A regular meeting of the City of Madeira Beach Board of Commissioners was held at 6:00 p.m. on October 10, 2017 in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida. Mayor Black called the meeting to order.

MEMBERS PRESENT: Maggi Black, Mayor
John Douthirt, Vice-Mayor, Commissioner District 4
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2
Nancy Oakley, Commissioner District 3

CITY STAFF PRESENT: Derryl O'Neal, Acting City Manager
Erica Augello, City Attorney
Andrea Gamble, Interim City Clerk
Walter Pierce, Finance Director
Dave Marsicano, Public Works/Marina Director

A. CALL TO ORDER

Mayor Black called the October 10, 2017 regular meeting to order at approximately 6:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Lister gave the Invocation and led the Pledge of Allegiance.

C. ROLL CALL

Interim City Clerk Andrea Gamble called the Roll and all Commission members were present.

D. APPROVAL OF THE AGENDA

Mayor Black announced that Public Comment will be held at the end of the meeting. This is on a trial basis and can be changed if it does not work out.

Vice-Mayor made a motion to approve the Agenda. Commissioner Oakley seconded the motion.

ROLL CALL VOTE:

Commissioner Oakley	"YES"
Commissioner Hodges	"YES"
Commissioner Lister	"NO"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 4-1.

E. APPROVAL OF THE MINUTES

BOC Workshop Meeting 09-26-2017
BOC Special Meeting 09-25-2017
BOC Second Budget Hearing 09-19-2017
BOC First Budget Hearing 09-05-2017
BOC Workshop Meeting 08-29-2017
BOC Workshop Meeting 08-22-2017
BOC Regular Meeting 08-08-2017
BOC Special Meeting 06-27-2017

BOC Workshop Meeting 06-27-2017

Commissioner Hodges made a motion to approve the Meeting Minutes as listed. Commissioner Oakley seconded the motion.

Commissioner Hodges noted an error in Agenda Item D (2) the September 26, 2017 BOC Workshop meeting minutes. In the second to the last sentence it says, "The Commission seemed to like this new approach toward the budget development." Commissioner Hodges said she did not like the new approach and said so and that her comments should have been made in the minutes.

The Interim City Attorney said that needed to be reflected in the minutes because the motion on the table is to accept the minutes as they stand.

Commissioner Hodges withdrew the original motion and made a motion to approve the Meeting Minutes with the correction to the September 26, 2017 BOC Workshop meeting minutes to state her own views on Agenda Item D (2). Commissioner Oakley seconded the motion.

ROLL CALL VOTE:

Commissioner Lister	"YES"
Commissioner Hodges	"YES"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 5-0.

F. PRESENTATIONS

Key to the City - Mayor Black presented a key to the City to the Madeira Beach Babe Ruth Softball Team for victory as District Champions in the State. Jay Hatch from the Recreation Department commended the team for their victory.

The Annual Fire Prevention Proclamation - Mayor Black read a proclamation proclaiming October 8 – 14, 2017 as "Fire Prevention Week throughout the community." The Fire Department staff accepted the proclamation.

Penny for Pinellas Referendum Presentation - Josh Boatwright, representative from Pinellas County gave a presentation on the Penny for Pinellas referendum. He explained its purpose and said that approval will be for the next ten years.

G. CONSENT AGENDA

Mayor Black amended the Consent Agenda to include the Resolutions that are included later in the Agenda Packet at the advice of the Interim City Attorney.

The Interim City Attorney read the title of the five Consent Agenda items. She said the resolutions are being amended to allow for more participation and less number of members as discussed at the previous workshops.

1. **Board of Commissioners Policy Handbook Update/Code of Conduct**
2. **Support for Federal Transit Administration Grant – (No budget impact) to sign letter**
3. **Resolution 2017-08, Amending Resolution for Membership of Bid Committee**
4. **Resolution 2017-09, Amending Resolution for Membership of Budget Committee**
5. **Resolution 2017-10, Amending Resolution for Membership of Charter Committee**

Commissioner Hodges said the Bid Commission is normally done through the City Manager. The City Attorney said these are bids that are out that will go before the Bid Committee and then a recommendation would go before the Board of Commissioners. The Boards make a recommendation based on the information they receive. The ultimate decision relies with the Commission. Commissioner Hodges asked if that would be interfering with the Charter, the Administration part. The Interim City Attorney said no. Many municipalities have bid committees. It allows the residents a more active input and engaged electorate as to where the City's money is being spent. This is to aid the Commission in accepting proper bids.

