A regular meeting of the City of Madeira Beach Board of Commissioners was held at 6:00 p.m. on December 12, 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
Ralf Brookes, City Attorney
Clara VanBlargan, City Clerk
Walter Pierce, Finance Director
Dave Marsicano, Public Works/Marina Director

A. CALL TO ORDER

Mayor Black called the December 12, 2017 regular meeting to order at approximately 6:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

C. ROLL CALL

City Clerk Clara VanBlargan called the Roll and all Commission members were present.

D. APPROVAL OF THE MINUTES

- 10/10/2017 BOC Regular Meeting
- 10/24/2017 BOC Workshop Meeting
- 11/07/2017 BOC Interview Workshop Meeting – Attorney Ralf Brookes
- 11/07/2017 BOC Interview Workshop Meeting – Attorney Regina Kardash
- 11/13/2017 BOC Strategic Planning/Goal Setting Meeting
- 11/14/2017 BOC Regular Meeting
- 11/28/2017 BOC Workshop Meeting

Commissioner Lister pointed out an error in the 11/07/2017 BOC Interview Workshop Meeting minutes regarding Attorney Ralph Brookes. Mr. Brookes was referred to as a she.

Commissioner Lister made a motion to approve all the minutes listed with the correction to be made to the November 7, 2017 city attorney interview with Attorney Ralf Brookes. Commissioner Hodges seconded the motion.

ROLL CALL VOTE:

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

Motion carried 5-0

E. APPROVAL OF THE AGENDA

Commissioner Lister commented that the agenda he received on Thursday or Friday prior to the BOC meeting is different than what is before him today. He asked that the purchase of the wireless microphone systems item that was added to the agenda be pulled for separate discussion and vote.

Commissioner Oakley asked that the dumpster item be pulled from the Consent Agenda and be placed under New Business because she did not feel comfortable approving money on the Consent Agenda.

Finance Director Walt Pierce explained that the wireless microphone item was discussed at the last workshop meeting. It was the Commission's desire to go to more of a roundtable workshop type setting. The City's network company recommended that this system be used to be more compatible with the equipment that we are using in the Chamber. This system is movable to be used in other locations as well.

Commissioner Oakley made a motion to approve the amended agenda. Vice-Mayor Douthirt seconded the motion.

ROLL CALL VOTE:

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

The motion carried 4-1.

I. PRESENTATIONS/PROCLAMATIONS

1. Pinellas County Transportation – Transfer of FDOT Signals and Street Lighting to Pinellas County from Madeira Beach

Tom Washburn with Pinellas County Public Works introduced with him, John Lemonias with ITS Construction and said they will be transferring from the City of Madeira Beach to Pinellas County the maintenance of the signals and street lighting that FDOT owns. Most of the cities in the County have an annual contract with FDOT to do that maintenance. A couple of those cities suggested that FDOT contract with Pinellas County to do the maintenance instead, which is the purpose of the presentation tonight. The FDOT will now be contracting that work out to Pinellas County instead of to the cities. The contract is renewed annually.

Commissioner Lister said they had discussed the need for additional signals to be placed in much needed places and asked if the FDOT would be the ones to install those. Mr. Lemonias said FDOT owns the state roads for they are only the maintenance entity. He said they make they recommendations to FDOT who is the decision maker. Commissioner Lister asked if there would be a problem with the two-different lighting we have in Madeira Beach and Dave Marsicano, Public Works/Marina Director explained no. He said transferring will save the City money and in staff time.

OPENED PUBLIC COMMENT

There were no comments made by the public.

CLOSED PUBLIC COMMENT

Commissioner Lister made a motion to Transfer the FDOT Signals and Street Lighting to Pinellas County from Madeira Beach. Commissioner Oakley seconded the motion.

ROLL CALL VOTE:

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

The motion carried 5-0.

II. DAIS LOG

1. PURCHASE OF WIRELESS MICROPHONE SYSTEMS FROM NETWORK PEOPLE, INC. FOR $10,049.00.

Finance Director Walt Pierce explained that the wireless microphone item was discussed at a previous workshop. This wireless microphone system will fit the purpose of the roundtable workshop setting that the Commission asked for. This was the most inexpensive option provided.

The Mayor asked the most expensive option and Mr. Pierce said about $30,000, which unlike the other one is a more of a permanent fixture. The movable system is preferred so it could be used in other meeting rooms.

