

**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

MAY 12, 2015

CONFERENCE ROOM

- A. CALL TO ORDER** – The meeting was called to order at 6:02 p.m.
- B. INVOCATION AND PLEDGE OF ALLEGIANCE:** Commissioner Terry Lister
- C. ROLL CALL**
- D. APPROVAL OF THE MINUTES**

- 1. **February 10th, 2015** **Agenda Setting Meeting**

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

ROLL CALL

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

E. APPROVAL OF THE AGENDA

PRESENTATIONS/PROCLAMATIONS

- 1. A PROCLAMATION RECOGNIZING MAY 10TH – 16TH AS THE SECOND ANNUAL LUNG FORCE TURQUOISE TAKEOVER

Mayor Travis Palladeno, American Lung Association in Florida

Mayor: The American Lung Association in Florida was unable to attend this meeting. He will skip the reading the first proclamation but will have the proclamation executed and mailed to the appropriate office.

- 2. A PROCLAMATION RECOGNIZING MAY 16TH – MAY 24TH AS NATIONAL SAFE BOATING WEEK

Mayor Travis Palladeno, United States Coast Guard Auxiliary

The Mayor read the proclamation declaring May 16th – May 24th as National Safe Boating Week and presented the U.S. Coast Guard Auxiliary. He also thanked them for all of their work with boating safety awareness and recognized their service to the community.

A motion to approve the agenda was made by Commissioner Shontz and seconded by Commissioner Hodges.

ROLL CALL

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

F. PUBLIC COMMENT (limited to 3 minutes)

Paul and Judy Deesy: Came tonight to speak about the illegal renting that is going on in the City. There was a gentlemen in their neighborhood that was running one of these illegal rentals, and they worked

with the City to have him brought to justice. He wanted to express that now is the time for zero tolerance on this issue.

He wanted to stress how much this really does affect the residents' lives. They want to encourage everyone to get on board with this and call the deputy when they see these issues. He has followed this issue and seen that it is not only happening in Madeira Beach. He also thanked Vice-Mayor Elaine Poe as well as Deputy Krager and Deputy Lockett.

G. CONSENT AGENDA

1. AUTHORIZATION TO EXECUTE BOATING INFRASTRUCTURE GRANT PROGRAM AGREEMENT WITH FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
2. APPROVAL OF THE CONFIRMATION OF THE APPOINTMENTS FOR THE GROUP C TECHNICAL MANAGEMENT COMMITTEE REPRESENTATIVES

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

CM: Staff recommends approval of both items. The first is a grant for a Marina project that has already been completed and the second is a housekeeping item from the County.

ROLL CALL

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

H. UNFINISHED BUSINESS

I. NEW BUSINESS

1. ORDINANCE 2015-04

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, RELATING TO A-FRAME FLUTTER SIGNS; AMENDING THE CODE OF ORDINANCES, CHAPTER 82 DEFINITIONS AND CHAPTER 82 DEFINITIONS AND CHAPTER 102 SIGNS; AMENDING SECTION 82-2 TO REVISE THE DEFINITION OF PORTABLE SIGN, DELETING THE DEFINITION OF SANDWICH SIGN AND CREATE THE DEFINITION OF A-FRAME (SANDWICH BOARD); DELETING SUBPARAGRAPH 5 OF SECTION 102-5; AMENDING SECTION 102-49 TO PROVIDE FOR PERMITTING EXCLUSION OF A-FRAME (SANDWICH BOARD) SIGNS AND FLUTTER FLAGS; DELETING SUBPARAGRAPH D OF SECTION 102-56; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Ordinance 2015-04 by title only.

A motion to approve Ordinance 2015-04 on first reading was made by Commissioner Shontz and seconded by Vice-Mayor Poe.

Commissioner Lister: Knows that the Board has been trying to find a happy medium for sign legislation and the City and believes this is a great compromise that works for many people.

Dick Lewis: Spoke in opposition for allowing flutter signs in the City. Flutter signs seem to have a lot of value for new businesses, but the permanent placement of two for businesses would not be advantageous for the City. These signs tend to get ratty and don't hold up well over time. He used the flutter signs at the Walgreens on 150th Avenue as an example.

