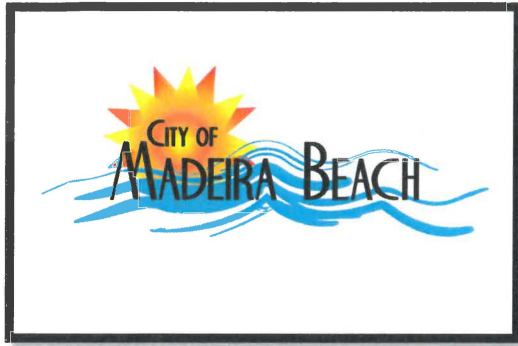




**THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE**

**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

JUNE 9, 2015

CONFERENCE ROOM

- A. CALL TO ORDER** – The meeting was called to order at 6:00 p.m.
- B. INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Terry Lister
- C. ROLL CALL**

MEMBERS:

Travis Palladeno, Mayor
Elaine Poe, Vice-Mayor
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2
Patricia Shontz, Commissioner District 4

STAFF:

Shane B. Crawford, City Manager (CM)
Vincent M. Tenaglia, Assistant City Manager/Finance Director (ACM/FD)
Thomas Trask, City Attorney (CA)
Sea Marshall-Barley, Support Specialist (SS)
Dave Marsicano, Public Works/Marina Director (PW/MD)

STAFF ABSENT: Aimee Servedio, City Clerk (CC)

CM: Excused the City Clerk from attendance at this meeting due to some health issues. Her assistant will be sitting in for her at this meeting.

D. APPROVAL OF THE MINUTES

- | | |
|-------------------------------|-------------------|
| 1. BOC Regular Meeting | February 10, 2015 |
| 2. BOC Special Meeting | April 14, 2015 |
| 3. BOC Agenda Setting Meeting | April 14, 2015 |
| 4. BOC Regular Meeting | April 14, 2015 |
| 5. BOC Special Meeting | April 28, 2015 |
| 6. BOC Workshop Meeting | April 28, 2015 |
| 7. BOC Agenda Setting Meeting | May 12, 2015 |

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

A motion to approve the agenda as presented was made by Vice-Mayor Poe and seconded by Commissioner Shontz.

ROLL CALL

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

PRESENTATIONS/PROCLAMATIONS

1. A PROCLAMATION RECOGNIZING JUNE 15, 2015 AS ELDER ABUSE AWARENESS DAY
Mayor Travis Palladeno, National Center on Elder Abuse

SS: Requested that this item be presented at a later time in the meeting.

DAIS LOG REVIEW

SS: Explained that the Dais Log includes items that were posted on the agenda but the supported materials were not received by the deadline to get them into the packets. This is a new procedure that the Board adopted in their yearly update of the BOC Policy Handbook.

This Dais Log includes three items. The first, are the fully executed copies of the two easements (Items G2 and G3). The unsigned versions were included in the original packet for review prior to the meeting. The next item, Item G4, was provided by the ACM/FD and is a memo describing the process by which the award was given to RFP 15-1100. The last item is a Budget Amendment Resolution presented by the ACM/FD.

CM: Confirmed that this is a new policy and this is the first time that we have done this in the agenda. Staff can proceed as the Board directs. This is just an extra aid for those items were are waiting on that may not make the Friday prior to the meeting deadline.

A motion to approve the Dais Log was made by Commissioner Shontz and seconded by Vice-Mayor Poe.

ROLL CALL

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

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

Steve Kochick: Noted that the Approval of the City Attorney contract was located in the Consent Agenda. He believes, that as a Charter Officer, this item should be talked about separately and appear as a standalone item in the agenda. The Board noted his comment, and would discuss this item.

He also brought up that recently, the Board decided that agendas would not be posted at supermarket locations around the City. He thinks that this isn't a good idea because the more people that can be reached, the better. He asked that postings at outside locations be re-evaluated by the Board.

Commissioner Hodges: Inquired about possible posting agendas on the PW/MD's marquis at the Marina.

CM: The idea to use the marquis had been presented before but was deemed not to be cost effective. This issue was adopted into the recently approved BOC Policy Handbook, but staff will proceed as the Board desires. The Mayor asked that this item be added to the next Workshop.

G. CONSENT AGENDA

1. TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

2. APPROVAL OF A UTILITY EASEMENT DEDICATION AS REQUIRED BY THE CVS DEVELOPMENT AGREEMENT WITH PINES MADEIRA, LLC
3. APPROVAL OF SIDEWALK EASEMENT DEDICATION AS REQUIRED BY THE CVS DEVELOPMENT AGREEMENT WITH PINES MADEIRA, LLC
4. AWARD OF REQUEST FOR PROPOSALS NO. 15-1100 FOR FINANCIAL AUDITING SERVICES
5. APPROVAL OF CITY ATTORNEY CONTRACT

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

CM: Recognized and commend the City Attorney for keeping costs down and not raising his fees in his contract. This contract is the same as before and will be effective for three years upon approval.

