation. Shea explains that they are pulling admin relief and that council pulled 6 to be affordable out of the 300 units.

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

MOTION: Smith moved to approve Resolution 2025-81

SECOND: Matlock

Vote of the Motion:

Yes:

No: None

Absent: None

Abstain: None

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

MOTION: Smith moved to approve Resolution 2025-82

SECOND: Matlock

Vote of the Motion:

Yes:

No: None

Absent: None

Abstain: None

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

C. Consideration Of The Request For A Fourth Amended And Restated Development Agreement Between The City Of Marathon And Marlin Bay Yacht Club, LLC, For The Redevelopment Of Property, Which Is Legally Described As Block 6 Lots 1 Thru 5 & The N 100' Of The S 430' Of Lot 6 And Adjacent Filled Bay Bottom, Marathon Beach Sub Pb2-16 And Block 2 Lots 1 Thru 6 Amended Plat Of Yacht Basin Tracts Real Estate Number 00337010-000000, Providing For Conditions And Requirements Of Development, Including But Not Limited To, Buffers, Building Heights, Setbacks, And Other Requirements; Providing For Assignment Of The Development Agreement And Ownership Interest; And Providing For An Effective Date.

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

Shea explained we took this item just last year so that the marina could be used as a public marina and now the owner of the property is looking to sell and the applicant who is looking to buy the property wants to make sure they can split the ownership of the property but that would require an amendment to the development agreement and the title. Matlock asked Brian to clarify that it does not change the density, parking etc. and that it will only change to split ownership, Brian said yes, no other changes.

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

MOTION: Smith moved to approve the amendment and make it the nine years in the agreement for consistency.

SECOND: Matlock

Vote of the Motion:

Yes:

No: None

Absent: None

Abstain: None

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

Resolutions for Adoption

***A. Resolution 2025-83**, Approving An Extension Between The City And Hawkins, Inc. For Delivery of Chemicals to the Wastewater Treatment Plants, In An Amount Not To Exceed \$700,000.00; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

***B. Resolution 2025-84**, Approving A Contract With Pedro Falcon Contractors Inc. To Construct An Information And Security Station At Sombrero Beach In An Amount Not To Exceed \$231,515.00; Authorizing The City Manager To Execute The Agreement, Appropriate and Expend Funds And Providing For An Effective Date

C. Resolution 2025-85, Relating To The State Revolving Fund Program; Authorizing The Application; Authorizing The Agreement; Establishing Pledged Revenues; Designating Authorized Representatives; Providing Assurances.

Jennifer explained a little history on the item and stated it was on the meeting agenda for August 13th for the FDEPSRF loan program and we were allocated \$8,666,273.00 and now we have to go through the loan process. Mayor Landry asked what the rate is? Jennifer stated that we do not have it yet because we have to apply first. Matlock asked if we had applied for SRF and why the rate was so high. Jennifer replied that this is the SRF loan we are applying for and that we have been quoted at a rate of 2%. Garrett stated we are asking for this loan based on a wastewater project. Del Gaizo explained the lawsuit we were told by federal court and did not know how much the interest rate, etc. and wanted everyone to know we are not taking it lightly and this is a project we have to move forward. Attorney Williams explained that the City of Marathon was sued back in 2022/2023 and there was a lawsuit in the state of Hawaii. Other side was already seeking over 2 million dollars from the city in legal fees and that was even before trial. City council voted unanimously and then the Federal Judge signed a consent/decreed and now we are under the consent/decreed under the authority of a federal judge, and we must do what a federal judge tells us.

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

MOTION: Still moved to approve Resolution 2025-82

SECOND: Smith

Vote of the Motion:

Yes:

No: None

Absent: None

Abstain: None

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

***D. Resolution 2025-86,** Awarding An Emergency Contract For The Area 5 Membrane Replacement To Reynolds Construction, LLC In An Amount Not To Exceed \$72,765.44; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

***E. Resolution 2025-87,** Approving An Amendment To The Professional Service Agreements Between The City And Stantec Consulting Services, Inc., For Professional Engineering Services For The Design of The Full Replacement of the 117th Street and 116th Street Bridge Contract, and the 112th Street Bridges Contract In An Amount Not To Exceed \$24,000 Per Bridge For A Total Cost Increase of 72,000.01; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

Citizen Comments

Mike Millard – Thanked George and Sean Cannon for addressing contaminants in Coco Plum, particularly the removal of two shipping containers from the right of way. He also appreciates the detailed explanation provided about future sludge concentration in areas 5 and 6, Millard mentioned that the information was shared within the association to alleviate concerns. Lastly, he inquired about where to find the budget, which Jenniffer told him it would be posted on the website the following day.

Diane Scott – Expressed dissatisfaction with the city councils handling of citizen comments and criticized the building official's rudeness with her. She accused the sheriff of misconduct, including neglecting duties at the Marathon substation and mistreating employees, and demanded action. Scott claimed the sheriff is corrupt and urged the council to address these issues and that she thinks they should be voted out.

Jill Davis – Thanked the council for their domestic violence awareness proclamation, highlighting her commitment to women's rights and how she was inspired by Susan B. Anthony and her efforts to stand up against bullies.

Council Comments

Matlock – Recognized the 7-year anniversary of Hurricane Irma, spoke about how the county had a big decision to make regarding expanding of the roadways and told everyone not to be afraid to reach out to county leaders.

DelGaizo – Thanked everyone for coming and stated she came across the marina sanctuary meeting and explained everything she learned and how much our water/environment has changed over time and how everyone needs to be aware and conscious of our community, or we will not have it anymore.

Still – Thanked staff for preparing the DV proclamation so we can have a full month of October to spread awareness and that the shelter is being rebuilt after hurricane Irma. Also informed everyone about the movie events on Saturday at the community park and that they are showing Inside out 2 and about the Jaws movie float in at Bongos in October. Friday night there will be a 9/11 ceremony at half time at the football. Also spoke about the 9/11 ceremony held at the fire station on Thursday at 8:30am.

Smith —Gave congratulations to the new addition to the Gonzalez family. Thanked staff for all the work they put in for the meetings. Encouraged everyone to come out to the upcoming public budget meeting.

Landry —Spoke about the anniversary of Hurricane Irma, Thanked the events committee and how the food truck jamboree was a huge success and how it really brought the community together. Thanked new PIO Carlos for his work.

ADJOURNMENT

With no further business to come before the Council, Mayor Landry adjourned the meeting at 7:01pm with unanimous consent.

I certify the above represents an accurate summary of the City Council meeting of September 9, 2025.



Mariah Muino, Deputy City Clerk

10.15.2025

Date