

**CALL TO ORDER** - A Meeting of the City Council of Marathon, Florida was held on June 14, 2022, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Bartus called the meeting to order at 5:30 pm.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ROLL CALL - There were present:**

Councilmember Steve Cook

Councilmember Luis Gonzalez

Councilmember Robyn Still

Vice Mayor Dr. Daniel Zieg

Mayor John Bartus, comprising a quorum

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

Attorney, Steve Williams

Planning Director, Brian Shea

Finance Director, Jennifer Johnson

Parks & Rec Director, Paul Davis

Marina Director, Sean Cannon

Public Works Director and Engineer, Carlos Solis

Deputy Utilities Director, Libby Frazier

Code Director, Ted Lozier

Deputy Fire Chief, Cameron Bucek

Grants Coordinator, Maria Covelli

Monroe County Sherriff's Office, Captain Hiller

### **Approval of Agenda & Consent Agenda**

Garrett removed items 6B, D, and F (staff reports) as well as Resolutions 2022-53 and 2022-54 off the consent agenda.

**MOTION:** Zieg moved to approve the agenda as amended.

**SECOND:** Gonzalez

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

City Council Items:

#### \* Approval of Minutes

Juneteenth Proclamation (Councilmember Gonzalez) – the Council presented the proclamation to Doris Hawkins, and she thanked the Council for all that they do.

Pet Adoption Month Proclamation (Vice Mayor Zieg) – the Council presented the proclamation to Tara McFarland who had two senior dogs with her that were for adoption.

Gymkhana/Hoonigans Boot Key Bridge Jump (Mayor Bartus) – David Wells introduced some of his team, presented a PowerPoint presentation and explained his request to have a stunt driver jump boot key bridge with a vehicle while a helicopter is hovering between the spans. Wells informed everyone they would also be donating \$30,000 to enhance the lives of the youth of Marathon. Gonzalez questioned if we had or could get the proper insurance for this. Williams responded that on June 7<sup>th</sup> our insurance carrier stated in an email to our Risk Manager that they agree with the concerns she raised and “This presents many liabilities that could potentially extend past the day of the event should it occur. Given the unforeseen risk and variables, it would be a challenge to recommend adequate insurance limits.” Zieg asked for the staff opinion. Williams explained while it is fun, the risk versus the reward is not in the City’s best interest. Williams stated he spoke with Risk Management, and they are of the same opinion. Gonzalez asked Solis, the City Engineer to speak regarding the bridge evaluation/inspection. Solis explained he looked at the 2008/09 engineering report from FDOT. Solis explained the report is over twenty years old, we do not have a recent report and we do not know what is beneath the bridge that we cannot see, any accident may progress the damage to the bridge, and there were too many things that could go wrong.

Bartus questioned if there was a contingency plan in case something went wrong. In case debris blocks the channel. Wells stated Randy Cullmer with Marathon Seawall and docks would be on hand to remove any debris from the channel.

Eric Helt, Engineer explained he doesn’t disagree, but the context is not correct, the bridge was designed for loads far exceeding what would put on.

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Still questioned to prepare the bridge, what the weight would be. Wells commented that the ramp would be 2 ft high, and Monroe County Fire and EMS would be on the other side, the car (2,700 lbs.) with the person with gear (250 lbs.).

Cook asked if there was a hold harmless that would stand up as to the cost of removal that we could do. Williams explained that there was only one way in and out for most of the boats and we are coming into hurricane season and permits would be needed for removal of bridge debris in the water. There were too many unknowns. Solis commented that two of the piers were in bad condition in 2008/09. Cook questioned the 150 ft span. Solis commented that one is 100% loss, and the other was showing rebar 14 years ago. Helt commented that the highest level of deterioration is at tide level. Still questioned if there was a signed agreement with Marathon Seawall and Docks. Wells commented that there was not a signed agreement at this time.

Randy Cullmer with Marathon Seawall and Docks spoke for the project and stated he would be fully prepared.

