

City of Marathon
City Council Workshop Action Minutes
December 3, 2024 5:30 pm City Council Workshop
Meeting Minutes

CALL TO ORDER - A Workshop of the City Council of Marathon, Florida was held on December 3, 2024 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Landry called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Del Gaizo

Councilmember Matlock

Councilmember Still

Vice Mayor Smith

Mayor Landry, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

Deputy Clerk, Hillary Palmer

City Attorney, Steve Williams

Planning Director, Brian Shea

Monroe County Sherriff's Office Deputy

Building Official, Gerard Roussin

Roll Call

Landry recognized Key Colony Beach Administrator John Bartus in the audience.

Garrett acknowledged the passing of former Councilmember Franklin Greenman and spoke on his contribution to the City of Marathon. He asked for a head nod from Council to lower the flags to half mass and Council agreed. He also spoke on Monroe County's connection to the City's BPAS allocations. He spoke on the history of the hurricane evacuation modeling and taking cases as it pertains to the current negotiations for building permit allocations for the City.

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Shea provided a staff report on the additional allocations and the availability of vacant parcels within the City. He covered the usage guidelines regarding the allocations.

Garrett spoke on public speaking rules as outlined in Resolution 2017-21.

Public Speakers:

Joseph Falinski spoke on transferable building rights and buildable vacant lots.

John Bartus acknowledged the passing of Frank Greenman and spoke on his contributions to Marathon. He also spoke on the various possibilities of the available BPAS/ROGO units for Marathon.

Ann Olsen (Keys Last Stand Group) spoke on hurricane evacuation times and water quality in the Florida Keys as it relates to tourism.

Bob Williams spoke against more building allocations and stated it has negatively affected the quality of life in the Keys.

Stuart Schaffer, Sugarloaf Shores POA, spoke on takings cases and Florida Forever BPAS/ROGO lists and usage of the lots.

Mark Eglington expressed concerns regarding the community's need for more water-related activities for children and spoke on workforce housing.

Captain Ed Davidson spoke on the hurricane evacuation modeling.

Brian Schmit spoke on takings cases and hurricane evacuation times.

Lynda Berrigan spoke on hurricane evacuation times, land development and water quality control.

Pamela Alonso spoke on workforce housing development.

Joshua Mothner, City of Marathon Housing Coordinator, spoke on hurricane evacuation times and taking cases.

Ben Daughtry spoke on takings cases, workforce housing and funding from the Tourist Development Council.

Daniel Samess, Marathon Chamber of Commerce, read a letter into the record regarding takings cases.

Mike Millard spoke on transferable building rights.

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Debra Struyf spoke on transferable building rights, BPAS allocations, Tourist Development Council funding and workforce housing.

Garrett spoke on the Tourist Development Council funding and spending criteria.

Citizen spoke in favor of the City to purchase houses with the Tourist Development funding.

Garrett spoke on the limitations of the Tourist Development Council funding.

Debra Struyf asked if the TDC funds will be spent within the City of Marathon.

Garrett replied the County will have to decide how to distribute the funds.

Joshua Mothner provided his opinion for the best uses for the TDC funds.

Debra Struyf spoke in favor of governmental transparency and spoke for more workforce housing.

Pamela Alonso spoke for workforce housing.

Landry spoke on how to obtain more building permit allocations and on the topic of redevelopment.

Bob Williams spoke against more vacation rental licenses.

Landry spoke for vacation rental enforcement.

Williams explained the possible negative impacts that could result from requesting changes to the state concerning the vacation rental ordinance.

Garrett spoke on the State lobbyist efforts for the City's vacation rental ordinance to remain the same.

Matlock spoke on the ability the City has to adjust the vacation rental fees, while keeping the ordinance in place.

Williams confirmed the vacation rental fees can be adjusted without penalties from the state.

Ann Olsen spoke on vacation rental license requirements.

Williams spoke on the interpretation of the vacation rental ordinance.

Captain Ed Davidson spoke on the number of homesteaded properties and unlicensed vacation rental properties within the City.

Daniel Samess spoke on building permit allocations, Tourist Development Council funding and taking cases.

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Council Comments:

Landry thanked the public for their support and attendance at the workshop.

Del Gaizo thanked the public for their attendance and compassion for the City of Marathon.

Matlock supported deed restricted housing as a solution for affordable housing.

Still thanked the community for their support and respect.

Smith thanked the community for their participation in the workshop.

ADJOURNMENT

With no further business to come before the Council, Mayor Landry adjourned the meeting at 7:30pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of December 3, 2024.

Hillary Palmer, Deputy Clerk

Date

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on November 12, 2024, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Landry called the meeting to order at 5:30 pm.