H. UNFINISHED BUSINESS

1. ORDINANCE 2015-04

A SECOND AND FINAL 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 second and final reading was made by Commissioner Lister and seconded by Commissioner Hodges.

Dick Lewis: Expressed his concern with the language regarding flutter signs. He does not think that allowing these types of signs would be a good move for the City and proclaimed his disagreement with that part of the ordinance.

ROLL CALL

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

2. ORDINANCE 2015-05

A SECOND AND FINAL 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 second and final reading was made by Commissioner Hodges and seconded by Commissioner Shontz.

CM: Wanted to clear up some misconceptions that he received via a circulated email. This ordinance does NOT change anything. This ordinance simply puts this items in the hands of the people. With the passage of this ordinance, this item will go to a referendum vote at the March 2016 election. If this language is approved, it would require a super majority (4 out of 5 votes) of the Commission to convey any City property. We are not selling parks, we are not selling the Library, and we are not selling beach walkovers.

The City is constantly approached by developers who want to build in this City. How the Charter currently reads, if any small alleyway needs to be sold for development, it must go to referendum. This impedes

progress and the City loses out on a lot of great opportunities. Staff is not in support of this because we want to balance the budget. This was brought up because in certain respects, the City is not in control of its property.

Commissioner Shontz: The City is intelligently looking at property. She believes that as voted representatives of the people, the Board has the responsibility to make these types of decisions that the people have entrusted to them. This is the 21st century, the City is advancing and we can't operate like we did over fifty years ago. The Mayor also commented on the Grand Opening of the Marriott that took place earlier in the day. That project had been in the works for over six (6) years.

Mayor Palladeno: Asked the City Attorney if any of the other municipalities his firm represents has a similar provision in the Charter?

CA: His firm represents ten municipalities in the area. Of those municipalities, only the City of Tarpon Springs has some similar language. In his observation, it greatly impedes development and progress.

CM: The City needs these tools and the ability to move, this issue all comes down to timing.

Commissioner Lister: Noted that he is a major parks advocate. This ordinance and following referendum will in no way jeopardize any parks. The main properties that will be affected are small rights-of-way alleys and John's Pass Park.

The Mayor opened up public comment on this item. The following is a summary of some of the concerns, comments, and questions from the audience.

Bob Hampton: He is concerned that there could be issues with 'where do we draw the line' on this. He is worried that in the future, a Commission may vote to sell vital lands and parks with these powers.

Scott Braner: Noted that although he is not a resident of the City, he does do a lot of business here. As a developer, he looks to the attitude of the community where he looks to develop and invest. By having a provision like these, he sees an open community and a great opportunity for cooperation.

Bill Karns: Has worked to create ROC Park. He agrees with Mr. Braner that this would be good for the City and many great things could be accomplished. This is about alleyways, not parks.

CM: The areas this would affect would not be the Marina, or Archibald, or the Library – these would be alleyways that located behind obsolete cottages. This also doesn't mean that with approval of this item the Board would welcome and an every developer. The project would be considered and discussed to ensure that it fits with the community.

Robert Shaw: Commented that this whole issue is an age old argument – it is government by referendum versus government by representation. He also admired the requirements for a super majority of a 4/5 vote – he thinks that having that majority will provide some protections against some of the other concerns.

Cassandra Gadaro: Inquired to the City Manager, if this ordinance does pass, what is the time frame? The CM explained that upon approval of this ordinance and the next ordinance, a referendum vote will be held in the March 2016 Election. He also noted that staff will put together some educational seminars on this issue and answer the remaining questions from the public and from others who were unable to attend tonight.

Marilyn Halfling: Wants these educational seminars to be balanced and show both sides of the argument. He noted the current beauty of John's Pass Park and doesn't want to see a massive parking garage erected there that would create aesthetic problems.

Jim Everett: Lives in Madeira Beach but owns a business in Treasure Island. He points to Treasure Island as the reason we should pass this. He hears many people ask him, how is Madeira able to accomplish so much? Other areas want to be like us, he is in support of this item.

Steve Kochick: Asked the CA is this would remove the associated fee for vacation of a right-of-way. The CA assured him that this ordinance does not eliminate that fee.

Scott Lann: He is a new homeowner in Madeira Beach. He works full-time and has two kids, he can't make all these meeting and stay on top of every little vacation of right-of-way. He believes that as elected officials and representatives of the people, the Commission should be able to make these decisions.

ROLL CALL

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

3. ORDINANCE 2015-06

A SECOND AND FINAL 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.

CA read Ordinance 2015-06 by title only.

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

Steve Kochick: Explained that this is a vote on principle and people shouldn't vote based on only the current Commission. This will be in the Charter and needs to be thoroughly considered.

ROLL CALL

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

4. ORDINANCE 2015-07

A SECOND AND FINAL 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 second and final reading was made by Vice-Mayor Poe and seconded by Commissioner Hodges.

Steve Kochick: Asked exactly what was being changed and the CA read the following line that would be deleted from the definition of residential rental unit: "Residential rental unit does not include hotels and motels that occasionally rent to any person for periods of time greater than thirty (30) days.