Cook questioned how EMS would be placed. Location manager stated the two County rescue boats and ambulance would be standing by. Cook commented that the Coast Guard had depth limits

Still commented that staffing is tough and if they had been in contact with EMS. The answer was not yet. Gonzalez asked if the shoot could be delayed since so much needs to be in place. Wells commented that they work in constraints all of the time and could do a five-ton test on the other side of the bridge.

Deputy Chief Bucek commented that no one has contacted the City Fire Department and we would not have the County fire/EMS involved in this. Bucek also commented that there was no fire suppression on Boot Key.

Matt Sexton – spoke for the jump

Diane Scott – spoke against the jump

Mark Wathins – spoke for the jump.

Bartus explained he would like to see this happen, there is a risk with everything, someone could fall in the shower. These people have a good reputation, and they could work with our Fire Department and the Sherriff's office. Gonzalez questioned if the date could be changed to happen after the next Council meeting, Wells commented they could not change the date.

Bartus suggested approval with conditions that there is a ten million liability insurance policy, agreements with Fire/EMS, Coast Guard, FWC, Monroe County Sheriff's office, a contract for Debris Removal and a 5-ton bridge load test.

Zieg stated we would be fools not to listen to our attorney and engineer. We should listen to our professional staff.

**MOTION:** Cook moved approval with the conditions stated to move forward.

**SECOND:** Bartus

**Vote of the Motion:**

Yes: Cook, Bartus, Still

No: Gonzalez, Zieg

Absent: None

Abstain: None

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

**Citizen Comments**

Bradley Downing – commented that the trailer parking on Sombrero Blvd. is still an issue and the ordinance was passed 90 days ago and there are no signs. Garrett responded because of supply chain issues, we were still waiting for the signs, but they have been ordered.

Diane Scott – commented that someone took her high chair away, you are all racists, and you all should be ashamed. Bartus asked Scott to refrain from calling people racist.

Support of AHEC – Proposed \$30K (Mayor Bartus)

**MOTION:** Zieg moved to approve

**SECOND:** Still

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

Cisterns (Vice Mayor Zieg) - Zieg explained people get points in BPAS for cisterns and after they get their CO the cistern disappears. Zieg asked if the building and code departments could regulate this after the CO is issued or if this should be dropped from the BPAS tally. Shea responded that staff have taken these to Code, and we do keep track of all cisterns.

Boat Ramps and Key Colony Beach Fire Rescue MOU (Vice Mayor Zieg) – Zieg explained the City is structuring the boat ramp launch fees to give our residents a financial advantage over nonresidents. Zieg informed everyone he and Garrett had been in contact with Dave Turner, the City Manager of Key Colony Beach who has requested inclusion of his full-time residents to be treated like Marathon residents. He has offered to manage the issuance of annual permits which he estimates to be around two hundred. If two parents have two children, we are looking at fifty permits, if it is just two individuals, we would be looking at one hundred permits. Zieg also explained when Roger Hernstadt was the City Manager of Marathon around 2014, he asked Key

Colony to pay their fair share for Fire and EMS services and in 2014 the amount was \$500,000 per year. In 2017 with Resolution 2017-66 we renewed the agreement for three years at \$575,000 and in 2020-65 resolution it was the same rate per year. Zieg explained the taxable values of Key Colony (about \$825 million) and Marathon (three billion), to make the math easier, the ratio being four to one. Zieg informed everyone the fire expenses are a little over four million So Key Colony should pay about \$850,000 in FY 2022, their share should be \$1,000,000. Marathon has been subsidizing Key Colony. Zieg commented that the 2020 Resolution expires September 30, 2023. Zieg asked the Council to direct Garrett and Jennifer Johnson to begin discussions with Mr. Turner before 2023, and we may be able to have something kick in before the expiration so that we are not stuck at the same level for nine years.

