

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on February 24, 2026, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Lynny Del Gaizo called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Landry

Councilmember Matlock

Councilmember Still via Zoom

Vice Mayor Struyf

Mayor Del Gaizo, 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

Utilities Director, Dan Saus

Senior Planner, Dan Gulizio

Assistant Marina Director, Matt McJunkin

Public Works Director, 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

Matlock added Performance Review for City Manager. Both Still and Landry asked that this item be advertised because it was not on the agenda and not transparent. Matlock explained that this was a Council review and it is the Council’s job to evaluate the performance. Williams commented that it is legal to add this to the agenda, it is up to the Council if they want to discuss tonight or not. Del Gaizo commented that we added things to the agenda at the last meeting that were not advertised.

MOTION: Still moved to postpone the performance review until next month.

SECOND: Landry

Vote of the Motion:

Yes: Still, Landry

No: Matlock, Struyf, Del Gaizo

Absent: None

Abstain: None

Vote on the Motion: 2 Yes, 3 No, 0 Absent, 0 Abstain

Staff added a request to waive fees and allow alcohol to be served at the Oceanfront Park Event Tiki on March 1st for the Florida Keys Conservatives and a request to waive parking fees for the Sombrero Beach Run.

MOTION: Still moved to approve the agenda as amended.

SECOND: Landry

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

City Council Items

*A. Approval of Minutes

B. Jeff Smith Appreciation Plaque Council presented the Plaque to Smith and thanked him for his service.

C. School Resource Officer Day Proclamation Council presented the proclamation to Deputy Darlene Pointer

D. Flood Awareness Week Proclamation Council presented the proclamation to the Planning Director, Brian Shea

*E. Vehicle Listing (Informational)

F. Performance Review for the City Manager (Matlock) The Mayor Called for speakers.

Dustin Huff – commented that public confidence has been shaken with decisions the Manager has made.

Dave Perry – commented that the Council has been voted into their position and it is their job only, a Council decision.

Brian Schmitt – commented it is a council decision, but the Manager has institutional knowledge and is very caring.

Martie Jobe - commented she agreed with Brian Schmitt and the Manager is one of the best, and she has worked with him in planning, permitting issues and he has always been accessible and accurate.

Patrick Stevens - commented that he was frustrated 18 months ago, the Manager will say yes because he wants to help and cares about people.

Jason Kohler - commented he didn't know this would be on the agenda and suggested reviewing and identifying the manager's strengths and weaknesses and giving him the opportunity to improve.

Armand Messina, Florida Keys Contactor Assoc. – commented that the board remains neutral, wants the City to be fair and prosperous.

Diane Scott - commented that she liked the City Manager but feels he should not be.

Charlotte Quinn - commented that the Manager believes in the City and cares about everyone.

Matlock commented he had an answer for everything that has been said, it is extremely easy to get someone to speak kindly. Matlock commented that he was the only one who had turned in a review, this was not a knee jerk reaction.

MOTION: Matlock moved to terminate without cause

SECOND: Struyf

Still asked Matlock to list the basis for why. Matlock commented that he would not expose the City legally. Del Gaizo asked the attorney if we had to have a specific reason. Williams explained that the motion was lawful. Landry commented he can't be on board to fire the manager, we need a plan and we will need to do a national search. Williams commented that the effective date per the provision in Garrett's contract is 30 days. Still again asked why, and asked Matlock to explain and help her understand. Struyf commented to Still that Matlock is not going to say what you wanted. Williams explained the termination notice will be in writing and he will have the position for an additional 30 days.

Vote of the Motion:

Yes: Matlock, Struyf, Del Gaizo

No: Still, Landry

Absent: None

Abstain: None

Vote on the Motion: 3 Yes, 2 No, 0 Absent, 0 Abstain

G. Approval to waive fees and allow alcohol to be served at the Oceanfront Park Event Tiki on March 1st for the Florida Keys Conservatives – Matlock commented that we are still paying staff, he does not want it to become a habit to waive fees. Council gave a head nod of approval.

H. Waiving Parking Fees for the Sombrero Beach Run - Council gave a head nod of approval and reminded everyone that locals do not have to pay for parking at the beach.

