THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

BOARD OF COMMISSIONERS
REGULAR MEETING

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

6:00 PM	FEBRUARY 10, 2015	AUDITORIUM

A. CALL TO ORDER – The meeting was called to order at 6:01 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE: Commissioner Terry Lister

C. ROLL CALL

MEMBERS PRESENT:
Travis Palladeno, Mayor
Nancy Hodges, Vice-Mayor
Terry Lister, Commissioner District 1
Elaine Poe, Commissioner District 3
Pat Shontz, Commissioner District 4

STAFF PRESENT:
Shane B. Crawford, City Manager (CM)
Thomas Trask, City Attorney (CA)
Aimee Servedio, City Clerk (CC)
Vince Tenaglia, Assistant City Manager/Finance Director (ACM/FD)
Dave Marsicano, Public Works/Marina Director (PW/MD)

D. APPROVAL OF THE MINUTES

1. **BOC Regular Meeting** — **December 9th, 2014**
2. **BOC Special Workshop** — **January 15th, 2015**

A motion to approve the minutes as presented was made by Commissioner Lister and seconded by Vice-Mayor Hodges.

ROLL CALL:
Vice-Mayor Hodges....................................YES
Commissioner Lister...................................YES
Commissioner Poe.....................................YES
Commissioner Shontz.................................YES
Mayor Palladeno...YES

E. APPROVAL OF THE AGENDA

CM: Explained that he has been working with Commissioner Poe, City Attorney, and Building Official to ensure that the corrections to the rental inspection ordinance are as complete as possible. She asked that Item I4 – Ordinance 2015-02 be moved to the next Board of Commissioners meeting.

A motion to approve the agenda as amended (removing Item I4 until a later date) was made by Commissioner Shontz and seconded by Commissioner Poe.

ROLL CALL:

Vice-Mayor Hodges....................................YES
Commissioner Lister..................................YES
Commissioner Poe.....................................YES
Commissioner Shontz.................................YES
Mayor Palladeno......................................YES

CM: Commented that he appreciated everyone in attendance tonight. He apologized to the BOC and commended the staff on a power outage that occurred last week. He explained that the Board may not be able to access their emails for a few days. He also pointed out that people at home can hear the meeting but they cannot see it. The CM and the CC discussed repairing the streaming but decided to hold off until staff moves to the new building.

The CM also thanked the Board for his evaluation and raise last month because he was unable to attend due to surgery.

F. PUBLIC COMMENT (limited to 3 minutes)

G. CONSENT AGENDA

1. AUTHORIZATION TO DISPOSE GENERAL FUND FIXED ASSETS AS RELATED TO CITY CENTRE FACILITY CONSTRUCTION
2. AUTHORIZATION OF CHANGE ORDER TO HENNESSY CONSTRUCTION SERVICES IN THE AMOUNT OF $111,307.67
3. RECOGNITION OF COMPLETION OF ARCHIBALD PARK/SNACK SHACK PROJECT AND DISSOLUTION OF THE ARCHIBALD AD HOC COMMITTEE.
4. RECOGNITION OF COMPLETION OF 9/11 MEMORIAL PROJECT AND DISSOLUTION OF 9/11 MEMORIAL AD HOC COMMITTEE.
5. AUTHORIZATION FOR CHANGE ORDER TO WESTENBERGER TREE SERVICE CONTRACT IN THE AMOUNT $3,899 FOR A TOTAL OF $18,874
6. AUTHORIZATION OF EXPENDITURE FOR TROJAN LABOR TEMP SERVICE IN THE AMOUNT OF $55,000
7. APPROVAL OF ACQUISITION OF EASEMENT FOR MAINTENANCE, REPAIR AND REPLACEMENT OF A STORMWATER PIPE NOT TO EXCEED $5,000
8. CONVEYANCE OF EASEMENT TO THE CITY FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF A PUBLIC SIDEWALK AS SPECIFIED IN THE DEVELOPMENT AGREEMENT

A motion to approve the Consent Agenda was made by Commissioner Lister and seconded by Vice-Mayor Hodges.

CM: Item 1, we don't know how we are going about this exactly yet, but this declared any item not deemed necessary in the new building will be declared surplus. He wants to allow people in the City to purchase any items they wish.