Gonzalez commented that this was a great idea to look at this new and Key Colony needed to have some skin the game for the boat ramps, behind the airport the ramp is being overrun, Key Colony should have their officers present as well, our sheriff's officers could use the extra man power, Still asked that we move ahead with the contactless launch fees.

Council gave a head nod on pursuing negotiations and allowing Key Colony full time residents to be treated like Marathon residents.

**City Manager Report:**

MCSO Marathon Substation Report- Hiller highlighted different crimes and community involvement in his written report.

Grants Update – Covelli informed everyone that FCT had a large grantee drop out of the 2018 grant program and the applications for the Quay and 7-Mile Marina were next in the queue, so both of the projects would be funded at 2.5 million for both.

Building Report – Martinez asked if there were any questions. Cook asked how the building software was coming along. Martinez responded he was making progress.

Park and Recreation Report – Davis gave updates on Rotary Park and asked for volunteers to help

\*Utilities Report – Garrett asked for approval for a not to exceed amount of \$300,000 to Synagro due to the centrifuge being down.

**MOTION:** Zieg moved approval of \$300,000

**SECOND:** Cook

**Vote of the Motion:**

Yes: Zieg, Cook, Still, Gonzalez, Bartus  
No: None  
Absent: None

Abstain: None

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

Marathon Fire Rescue Report – Deputy Chief Bueck gave an overview of the written report and wanted to present a civilian citation to John Callion who cut the harnesses off of the victims of the parasail accident and because of his efforts, two children survived.

Marina Report – Cannon gave an overview of his written report.

Code Report – Lozier reported that the City has a contract in place to scan and monitor vacation rentals not in compliance, the system should be up in the next couple of weeks. Lozier informed everyone the code department would soon begin enforcing the sign ordinance that was passed in March. Zieg suggested putting the sign ordinance information on the City’s website and social media.

City Attorney: DEO – Williams began introduction of DEO settlement offer.

**MOTION:** Cook moved to reject the DEO offer.

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Cook, Zieg, Still, Gonzalez, Bartus  
No: None  
Absent: None  
Abstain: None

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

City Manager Updates – Garrett gave an overview of his written report and the status of the DEO MOU.

**MOTION:** Gonzalez moved to add six months to the current deadline for building permit expirations because of delays with permits.

**SECOND:** Zieg

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

Garret explained in 2010, continuing into 2011, the City adopted Ordinance 2010-14 creating the City’s current Vacation Rental Ordinance. During the 2011 Legislative Session, the Legislature passed legislation modifying Chapter 509 F.S. to preempt the authority of local governments to

regulate vacation rentals. Garrett explained the general interpretation of the provisions of Chapter 509.032 (7) is that Ordinances passed prior to the June 1, 2011 date are exempt from the preemption delineated in section (7). This has been the interpretation among City and County attorneys within the Florida Keys since the Statutory revision was passed by the Legislature. To violate this determination risks losing the “grandfathered” Ordinance and further risks the state entirely preempting local authority in the Keys to regulate vacation rentals with the only authority then resting with the state and there would be no cap on the number of rental days.

### **Quasi-Judicial Public Hearings**

**Resolution 2022-47**, Consideration Of A Request By Candice Lee 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 Development Of A Dog Boarding, Grooming, Daycare and Shaved Ice Store Located At 12535 Overseas Highway; Which Is Legally Described As 5 66 33 Part Government Lot 3 Crawl Key, Monroe County, Florida, Having Real Estate Number 00100390-040001. Nearest Mile Marker 53.

Council stated they had no ex parte communications. Clavier swore in speakers.

Shea gave an overview of the request.