Citizen Comments for Items Not on the Agenda

David Railshack – explained he went to a code hearing and there are a list of issues he has to resolve in a three-week time period, but the building official will not explain what he needs to do and he will be traveling out of the country. Williams explained that the Council could not provide relief, what he can do is comply with the magistrate’s order. The code magistrate heard the case three days ago, so he should receive the order shortly. Railshack also mentioned that ADUs would be available according to HB 48 that would allow homeowners to build accessory dwelling units (ADUs) in Florida. Williams commented that Mr. Railshack needs to comply with the Magistrate’s order.

Diane Scott – commented that the bus stop needs to go back to its previous location as she felt the current location was dangerous.

City Manager Report

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

K. Armand Messina – Florida Keys Contactor’s Association – asked the Council about the progress on MOBs as there is currently a 48 day hold and asked what the Contractors Association could do to help. Garrett responded that the lobbyist was working on an MOU and has had some effect. Shea explained we are required to transmit 100% of the Development Orders. Messina asked for an update at the next meeting and Del Gaizo informed him we would provide an update when we know more information. Messina reported that unlicensed contractors were a big issue, and he had seen handyman ads on Facebook, and he would like the City to investigate.

City Attorney

- *A. Attorney Performance Review

Resolutions For Adoption

A. Resolution 2026-05, Approving An Amendment Revising The Rates For The Vacation Rental Fee Schedule; And Providing For An Effective Date. **(Resolution was tabled on January 13, 2026)**

Brian Schmitt – spoke against the increase.

Martie Jobe – spoke against the increase.

Michael Clark – spoke against the increase.

John Whalton – spoke against the increase

Daniel Samess – spoke against the increase.

Patrick Stevens – spoke against the increase.

Dustin Huff – spoke for the increase

Andrew George – spoke for the increase; enough to cover the City's costs.

Jeff Smith – spoke against the increase.

Matlock commented that vacation rentals are a double-edged sword; there are a lot of housing issues and staff have been hired specifically for vacation rentals, also some inflation. Matlock commented he would be happy with a \$250 increase now and re-evaluate next year.

Landry commented that the vacation rental fees are regulatory fees and we regulate them by definition, the amount charged must not generate surplus profits. Vehicles, utilities, parks, fire, and EMS departments are not regulatory. Last year the fire department had only 64 runs for vacation rentals and suggested there was no need to raise the fees. Matlock commented that wastewater, and overtime during the season, including increased traffic flow was not calculated, a study will cost money and as far as losing standing with the state, we have increased our fees six times. \$200 increase allows us to do a study. Some vacation rentals purchased an extra trash can for \$1,300 last year and they did not close up. Landry argued that fifty percent of the vacation rentals sit empty and asked the attorney if vacation rental fees were regulatory. Williams explained there was no opinion, every community in Florida has fees for vacation rentals and they are allowed. Del Gaizo explained Key Colony charges a contact person fee and ten percent of them are not real estate agents. Struyf questioned if we could charge the bigger homes more and Williams explained we do charge by bedrooms.

MOTION: Struyf moved to approve Resolution 2026-05 with the change of \$100 increase across the board and another \$100 increase for four or more bedrooms and asked for a study.

SECOND: Matlock

Landry cautioned the Council to tread lightly; the number of vacation rentals are naturally declining each year. Still suggested to do a study, a company has already been identified. Landry commented that anyone can massage the numbers.

Williams explained the study will give you a number, you may not like the number, there is an upside and a downside. Council stated they would email the parameters/criteria they wanted the study to include.

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

***B. Resolution 2026-11** Awarding The Contract For The Area 4 Odor Control Unit Replacement To Reynolds Construction, LLC In An Amount Not To Exceed \$85,944.00; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

***C. Resolution 2026-12**, Approving A Project Specific Agreement In The Amount Of \$80,000 With The Firm Of Florida Technical Consultants (FTC), A Continuing Services Contractor For City Wide GIS Support Services; Authorizing The City Manager To Sign The Agreement; And Providing For An Effective Date

***D. Resolution 2026-13** Awarding The Contract For The Area 5 Sewage Pump Upgrade To Hudson Pump & Equipment In An Amount Not To Exceed \$95,000.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

***E. Resolution 2026-14**, Renewing 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 First One Year Renewal Agreement; And Providing For An Effective Date.