Commissioner Lister asked if a member could serve on more than one Committee. The Interim City Attorney said it is possible that a member could serve on more than Committee. The only people that cannot serve on more than one Committee unless otherwise specified are members of the State Legislature, members of the Elected Officials in this City or otherwise prohibited employees.

Regarding Consent Agenda Item 1, Commissioner Hodges said in the Board of Commissioners Policy Handbook Update/Code of Ethics, Page 5, under Government Access Channel it says that the MB-TV channel is used to broadcast and re-air the Commission meeting. She had called Bright house and was told that they do not re-air the meetings and never have. They only show it on Channel 640 on the night of the meeting. The Mayor said the handbook can be amended to take that out.

Commissioner Hodges said on Page 11 of the handbook under Regular Meetings it says, "An agenda setting meeting is to begin at 5:45 p.m. for the sole purpose of setting the Workshop Agenda for the Workshop to be held on the fourth Tuesday of the month." She said we have not had an Agenda Setting Meeting in the last six months and those meetings are important.

Commissioner Hodges said on Page 11 of the handbook under Workshop Meetings it says that unofficial "straw votes" votes may be taken or a consensus but under Robert's Rules of Order a consensus must be a verbal response. Interim City Attorney said the Commission needed to give a verbal response, Yay, or Nay. The Mayor said it needed to be included in the motion to take that word out.

Commissioner Hodges made a motion to approve the Consent Agenda with the changes to Board of Commissioners Policy Handbook Update/Code of Conduct to remove the word "re-air" and "straw vote." Vice-Mayor Douthirt seconded the motion.

ROLL CALL VOTE:

Commissioner Oakley	"YES"
Commissioner Hodges	"YES"
Commissioner Lister	"NO"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 4-1.

H. PUBLIC HEARING – Public Hearing to consider a redevelopment plan for property located at 374 145th Avenue East. The applicant is seeking to demolish and rebuild within the same footprint a single-family residence on this property. The property is zoned R-2 (Low Density Multi-Family Residential) and has a Future Land Use designation of RM (Residential medium). – Luis Serna

Luis Serna, AICP, Planning and Zoning Consultant Calvin, Giordano & Associates, Inc., presented staff comments on the public hearing item to the Commission. He said this is for redevelopment under Section 110-97 of the Land Development Code for property located at 374 145th Avenue East. This section of the Code allows for redevelopment of non-conforming property subject to meeting other construction standards in the Code including meeting the base flood elevations standards, maximum height standards, and current building codes. Applicants do not have to meet current setback standards because these properties are typically non-conforming as they exist. To encourage them to redevelop under current flood regulations and building standards, the applicant must demonstrate that the proposed development is at least as non-conforming or conforming to a greater degree regarding setbacks and building coverage as the existing non-conforming development. In the application presented is a table indicating where the site does and doesn't meet current R-2 zoning district standards. The lot width is not consistent with the current standards of the zoning district and the house does not meet the front setbacks, rear setbacks, or side setbacks. As required by Code the applicant provided a proposed site plan demonstrating compliance and demonstrating how compliance with the redevelopment standards and demonstrating how the redevelopment will take place on the site. The Planning Commission reviewed this item on October 2 and unanimously recommended approval of this subject to the four conditions that are included in the staff report. Staff is also recommending approval of the redevelopment plan subject to the following conditions:

1. The proposed reconstruction shall be for a single-family residence.
2. The proposed redevelopment shall be within the footprint and setbacks as shown on the redevelopment plan submitted with application.
3. The proposed redevelopment shall be consistent with the proposed development standards as indicated in the comparison table of the report.
4. The proposed redevelopment shall comply with existing building codes in existence at the time of permitting for such redevelopment.

The recommendation for approval by the Planning Commission and Staff is subject of these four conditions.

Vice-Mayor Douthirt asked if this meets all FEMA requirements due to past issues and Mr. Serna explained yes.