Candice Lee the applicant asked if the council had any questions, they did not.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Cook moved approval

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Cook, Gonzales, Still, Zieg, Bartus

No: None

Absent: None

Abstain: None

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

Denying A Request By Van Fischer For An Ordinance Of The City Of Marathon Florida Amending The Zoning From Residential Low (R1) To Residential Medium 1(Rm-1) For Property Described As Block 18 Lot 7 Coco Plum Beach Pb4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00365960-000000: And Providing For An Effective Date. (First Hearing)

Denying A Request By Van Fischer For An Ordinance Of The City Of Marathon, Florida Amending The Future Land Use Map (FLUM) From Residential Low (R1) To Residential Medium (Rm) For Property Described As Block 18 Lot 7 Coco Plum Beach Pb4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00365960-000000: And Providing For An Effective Date. (First Hearing)

Bartus and Still explained they received an ex parte communication (email), but it would not affect their vote. The rest of the Council stated they had not seen the email.

Clavier swore in speakers.

Shea explained the items, giving background information and explained the issues of wetlands, indigo snake, in 2004 the lot was sold for a donation for ROGO points and recommended denial. Garrett provided a timeline provided a timeline of the FLUM and Zoning and explained that in 2015 the owner indicated that the lot was not buildable to the property appraiser to reduce the tax bill and asked the City for a letter stating it was not buildable.

The applicant Van Fischer argued for approval of the FLUM and zoning change stating that he was not going to build but wants the property rezoned like his neighbor. Van Fischer asked for the property to be removed from the Florida Forever list and the state complied.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Zieg moved to deny the zoning amendment request

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Zieg, Gonzales, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

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

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Zieg moved to deny the FLUM amendment request.

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Zieg, Gonzales, Cook, Still, Bartus



No: None  
Absent: None  
Abstain: None

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

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

### **Ordinances for Second Public Hearing and Enactment**

**Ordinance 2022-09**, Amending Chapter 103 “Zoning Districts”, Article 3 “Use And Intensity Tables”, Updating Table 103.15.1 “Uses By Zoning District”, Updating Table 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 Of Ordinances, City Of Marathon, Florida; And Providing An Effective Date.

Shea explained there were no changes since the first reading.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Cook moved approval

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Cook, Zieg, Still, Gonzalez, Bartus  
No: None  
Absent: None  
Abstain: None

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

**Ordinance 2022-10**, Amending Chapter 102 “Development Application Review Procedures”, Article 17 “Appeals”, Amending Section 102.92 “Appeal Period” And Section 102.93 “Applicability” To Address Timeframes, Of The City Of Marathon Land Development Regulations; 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 Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Economic Opportunity In Accordance With State Law.

Shea explained the amendment from thirty to five days and of the removal of the word “working” regarding the appeal period.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Cook moved approval

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Cook, Zieg, Still, Gonzalez, Bartus  
No: None  
Absent: None  
Abstain: None

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

**Ordinance 2022-11**, Amending Chapter 104 “Specific Use Regulations”, Article 1 “General Provisions”, Amending Section 104.52 “Small Animal Shelter Or Animal Day Care”, Of The City Of Marathon Land Development Regulations; 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 Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Economic Opportunity In Accordance With State Law.

Shea explained there were no changes since the first reading.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Gonzalez moved approval

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Gonzalez, Zieg, Cook, Still, Bartus  
No: None  
Absent: None  
Abstain: None

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

**Ordinance 2022-12**, Modifying Section 32-34 Of The City Code Of Ordinances, ‘Tow Away Zones;’ Providing For Modifying The Existing Code Section To Consolidate Code Language, Modify The Individuals With Authority To Authorize Towing, And Add Two Tow Away Zones Predicated On Previous Council Actions; Providing For Rescinding Resolutions 2021-6 And 2022-37; 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.