ROLL CALL

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

2. [ORDINANCE 2015-05](#)

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, RELATING TO A REFERENDUM VOTE OF THE ELECTORS FOR A VACATION OF RIGHTS-OF-WAY; DELETING THE REFERENDUM REQUIREMENT IN SECTION 112-93; DELETING SECTION 112-94 REGARDING DECISION OF THE ELECTORS; RENUMBERING SECTIONS 112-95 AND 112-96; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Ordinance 2015-05 by title only.

A motion to approve Ordinance 2015-05 on first reading was made by Commissioner Hodges and seconded by Vice-Mayor Poe.

Commissioner Lister: Has been receiving some phone calls on this issue. He wants to stress that this is NOT to sell City property outright. The approval of this ordinance will bring the issue to the citizens to vote either for or against. He has heard complaints that the City is trying to circumnavigate the rules – that is not true. Right now, it is very hard to sell these little pieces of property and it impedes development that the City needs. This rules is antiquated and is not conducive to the current needs of the City.

CA: Wanted to clarify the difference between this ordinance and the following. Ordinance 2015-05 is related to the vacation of rights-of-way. Basically it allows the City to vacate these areas without having to go to a City referendum. The second revises the Charter.

CM: We had a possibility of a major development, we were able to get it pushed through with a lot of work, but this is not always the case. This is not about selling John's Pass Park. There is not a lot of City-owned property. One of the arguments he has heard is that this will take power away from the people. However, the *people* voted you in to the City Commission to make these types of decisions. Madeira Beach is greatly improving, investors are coming to us. This ordinance isn't making the decision, it allows the people to make this decision.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

3. [ORDINANCE 2015-06](#)

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 1.7 OF THE CITY CHARTER TO REQUIRE A FOUR-FIFTHS VOTE BY THE CITY COMMISSION FOR THE SALE OR CONVEYANCE OF REAL PROPERTY POSSESSED BY THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE. (22:09)

CA read Ordinance 2015-06 by title only.

This is the ordinance that would change the charter after the referendum, if approved by referendum.

A motion to approve Ordinance 2015-06 on first reading was made by Commissioner Lister and seconded by Commissioner Hodges.

Mayor Palladeno: This is the ordinance that gives the power to the people to vote on this matter. Commissioner Shontz agreed and reiterated that this would be a good move for the City. Other cities are envious of how Madeira Beach is able to improve the City with new development and this would only further that ability.

CM: Explained that educational seminars on the matter will also be scheduled to help the citizens of the City understand exactly what they are voting on.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

4. ORDINANCE 2015-07

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 14-130.2 OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF RESIDENTIAL RENTAL UNIT; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Ordinance 2015-07 by title only.

A motion to approve Ordinance 2015-07 on first reading was made by Vice-Mayor Poe and seconded by Commissioner Shontz.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

5. RESOLUTION 2015-11

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Resolution 2015-11 by title only.

A motion to approve Resolution 2015-11 was made by Commissioner Shontz and seconded by Vice-Mayor Poe.

ACM/FD: He is requesting the Board to accept the FY2014 CAFR, which is not something that has been done the past few years, but it should according to best practices. The CAFR provides the Commission the opportunity to understand the City's equity and obligations now and in the future. It's different from the budget. The auditor issued an opinion that the CAFR was done fairly and has been sent off to GFOA. The City has had the same auditor since 2010 and has increased their duties to cover the IT Contract. They did find one item, a significant deficiency in regards to the use of the City's Financial Software. The City never denied the issue that the financial software that excludes certain activity – it is more of a clerical error and he has planned to have this fixed with an upgrade to the software.

On page 17 and 18, the statement of net position can be found. On a government wide statement, all assets and liabilities are accounted for. The assets are up 21% due to debt servicing, while liabilities are up 700% due to that same debt servicing related to the new assets. Previously, the City had never had a debt service and that is why that number is so high.