Mayor Landry recognized former County Commissioner George Neugent and former Marathon Councilmembers Randy Mearns and John Bartus.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Del Gaizo

Councilmember Matlock

Councilmember Still

Vice Mayor Smith

Mayor Landry, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

City Attorney, Steve Williams

Finance Director, Jennifer Johnson

Utilities Director, Dan Saus

Public Works Director Carlos Solis

Fire Chief James Muro

Code Director, Ted Lozier

Marina Director, Sean Cannon

Grants Coordinator, Maria Covelli

Approval Of Agenda and Consent Agenda

Matlock added C1, discussion of grants. Garrett added Beach raking extension to the TDC grant for reimbursement. The Council moved 9A to the first item for discussion.

MOTION: Smith moved to approve the agenda as amended.

SECOND: Matlock

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

Josh Mothner read a proclamation commemorating the passing of Franklin Greenman.

John Bartu thanked Mothner for writing the proclamation and shared a story with everyone regarding some of his time with Franklin Greenman. Randy Mearns also thanked Mothner and explained he knew Frank Greenman for over fifty years and Frank was his senior class sponsor and teacher before he was an attorney. Mearns commented how much he would be missed and that we are indebted to him for all he has done for the community.

Resolutions For Adoption

A. Resolution 2024-124 Commemoration Of The Passing Of Franklin Greenman, His Contributions And Influence During His Life In The Middle Florida Keys And On The Creation Of The New City Of Marathon.

MOTION: Smith moved approval.

SECOND: Still

Vote of the Motion:

Yes: Smith, Still, Matlock, DelGaizo, Landry

No: None

Absent: None

Abstain: None

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

City Council Items

*A. Approval of Minutes

* B. Councilmember Del Gaizo Board Appointments

1. Mike Cinque Reappointment to the Planning Commission

C. 1. Grant Discussion (Matlock) – Matlock explained that there may be some odd stipulations on a grant that the County is looking at and that he would like Williams to investigate. Williams stated he would at the direction of the Council. The Council gave a head nod.

City Manager Report

* A. MCSO Marathon Substation Report

* B. Grants Update

* C. Public Works Report

* D. Building Report

- * E. Marathon Fire Rescue Report
- * F. Marina Report
- *G. Code Report
- * H. Wastewater Utility Report
- I. Beach Raking Extension for Reimbursement from TDC – Clavier explained the amendment to the TDC agreement to allow payment of fiscal year 2024 invoices from fiscal year 2025. The Council gave a head nod of approval of the amendment to the TDC agreement for the beach raking reimbursement.

Ordinance For Final Public Hearing and Enactment

A. Ordinance 2024-13, Amending Chapter 2, Article 6, Division 2 Of The Code Of The City Of Marathon, Pertaining To Purchasing Requirements; Providing For Severability; Providing For Inclusion In The Code; And Providing For An Effective Date.

Johnson explained this ordinance is amending the purchase order requirements from five thousand dollars to fifteen thousand dollars because of inflation and to expedite. Johnson informed everyone that anything over five thousand dollars still requires dual approval and there have been no changes since first reading.

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

MOTION: Still moved to approve Ordinance 2024-13
SECOND: Smith

Vote of the Motion:

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

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

Resolutions For Adoption

B. Resolution 2024-125, Identifying The Approximate Number Of Vacant Buildable Residential Properties Within The City Of Marathon; Relating To The State Department Of Commerce’s 2023 Hurricane Evacuation Clearance Times Summary And The Building Permit Allocation System (BPAS); Requiring That This Resolution Be Provided To Appropriate Staff Of The Monroe County Board Of County Commissioners To Be Included As Part Of Their Collaborative Decision Making Process On The Same Subject; And Directing Staff To Take Necessary Actions To Provide This Resolution To The Florida Legislature During The 2025 Legislative Session; Providing For Severability; And Providing For An Effective Date.

The Mayor called for speakers.

John Bartus spoke regarding the takings claims and suggested that the Council give as much to Habitat as possible.

Stuart Schaffer, representing Sugarloaf Shores Property Owners Association, commented that the numbers were not correct, and suggested that the takings cases are scare tactics. Schaffer asked the council to ask for a minimum number and give out three to four a year as well as complete a detailed analysis of the need.

Ann Olsen, representing Keys Last Stand explained she represented 12,000 local voices and eighty-four percent of the residents do not want all the units, take the fewest number and then if needed ask for more later.

Andrew George asked the Council to publish the BPAS rules so that everything is transparent and post the details on the website.

Daniel Samess explained the Chamber of Commerce position was sent via email and asked that the permits be distributed responsibly and appropriately.

Georgiana Sage – suggested purchasing properties to bring down the number of takings cases, possibly by eminent domain.

Mike Millard – mentioned he wrote an email to the Council and addressed four points of need. Millard agreed with Sage regarding government purchased properties because if you own the property, there will be better control.

George Neugent – reminded everyone that the market value has doubled and recognized the amount of work staff has put into this.