Garrett explained there were no changes since the first reading.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Gonzalez moved approval

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Gonzalez, Zieg, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

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

**Ordinance 2021-27**, Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Mixed Use-Commercial (MU-C) For The Property Described As Block 2, Lot 2 First Addition to Seacrest, Key Vaca Marathon, Monroe County, Florida, Having Real Estate Number 00339240-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

**Ordinance 2021-28**, Amending The Zoning Designation From Residential Medium (RM) To Mixed Use (MU) For The Property Described As Block 2, Lot 2 First Addition to Seacrest, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00339240-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Zieg moved approval

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Zieg, Gonzalez, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

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

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Cook moved approval

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Cook, Zieg, Still, Gonzalez, Bartus

No: None

Absent: None

Abstain: None

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

**Ordinances for First Public Hearing**

**Ordinance 2022-15**, Florida Amending The Future Land Use Map (FLUM) From Residential High (RH) To Mixed Use Commercial (MU-C) For Property Described As Block 2, Lots 1 Through 6, Excluding The North 150 Feet Of Lots 1 And 2, Parrish Subdivision, Key Vacas, Marathon, Monroe County, Florida, Having Real Estate Numbers 00326760-000000, 00326780-000000, 00326800-000000, 00326790-000000, 00326810-000000, 00326820-000000, 00326840-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

**Ordinance 2022-16**, Florida Amending The Zoning From Residential Mobile Home (R-MH) To Mixed Use (MU) For Property Described As Block 2, Lots 1 Through 6, Excluding The North 150 Feet Of Lots 1 And 2, Parrish Subdivision, Key Vacas, Marathon, Monroe County, Florida, Having Real Estate Numbers 00326760-000000, 00326780-000000, 00326800-000000, 00326790-000000, 00326810-000000, 00326820-000000, 00326840-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

Shea provided a PowerPoint presentation and explained the request for the FLUM, and zoning change reduces density and recommended approval.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Zieg moved approval of Ordinance 2022-15

**SECOND:** Cook

**Vote of the Motion:**

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Yes: Zieg, Cook, Still, Gonzalez, Bartus  
No: None  
Absent: None  
Abstain: None

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

**MOTION:** Zieg moved approval of Ordinance 2022-16

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Zieg, Gonzalez, Cook, Still, Bartus  
No: None  
Absent: None  
Abstain: None

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

**Ordinance 2022-17**, Amending The First Time Homebuyer Assistance Program; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing An Effective Date

Shea explained this ordinance is based on the Council's recommendation.

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Zieg moved approval

**SECOND:** Gonzalez

**Vote of the Motion:**

Yes: Zieg, Gonzalez, Cook, Still, Bartus  
No: None  
Absent: None  
Abstain: None

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

**Resolutions for Adoption:**

**\*A. Resolution 2022-48**, Approving An Interlocal Agreement Between The City Of Marathon, Florida (Hereinafter, The “City”) And Monroe County, Florida (Hereinafter, The “County”) Providing The Mechanism For The City To Coordinate With The Other Municipalities Through The County For The Engineering Survey Data Collection Using Mobile Scanning Technologies Utilizing Light Imaging Distance And Ranging (LiDAR) Scanners; Acknowledging That Such Work Will Be Funded By The City, The Cost Of Which Is \$150,281.00; Providing For Rights And Responsibilities Of The Parties Under The Agreement; Providing For Signature; And Providing For An Effective Date.

**\*B. Resolution 2022-49**, Authorizing The Purchase Of The ProCare Service Plan For Our LUCAS and Lifepak 15 Devices In An Amount Not To Exceed \$47,666.86; Authorizing The City Manager To Appropriate Funds On Behalf Of The City; And Providing For An Effective Date.

**\*C. Resolution 2022-50**, Adopting A Fee Schedule For The Donation Of Moneys Either For The Land Acquisition Or For Affordable Housing As Provided In Section 107.09 1. And two. “Lot Dedication Or Cash In-Lieu Of Dedication,” As Part Of The BPAS Scoring System; Providing For An Effective Date; And Providing For Immediately Implementation.

**\*D. Resolution 2022-51**, Adopting A Fee Schedule For The Payment Of Moneys For Affordable Housing As Provided In Section 107.18. “Affordable Housing Requirements,” As Part Of The Transfer Of Building Rights Process; Providing For An Effective Date; And Providing For Immediately Implementation.