Commissioner Lister said he was not sure of what the new Bid Committee does and asked if the Committee was given any bids on the wireless microphone system. Mr. Pierce said no, this is just a recommendation from the City's network people. They are the professionals and we take their advice and recommendations.

Commissioner Oakley said she would like to see additional quotes because the quote from the Network People is very high.

Commissioner Lister asked to take it to the Bid Committee.

The Mayor agreed that the quote is a large number and that we needed to get more quotes and Commissioner Oakley said especially just for a speaker.

The City Manager said the item will go on the next workshop agenda for discussion.

F. PUBLIC COMMENT

Steve Rainow, 557 Crystal Drive, commented on how he was moved by the invocation that was given, it was sincere and to the point. He said he enjoyed having Madam Mayor and Commissioner Oakley with him on the Judges boat in the Veteran's Day Parade. He then stressed how everyone should move forward together for the good of all the citizens and the City of Madeira Beach.

Robert Preston, citizen, said he did not agree with the Mayor's comment made at the last workshop meeting when asking Commissioners Lister and Hodges to resign. They are the ones that have done the best for the City in counteracting what the other commissioners have done negatively and he hoped that they both succeed in the following years. He said negative comment give more signatures to the Respect Mad Beach Recall Petitions.

Deborah Rogowski, 17177 Gulf Blvd, commented in favor of Commissioners Lister and Hodges and said they love Madeira Beach and have proven to be very experienced and knowledgeable. He explained that they are not the Commissioners to be recalling.

John Hendricks, 569 Normandy Road, said a few people attended the last Board meeting. He suggested that the City also email the meeting notice since the City has an email list of most everyone in the City. Mr. Hendricks commented on how Commissioners Lister and Hodges were asked to resign based on violation of the Sunshine Law. He said the Sunshine Law had been violated by the other Commissioners as well. He said the first phase of the recall petition process is done and he was sure that the second phase will be easier than the first phase.

Linda Hein, 50th Avenue, said some of the people did not like the way the City was being run so they voted for new commissioners. The reason Commissioners Lister and Hodges were asked to resign was because of violating the Sunshine Law and the City's Charter provides for that. The courts have ruled that they violated the Sunshine Law and all the other things that are being thrown out about the Mayor and other two Commissioners are things that have not been proven in court yet. Ms. Hein said she was one of the people that were eating tacos with Commissioners Douthirt and Oakley at Castaways and City business was not discussed, so the accusations made otherwise is garbage. Taking pictures of them eating at Castaways does not prove anything. She hoped that everyone would together try making the town a little better. There will always be disagreements among the Commission, but they were voted in for the good of the City, so we have all got to be more positive about things and stop making accusations.

Michelle Loss, 280 E. Madeira Avenue, said her husband opened his business in Madeira Beach in 1996 and it has continued to grow and thrive. They've made it through the hurdles, climbed the hills, and made it back on top. It took confident commitment and hard work and not only to the business but also to the community. The business thrived because the City was thriving because of its leadership. The leadership we have today is not the same and there is no plan to re-nourish. The priority of the City seemed be to clean house when it was already clean. It worried about what titled position had the most personal gain, power, and monetary needs. The few that survived the mass firings or removals in the abundance of ignorance deserved a lot of credit and support from our community for sticking it out. Commissioners Lister and Hodges know the meaning of hard work and dedication, and their message is clear that they truly care about Madeira Beach.

Bill Carns, 19424 Gulf Blvd., thanked Commissioners Lister and Hodges for what they do for the community and thanked all the City employees who attended and assisted in the recent special event.

Pastor from Crossbridge Church, thanked Commissioners Lister and Hodges for their commitment and leadership. He said that from a pastor's perspective Madeira Beach has a lot of people wanting their way and that needed to change.

Marvin Merrill, said comments made at the meetings are very degrading and he does not agree with everything voted on, but the Commission is doing what it can and is trying to do a great job.

G. CONSENT AGENDA

I. APPROVAL FOR THE MAYOR TO SIGN A LETTER ON BEHALF OF THE CITY OF MADEIRA BEACH APPROVING THE DISTRIBUTION OF FUNDS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND LISTS THE PROJECTS TO BE FUNDED

Mayor Black reviewed Agenda Item G1.

OPENED PUBLIC COMMENT

There were no comment by the public.

CLOSED PUBLIC COMMENT

Commissioner Lister made a motion to approve the Consent Agenda excluding Agenda Item G2 because it was moved to NEW BUSINESS. Commissioner Oakley seconded the motion.

