

City of Marathon
City Council Action Minutes
February 11, 2025, 5:30 pm City Council Meeting Minutes

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on February 11, 2025, in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Landry called the meeting to order at 5:31 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Del Gaizo

Councilmember Matlock

Councilmember Still

Vice Mayor Smith

Mayor Landry, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

City Attorney, Steve Williams

Finance Director, Jennifer Johnson

Deputy City Manager, Brian Bradley

Planning Director, Brian Shea

Utilities Director, Dan Saus

Public Works Director Carlos Solis

Fire Chief James Muro

Code Director, Ted Lozier

Marina Director, Sean Cannon

Approval Of Agenda and Consent Agenda

Mayor Landry added item 5D, Seafood Festival Request to Serve Alcohol. Vice Mayor Smith added item 5E, Heron House Waiver of Building Fees. Willaims added item 7B, a request for an executive session for the Shands case. Vice Mayor Smith also pulled Resolution 2025-08 from the consent agenda.

MOTION: Smith moved to approve the agenda as amended.
SECOND: Matlock

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

City Council Items

- *A. Approval of Minutes
- * B. Flood Awareness Week Proclamation
- *C. KAIR Request For Approval To Serve Beer And Wine At Sombrero Beach On Friday, February 21st From 5 Pm To 6:30 Pm And Beer On Saturday, February 22nd After The 18th Annual Sombrero Beach Run Benefitting KAIR
- D. Seafood Festival Request to Serve Alcohol (Mayor Landry) – the Council gave a head nod of approval.
- E. Heron House Waiver of Fees (Vice Mayor Smith) The Council gave a head nod of approval to waive the building permit fees legally allowed.

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 Utilities Report

City Attorney

A. Authorization to initiate litigation against PAUL SCHROEDER and JESSICA SCHROEDER and their property, 742 69th Street Ocean, Marathon, FL 33050, to foreclose on the Mortgage related to the City of Marathon First Time Homebuyer Assistance Program.

Williams explained the Schroeder's were recipients of the City's \$10,000 first time homebuyer assistance loan. Williams informed the Council the Schroeder's breached the terms of the Mortgage by failing to perform all obligations under the First Mortgage, which resulted in a foreclosure action being initiated against the Property by the First Mortgage holder. Under the terms of the Mortgage with the City, all sums secured by the Mortgage became immediately due and payable at the time the foreclosure proceeding was instituted against the Property. The foreclosure proceeding was dismissed due to a loan modification on the First Mortgage. Despite repeated attempts by the City to contact the Schroeders and their attorney, we have not heard from either and wish to proceed.

MOTION: Smith moved to authorize the City Attorney to initiate litigation.

SECOND: Still

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

B. Executive Session - Williams read the following into the record: the City Council consisting of Mayor Lynn Landry, Vice Mayor Jeff Smith, Councilmembers Del Gaizo, Matlock and Still, City Manager George Garrett and City Attorney Steve Williams, and Special Counsel Hudson Gill will meet in an Attorney-Client Session, pursuant to Section 286.11 (8), *Florida Statutes* to discuss the following case: Rodney Shands vs. City of Marathon, a Florida Municipality; Monroe County, a political subdivision of the State of Florida; and Department of Community Affairs, an agency of the State of Florida; Case No. 2007-CA-99-M pending in the Circuit Court for the Sixteenth Judicial Circuit in and For Monroe County, Florida. The meeting will be held on February 25, 2025, at 5:00 pm at the Marathon City Government Offices, 9805 Overseas Highway, Marathon, Florida.

Ordinances For First Public Hearing

A. **Ordinance 2025-01**, Creating Section 18-126, Under Chapter 18, Article III Of The City Code Of Ordinances, To Be Titled “Trespass Warnings; Authorization To Issue Trespass Warning For Public Property; And Appeal Process.”; Authorizing The Enforcement Of Trespass Offenses On City Property; Providing For An Appeal Process; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; And Providing An Effective Date.

Williams explained the Ordinance outlines the authorization of enforcement of trespass offenses on City property and creates a formal procedure to provide notice to persons who may be subject to trespass from certain City property. Williams informed everyone the City currently has a Resolution with very similar language, but an ordinance is more readily searchable by all governmental agencies. Williams explained that the next hearing will be held on February 25th at 5:30 pm as a special call meeting instead of a workshop, they will be combined.

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

MOTION: Smith moved to approve Ordinance 2025-01

SECOND: Still

Vote of the Motion:

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

No: None

Absent: None
Abstain: None

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

Resolutions For Adoption

***A Resolution 2025-07**, Approving An Agreement With The Firm Of Raftelis Financial Consultants, Inc. To Complete An Impact Fee Study In An Amount Not To Exceed \$59,850; Authorizing The City Manager To Execute The Contract And Appropriate Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

B. Resolution 2025-08, Approving Amendment No. 2 To Agreement Between The Department Of The Army And The City Of Marathon, Florida For Planning Design And Construction Of The Florida Keys Water Quality Improvement Program Marathon Project In Monroe County, Florida

Smith asked for a clarification change to page 2 of exhibit A, Section A2, the last sentence to read “The deep well construction is part of the project.”

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

MOTION: Smith moved to approve Resolution 2025-08 as amended.

SECOND: Matlock

Vote of the Motion:

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

No: None

Absent: None

Abstain: None

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

***C. Resolution 2024-09**, Awarding The Contract For The Area 3 Coatings Upgrade To Reynolds Construction, LLC In An Amount Not To Exceed \$293,287.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

***D. Resolution 2025-10**, Authorizing the City Manager to Sign a Quit Claim Deed And Accept An Easement Agreement To Accurately Reflect Title History And The City’s Interest In Infrastructure Improvements Within The Deeded Area Of Lot 67 Of Little Venice Subdivision, Having Real Estate Number 00344790-000000.

***E. Resolution 2025-11**, Approving A Standard Local Agency Program Agreement Between The City Of Marathon And The Florida Department Of Transportation To Receive

Federal Funds For The Replacement Of the 117th Street Bridge; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

Citizens' Comments:

Brad Antich – spoke about the flooding on Washington Street and said it was not connected to the injection system.

Diane Scott – commented that the City did put something on 39th Street, but it no longer works. Scott also commented that the MCSO is biased, and they do not follow the laws.

Lorenzo Chiangu – thanked the MCSO and the public works employees for their assistance and kindness with the homeless on 20th Street and offered his assistance to help them.

Council Comments:

Matlock thanked the staff.

Del Gaizo thanked the staff and said she was appreciative and was getting to know the staff who were very informative. DelGaizo wished everyone a happy Valentines day.

Still thanked the staff and reminded everyone the girls high school weightlifting team sendoff will be Thursday at 8:15 am and reminded everyone of the baseball home game on Friday night. Still thanked the Sherriff's office for keeping us safe and thanked Marathon Fire Rescue for their service.

Smith wished Garrett a happy birthday and thanked the staff. Smith wished everyone a happy Valentines day and congratulated Lt. Don Hiller and gave his condolences to Chuck Brenner's wife and family on his passing.

Landry thanked the MCSO, public works for all their work on 20th Street and informed everyone of the valentine event at the park on February 13th, as well as the Sombrero Beach Run benefitting KAIR on the 22nd and the 49th annual Seafood Festival on March 8th and 9th.

ADJOURNMENT

With no further business to come before the Council, Mayor Landry adjourned the meeting at 5:57 pm with unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of February 11, 2025.


Diane Clavier, City Clerk


Date