ROLL CALL

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

I. NEW BUSINESS

1. ORDINANCE 2015-08

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE ANNUAL SALARY OF THE MAYOR AND DISTRICT COMMISSIONERS PURSUANT TO SECTION 4.11 OF THE CITY CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Ordinance 2015-08 by title only.

A motion to approve Ordinance 2015-08 on first reading was made by Commissioner Shontz and seconded by Commissioner Hodges.

CA: Reiterated that this raise would not become effective until the current members terms expired.

ROLL CALL

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

2. PUBLIC HEARING

TO CONSIDER A 2APS ALCOHOLIC BEVERAGE USE PERMIT #15.04 TO ALLOW THE CVS PHARMACY #2997, A RETAIL STORE, TO TRANSFER THEIR ALCOHOLIC BEVERAGE PERMIT FROM 15222 MUNICIPAL DRIVE TO 15129 MADEIRA WAY DUE TO THE CONSTRUCTION OF THEIR NEW STORE. THIS LICENSE IS FOR THE SALE OF BEER AND WINE IN SEALED CONTAINERS.

A motion to approve Alcohol Beverage Permit #15.04 was made by Commissioner Lister and seconded by Commissioner Shontz.

CA: Described the criteria by which the Board was required to evaluate this Alcohol Beverage Permit. He also noted that the Planning and Zoning Director was present if there were any further questions.

CM: Staff recommends approval.

ROLL CALL

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

3. RESOLUTION 2015-16

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE BUDGET BY INCREASING EXPENDITURES IN THE AMOUNT OF \$138,000 FOR CITY CENTRE PROJECT CHANGE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.

CA read Resolution 2015-16, by title only.

A motion to approve Resolution 2015-16 was made by Commissioner Hodges and seconded by Commissioner Lister.

CM: This budget adjustment has been brought up before. This covers some new amenities in the City Centre including additional sod, a band shell, and softball field beautification.

Cassandra Gadaro: Commented that she was concerned about the view and overall aesthetics of the City Centre, but the CM explained that the landscaping and finishing touches were not yet completed and many of her concerns would be remedied by the final completion of the project.

ROLL CALL

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

J. REPORTS/CORRESPONDENCE

- **CITY COMMISSION**

Mayor Palladeno: Was glad to announce that between the two recent festivals and his work on the Tourist Development Council, this City will receive \$115,000 in bed tax monies. The TDC is very impressed with Madeira Beach and the creation of 24 new events. Clearwater and St. Petersburg are giving praise to the City with all of its recent accomplishments.

The Mayor also took the time to thank the Administrative Support Specialist, Sea Marshall-Barley, for her assistance to the Mayor and his many roles in local government including his presidency at the Pinellas County Mayors' Council and his role as Secretary/Treasurer of the BIG-C. He noted that the BIG-C Monthly meeting for May was held at the new Marriott and she was a great help in getting that even orchestrated. He thanked her for her hard work and dedication to the City.

Also announced that this Sunday is the first of the City's concert series. This Sunday, beginning at 2:00 p.m., the musical festival will begin with the main act, Everclear and the Summerland Tour starting around 6:00 p.m. The City is looking for volunteers for anyone who is interested.

Commissioner Shontz: Thanked the Mayor for his involvement with the various county boards and his great representation of Madeira Beach.

- **CITY ATTORNEY**

CA: Has an item that seems to not have made it onto the Dais Log that he received late in the day. He presented a lien settlement offer for an old case in the amount of \$2,800. He praised the City Clerk for her diligence in cleaning out these old and default files. With her hard work, she has condensed the list of any old, open cases and the CA has been able to follow up on these. He presented this case and recommended to the Board that they accept this offer and close this file. Now that the City is back on track with its Code Enforcement efforts, they can re-establish how they will proceed with cases, but for these old ones, he suggests getting them finalized and closed.

A motion to accept the Lien Settlement for 13210 Boca Ciega Drive (Holsombach) in the amount of \$2,800.00 was made by Commissioner Lister and Seconded by Commissioner Shontz.

ROLL CALL

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

- **CITY MANAGER**

CM: Also asked for any interested volunteers to help the Recreation Department with the concert series this weekend on Sunday, June 14.

He also explained the promoter with the John's Pass Seafood Festival is now on a year probation for failing to correct many problems that the City required her to fix.

- **CITY CLERK**

SS: Had no new items, but has the proclamation from before for the Mayor to read. It is time sensitive which is why it is being presented today. The Mayor read the proclamation and declared that June 15 would be Elder Abuse Awareness Day.

K. ADJOURNMENT – The meeting was adjourned at 7:36 p.m.

Date Approved: 07/14/2015

A handwritten signature in black ink, reading "Travis Palladeno", written in a cursive style.

Travis Palladeno, MAYOR

A handwritten signature in blue ink, reading "Sea Marshall-Barley", written in a cursive style.

Submitted by Sea Marshall-Barley, SUPPORT SPECIALIST