

City of Marathon
City Council Action Minutes
May 14, 2024 5:30 pm City Council Meeting Minutes

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on May 14, 2024 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Still called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Gonzalez

Councilmember Matlock

Councilmember Smith

Vice Mayor Landry

Mayor Still, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

City Attorney, Steve Williams via Zoom

Sr. Planner, Amber Stonik

Finance Director, Jennifer Johnson

Utilities Director, Dan Saus

Building Official, Gerard Roussin

Code Director, Ted Lozier

Marina Director, Sean Cannon

MCSO Station Commander, Lt. Quintero

MCSO Lt. Colonel Chad Scibilia

Approval Of Agenda And Consent Agenda

Gonzalez added 300 Allocations discussion, as we still have 70 or 80 that have been given out, but there has not been any movement. Matlock asked to remove Resolution 2024-47 from the agenda to try to find a more cost-effective method. Still added Journey Nichols to the agenda to speak about a park issue.

MOTION: Smith moved to approve the amended agenda

SECOND: Landry

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

City Council Items

- *A. Approval of Minutes
- * B. Joy Ride Bicycle Event (Formerly SMART Ride) November 23, 2024
- C. Mike Puto & Mary Rice Fire Pension Board Reappointment Request (Terms Expire 6/14)

MOTION: Gonzalez moved to approve the reappointment of both Mike Puto and Mary Rice

SECOND: Smith

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

D. Antoinette “Tonee” Smith, Marina Technician Recognition of 5 Years of Service – The Council, City Manager George Garrett and the Ports Director, Sean Cannon Congratulated Tonee and thanked her for her service.

E. Discussion about Reconstituting the Parks & Rec Committee (Mayor Still) – Still explained she would like to discuss having an impartial board and how we would appoint members, etc. Gonzalez explained for many years when we had a board, we had a lack of participation which is what made the board go away. Gonzalez suggested the AYSO have a board and come to the City on a quarterly basis for a quicker way to resolve issues. Garrett suggested quarterly workshops and informed everyone staff was working on a community calendar. Matlock agreed with Gonzalez and Smith suggested that in last year’s budget we budgeted enough to have a liaison working internally and to communicate and schedule better. Gonzalez mentioned that we have Council meetings every month, if there is an issue, we can add it on to discuss.

Garrett mentioned he wanted to add Armand Messina under the City Manager report.

F. Parking Near Intersection of Aviation & 107th Street Discussion (Mayor Still) – Diona Young, a business owner of Captain Brians pool supply store read a letter regarding inadequate parking for customers and introduced Ben Sage. Sage explained the difficulties in parking at the business and suggested moving the bike path to the fence line. Smith commented that Solis informed us we could not move the bike path to the fence line when he suggested it at a previous meeting. The Council discussed the possibility of moving the bike path but protecting the citizens was paramount. The Council directed Garrett to get with Solis to see if the rules could be bent to have a workable plan that is safe for all.

G. Approval of FY 24-25 Budget Calendar – Johnson went over the draft calendar and explained the purpose of putting this on the agenda is to make sure the Council is all available.

H. Approval of Old 7 Beer Run and Fun on December 14, 2024 10-11 am. The Clerk explained that the times may be flexible depending upon Pigeon Key events.

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MOTION: Matlock moved approval of the event.
SECOND: Landry

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

I. Discussion of 300 Allocations (Gonzalez) – Gonzalez explained he wanted to ring the alarm early, the allocations have been awarded and some are just sitting there; we need to revoke them in July and start thinking of a plan. The council discussed that they wanted the units built. Smith commented that these are rental managed units with early evacuation requirements.

J. Concerns at the Park – Journey Nichols – Journey explained the issue of the water fountain at Rotary Park will not allow you to refill a water bottle, and it is too high and does not have a lot of water pressure which makes drinking difficult. Paul Davis commented that he would take care of this and put in a 36-inch-high fountain with a refillable station.

Diane Scott – commented that all parks needed this type of fountain.

Lt. Colonel Chad Scibilia – presented a check from Monroe County Sheriff's Office in the amount of \$70,938 in unspent funds which is refunded to the City. The council thanked the Sheriff's Office and all of the officers.

City Attorney

A. Approval of Folks Vs. Marathon Settlement Agreement

MOTION: Gonzalez moved to approve agreement.
SECOND: Smith

The Mayor called for speakers.

Lynda Berrigan – commented that her major concern was the location of the deep well and would like an update.

Pam Mayberry – commented that she came to find out what was going on and would like the location of the deep well to be in Crawl Key.

Vote of the Motion:

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

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

Citizens' comments

Charlotte Quinn -thanked the Council for the grant and informed everyone, 58 children would be able to attend camp for free.

Dolly Sadowski – commented that the construction on the curve of Coco Plum has ingress and egress on the curve and wanted to know who she should call about it. Garrett informed everyone it is currently the construction entrance but once completed the entrance and exit would be off of Avenue Da.

Diane Scott – commented Sherriff’s office does not follow laws and she wanted to be on the agenda to discuss trespasses, dogs, and the church drainage issues.