Mayor Black inquired about the footprint. It indicates that they would be the same, but they are different. Mr. Serna explained the black and white survey in the packet is the survey of the existing property and the blue indicates the proposed footprint as quantified in the table in the report. The front setback currently sits 19.41 feet on the black survey and in the blue, they are proposing 24 feet. It is more compliant with the front setback requirement. The rear setback is six feet on the current survey and they are proposing 15 feet. They are basically not complying with the standard of the R-2 District, but they are more compliant than the existing structure.

Mayor Black said the proposed foot print is different than what is currently there. Mr. Serna said in the way it is worded it does say within the same foot print but to encourage flexibility their understanding of that section is that it must be at least compliant with that. They are reducing the building coverage from the existing footprint so rather than requiring them to build to 38.9% coverage as it exists, this allows them the flexibility of reducing it to 35% as they are proposing. It is not exactly the same footprint, but it is more compliant or at least compliant with the existing structure.

Mr. Serna's testimony was sworn in by the Interim City Attorney.

The representative of the applicant after being sworn in by the Interim City Attorney said they are making the existing home much more compliant and explained so. He said the plan put in place by the City requires compliance. The applicant is asking for some relief, so they can have a porch overlooking the back deck. Instead of three feet off the seawall it will be 15 feet instead to give the neighbors a better view.

Peter Trott, affected party, after being sworn in, said he lives next door just to the east of the property and has lived there for many years. He said the rear set back affects his property and then gave information to the Interim City Clerk to distribute to the Commission. The Interim City Attorney said the information will be made part of the evidence. Mr. Trott said the classification of the setback of the property in non-compliant when it was constructed back in the 50s. However, his problem is that a back patio was added in 1976. The concrete patio was replaced with a 2' x 6' patio with a cover. It had nothing to do with the property footprint.

They are trying to increase the rear footprint that had no visual problem and now they would like to replace it with something several stories high. That will take his sunset away completely. The proposal affects his property value and it totally eradicates his sunset. He is not wanting them not to develop the property or to delay the development he just does not want it depreciating his property by doing so. He asked that the approval not be delayed but put the amendments in. Mr. Trott explained what he thought the amendment should say. Mr. Trott questioned the representative of the applicants and the representative explained how the project would not be encroaching on his property.

Mr. Serna said it appears that the portion of the existing structure is the covered porch. Based on the report from 1996 there are no permit records but there has not been any Code Enforcement action on the property to indicate that it is a non-forming structure, so they are assuming it was erected legally. There was a variance that was granted on the site in 2013 and at that time, that was the same conclusion of staff that the overhang was permitted legally. They cannot base their findings on the property appraisers' records because they may not have recorded the issuance of the permit. So, based on their research they are non-conforming but legally so.

The applicant said in 1951 when the house was built it was constructed with a 10' x 20' back porch on concrete. In 1980 there was a City appraisal showing the 10' x 20' back porch being there. In 2013, he requested to change it and put a new one up to bring it in more compliance. It was granted at that time and taken to district court and they confirmed it in 2014. He was frustrated at that time and didn't follow through.

Mr. Trott said in the appraiser's report they do have a spot that shows the permit data and it is on every one of them and they are correct. There was a concrete pad behind and that is not part of the footprint. He explained other improvements made there over time and said none of that is part of the footprint. The applicant said to demolish and replace on the footprint he does not have a problem with increasing or decreasing the frontage or the sides of the property. He does have a problem of trying to include improvements, landscape, driveways, docks, and the porch but he does not want to give up what he has. The footprint does not meet back setbacks the way it is, but it has been there since 1951 and it should stay as is. To add 240 feet on one, two, or three levels to a house which must be worth $100 a foot and to give that advantage to a development at the detriment of a similar amount of money to the value of his land, his lot, his house of many years. He wants the approval of redevelopment, he just wants it amended on the rear setback to the original and unchanged setback which in fact is not enough for Code, but it is what it is, and he can live with that.

After being sworn in a resident who explained she was an affected party said she had no problem with what they are doing. She would like to see the property values increase in Madeira Beach, but she does not think that would increase at the rate of other beaches unless we allow improvement and allow people to come in and build beautiful up-to-date homes.

After being sworn in, Steve Kochick, resident, asked why this was not a variance hearing. The Interim City Attorney said this is for redevelopment and not a variance from the Codes.