***F Resolution 2026-15**, Authorizing A "Piggy-Back" Purchase Pursuant To The City's Purchasing Policies And Procedures And Approving The Purchase Of A 2027 Ford F-650 Regular Cab Chassis 2WD 158" WB Strait Frame 84" CA Under The City Of Tallahassee Contract Number 5179 From Alan Jay In An Amount Not To Exceed \$102,450.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date.

***G. Resolution 2026-16**, Adopting A Schedule Of Fees Pursuant To Chapter 111.11, "Planning Department Application Fees" And Providing For An Effective Date.

H. Resolution 2026-17, Repealing And Superseding Resolution 2010-18 Establishing A Revised Annual Allocation Quantity For Each Category Of Dwelling Unit Allocations For The Residential Building Permit Allocations System (BPAS); Providing For Rollover To Future BPAS Periods Of Unused BPAS Allocations, Providing For Numerical Adjustments Of The Allocations By Resolution Of The City Council; And Providing For An Effective Date

Clavier informed the Council there was no one who signed up for public comments.

Shea read the following: The permit allocations must be distributed to counties and municipalities based on the number of vacant buildable lots within each jurisdiction. The permit allocations must be distributed over a period of at least 10 years but may not exceed 900 total permit allocations. All permits must be issued to vacant, buildable parcels, of which only one may be awarded for any individual parcel, and the distribution of which must prioritize allocations for owner-occupied residences, affordable housing, and workforce housing.”

The Administration Commission allocated 135 units for the City of Marathon, one third of which were made available January 1, 2026. The Administration Commission directed the Department of Commerce to work collaboratively with the County and municipalities to prioritize amendments to local comprehensive plans to accept the unit. The City of Marathon already has provisions in place for this under Policy 1-3.5.4 Residential Building Permit Allocation System (RBPAS). Specifically, there is language that states the City must “maintain an up-to-date hurricane evacuation plan and meet the required 24-hour hurricane evacuation time **or other applicable state standard for hurricane evacuation.**”

MOTION: Landry moved to approve Resolution 2026-17

SECOND: Struyf

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

***I. Resolution 2026-18**, Approving The Work Authorization Agreement Between The City And CW3 Engineering, Inc., For Professional Engineering Services For The Design of the Stormwater And Trail Improvement On A Portion Of Sombrero Beach Road In An Amount Not To Exceed \$82,000.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

Williams asked for a Council direction to engage with the City Manager to bring back a settlement agreement. The Council gave head nods.

Council Comments –

Still thanked Garrett

Landry reminded everyone of the food truck jamboree on Wednesday from 5-8 pm and thanked Garrett, stating he was disappointed in the decision.

Struyf thanked Garrett for his service and thanked staff.

Del Gaizo thanked Garrett and staff.

ADJOURNMENT

With no further business to come before the Council, Mayor Del Gaizo adjourned the meeting at 7:49 pm with unanimous consent.

I certify the above represents an accurate summary of the City Council meeting of February 24, 2026.

Diane Clavier, City Clerk

Date

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on March 10, 2026, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Lynny Del Gaizo called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Landry

Councilmember Matlock

Councilmember Still

Vice Mayor Struyf

Mayor Del Gaizo, 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

Utilities Director, Dan Saus

Marina Director, Sean Cannon

Public Works Director, Paul Bartnik

Public Information Officer, Carlos Garcia

Code Director, Ted Lozier

Information Technology Director, Hank Kokenzie

Fire Rescue Chief Muro

MCSO Capt. Derek Paul

Approval Of Agenda and Consent Agenda

Still added Traffic/Deep Well Discussion, Landry added Cell Phones Discussion. Garrett removed Ordinance 2026-21 from the agenda.

MOTION: Still moved to approve the agenda as amended.