The City has made several significant changes to its funds: removed a capital projects fund, deleted a vehicle replacement fund, we transferred the John's Pass Fund and started an Archibald Fund. Some of the funds have been consolidated. The City is now running three enterprise funds: sanitation, stormwater, and the marina. They operate on a break-even basis. They behave exactly like an enterprise fund should – they are within 5% of the total expenditures.

There are also two special funds: local option sales tax fund used for capital improvements. The Archibald Fund is essentially an allocation of Parks & Rec expenditures. A total fund balance increase of \$30,000 and will be used for Parks & Rec expenditures.

The more funds you have will restrict your spending. We are drawing down restricted fund balance and unassigned balance which represented the most available resources. The graph on page 12 shows the operating budget and the general fund unassigned balance goes down every year – this is NOT a sustainable trend. At some point, we need policies and procedures to draw down to a certain level. These need to be determined in order to create long term sustainability. In a few weeks, the ACM/FD will be presenting some policies and procedures with a financial advisor.

Commissioner Lister: Commended the ACM/FD on the comprehensive report and the hard work he has put in to this project.

CM: An RFP has been posted for a new auditing service with these added needs. It will be a qualifications process.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

6. RESOLUTION 2015-12

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, REQUESTING THAT THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS EXPLORE AMENDING THE PINELLAS COUNTY EMERGENCY MEDICAL SERVICES ALS FIRST RESPONDER AGREEMENT TO PROVIDE EMERGENCY MEDICAL SERVICES FUNDING TO ASSIST AGENCIES THAT PROVIDE FIRST RESPONDER MEDICAL SERVICES VIA WATER RESCUE VEHICLES; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Resolution 2015-12 by title only.

A motion to approve Resolution 2015-12 was made by Commissioner Hodges and seconded by Commissioner Lister.

Mayor Palladeno: The County will be increasing funding for water rescue services so he thanked the Board for supporting this cause and is pleased with the County taking notice.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

7. RESOLUTION 2015-13

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE BUDGET BY INCREASING GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$33,000 FOR LAW ENFORCEMENT SERVICES FOR A PERIOD COVERING JUNE THROUGH SEPTEMBER 2015; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Resolution 2015-13 by title only.

A motion to approve Resolution 2015-13 was made by Commissioner Lister and seconded by Commissioner Hodges.

CM: This number of \$33,000 may decrease by \$8,000 depending on how quickly the Sheriff's Office is able to provide another deputy. He is pushing for June and having another deputy by June. A gentleman made the complaint that amnesty is being given to first offenders. With another deputy, it will be much easier to separate who is genuinely unaware they are breaking the law versus those aggressively in

violation. He also noted that increasing services may have budget repercussions in the future to maintain this financial flexibility.

Vice-Mayor Poe: Has been discussing this issue with other cities who are having trouble. She will be meeting with them to help get more communities on board with the short term rentals. The CM noted that the City has been trend-setters before and will be again.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

8. **AUTHORIZATION FOR CHANGE ORDER TO PINELLAS COUNTY SHERIFF'S OFFICE CONTRACT**

AN AUTHORIZATION TO AMEND THE PINELLAS COUNTY SHERIFF'S OFFICE CONTRACT FOR LAW ENFORCEMENT SERVICES TO ADD ONE ADDITIONAL DEPUTY TO PERFORM CODE ENFORCEMENT SERVICES THAT SHALL BE ADDED EFFECTIVELY ON JULY 1, 2015.

A motion to approve a Change Order to the Pinellas County Sheriff's Office Contract to add another Code Enforcement Officer was made by Commissioner Shontz and seconded by Vice-Mayor Poe.

CM: The only issue he has is that the effective date is July 1, this may come sooner.

CA: If you need to do a further amendment, there would be some changes. The dollar amount with the Sheriff is needed. You could approve the contract contingent on the City Manager's authority to sign the contract on June instead of July.

ACM/FD: His recommendation is to leave the funding alone so the funds are available.