The applicant representative explained how Mr. Trott would have a better view than what he already has and how the development is better for him and for the community. He asked for approval.

Mr. Serna said staff does stand behind their findings. It is very difficult to demonstrate something that old does or does not have a permit but based on information they have they feel that their findings are valid. They typically find out from Code Enforcement findings and there are no records in this case.

The Interim City Attorney reminded the Commission of the rules.

Vice-Mayor Douthirt questioned the rear setback requirements. What is stated in the Code is different than what is proposed. Mr. Serna explained that the required is basically under R-2 and they are dealing with a substandard lot. There are a lot out there in Madeira Beach that do not meet the current standards of their zoning district. In this case, to encourage redevelopment, they encourage allowing the applicant to build something better than what exists currently as far as setbacks. Vice-Mayor Douthirt asked if the Commission needed to look at changing the Code in the future. The Interim City Attorney said this is an application for redevelopment. The reason this is part of the Code is to allow for those homes that were built prior to the new setback requirements being adopted in the Code is to allow for home owners to redevelopment at the same footprint or better.

Commissioner Oakley asked the actual setback from the seawall to the house not including the porch and Mr. Serna explained.

Vice-Mayor made a motion for approval without the conditions recommended by staff. Commissioner Lister seconded the motion.

ROLL CALL VOTE:

Commissioner Oakley	"NO"
Commissioner Hodges	"YES"
Commissioner Lister	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"NO"

The motion carried 3-2.

I. UNFINISHED BUSINESS

1. Ordinance 2017-09, A First Reading Repealing and Replacing Division 14, Section 110-940 – Medical Marijuana Dispensaries

The Interim City Attorney read Ordinance 2017-09 by title only.

Commissioner Hodges made a motion to approve Ordinance 2017-09. Vice-Mayor Douthirt seconded the motion.

Steve Kochick, resident, commented in opposition of the proposed ordinance.

ROLL CALL VOTE:

Commissioner Oakley	"YES"
Commissioner Hodges	"YES"
Commissioner Lister	"NO"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 4-1.

The Interim City Attorney reviewed Agenda Items 2, 3, and 4. She asked the Commission to use the tabulation sheets given to them to decide which applicants they would serve as regular members and alternate members on each of the boards. The Interim City Clerk will tally them and tell the Commission who the majority is, and the Commission can make the appointments. Vice-Mayor explained the tally sheets he prepared.

2. Applications for Bid Committee – Doreen Moore, Paul Tilka, George Mohns, Gerri Clyatt, Jim Everett, Michael Wyckoff, Pam Rasmussen and John Hendricks

The Interim City Clerk said the most votes for the regular members are George Mohns, Gerri Clyatt, Jim Everett, Pam Rasmussen, and John Hendricks. The most votes for the alternate members are Doreen Moore, Michael Wyckofff, and Paul Tilka.

Vice-Mayor Douthirt made a motion to appoint George Mohns, Gerri Clyatt, Jim Everett, John Hendricks, and Pam Rasmussen to serve as regular members to the Bid Committee and to appoint Doreen Moore and Paul Tilka to serve as the alternate members to the Bid Committee. Commissioner Lister seconded the motion.

Steve Kochick, resident, congratulated the people who applied to serve as members on the committees to help the community. He asked how long the committee will be in effect, how often would they meet, and if they would be sitting in on RFPs and sealed bids. The Mayor said she would assume the committees will come up with their own rules, but they will review the bids. The City Manager said they will be an advisory board to the City. The Mayor said they will be looking at the bids and giving the Commission their advice. Mr. Kochick asked that since the bids normally go to the City Manager who would they be advising. The Interim City Attorney said it is a way for the public to get involved with the City and to have a say. Mr. Kochick said they weren't allowed to interfere with the City Manager and his running of the City. The Interim City Attorney said there is nothing in the Charter that says the public can't advise, talk to, or interfere in public business. She asked Mr. Kochick to provide her with the specific provision he is referring to, so she could get him an opinion on that.

ROLL CALL VOTE:

Commissioner Lister	"YES"
Commissioner Hodges	"YES"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 5-0.