ROLL CALL VOTE:

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

The motion carried 5-0.

H. UNFINISHED BUSINESS

I. CONTRACTS/AGREEMENTS

I. COMPLUS DATA INNOVATIONS, INC. AGREEMENT – PARKING ENFORCEMENT HANDHELD TICKETING DEVICES

Finance Director Pierce reviewed the agenda item and said the City has contracted with Complus Data Innovations, Inc. for the past three years and explained the contracted services provided to the City. The new contract will include the two, new advanced hand-held devices that will work with the new parking machines that have been installed. The current fees for the collected revenue remains at 12.5%, the same as the previous contract. Without the two new hand-held devices the new cellphone application will not work. The new equipment plus the software will work with the new parking machines.

The Mayor asked how soon the City could have that. Mr. Pierce said we are hoping in the next couple weeks.

Commissioner Lister asked the length of the new contract and Mr. Pierce said three years.

Vice-Mayor Douthirt asked about the secondary/advanced collections fee of 35.5%, the $3.50 online ticket payment fee, the up to 8 hours custom programming included per contract year, and the additional programming to be billed at the rate of $150 per hour. Mr. Pierce said anything after 8 hours the price goes up to the $150 per hour. Vice-Mayor Douthirt said the fees seem too high.

Vice-Mayor Douthirt asked about the reimbursement the postage reimbursement. Mr. Pierce said it is the same contract we have had with them. Vice-Mayor Douthirt said he is not arguing that, he wanted to know what it all meant and what is it costing the City. Mr. Pierce said it is the same cost we have been experiencing for the last three years and said he was not prepared to give the exact postage amount, but he can find out and let him know. The bottom line is if the contract is not approved we do not get the two new hand-held devices the new parking machines installed last week will not work with the mobile application feature. Vice-Mayor Douthirt said this is something that should have been looked into beforehand.

Commissioner Lister said the company we had before this three-year contract was way more expensive. We were paying a lot more than 12.5% but the same as with any subcontractor they start low and then start adding things after getting their foot in the door. He asked Mr. Pierce to question and find out why they are adding things because we do not want to be taken advantage of through the contract. By questioning them we get a little more information and he is okay with that. He would like to know specific numbers and not just sign a blank check. It is bothersome that the system will not work until we get the two hand-held devices. That is almost blackmail to a certain extent because we just paid $160,000 for the new machines and we cannot use them without the two black boxes, which he understands that those black boxes are a big deal, but it is upsetting that they are holding that against us. No doubt the company is good, we just need to know why the added extras. We are making a lot of money right now on parking but in 15 years we will have to look at something different. Mr. Pierce said the residents will still have their parking pass the first year and the information provided for that will be automatically programmed into the machines. We collected $2 million last year.

Commissioner Lister said he would like to table the item until we get little more information.

The Mayor said if it is the same contract and the same percentage then knowing how much the postage will be will not change her mind about the contract.

Vice-Mayor Douthirt said we should have at least looked into this to get more information before purchasing the new parking meters. Mr. Pierce said the current hand-held devices will still work with the machines, it just will not work with the phone app. The current agreement expires sometime in January.

Commissioner Lister said he needed to know why the added things. He does not want the company taking advantage of the City. It says in the paperwork that this will be a slight increase in cost. We can call a special meeting if we must. He is fine with the company doing but he just wants more information.

OPENED TO PUBLIC COMMENT

John Hendrix, citizen, explained how difficult it was to back in a 700 lb. to 800 lb. motorcycle at John's Pass Village, there are a lot of bickers, and they either needed a designated area for bikes or let the bikes back in because they cannot be pushed in.

CLOSED TO PUBLIC COMMENT

The parking meter item was tabled to the next regular Commission meeting.

II. **ACTIVE IT SECURITY AGREEMENT WITH THE NETWORK PEOPLE** – *Finance Director. This agreement is for added security.*

Mr. Pierce reviewed this item. He said the City experience some cyber intrusion in the City's outlook mail drive in the first week in December. It is recommended by the City's network or IT consultant that we need the additional security and the training. The addition is an additional agreement to the current contract. These are advanced features that come at a price. This was originally a 12-month agreement, but he told them it would be better to have a six-month agreement and have an assessment after that. It is $3,400 per month. There are cities in small towns that are being targeted. Mr. Pierce said he indicated to Nick Freeman, the president of the company that this type protection is covered under the existing contract and he was told that the additional advanced security measures they are taking are necessary. We are also thinking about an over-all audit of the system by an outside organization with the expertise in doing that.