A motion to amend the Change Order to become effective on June 1 was made by Commissioner Shontz and seconded by Vice-Mayor Poe.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

9. **RESOLUTION 2015-14**

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE BOARD OF COMMISSIONERS POLICY HANDBOOK TO PROVIDE THAT THE CITY MANAGER CAN DETERMINE THE NEED FOR BOTH REGULAR AND WORKSHOP MEETINGS; A DAIS LOG REVIEW BE ADDED TO THE AGENDA ORDER OF BUSINESS; THE NOTICE FOR MEETINGS WILL NO LONGER BE POSTED AT WINN DIXIE, PUBLIX, AND JOHN'S PASS; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Resolution 2015-14 by title only.

A motion to approve Resolution 2015-14 was made by Commissioner Hodges and seconded by Commissioner Lister.

Commissioner Hodges: Did have a citizen contact her and told her that they rely on the postings at Publix to see when meetings occur.

CM: The first part of this resolution allow the CM to determine if there are enough requested items from the Board and Department Heads. It just gives more flexibility to schedule meetings since the City is doing much more sophisticated operations.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

10. RESOLUTION 2015-15

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE BUDGET BY INCREASING LOCAL OPTIONS SALES TAX REFUND EXPENDITURES IN THE AMOUNT OF \$40,000 FOR DOCK REPLACEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Resolution 2015-15 by title only.

A motion to approve Resolution 2015-15 was made by Commissioner Shontz and seconded by Vice-Mayor Poe.

CM: This item allows the City to take a stance and promote the water taxi service for the events at the City Centre. Busing will also be used, but this is another addition to take advantage of the waterways. The CM has worked with the school to shuttle from Bicentennial Park to the fire docks, which is a piggyback project. The PRD and PW/MD have been working nonstop on this concert event.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

11. AUTHORIZATION TO APPROVE EXPENDITURE EXCEEDING \$15,000

AUTHORIZATION OF NON-BUDGETED EXPENDITURES, IN AN AMOUNT NOT TO EXCEED \$40,000, FOR CITY CENTRE DOCK REPLACEMENT TO BE PROVIDED BY SPEELER FOUNDATIONS, INC.

A motion to approve expenditures exceeding \$15,000 for City Centre dock replacement was made by Vice-Mayor Poe and seconded by Commissioner Lister.

ROLL CALL

Commissioner Lister.....YES
Commissioner Hodges.....YES
Commissioner Shontz.....YES

Vice-Mayor Poe.....YES
Mayor Palladeno.....YES

J. REPORTS/CORRESPONDENCE

• CITY COMMISSION

Mayor Palladeno: Introduced a letter from a visitor to the 9/11 Memorial and asked Commissioner Shontz to read the letter since she was the Mayor at the time and chaired the 9/11 Memorial Ad Hoc Committee.

Commissioner Shontz read the letter in its entirety.

Vice-Mayor Poe: Gave an update on cleaning up the waterways.

PW/MD: There are subaqueous sewer lines all around the City that are 50 – 60 years old. Those pipes have been contributing to the issue with contaminated water. The County will be replacing the main subaqueous pipe near the Marina to the mainland. Unfortunately the pipe station will remain, but improvements are being made.

Vice-Mayor Poe: The waterways with anchored boats are not owned by the City. The FWC is now monitoring these boats. We are also going to be putting more dog waste stations in the City as well.

Commissioner Shontz: She sees landscaping companies blowing grass, trimmings, and debris into the sewers and bay. The PW/MD told her to call him when she sees this and he will give them an education.

She also wanted to make sure that the Madeira Beach residents are invited to a motivational speaker on May 28 and 29.

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

CM: The City is now at about a 4% contingency for the City Centre project when normally its around 10% - he just wants the Board to know that he may need to come back to them for the last bit of funding to completely finish this project.

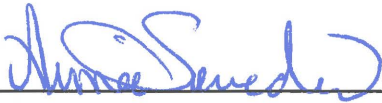
- **CITY CLERK**

K. ADJOURNMENT – The meeting was adjourned at 7:16 p.m.

Date approved: 07/01/2015



Travis Palladeno, MAYOR



Submitted by Aimee Servedio, CITY CLERK