3. **Applications for Budget Committee – Deby Weinstein, Marvin Merrill, Doreen Moore, June Mohns, Tom Edwards, Michael Wyckoff, John Hendricks, and Jim Everett**

The Interim City Clerk said the most votes for the regular members are Deby Weinstein, Marvin Merrill, Tom Edwards, and Jim Everett. She said two members tied with three votes and those are June Mohns and John Hendricks. The most votes for the alternate members are Doreen Moore, Michael Wyckoff, and Jim Everett.

Vice-Mayor Douthirt made a motion to appoint Deby Weinstein, Marvin Merrill, Tom Edwards, Jim Everett, and June Mohns to serve as regular members to the Budget Committee and to appoint John Hendricks and Doreen Moore to serve as the alternate members to the Budget Committee. Commission Oakley seconded the motion.

ROLL CALL VOTE:

Commissioner Oakley	"YES"
Commissioner Hodges	"YES"
Commissioner Lister	"NO"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 4-1.

4. Applications for Charter Committee – Sam Baker, Doreen Moore, Paul Tilka, June Mohns, Gerri Clyatt, Jim Everett, Michael Wyckoff, and John Hendricks

The Interim City Clerk said the most votes for the regular members are Sam Baker, Paul Tilka, June Mohns, Gerri Clyatt, and Doreen Moore. The most votes for the alternate members are Michael Wyckoff, John Hendricks, and Jim Everett.

Vice-Mayor Douthirt made a motion to appoint Sam Baker, June Mohns, Paul Tilka, Doreen Moore, and Gerri Clyatt to serve as regular members to the Charter Committee and to appoint Michael Wyckoff and John Hendricks to serve as alternate members to the Charter Committee. Commissioner Oakley seconded the motion.

ROLL CALL VOTE:

Commissioner Lister	"NO"
Commissioner Hodges	"NO"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 3-2.

5. Civil Service Commission – Paul Tilka and John Hendricks

The Interim City Clerk said both applicants have a tie vote.

Commissioner Lister made a motion to appoint John Hendricks to serve as a regular member to the Civil Service Commission. Commissioner Hodges seconded the motion.

ROLL CALL VOTE:

Commissioner Oakley	"NO"
Commissioner Hodges	"YES"
Commissioner Lister	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"NO"

The motion carried 3-2.

6. Planning Commission – Marilyn Rappa and John Hendricks

Vice-Mayor Douthirt made a motion to appoint Marilyn Rappa to serve as a regular member to the Planning Commission. The motion was seconded by Commissioner Oakley.

ROLL CALL VOTE:

Commissioner Lister	"YES"
Commissioner Hodges	"YES"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 5-0.

7. Participant Agreement for Disaster Debris Collection & Removal Services

Dave Marsicano, Director of Marina and Central Services, reviewed Agenda Item 7. He said the agreement is between the City and the County and that there is nothing to sign or vote on.

8. Home Rule (Resolution 2017-11)

The Interim City Attorney read Resolution 2017-11 by title only.

Commissioner Lister made a motion to adopt Resolution 2017-11. The motion was seconded by Commissioner Hodges.

Commissioner Lister said cities have been losing this battle in Tallahassee for 15 years. They are taking a lot of unfunded mandates and throwing them back down to the cities to have to deal with. We need to support our representatives and senators who put Home Rule in the forefront of their campaigns.

ROLL CALL VOTE:

Vice-Mayor Douthirt	"YES"
Commissioner Oakley	"YES"
Commissioner Hodges	"YES"
Commissioner Lister	"YES"
Mayor Black	"YES"

The motion carried 5-0.

9. Hiring of the City Clerk

The Acting City Manager reviewed Agenda Item 9. He said there were two applicants that the Commission interviewed.

Commissioner Hodges said she interviewed Clara VanBlargan and found her to be very friendly and she would be a good asset to the City. The first thing Ms. VanBlargan said to her when walking into meet her was that she just loved this City, she and her husband came down and went through the whole complex and looked in all the windows checking things out. She was so excited and had a good attitude and she would be a good fit.

Commissioner Oakley said Ms. VanBlargan also has a Master Certification which pushed her over the top and she seemed very knowledgeable about things that go on in the City, certain processes and procedures, and she liked her too.

The Interim City Attorney suggested that the motion should be to allow the City Manager to make an offer and then the Commission could appoint someone afterwards.

