



BOARD OF COMMISSIONERS 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 P.M.

Tuesday, December 10, 2013

AUDITORIUM

- A. **CALL TO ORDER:** The Meeting was called to order at 6 p.m.
- B. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Vice Mayor Terry Lister
- C. **ROLL CALL:**

MEMBERS PRESENT: Travis Palladeno, Mayor
Terry Lister, Vice-Mayor
Nancy Hodges, Commissioner District 2
Elaine Poe, Commissioner District 3
Pat Shontz, Commissioner District 4

STAFF PRESENT: Shane Crawford, City Manager (CM)
Thomas Trask, City Attorney (CA)
Aimee Servedio, City Clerk (CC)
Dave Marsicano, Central Services Director (CSD)
Vince Tenaglia, Finance Director (FD)

D. **APPROVAL OF THE MINUTES**

- 1. BOC Workshop Meeting May 22, 2012
- 2. BOC Agenda Setting Meeting June 12, 2012
- 3. BOC Workshop Meeting June 12th, 2012
- 4. BOC Regular Meeting June 12, 2012
- 5. BOC Workshop Meeting June 26, 2012
- 6. BOC Regular Meeting November 19, 2013
- 7. BOC Special Budget Meeting November 21, 2013

Motion was made by Vice-Mayor Lister to approve the aforementioned minutes and was seconded by Commissioner Hodges.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

E. APPROVAL OF THE AGENDA

CM: He will be shifting some of the agenda items on this meeting. The City is introducing two new members of its staff: Frank DiSantis (Building Official) and Patti Korits (Permit Technician). Frank will begin in the middle of January and Patti will start on Monday 12/16/13. In addition there are other adjustments. Item 1 under presentations will occur in conjunction with New Business #4 during the reading of the agreement. Item 2 under presentations is not ready and will be referred to a special meeting on 12/12/13 at 3 p.m. Item number 2 under the consent agenda will be referred to Thursday's meeting as well.

Motion was made by Commissioner Poe to approve the amended agenda and was seconded by Commissioner Shontz.

ROLL CALL:

Commissioner Hodges.....YES

Vice-Mayor Lister.....YES

Commissioner Poe.....YES

Commissioner Shontz.....YES

Mayor Palladeno.....YES

F. PUBLIC COMMENT (limited to 3 minutes)

Clint Harline – Owner of the Amish Creamery – 200 150th Ave & Madeira Way: He came to talk about the Holiday Fest that occurred on Madeira Way last weekend. When Susan of SIK promotions approached him, he approved it. She informed him that the promotions would not compete with any of the current vendors with similar goods (i.e. establishments already on Madeira Way). SIK promotions brought in a distributor of Amish Products from Sarasota and their signage was very similar to the creamery. He is aware of the contract with SIK and that runs through 2014, but he would suggest that they get a new promoter. He approved of the previous promoter and said they held 3 successful events previously.

Mayor Palladeno: He has heard some complaints from vendors regarding SIK. CM: in 2/13 special events permit from SIK about a schedule that includes 16 events and there are 4 more. After that, they need to apply for another permit. He also fielded some complaints about how this vendor affects businesses on Madeira Way. They can reevaluate the application and or inform her of the rules that are included in the application. Mayor: This was supposed to promote the area and bring a quality product to the Madeira Way area. However, he hasn't been getting glowing reports from residents or businesses about this vendor. CM would like to meet with the vendor before any action is taken "This is a repetitive theme that has occurred at other events as well". **BOC thinks this is a good method of handling this conflict of interest.**

Marilyn Maginley North Bayshore Drive: She was commenting on the same thing regarding the craft fair & the 9/11 memorial. They did an excellent job at that event. She also wants to see a better system of scheduling events because there was one in St. Pete Beach at the exact same time as this one.

Neil Greenstein 357 Rex Place: He used to work at City Hall and ran the Snack Shack. He is concerned about losing his view of the intracoastal with the construction of the new Recreation Center and ensuring the view that comes with the properties on Rex place remain intact. .

Jim Madden: He is referring to the article Wayne Ayers published in the Beach Beacon about last meeting. There are illegal rentals in Madeira Beach and the problems with those structures. Short term rentals have been on the books for a while (6 months for single family and 3 months for multifamily). He is wondering if there were any Code Enforcement actions taken towards this issue.