The other items are all very self-explanatory but if the Board has any questions, he will answer as needed. Otherwise, staff recommends approval for those items.

ROLL CALL:

Vice-Mayor Hodges....................................YES
Commissioner Lister..................................YES
Commissioner Poe.....................................YES
Commissioner Shontz.................................YES
Mayor Palladeno......................................YES

H. UNFINISHED BUSINESS – NONE

I. NEW BUSINESS

1. PUBLIC HEARING

   CONSIDERATION OF A 2COP ALCOHOLIC BEVERAGE PERMIT FOR OCEAN BREEZE RESTAURANT, LLC, 14601 GULF BOULEVARD, MADEIRA BEACH, FLORIDA, IS SEEKING TO SERVE BEER AND WINE FOR CONSUMPTION ON PREMISES AT THE OCEAN BREEZE GRILL LOCATED AT 14601 GULF BOULEVARD. THE SUBJECT PROPERTY IS LOCATED IN THE C-3 RETAIL COMMERCIAL ZONING DISTRICT.

CA: Described the criteria by which the Board needs to consider when determining whether or not they should approve. The CA noted that staff recommends approval based on that criteria.

CM: Items 1 and 2 under New Business are approved by staff. The City does a thorough job in researching the properties and considering the criteria.

A motion to approve Alcoholic Beverage Permit 15.03, a 2COP permit for Ocean Breeze Restaurant was made by Commissioner Lister and seconded by Commissioner Shontz.

ROLL CALL:

Vice-Mayor Hodges....................................YES
Commissioner Lister...................................YES
Commissioner Poe.....................................YES
Commissioner Shontz................................YES
Mayor Palladeno.......................................YES

2. PUBLIC HEARING

   CONSIDERATION OF A 4COP ALCOHOLIC BEVERAGE PERMIT FOR SHANER MADEIRA BEACH, LLC, 601 AMERICAN LEGION DRIVE, MADEIRA BEACH, FLORIDA, IS SEEKING TO SERVE ALCOHOLIC BEVERAGES AT THE COURTYARD MARRIOTT FOR CONSUMPTION ON PREMISES AT 601 AMERICAN LEGION DRIVE. THE SUBJECT PROPERTY IS LOCATED IN THE PD, PLANNING DEVELOPMENT, ZONING DISTRICT.

CA: Described the address, zoning, and type of license. Noted that in the staff report, staff recommends approval.

A motion to approve Alcoholic Beverage Permit 15.02, a 4COP permit for Shaner Madeira Beach, LLC was made by Commissioner Poe and seconded by Commissioner Shontz.

ROLL CALL:

Vice-Mayor Hodges....................................YES
Commissioner Lister...................................YES
Commissioner Poe.....................................YES
Commissioner Shontz................................YES
Mayor Palladeno.......................................YES

3. ORDINANCE 2015-01

   AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OF ORDINANCES CHAPTER 78 (WATERWAYS), ARTICLE II (BOATS), DIVISION 1 (GENERALLY), TO ADD ONE INFORMATIONAL MARKER COORDINATES, PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

CA read Ordinance 2015-01 by title only.

A motion to approve Ordinance 2015-01 as presented was made by Vice-Mayor Hodges and seconded by Commissioner Lister.

CM: Staff recommends approval.

ROLL CALL:

Vice-Mayor Hodges....................................YES
Commissioner Lister...................................YES
Commissioner Poe.....................................YES
Commissioner Shontz................................YES
Mayor Palladeno.......................................YES

4. **ORDINANCE 2015-02**

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTIONS 14-130.1, 14-130.2, 14-130.5, 14-130.6, 14-130.7, 14-130.8 AND 14-130.11 OF DIVISION 4 OF ARTICLE III OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO PROVIDE THAT THE LICENSING AND INSPECTION PROGRAM APPLIES TO FOUR UNITS OR MORE ON A RESIDENTIAL RENTAL PROPERTY; TO PROVIDE THAT PROGRAM DOES NOT APPLY TO MOTELS AND HOTELS; TO PROVIDE THAT THE APPLICATION SHALL BE MADE CONTEMPORANEOUSLY WITH THE PAYMENT OF THE LOCAL BUSINESS TAX; TO CLARIFY WHEN THE INSPECTION WILL OCCUR; TO PROVIDE THAT THE NOTICE TO INITIATE REVOCATION OR SUSPENSION OF LICENSE PROCEEDING WILL BE SENT BY CERTIFIED MAIL; REPEALING ALL ORDINANCES OR PARTS OR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Item removed from the Agenda; Commissioner Poe will continue to work with the City Manager, City Attorney, and Building Official to present this item at the next BOC Meeting.

