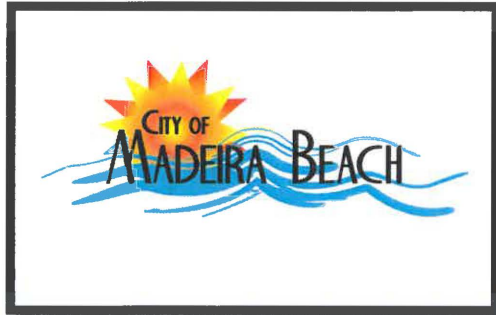




**THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE**

**BOARD OF COMMISSIONERS
SPECIAL 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.

5:00 PM

FEBRUARY 24TH, 2015

AUDITORIUM

- A. CALL TO ORDER** – The meeting was called to order at 5:00 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)
Dave Marsicano, Public Works/Marina Director (PW/MD)

STAFF ABSENT:

Vince Tenaglia, Assistant City Manager/Finance Director (ACM/FD)

D. APPROVAL OF THE MINUTES

1. BOC Special Meeting **February 13th, 2015**

A motion to approve the minutes as presented was made by Commissioner Lister and seconded by Commissioner Poe.

ROLL CALL:

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

Commissioner Shontz.....YES
Mayor Palladeno.....ABSENT

E. APPROVAL OF THE AGENDA

A motion to approve the agenda as presented 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.....ABSENT

F. PUBLIC COMMENT (limited to 3 minutes)

G. CONSENT AGENDA

1. APPROVAL FOR STORMWATER IMPROVEMENT PROJECT ON 140TH AVENUE

A motion to approve the Consent Agenda was made by Commissioner Lister and seconded by Commissioner Poe.

CM: There is a tremendous amount of funding for improvements on 140th Avenue. Staff is relatively convinced that putting in the outfall through this easement will alleviate a majority of the flooding on 140th Avenue. This authorizes a change order and there is no budget amendment because there were always budgeted funds for the improvements.

ROLL CALL:

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

Commissioner Shontz.....YES
Mayor Palladeno.....ABSENT

H. UNFINISHED BUSINESS

1. [ORDINANCE 2015-01](#)

A SECOND AND FINAL READING OF 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.

The CA read Ordinance 2015-01 by title only.

A motion to approve Ordinance 2015-01 as presented on second and final reading was made by Commissioner Shontz and seconded by Commissioner Lister.

ROLL CALL:

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

Commissioner Shontz.....YES
Mayor Palladeno.....ABSENT

2. [ORDINANCE 2015-03](#)

A SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 110, "ZONING"; PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE C-3 ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The CA ready Ordinance 2015-03 by title only.

A motion to approve Ordinance 2015-03 as presented on second and final reading was made by Commissioner Lister and seconded by Commissioner Poe.

Commissioner Lister: Thanked Commissioner Poe for getting this written and in place.

ROLL CALL:

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

Commissioner Shontz.....YES
Mayor Palladeno.....ABSENT

I. NEW BUSINESS

1. ORDINANCE 2015-02

A PUBLIC HEARING AND FIRST READING OF 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 THE APPLICATION SHALL BE MADE ALONG 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; DELETING SECTION 14-130.8; RENUMBERING SECTIONS 14-130.9, 14-130.10, 14-130.11, 14-130.12, 14-130.13, AND 14-130.14; REPEALING ALL ORDINANCES OR PARTS OR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

The CA read Ordinance 2015-02 by title only, he clarified that there was a typographical error ("FOUR UNITS OR MORE" should be "FOUR UNITS OR LESS")

A motion to approve the first reading Ordinance 2015-02 as presented was made by Commissioner Poe and seconded by Commissioner Shontz.

CA: The copy that the City Attorney had was the incorrect version. Earlier in the week, the Board of Commissioners received the correct version, but the title was incorrect. He reread the title correctly.

A motion to approve the first reading of Ordinance 2015-02 as the title was read was made by Commissioner Poe and seconded by Commissioner Shontz.