Commissioner Oakley said the IT audit is an excellent idea.

Commissioner Lister said it was an excellent idea. It should be done before paying them an additional $40,000.

Mr. Pierce said he gave the company the go-ahead to put the additional advanced security measures in now, but he will do whatever the Commission directs. He does not want the company having to remove what he gave them he go-ahead to put on.

Commissioner Lister said to Mr. Pierce that he cannot authorize the company to install $41,000 worth of equipment without Commission approval. He does not want the contract to be in affect if he has not okayed it. If he had been told two weeks ago that this was some type of emergency that would be different. Mr. Pierce said this is an emergency. Commissioner Lister said the company that installed it said it was an emergency. It is a piece of software they put in place. However, he is responsible for what we are paying them for the six months. The okay that has been given has not been approved yet. Mr. Pierce said we had to stop the blocks and Commissioner Lister said he was not told about it until now. The money cannot be spent without coming to the Commission first.

Mr. Pierce said in lieu of the contract being approved they installed the new advanced security features, which is not a software. It is additional protection.

Commissioner Oakley said we needed to do this because we have been hacked, but on the flip side of that we need an IT audit done by an outside company and that company can tell us if this $3,400 is well spent or if there is a better product or better service out there that we can be using. The contract right now as it stands is $20,400. We need to approve that and in the mean time Walt can get an IT audit done.

Commissioner Lister said he cannot not approve that without permission of the Commission. Mr. Pierce said this is an emergency and he had to stop the hackers. This contract provides additional security for protection.

Commissioner Oakley said we need to do the 6-month contract and asked for an IT audit.

Commissioner Oakley made a motion to enter into a 6-month agreement with a clause that there will be an independent It audit. If wrongdoing is found and/or probable cause is found the contract should reflect permission to exit from the contract within 30 days.

Commissioner Hodges seconded the motion.

Commissioner Oakley asked that the IT Audit be placed on the December 19th workshop agenda for discussion.

ROLL CALL VOTE:

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

The motion carried 4-1.

A. NEW BUSINESS

I. ORDINANCE 2017-13, THE MANNER OF HOLDING THE 2018 MUNICIPAL ELECTION AND ITS LOCATION – 1ST READING – *City Clerk*

This is an annual ordinance adopted per City Charter Section 3.4, Subsection B

ROLL CALL VOTE:

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

The motion carried 4-1.

II. PURCHASE OF DUMPSTERS – Public Works/Marina Director - *New dumpsters are purchased annually to replace dumpsters that cannot or can no longer be repaired.*

This item has been moved to New Business

III. QUARTERLY INVESTMENT REPORT & SEPTEMBER FY 2017 FINANCIAL REPORT – Finance Director

ROLL CALL VOTE:

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

The motion carried 4-1.

IV. DECEMBER 26, 2017 REGULAR BOC WORKSHOP MEETING – *City Clerk*
The December 26, 2017 BOC workshop meeting is the day after Christmas. The Commission can choose to still meet as scheduled, changed the workshop date, or cancel the meeting.

ROLL CALL VOTE:

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

The motion carried 4-1.

V. STRATEGIC PLANNING REPORT, NOVEMBER 13, 2017
Marilyn Crotty, Director of the Florida Institute of Government at the University of Central Florida facilitated a Strategic Planning/Goal Setting workshop on November 13, 2017 with the Board of Commissioners and City staff on behalf of the Florida Institute of Government at the University of South Florida. Attached with the Strategic Planning Report is a list of the identified goals and objectives that were identified in the November 13th meeting. At a future BOC workshop meeting, the Commission will select priorities from among the 24 objectives and select the 8 objectives that it thinks are most significant for the City to address in the next few years. The City Clerk will then forward that to Ms. Crotty. She will provide an amended Strategic Planning Report to the City.
ROLL CALL VOTE:

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

The motion carried 4-1.

B. REPORTS/CORRESPONDENCE

- CITY COMMISSION
- CITY ATTORNEY
- CITY MANAGER
- CITY CLERK

C. ADJOURNMENT

Maggi Black

Maggi Black, Mayor

ATTEST:

Clara VanBlargan

Clara VanBlargan, MMC, MSM, City Clerk