Garrett introduced Armand Messina who informed everyone he has been getting a number of complaints, things have gotten worse, but he had been working with Garrett and Roussin to make things better. Messina informed everyone they would be meeting on the 28th of the month to bring up all of the problems with the building department and would be meeting with the Council at 5:30 pm. Messina informed everyone that there have been compliments when there are no issues, and the permit goes through.

City Manager Report

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

J. May Workshop and August Council Meeting Request – Garrett asked the Council to flip the regular August meeting to the second of the month so he could attend as his son would be getting married the week of August 13th. Garrett asked that the regular meeting be moved to August 27th.

Quasi-Judicial Public Hearings

The Clerk swore in speakers.

Resolution 2024-39 (Public Right-Of-Way Abandonment), A Request By Loretta Ostroman To Abandon The Public Right Of Way Located At 708 109th St, Described As Block B West half lot 26 S. Marathon Shores PB2-140 a Subdivision in South half of Government Lot 1 Section 6, Township 66S, Range 22 E, Key Vaccas FLA, Having Real Estate Number 00343830-000000. Nearest Mile Marker 52; And Providing For An Effective Date.

Stonik explained the item and recommended approval.

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Betty Wells explained her parents originally owned the property and they thought it was their property the entire time, as it had been on their tax bills.

The Mayor opened public comment, hearing none, closed public comments.

MOTION: Matlock moved to approve Resolution 2024-39
SECOND: Smith

Vote of the Motion:

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

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

Resolution 2024-40, A Request By Bradford Reed And Gregory Halasz To Abandon The Public Right Of Way Located Between 1300 27th St, Described As Block 3, Lot 18, Harbor Isles PB4-98 Key Vaca, Having Real Estate Number 00322870-000000 And 1313 27th St., Described As Part Lot 18, Block 4 Harbor Isles PB4-98 Key Vaca, Having Real Estate Number 00323090-000000. Nearest Mile Marker 48.5; And Providing For An Effective Date.

Stonik explained the request for the last ten feet owned by the property owners and recommended approval.

The Mayor opened public comment, hearing none, closed public comments.

MOTION: Gonzalez moved to approve Resolution 2024-40
SECOND: Landry

Vote of the Motion:

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

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

Resolutions For Adoption

***A. Resolution 2024-41** Adopting The Attached City Of Marathon Federal Funding Purchasing Policy As “Exhibit A” And Title 2 Code Of Federal Regulations Sections 200.317 Through 200.327 As “Exhibit B”; Authorizing The City To Implement This Resolution As Provided Herein; And Providing For An Effective Date.

***B. Resolution 2024-42**, Approving a Grant Agreement between the City of Marathon, and the Department of Transportation in the amount of \$240,000.00 For Creation of a Safer Streets For All Action Plan; Appropriating Funds; And Providing For An Effective Date

***C. Resolution 2024-43**, Approving A Project Specific Agreement With Hurley Land Planning & Consulting, LLC. A Continuing Services Contractor For A Parks, Recreation, And Open Space Master Plan Authorizing The City Manager To Sign The Agreement; And Providing For An Effective Date.

***D. Resolution 2024-44**, Nominating Property For Purchase By The Monroe County Comprehensive Plan Land Authority For The Purposes Of Supporting Workforce Housing (Re No. 00332830-000100); And Providing For An Effective Date.

***E. Resolution 2024-45**, Approving A Long-Term Lease Agreement Between The City of Marathon Florida and Habitat for Humanity Of The Middle Keys (H4H) For A Property In The Ownership Of The City; Located At 470 W 105th, Ocean Dr. (RE NO. 00332830-000100); Providing For The Terms Of Said Lease; And Providing For An Effective Date.

***F. Resolution 2024-46** Determining That The Equipment Listed in Exhibit "A" Be Deemed Surplus Equipment and Sold Through a Public Bid Process; Providing For Severability; and Providing For An Effective Date

~~***G. Resolution 2024-47**, Awarding The Contract For The Area 3 Chlorine Contact Tank Coatings Upgrade To Reynolds Construction, LLC In An Amount Not To Exceed \$206,876.23; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date~~

***H. Resolution 2024-48**, Approving The Professional Service Agreement Between The City And Stantec Consulting Services, Inc., For Professional Engineering Services For The Design of The Decking Replacement of the 112th Street Bridge In An Amount Not To Exceed \$103,435.48; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

Council Comments:

Gonzalez thanked the staff and reminded everyone that school was wrapping up to be careful and the 2024 class would be graduating in ten days.

Mattlock thanked everyone.

Smith reminded everyone it was graduation season and congratulated those who were graduating. Smith wished all of the mothers a happy belated mother's day and congratulated the Marathon High School Baseball team and thanked the staff.

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Landry echoed the previous comments and reminded everyone that on Friday spring football starts. Landry thanked Journey for coming to speak.

Still echoed the remarks of Council, thanked Journey and those who made comments and reminded everyone to remember all of those graduating.