**\*E. Resolution 2022-52**, Approving Grant Agreement ID Code R0016 Between The City And Florida Department of Health For Purchase of EMS Equipment; Appropriating Funds; And Providing For An Effective Date.

**F. Resolution 2022-53**, Approving a Contract Between The City of Marathon And Leland W and Jean H Cranmer for the Purchase of the Property at 8036 Porpoise Drive, Marathon, FL with Parcel ID 00329980-000000; Appropriating Funds; And Providing For An Effective Date.

Garrett explained language was added to reflect the ultimate authority for approval is with DEO

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Gonzalez moved approval as modified

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Gonzalez, Zieg, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

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

**G. Resolution 2022-54**, Approving a Contract Between The City of Marathon And Michele Cook for the Purchase of the Property at 200 39<sup>th</sup> Street, Marathon, FL with Parcel ID 00337670-000000; Appropriating Funds; And Providing For An Effective Date.

Garrett explained language was added to reflect the ultimate authority for approval is with DEO

Bartus called for public comments, hearing none, closed the public hearing.

**MOTION:** Gonzalez moved approval as modified

**SECOND:** Zieg

**Vote of the Motion:**

Yes: Gonzalez, Zieg, Cook, Still, Bartus

No: None

Absent: None

Abstain: None

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

**\*H. Resolution 2022-55**, Amending The Ambulance Fee Schedule Mileage Charge And Authorizing Rate Increases As Medicare Increases Its Rates; And Providing An Effective Date.

**\*I. Resolution 2022-56** Awarding the contract for the Area 4 Filter Upgrade to Reynolds Construction, LLC In An Amount Not To Exceed \$379,500; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date.

**\*J. Resolution 2022-57**, Accepting The Responsible Proposal And Approving A Contract Between The City And 3<sup>rd</sup> Generation Plumbing, Inc. In An Amount Not To Exceed \$53,980.00 For Utilities Installation At The Seven Mile Marina Property; Waiving The City's Procurement Policy: Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

**\*K Resolution 2022-58**, Accepting The Responsible Proposal And Approving A Contract Between The City And Discount Rock and Sand In An Amount Not To Exceed \$57,340.00 For Site Clearing And Improvements At The Seven Mile Marina Property; Waiving The City's Procurement Policy: Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date

**\*L. Resolution 2022-59**, Rescinding Resolution 2022-43; Approving A Corrected Version Of Amendment Two To The Interlocal Agreement With Monroe County For Receipt Of Local Option Gas Tax Revenues Providing For The Transmittal To Monroe County And Other Local Jurisdictions; Providing For An Effective Date

### **Citizen Comments**

Diane Scott – commented we need our own police department, on May 1<sup>st</sup> someone died and there was not an investigation. Someone took her chair away.

### **Council Comments**

Still reminded everyone it was Flag Day and that the flag symbolizes our freedom. Still thanked the citizens for attending as well as the staff and her fellow councilmembers.

Gonzalez thanked staff and the Deputy Fire Chief for the accommodation for the rescuer who helped save a life. Gonzalez thanked FKAA for getting the water back on after a water main break during the tropical storm. Gonzalez thanked Davis for his Rotary Park rebuild efforts and wished everyone a Happy July 4<sup>th</sup> and reminded everyone to be kind at the boat ramps.

Cook thanked staff for the prep work and thanked every employee as well as Fire Rescue, USCG, MCSO and FWC and Council

Zieg gave an overview of historical events that happened on this date, thanked staff, and wished everyone happy Independence day on July 4<sup>th</sup>.

Bartus thanked the Council, residents, staff and reminded everyone that Juneteenth was a federal holiday. Bartus thanked the first responders and reminded everyone to be safe on July 4<sup>th</sup> at Sombrero Beach and Rotary Park on Monday.

### **ADJOURNMENT**

With no further business to come before the Council, Mayor Bartus adjourned the meeting at 8:05 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of June 14, 2022.

\_\_\_\_\_  
Diane Clavier, City Clerk

\_\_\_\_\_  
Date