Gentleman: Had some suggestions to make the ordinance less adversarial to property owners. He opines that the property owners should first be made aware of what the inspectors will be looking for during their inspections.

Commissioner Poe: When the Rental Inspection Ordinance was first passed, a checklist was mailed out to property owners with their business tax. The Building Official confirmed this.

Bob Cummings: The list should be very specific and not vague. Commissioner Poe asked the Building Official to provide said checklist to Mr. Cummings. He also asked why the fees were so high – how did the Board arrive at these fees? How much does the City expect to raise from these fees and how does the City plan to use these fees? Who will be doing the inspections, the Building Department or the Fire Department? He feels that many ordinances have been passed that unnecessarily raise fees.

CA: This ordinance has been on the books for over a year. During this year, there have been certain changes that the City feels could be made to improve the ordinance. These provisions have already been in an effect for a year – this helps the implementation of the ordinance. The fees are staying the same. He assumes the money is going into the General Fund. The fees were compiled beforehand by looking at other similar legislation in the state; this is for a comprehensive inspections. The purpose of this ordinance was to ensure the City does not house unmaintained properties. If there any unresolved questions, he can go over any additional issues with the Building Official.

Mr. Cummings: Why are there fees for what the Building Official inspects when that's his job?

CA: This takes City staff time offsite. They may even have to hire additional inspectors to fulfill the need.

Mr. Cummings: Complained that he received a notice in the mail, a fire truck, and three men came out to his property for a small noncompliance issue.

CM: The Fire Inspector has to make sure that he is able to leave if a call comes in – it requires four people to maintain and drive the fire truck. The Fire Department inspects for health and safety while the Building Department inspects for building code compliance. He suggested that Mr. Cummings can sit down and talk with him and the Building Official if he would like further clarification.

ROLL CALL:

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

Commissioner Shontz.....YES
Mayor Palladeno.....ABSENT

J. REPORTS/CORRESPONDENCE

- **CITY COMMISSION**

Commissioner Lister: Commended staff on how smoothly the tournament over the weekend went.

- **CITY ATTORNEY** - None
- **CITY MANAGER**

CM: After working with Commissioner Poe on the subject for the Special Meeting on Thursday, he requests to cancel that meeting. He has maintained that it is difficult to maintain three charter officers, given that they cannot speak amongst each other due to Florida Sunshine Laws. There are times when a commissioner can consult with the City Attorney, but it can become convoluted for staff to follow action. He has developed a policy for communicating with the City Attorney in his Administrative Procedures. He feels that when the Board sees the policy, it will make sense and help the five Board of Commissioner members direct three Charter Officers. He wants to get back to the fundamentals of the charter. He wants all of the Commissioners to work through him, not through the employees. It will be finished this week, he can bring this to a short workshop before the next BOC meeting.

He turned the conversation to the budget and Commission salaries. He is not saying that they should flat out give themselves raises, even though they deserve it. It has been over ten years since this was addressed. He with the CC will put together a survey of Commission salaries.

If there was something not in the budget specifically, a budget amendment would be created. The way the ACM/FD does his accounting, a budget amendment is much more complicated. He explained that instead of a list of budget amendments, such imperative items will be under the Consent Agenda. If the Board needs something done, everything needs to go through the CM who then delegates to staff – otherwise it becomes too convoluted.

- **CITY CLERK**

CC: Explained to the Board that she has finally gone through every single Code Enforcement case in City Hall records and compiled a list of any outstanding liens. She thanked the Administrative Support

Specialist, Sea Marshall-Barley for her help in taking over the agenda packets so she was able to complete the difficult and arduous task of filing all of the Code Enforcement files.

K. ADJOURNMENT – The meeting was adjourned at 5:30 p.m.

Date approved: 03/10/2015

A handwritten signature in black ink, reading "Travis Palladeno", written over a horizontal line.

Travis Palladeno, Mayor

A handwritten signature in blue ink, reading "Aimee Servedio", written over a horizontal line.

Submitted by Aimee Servedio, City Clerk