ADJOURNMENT

With no further business to come before the Council, Mayor Still adjourned the meeting at 6:50 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of May 14, 2024

Diane Clavier, City Clerk

Date

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on May 28, 2024 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Still called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Gonzalez

Councilmember Matlock

Councilmember Smith

Vice Mayor Landry—Via Zoom

Mayor Still, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

Deputy City Clerk, Hillary Palmer

City Attorney, Steve Williams

Planning Director, Brian Shea

Public Works Director, Carlos Solis

Building Official, Gerard Roussin

Code Director, Ted Lozier

Monroe County Sherriff's Office Deputy

Staff Presentation

Still and Garrett provided an introduction to the meeting, which addressed the permitting review process, staff response time and back-up staff review. Introductions to Staff members Building Official Gerard Roussin and Planning Director Brian Shea were made.

Armand Messina, Monroe County Contractor Association President, introduced himself and thanked staff for holding the workshop.

Public Speakers

Diane Scott spoke against citizens not obtaining permits and spoke on property address 501 & 507 42nd street specifically with regards to lack of permits.

Gay Marie Smith thanked Armand Messina for coordinating the workshop and asked City Staff what the 48-hour time frame includes. Garrett replied that the 48-hour response time will include responses to phone calls, emails and the online permitting portal correspondence. Smith expressed discontent with the current response times and stated Staff does not respond in a timely manner. Still commented that the new 48-hour response time will hopefully resolve the response time delays and encouraged the public to focus on moving forward in a positive manner. Smith stated the number one issue contractors are dealing with is lack of communication with City Staff and stated it has been an ongoing issue. Still stated there will be consequences for staff if response times are not adhered to. Smith suggested the City inspector's telephone number be made available for better communication.

Brad Hager spoke in favor of better communication with the Building Department.

Andrew George spoke on the various permitting issues he has encountered with the City's Building and Planning Departments and provided a handout to City Council which outlined a specific permit issue. He specifically addressed permit number P-24-291 and stated he had no response from the City in a

timely manner and stated he has had many similar related incidences. He requested the City offer a back-up reviewer when key staff members are out of the office.

Martin Kamph spoke on 336 Calzada De Bougainville and stated his contractor worked fifty-two weeks before he was notified there was a permitting issue. Kamph referenced permit number P-20-3153.

Steve Britske, Private Provider Inspector, spoke on the release of power issues he has experienced, EBR inspection issues and various licensing issues. He requested an explanation on what private provider inspectors are expected to do, since they are unable to perform all necessary inspections. Still requested the Building Official speak to Mr. Britske about the release of power issues. Roussin confirmed he would continue to have discussions with Mr. Britske on the topic.

Roy Green spoke on his vacant Flamingo Island lot that was evaluated through the KeyWep program and expressed his discontent with Staff's response time getting back to him.

John Keller requested an explanation of the permitting and approval process. Roussin provided an explanation, detailing the step-by-step process for the permit review. Roussin explained the first step is for the permit tech to intake the application and verify for completeness then the permit is assigned to the various departments for review and approval.

Williams commented that the new permitting software program offers a streamlined approach to the prior system.

Keller stated his concerns regarding staff not receiving consequences for not following through with the response time. Keller also spoke on the "time is money" business mindset and how it relates to the construction industry. He stated staff accountability is important with regards to the permitting process and dealing with the contractors and requested consistency across the board.

Bettye Chaplyn provided a history of permitting in Marathon and commented the City is over staffed.

Armand Messina stated there is a lack of communication and accountability amongst the City Staff and commented that overall the permits are getting processed quickly but wants Staff to understand time is money in the construction industry. He stressed the importance of effective communication and returning calls and emails within a reasonable amount of time. He thanked Garrett and Roussin for taking time each week to meet with him individually and thanked the community and members of the Contractors Association for showing up to the workshop.

Still commented that she wants staff to work towards improvements and focus on being productive moving forward.

Matlock commended the City of Key West for their turn-around time and stressed the importance of consequences for not fulfilling their obligations to meet the 48-hour response time.

Gonzalez thanked everyone for attending the workshop and thanked Armand Messina for bringing the issues forward to be addressed. He commented that he supports the 48-hour response time.

Matlock spoke on his personal past experiences with delayed response times within the City's Building Department.

Armand Messina asked staff how many permits are issued on a weekly basis.

Roussin stated he would need to get back with him to provide accurate information.

Matlock requested to make the City Inspector's phone number public and Roussin agreed. Matlock also spoke on the turn around time for a failed inspection and Roussin confirmed the contractor, or owner/builders can call in a re-inspection up until 3:30pm the same day of failed inspection.

Landry thanked everyone for participating in the workshop and their support. He stated that he is looking forward to resolving the issues moving forward.

Smith thanked the public for their support and input and stated he is looking forward to improving the permitting process. He spoke in favor of cross training within the City and thanked the public for bringing solutions to the table. He also thanked Armand Messina for being the liaison between the City and the Contractors Association.

Still emphasized the importance of communication, consequences and consistency amongst staff. She stated that she is looking forward to moving forward to resolve the permitting issues and positive staff improvements.

ADJOURNMENT

With no further business to come before the Council, Mayor Still adjourned the meeting at 6:41pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of May 28, 2024.

Hillary Palmer, Deputy City Clerk

Date