5. **RESOLUTION 2015-05**

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE BUDGET BY INCREASING GENERAL FUND EXPENDITURES IN THE AMOUNT OF $67,000 FOR CITY CENTRE CONSTRUCTION

CA read Resolution 2015-05 by title only.

A motion to approve Resolution 2015-05 was made by Commissioner Poe and seconded by Vice-Mayor Hodges.

CM: This can be handled one of two ways. This and the next item are presented tonight because they were unforeseen costs. Nearly $25,000 was for asbestos abatement that was discovered after the fact and necessitated appropriate disposal.

The contingency for this project was very low (about 2%) when normally it is close to 10%. There are some issues we are discovering now that would be better to fix while construction is ongoing rather than building these costs into future budgets.

The CM requested that another option the Board could decide is to give staff a little more flexibility to allow them to finish the project. We are in the constraints of the budget as of now.

Mayor Palladeno: Understands that it would be better to increase the maximum to $100,000 instead of the $67,000. He asked if the Board wanted to amend the motion.

A motion to approve Resolution 2015-06 as amended (to allow a maximum of $100,000 for the City Manager to use at his discretion to complete the City Centre construction project) was made by Commissioner Poe and seconded by Vice-Mayor Hodges.

Commissioner Lister: Wanted to clarify that this would only really be an additional $33,000 since the $67,000 was originally presented.

CM: Explained yes and no because not all of the $67,000 was encumbered and specifically determined. That figure included the $25,000 abatement and some predictions that the CM and ACM/FD foresaw.

ROLL CALL:

Vice-Mayor Hodges……………………………..YES
Commissioner Lister……………………………YES
Commissioner Poe………………………………YES
Commissioner Shontz…………………………YES
Mayor Palladeno…………………………………YES

6. **AUTHORIZATION OF CHANGE ORDER**
AUTHORIZATION OF CHANGE ORDER TO HENNESSY CONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED $67,000

A motion to approve the authorization of a change order was made by Commissioner Lister and seconded by Vice-Mayor Hodges.

ACM/FD: Explained that in order for this change order to be consistent with the previous budget amendment, the Board would have to amend their motion.

A motion to approve the Authorization of Change Order as amended, not to exceed $100,000 to be used for City Centre construction project completion by the City Manager as stated in the amended Resolution 2015-05, was made by Commissioner Lister and seconded by Vice-Mayor Hodges.

ROLL CALL:
Vice-Mayor Hodges……………………………YES
Commissioner Lister……………………………YES
Commissioner Poe………………………………YES
Commissioner Shontz…………………………YES
Mayor Palladeno………………………………YES

J. REPORTS/CORRESPONDENCE

- **CITY COMMISSION**

Mayor Palladeno: Gave an update on EMS – the county has seen the issue of water rescues around the county and will be providing more funding through EMS for water safety equipment. Thanked the chief from Tarpon Springs for his work on this project.

Met with the NCAA Tournament representatives. They are very excited about holding their tournament in the City. He commended staff for all of their hard work.

Commissioner Poe: Has been working on water quality issues and has finally received some support from the County in this problem. She'd like to meet with the CM and PW/MD soon.

- **CITY ATTORNEY**

CA: Announced that there will be a Special Magistrate Code Enforcement Hearing on Chronic Nuisance. It is open to the public if anyone would like to attend to see how Code proceedings operate.

- **CITY MANAGER**

CM: Asked for patience with the email and computer situation. Building and Code Enforcement are back logged but we are trying to get the system back up. He urged people trying to contact the City by phone. There was also a notice on the front door and the website.

Commissioner Poe: Explained to the Board that there is a back way to get into their inboxes but they can only ready the emails, not send any out.

- **CITY CLERK** – None

K. ADJOURNMENT – The meeting was adjourned at 6:27 p.m.

Date approved: 06/09/2015

Travis Palladeno, Mayor

Submitted by Aimee Servedio, City Clerk