SECOND: Landry

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

City Council Items

- A.** Recognition of Five Years of Service to the City of Marathon: James Williams - Public Works, Landscape Technician II – Williams was recognized by the Council and Bartnik for his five years of service to the City
- B.** Temporary Distribution of Signatory Authority and Other Duties (Councilmember Matlock) Matlock suggested having Steve Williams take over as the temporary manager until a new manager was hired. Landry commented he did not think the attorney and city manager should be in one position. Still suggested Ted Lozier since he has experience of being a city manager and if interested, he could apply to be the permanent manager. Del Gaizo commented that we have a good staff in place, she would like to see the job description, as we may have other department heads that would like to apply. Landry commented that he spent time with Lozier and spoke about Lozier having balance, and he is the only one with experience. Matlock commented that Steve can manage.

MOTION: Matlock moved to have Williams as the interim City Manager

SECOND: Struyf

Struyf commented that she liked the idea of Lozier applying, but for now wanted Williams as the interim Manager. Williams informed everyone he had no long-term interest, this is not groundbreaking; at the County, the Assistant County Attorney took over responsibility temporarily, and he would be happy to help the City through the process.

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

Still and Landry suggested a special call meeting next Tuesday, March 17th. Clavier stated she would have to check if the room was available and advertising timing. The Council asked for the contract and any addendums along with a job description be sent to them.

Traffic and Deep Well Project Update (Still) – Saus explained the traffic pattern is the only thing FDOT would approve and the project was supposed to start in August but got delayed by FDOT. Saus explained that two directional drills would be used so we can get out twice as fast. Captain Paul explained that the MCSO has been making adjustments and shut down the left turnout of Aviation Blvd. and ATT has also been doing work in the area. Captain Paul informed everyone that the longest delay was 30 minutes.

Cell Phones (Landry) Landry explained he received some feedback about his cell phone usage during the last Council meeting. Williams reminded everyone that text should not be between the five of you and never during a quasi-judicial hearing. Williams suggested amending Resolution 2017-21 to codify whatever the Council decides. Landry commented that the Resolution needed to be updated.

City Manager Report

- * **A.** MCSO Marathon Substation Report
- * **B.** Grants Update
- * **C.** Public Works Report
- * **D.** Park and Recreation Report
- * **E.** Engineering Report
- * **F.** Marina Report
- * **G.** Code Report
- * **H.** Wastewater Utilities Report
- * **I.** Building Report
- * **J.** Marathon Fire Rescue Report
- K.** Florida Commerce ACSC Administration Permit Contact Line (Informational) – Shea informed every one of the contact information for permit status and that the MOU is being worked on.

Quasi-Judicial Public Hearings

A. Resolution 2026-19, Consideration Of A Request By MarineMax East, Inc., For 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 Continued Operation Of A Marina With Associated Fuel Sales And Storage At The Property Located At 77 Coco Plum Drive, Which Is Legally Described As Section 5, Township 66, Range 33, On Coco Plum Beach, Including Lots 3, 14, 15, 16 And 17 Of The Unrecorded Lime Grove Estates Plat, Marathon, Monroe County, Florida, Having Real Estate Number 00100750-001600, Nearest Mile Marker 54.

Clavier swore in speakers.

Landry commented that he had spoken with the manager and employees regarding the process, but it would not affect his vote. The rest of the Council stated they had no exparte communications.

Shea explained the request with a PowerPoint presentation for a Conditional Use Approval for continued operation of a marina with accessory fuel storage and sales and the applicant is seeking to maintain the current marina and add accessory fuel storage and sales.

MOTION: Matlock moved to approve Resolution 2026-19

SECOND: Landry

Steven Tilbrock, Agent for the MarineMax East, Inc. informed the Council he was available to answer any questions and had a PowerPoint presentation if the Council wished him to present it.

Armand Messina – informed everyone the project had his full support.

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

B. Resolution 2026-20 Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Building Permit Allocation System (RBPAS) For Period 1, Year 2026 (January 14, 2026 To July 13, 2026); And Providing For An Effective Date.

Shea explained that Based on the result of the BPAS System, Staff recommends that the City Council approve the award of two (2) Market Rate General and one (1) Market Rate Owner Occupied BPAS allocations as shown in “Attachment A” and one (1) Affordable BPAS allocations as shown in “Attachment B”.