Council discussed the types of housing that were needed as well as their concerns of big developers coming in and our smaller business owners not being able to get affordable housing and concerns of changing the evacuation time having an effect of the number of units and our area of critical state of concern. The Mayor reminded everyone that tonight's vote was only about the evacuation time of 24 to 26 hours and the Council supported slow growth. Smith also mentioned changing the owner-occupied definition if we receive units. Garrett explained that that would be changed in the Land Development Regulations (LDRs).

MOTION: Smith moved approval with changes of 3C to a minimum of forty, 3D to a minimum of ninety-nine years and 3J to 26 hours.

SECOND: Still

Vote of the Motion:

Yes: Smith, Still, Matlock, DelGaizo, Landry

No: None

Absent: None

Abstain: None

***C. Resolution 2024-126**, Approving A Professional Services Agreement Between The City And Anser Advisory For Professional Services Related To The City's Annual Non-Ad Valorem Wastewater and Stormwater Special Assessment Programs, In An Amount Not To Exceed \$31,000 for Fiscal Year 2025-2026, Fiscal Year 2026-2027, and Fiscal Year 2027-2028 and \$16,000 for Fiscal Year 2028-2029; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

D. Resolution 2024-127, Approving a contract with Charley Toppino & Sons, Inc. for the Sombrero Boulevard Drainage Improvements Project in An Amount Not to Exceed \$4,870,496.00; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

Jennifer Johnson explained we have 1.7 million from ARPA that must be committed by the end of the month and DEP funds could be diverted. Matlock questioned why we were stopping shy of Dockside, and if could be included. Garrett explained we need to get this part approved, it is a priority, and the rest could be added later if needed.

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

MOTION: Smith moved approval of Resolution 2024-127

SECOND: Matlock

Vote of the Motion:

Yes: Smith, Matlock, Still, DelGaizo, Landry

No: None

Absent: None

Abstain: None

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

***E. Resolution 2024-128**, Approving A Memorandum Of Agreement And Covenant Running With The Land Between The State Of Florida, Department of Transportation And The City Of Marathon, Florida; Authorizing The City Manager To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date.

Citizens' Comments:

Dolly Sadowski – commented that the center line of the road on Coco Plum Drive is no longer visible and needs to be repainted.

Diane Scott – commented that there should be citizens' comments at the end of the meeting and a lot of money is being spent on Sombrero Blvd. and not the church on 42nd Street that floods as well.

Scott questioned what happened to the park director and if he was fired because of his skin color. Scott complained that the sheriff's office does not investigate her complaints.

F. Resolution 2024-129, Authorizing A Contract For Class 1 Deep Injection Well Design, Permitting, And Construction Engineering Services With Water Science Associates, LLC, In An Amount Not To Exceed \$2,833,200.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date.

Saus explained that the estimate was four million, and this is under budget.

The Mayor called for speakers, hearing no one, closed the public comments.

MOTION: Smith moved approval of Resolution 2024-129

SECOND: Matlock

Vote of the Motion:

Yes: Smith, Matlock, Still, DelGaizo, Landry

No: None

Absent: None

Abstain: None

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

***G. Resolution 2024-130** Authorizing And Approving Change Order #1 For PO 240142 with Water Science Associates, LLC From The Original Amount Of \$30,000.00 To \$45,000.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

Council Comments:

DelGaizo reminded everyone to practice extra kindness during the holiday season and remembered Frank Greenman whom she had known since she was a little girl, he was a great guy and will be missed. DelGaizo wished everyone a Merry Christmas.

Matlock informed everyone the Santa Caravan schedule was on Facebook and on the City website and wished everyone a Merry Christmas.

Still thanked the staff for their work and explained she was thankful for her fellow councilmembers for being very respectful of each other. Still wished everyone a happy holiday and remember to be grateful for the community we have.

Smith spoke of Frank Greenman's contributions to the City and to keep his wife Judy and their daughters in our prayers. Smith commented on the best tradition of the Santa caravan and reminded everyone that this time of year can be celebratory or challenging; the first responders will be working,

and our EMTs give quality care as well as the police and fire departments make him proud. Smith wished everyone Merry Christmas and thanked Shea, Garrett, and Williams for the excellent job they have done.

Landry informed everyone the resolution would be driven to the County meeting as well as emailed. Landry commented that it is a pleasure to serve on the Council with his fellow councilmembers, thanked staff, especially Solis and Bartnik for all they are doing in public works. Landry reminded everyone on December 20th of the ice-skating event at the park and that the Grinch and Santa would be there as well as pet pictures with Santa at Keys Animal Hospital tomorrow evening and wished everyone a Merry Christmas and a Happy New Year.

ADJOURNMENT

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

I certify the above represents an accurate summary of the regular Council meeting of December 10, 2024.

Diane Clavier, City Clerk

Date