Commissioner Oakley made a motion to offer Clara VanBlargan an opportunity to be City Clerk for the City of Madeira Beach. Commissioner Hodges seconded the motion.

ROLL CALL VOTE:

Commissioner Lister	"NO"
Commissioner Hodges	"YES"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 4-1.

10. City Manager Contract

The Interim City Attorney said she had spoken with the Chief and there were a couple revisions to the contract. One of the sections in the contract that the Commission discussed about the probationary period the Chief elected to remove that, so it will not be part of the contract. The other revision made had to do with sick pay. The contract as presented last time had 25% of any and all accrued sick leave to be paid and available at termination. The Chief has asked that the clause for termination allow from 25% to 100% payout for sick leave. That was the only other change that was made to the contract from the last time they spoke.

Vice-Mayor Douthirt asked when the contract would go into effect. The Interim City Attorney said if he is appointed this evening we would have the contract executed this evening.

Commissioner Lister asked if the contract is executed this evening would the $125,000 salary start today. The Interim City Attorney said the contract can be amended and executed tomorrow or Monday, the beginning of the pay period. He could be appointed tonight to start at a future date.

Commissioner Lister said $125,000 is overpaying him. Chief O'Neal had asked for $135,000 automatically in six months, and if he wanted to write a contract in his favor that was it.

Chief O'Neal said he would like to have the contract retroactive after it is approved. The Interim City Attorney advised that it not be done.

Vice-Mayor Douthirt made a motion to appoint the City Manager with the terms provided for in his contract effective the first day of the pay period. Commissioner Oakley seconded the motion.

Commissioner Hodges said she really respected Chief O'Neal as the Fire Chief and she would like to see him stay as the Fire Chief.

Robert Preston, resident, said $125,000 is just the base pay and with benefits that is $145,000, which is too much.

Ann Rasmussen, resident, said as a school teacher she is in the State pension and the Chief is also in that plan. His retirement is based on his last five years. So, increasing his pay increases his retirement substantially.

Doug Andrews, resident, said this is a big decision for the Commission because managing people is not easy. Being a City Manager is hard. If he was in the shoes of the Commission, there would be many questions to ask.

Debby Weinstein, resident, said she has been a resident and property owner in the City for over 40 years. She has worked very well with Derryl as Fire Chief and as the acting City Manager. He has been an excellent representative for all the citizens in Madeira Beach. For the elected officials he has been an excellent conduit for the employees in many crisis situations. The Commission would be doing the City injustice if it does not have Derryl to be the next City Manager.

Morgan Domingue, resident, commented that the Chief and his team did a wonderful job at responding when her house caught on fire, took care of them and gave them all the information they needed, and it was a wonderful experience. That is what the Chief is very good at. The recent action of firing Doug Andrews as Recreation Director has a direct effect on him and all the other children in and around the community. That was not the right decision and there could be more wrong decisions coming from that. The Chief is not the right candidate for the City Manager position. There are other candidates out there that could be explored.

ROLL CALL VOTE:

Commissioner Lister	"NO"
Commissioner Hodges	"NO"

Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 3-2.

The Mayor thanked the Chief for his leadership over the past five months and that the City is very lucky to have him lead us.

J. NEW BUSINESS

K. PUBLIC COMMENT – LIMITED TO THREE (3) MINUTES

Lori Marsh, resident, said she is a resident and business owner in the City. She explained why she was so proud that her family lives in the City. She then asked to have chickens in the City and to allow the County's backyard chicken ordinance to apply here as well. She is not asking to reinvent wheels, but we live in Pinellas County and they have established ordinances regulating backyard chickens. We permit dogs, so we should permit chickens as well and explained why.

A woman that did not give her name thanked Dave and his crew for doing a wonderful job for the City. Dave thanked her and said he is only good as those around him and he is lucky to have a great crew.

Steve Kochick, resident, commented that public comment should be at the front of the meeting to allow those that need to speak early to do so. He then commented on the Charter regarding Open Meetings and said that allowing the public to comment is part of the job. He asked the Commission to put the public comment back where it was. Let the people say what they want to say even if that is all they come to do.

John Hendricks, resident, commented in agreement with Steve Kochick regarding public comment. He asked the new Mayor what the new plan was for the City and said since she has been in office there is no plan.