MOTION: Landry moved to approve Resolution 2026-20

SECOND: Struyf

Vote of the Motion:

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

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 2026-01 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 6 “Buildings And Building Regulations”, Article 2 “Building Code”, Sec. 6-54 “Application Procedure For Permits Under Allocation System” Of The 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; And Providing For An Effective Date.

Shea explained that staff is removing outdated references to the State Land Planning Agency within the Comprehensive Plan, Land Development Regulations, and Code of Ordinances to be consistent with State Statute. There exists a reference in the code of ordinances to the Florida Department of Community Affairs, which has not existed since 2013. Staff is recommending using the standard language of “State Land Planning Agency” to avoid having to update the code in the future should the current iteration (Florida Department of Commerce) be rebranded again.

The clerk informed the Council there were no speakers

MOTION: Matlock moved to approve Ordinance 2026-01

SECOND: Landry

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

B. Ordinance 2026-02 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter One, “Future Land Use Element,” And Intending To Modify Table 1-1, “Future Land Use Densities And Intensities,” Modify Policy 1-3.5.13, “Inventory Affordable/Workforce Housing,” Modify Policy 1-3.5.14, “Establish A Land Acquisition And Conservation Advisory Committee,” Modify Objective 1-4.1, “Provide Workforce-Affordable Housing Building Permit Allocations,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce After The First Hearing By The City Council; And Providing For An Effective Date.

C. Ordinance 2026-03 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Two, “Housing Element,” And Intending To Modify Policy 2-1.1.3, “Affordable And Workforce Housing Report,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce After The First Hearing By The City Council; And Providing For An Effective Date.

D. Ordinance 2026-04 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Three, “Infrastructure Element,” And Intending To Modify Policy 3-3.4.1, “Pursue Funding Sources,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This

Ordinance To The State Department Of Commerce After The First Hearing By The City Council;
And Providing For An Effective Date.

E. Ordinance 2026-05 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Four, “Conservation And Coastal Element,” And Intending To Modify Policy 4-1.2.14, “Establish And Coordinate Acquisition Programs,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce After The First Hearing By The City Council; And Providing For An Effective Date.

F. Ordinance 2026-06 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Five, “Intergovernmental Coordination Element,” And Intending To Modify Policy 5-1.2.4, “Coordinate All Transportation Improvements,” Modify Policy 5-1.2.10, “Render Appropriate Development Permits,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce After The First Hearing By The City Council; And Providing For An Effective Date.

G. Ordinance 2026-07 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Seven, “Transportation Element,” And Intending To Modify Policy 7-1.1.3, “Address Short Term And Long Term Strategies To Reduce Clearance Time,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce After The First Hearing By The City Council; And Providing For An Effective Date.

H. Ordinance 2026-08 An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter Nine, “Implementation And Review Element,” And Intending To Modify Policy 9-1.2.2, “Annual Work Program And Evaluation,” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce After The First Hearing By The City Council; And Providing For An Effective Date.

The clerk informed the Council there were no speakers for the ordinances.

Shea recommended approval of the seven (7) Ordinances removing outdated references to the rebranded State Land Planning Agency.

MOTION: Landry moved to approve Ordinance 2026-02

SECOND: Still

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

MOTION: Landry moved to approve Ordinance 2026-03
SECOND: Still

Vote of the Motion:

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

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

MOTION: Landry moved to approve Ordinance 2026-04
SECOND: Still

Vote of the Motion:

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

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

MOTION: Landry moved to approve Ordinance 2026-05
SECOND: Still

Vote of the Motion:

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

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

MOTION: moved to approve
SECOND:

MOTION: Landry moved to approve Ordinance 2026-06
SECOND: Still

Vote of the Motion:

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

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

MOTION: Landry moved to approve Ordinance 2026-07

SECOND: Still

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

MOTION: Landry moved to approve Ordinance 2026-08

SECOND: Still

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

I. Ordinance 2026-09 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 6 “Comprehensive Plan Amendment”, Amending Figure 102.22.1 “Comprehensive Plan Amendment Review Process”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

J. Ordinance 2026-10 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 7 “Land Development Text Amendment”, Amending Figure 102.28.1 “Land Development Regulation Text Amendment Process”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

K. Ordinance 2026-11 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 8 “Development Agreement”, Amending Section 102.32 “Procedure For Consideration And Approval”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date

Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

L. Ordinance 2026-12 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 11 “Rezoning”, Amending Figure 102.62.1 “Rezoning Review Process”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

M. Ordinance 2026-13 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 13 “Conditional Use”, Amending Figure 102.80.1 “Conditional Use Permit Review Process; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

N. Ordinance 2026-14 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 17 “Appeals”, Amending Figure 102.98.1 “Appeals Review Process”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

O. Ordinance 2026-15 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 18 “Beneficial Use Determinations”, Section 102.104 “Final Determination By Council”, Amending Figure 102.104.1 “Beneficial Use Determinations Process”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

P. Ordinance 2026-16 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 102 “Development Application Review Procedures”, Article 19 “Vested Rights Determinations”, Amending Section 102.110 “Final Determination”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

Q. Ordinance 2026-17 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 103 “Zoning Districts”, Article 3 “Use And Intensity Tables”, Tables 103.15.1 “Uses By Zoning District” And 103.15.2 “Density, Intensity And Dimensions For Zoning Districts”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

R. Ordinance 2026-18 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 107 “General Development Standards”, Article 2 “Transfer of Building Rights”, Section 107.17 “General Provisions”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

S. Ordinance 2026-19 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 107 “General Development Standards”, Article 12 “Floodplain Management”, Section 107.101 “Permits”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

T. Ordinance 2026-20 An Ordinance Of The City Council Of The City Of Marathon, Florida, Amending Chapter 110 “Definitions”, Article 3 “Defined Terms”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Commerce; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Commerce In Accordance With State Law.

~~**U. Ordinance 2026-21**, An Ordinance Of The City Of Marathon, Florida, Modifying Chapter 32, Section 32-34 Of The City Code Of Ordinances, ‘Tow Away Zones’ To Add A New Tow Away Zone On The West Side Of 107th Street From U.S. Highway 1 To Aviation Boulevard; 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.~~

Shea explained the purpose of the amendments is to remove references to DCA and DEO in the flow charts and code sections to reflect the change to the State Land Planning Agency. In addition to adding the definitions of a tiki and of a chickee.

The Clerk informed the Mayor there were no speakers.

MOTION: Matlock moved to approve Ordinance 2026-09
SECOND: Landry

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-10
SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-11
SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-12
SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-13
SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-14

SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-15

SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-16

SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-17

SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-18
SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-19
SECOND: Still

Vote of the Motion:

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

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

MOTION: Matlock moved to approve Ordinance 2026-20
SECOND: Still

Vote of the Motion:

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

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

Resolutions For Adoption

A. Resolution 2026-21 Authorizing A “Piggy-Back” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of one (1) 2026 Chevy Silverado 3500HD Regular Cab 2WD With Utility Body And Crane Attachment Under The Florida Sheriff’s Bid 2026 091521-NAF & 032824-NAF From Alan Jay Fleet Sales, In An Amount Not To Exceed \$113,135.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

Landry questioned why we were wasting money on diesel engines. Matlock commented that we have had issues with diesel engines and asked if staff could look for a gas engine.

The Council gave a head nod to table until the next meeting.