Ron [last name?], resident, complemented the city for passing the marijuana ordinance, thanked the Public Works Department for doing a good job, and thanked the City for appointing citizens to its boards.

Jim Everett, resident, commented that the Commission Handbook is supposed to be addressed after the election and it is just now being addressed. He would like to see better adherence to our City government as opposed to what it wants to do. The new Charter Committee might want to address that. If we have rules we need to follow them.

Rose [last name?], commented on the negative personality in the City and said no one person runs this City. She is tired of listening to the garbage that goes on at the meeting. People need to start working together and showing respect for one another because it is time to make the City great again.

Jim Beggins, resident, said we need to rebuild the City from bottom up, start increasing property values, and increasing bed taxes coming from hotels and legal short-term rentals. He will not build anymore houses in Madeira Beach unless things change.

Jay Herbert, attorney for Shane and Cheryl Crawford, said they have a right to be in this City and be a part of it. He will be working with concerned citizens addressing Sunshine Law violations and Recall issues. We do not want to limit public comment or silence our citizens in any way. The Commission chose to serve and serve at the pleasure of the people of Madeira Beach. We need to make a positive change moving forward.

Robert Preston, resident, said he was disappointed in the newly elected commissioners and he is behind the Recall of Commissioners Douthirt and Oakley and it would be best if they resigned to save the City a lot of money.

Deborah Rogowski, non-resident, said she spends most of her time in Madeira Beach and by moving public comment the City is saying it does not want to listen to its citizens. She asked that public comments be moved back to the beginning of the meeting.

CLOSED TO PUBLIC COMMENT

L. REPORTS/CORRESPONDENCE

- **CITY COMMISSION**

Commissioner Lister said Keystone is working hard in his neighborhood. The concrete work is very nice, but people are commenting on how they dislike the dirt road that we built two months ago. It is a mud hole. We need to call a meeting about that.

David Marsicano, Director of Marina and Central Services said they are working on it. Regarding Boca Ciega Bay, the project is a little behind. The tides not only flooded Boca Ciega but most of the areas in town. They finally found a working check valve for a lot less money, which is about $2,500 per valve vs. $18,000 per valve and maintenance is much easier. The number of check valves needed is about 10 to 15.

- **CITY ATTORNEY**

No report.

- **CITY MANAGER**

The City Manager thanked the Commission for the opportunity to serve as city manager. He did not ask for the vacancy but was trying to fill it and help the City operate at the level it should have during that vacancy. We must get back to running the City and stop the drama. People has complained that nothing has been happening in the City government in the past five months, but it has. We are in a rebuilding process and have gotten people on board to help manage this City. Finance Director Walt Pierce did a phenomenal job at putting the budget together and in maintaining the millage in a short amount of time. The interim city clerk has been inundated with public records requests at the same time of doing a lot of work keeping the City at sea level. Thank goodness, we have hired a city clerk and the goal is for her to start work next Monday, which will be a huge plus for us. We've hired an executive assistant that has done a great job for us and keeping things operational. She helped with getting the two stewardship reports done. We were over budget of about $25,000 in paying planning consultant fees because we have never replaced our city planner, so we have now hired a new city planner.

The City Manager reported on the current legal issues. He said the City and the developers will get part of what they want so it is sort of a win-win situation. He is hoping that with the next developer's agreement that will be coming next month we will be able to get a similar type of agreement, so everyone will win. The last legal situation he was fortunate to negotiate he got the price reduced from $300,000 to about $135,000 but that is a lot of money to be giving away when it could be used for City functions. It must be a cooperative agreement or we all will be losing a tremendous amount of money in this process.

The City Manager explained that we have been playing a lot of catch up. He set up a meeting with the Florida Institute of Government to talk about a direction and what we would like to see in the future for our community and that is what we need, a common focus and how we are going to get there. There have been a tremendous number of things that have happened in the past five months. It has been a long process, but it has been City staff working together in getting that accomplished.

- **CITY CLERK**

No Report.

K. ADJOURNMENT

The Mayor adjourned the meeting at 9:19 p.m.

Maggi Black

Maggi Black, Mayor

ATTEST:

Clara VanBlargan

Clara VanBlargan, MMC, MSM, City Clerk