- *B. Resolution 2026-22**, Accepting The Ranking And Recommendation Of The City’s Evaluation Team Of The Community Park Soccer Field Refurbishment RFP; Authorizing The City Manager To Execute A Contract With The Top Ranked Firm XGD Systems, LLC In The Amount Of \$378,844.26; And Providing For An Effective Date.
- *C. Resolution 2026-23**, Authorizing The City Manager To Execute A Shoreline Setback Waiver On Behalf Of The City As An Affected Riparian Rights Owner Of Adjacent Property To Pacifica Marathon, LLC., Located At 57784 Overseas Highway, Grassy Key And Having Real Estate Number 00373740-000000.
- *D. Resolution 2026-24**, Approving And Accepting Warranty Deeds For The Conveyance Of Lands From Christine M. Morshedi Recipient Of A Residential Dwelling Unit Allocation Award; Authorizing Their Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.
- *E. Resolution 2026-25**, Approving And Accepting Warranty Deeds For The Conveyance Of Lands From Liron Gozlan Recipient Of A Residential Dwelling Unit Allocation Award; Authorizing Their Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.
- *F. Resolution 2026-26**, Approving And Accepting Warranty Deeds For The Conveyance Of Lands From Austin Notgrass Recipient Of A Residential Dwelling Unit Allocation Award; Authorizing Their Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.
- *G. Resolution 2026-27**, Awarding The Contract For The Area 3 Influent Piping System Upgrade To Reynolds Construction, LLC In An Amount Not To Exceed \$126,870.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date
- *H. Resolution 2026-28**, Nominating Property For Purchase By The Monroe County Comprehensive Plan Land Authority For The Purposes Of Supporting Affordable Housing (Re No. 00342080-000000); And Providing For An Effective Date
- *I. Resolution 2026-29**, Authorizing A “Piggy-Back” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase Of Fifteen (15) Portable Radios And Accessories Under The Florida Department Of Management Services Alternate Contract Source (Acs) No. 43190000-22-Naspo-Acs For Public Safety Communication Products, Services And Solutions From Motorola Solutions, Inc. In An Amount Not To Exceed \$128,419.18 And Expending Budgeted Funds; And Providing For An Effective Date.
- J. Resolution 2026-30**, Approving Amendments To The Rates And Rental Fee Schedule For The Use Of Boot Key Harbor City Marina Facilities; and Providing An Effective Date.

Johnson explained the last increase to the fees were in 2023, the rates will increase by \$5 per foot for seawall dockage, with mooring field and dinghy dock rates increasing by \$5 or \$10 per month.

MOTION: Landry moved to approve

SECOND: Struyf

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

***K. Resolution 2026-31**, Approving A Separation Agreement And General Release Between George Garrett and The City of Marathon; Authorizing The Mayor To Execute The Agreement And Appropriate Funds; and Providing For An Effective Date.

***L. Resolution 2026-32**, Approving Change Order No. 2 To Contract Between The City And LPS Utilities, Inc., DBA LPS Contracting. Increasing The Contract In An Amount Not To Exceed \$134,975.00 For Completion Of The Site Utilities And Adjustment To Two Finger Piers; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

Public Comments:

Glen Courter – commented he had an issue with boats not pumping out in the Coco Plum area, the generators run all night, and it was noisy.

Armand Messina – Thanked Brian Shea for the progress on the MOUs with the State. Messina questioned if unlicensed contractors were issued any fines and suggested that staff search Facebook for advertisements of unlicensed contractors. Messina thanked George Garrett for his service.

Diane Scott – informed everyone that last month was black history month and we needed a strong government.

M. Resolution 2026-33, Authorizing and Approving A Change Order To The 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 \$1,485,359.16; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

Saus explained to the council that the initial bids for phase one of the deep-well project could not include the underwater crossings because the city was still waiting on required permits from the Army Corps of Engineers. The permit will expire on March 14th if we do not have a contract, this is a change order to DBE Utility Services who was the low bidder for this phase and is already on

site. Struyf asked that information be put out to the public regarding the phases of the project and timing, so everyone is informed.

MOTION: Landry moved to approve Resolution 2026-33

SECOND: Matlock

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

Council Comments –

Landry thanked Garrett for his 16 years of service and wished him well. Landry also commented that the Council works very hard at transparency and we could have handled things better.

Still thanked Garrett whom she called a true public servant. Still explained she trusted Steve Williams and his capabilities although she was disappointed in the vote. Still expressed her condolences on the employee we lost and thanked MCSO for directing traffic.

Matlock reminded everyone of the seafood festival this weekend and commented the Council is just as frustrated with the traffic.

Struyf thanked the staff for the education provided and thanked Garrett for his efforts toward the community and wished everyone a good weekend.

Del Gaizo commented that good decisions can be hard decisions and the coconut telegraph can be bullying. Del Gaizo commented that she appreciated those who spoke very highly of Garrett and thanked Garrett for being a gentleman.

ADJOURNMENT

With no further business to come before the Council, Mayor Del Gaizo adjourned the meeting at 6:57 pm with unanimous consent.

I certify the above represents an accurate summary of the City Council meeting of March 10, 2026.

Diane Clavier, City Clerk

Date