PRESENTATIONS/PROCLAMATIONS

1. **PRESENTATION BY CVS DEVELOPMENT OF NEW RETAIL STORE (DISCUSSED LATER IN THE MEETING)**
2. **PRESENTATION BY WANNEMACHER JENSEN AND HENNESSY CONSTRUCTION FOR THE NEW CITY COMPLEX PROJECT (REFERRED TO A SPECIAL MEETING ON 12/12/13)**
3. **PRESENTATION TO VINCE TENAGLIA FOR THE GFOA CERTIFICATE OF ACHIEVEMENT PLAQUE (WILL BE GIVEN AT THE BOC MEETING IN JANUARY)**
4. **PRESENTATION TO SHAWN HEFFENER PCSO BY THE MAYOR FOR THE KEY TO THE CITY**

BOC: Presented Dep. (now Detective!) Heffner with a Letter of Commendation from the City of Madeira Beach. Detective Heffner: He is honored to have been promoted to his new position and is grateful for the time that he spent as the Community Policing Deputy for the City of Madeira Beach. He commends the community for not allowing crime in their City and "Madeira Beach is a City on the rise".

G. CONSENT AGENDA

Motion was made by Commissioner Poe to approve the Consent Agenda except for the Bid award to Salary Compensation Study and was seconded by Vice-Mayor Lister.

CM: Item #4 included a probationary period for the City Clerk. She has done an amazing job and if the BOC approves lifting the probation that means that the BOC can reward her for her excellent service. Since she is a Charter Member, the BOC presides over her. All of the Department Heads received a 3% raise dating back to 10/1/13. The City Clerk has accepted this increase. CM stated that the BOC include this stipulation in their motion.

Motion was made by Vice-Mayor Lister to terminate the Probationary Period of the City Clerk and provide the City Clerk with a 3% raise retroactive to 10/1/13 and was seconded by Commissioner Hodges. This is amending the previous motion.

Commissioner Shontz: CC Servedio has served the city for over 30 years and spent a lot of that time in the Fire Department. She is a great employee and is very stable. Everyone knows her and approves of the diligent work she does for the City. Commissioner Shontz is very confident in her abilities to keep the City going in the right direction.

Mayor Palladeno: He has very much enjoyed working with the CC. He knows how much the Fire Department misses her.

ROLL CALL:

Commissioner Hodges.....YES

Vice-Mayor Lister.....YES

Commissioner Poe..... YES

Commissioner Shontz.....YES

Mayor Palladeno.....YES

1. **BID AWARD**
Bid Award to Crystal Island Roadway and Drainage – Caladesi Construction
2. **BID AWARD**
Bid Award to Salary Compensation Study (Referred to the BOC Meeting in January)
3. **Contract Award**
Contract Award for fuel – Piggyback on the Pinellas County Contract
4. **MOTION TO APPROVE END OF PROBATION FOR CITY CLERK – Referred to the Special Meeting on 12/12**
5. **MOTION TO APPROVE THE DESIGN FOR THE NEW CITY COMPLEX – Referred to the Special Meeting on 12/12**
6. **MOTION TO APPROVE THE GMP FOR THE NEW CITY COMPLEX – Referred to the Special Meeting on 12/12**

H. UNFINISHED BUSINESS

1. **ORDINANCE NO 2013-08**
A SECOND READING OF AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH; CREATING A NEW DIVISION 4 OF ARTICLE III PROVIDING FOR THE LICENSING AND INSPECTION OF CERTAIN RESIDENTIAL RENTAL ACTIVITIES AND PROPERTIES; ESTABLISHING PROCEDURES, FEES, AND CRITERIA FOR LICENSING, INSPECTION, AND LICENSE REVOCATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

CA: Read by Title only.

Motion was made Commissioner Hodges to approve Ordinance 2013-08 and was seconded by Commissioner Poe.

Dick Lewis 561 Crystal Drive: The purpose of this Ordinance is to ensure safety for the public and to control nuisances. This allows the government to enter private properties and residences for no overt purpose other than an annual inspection. "It is intrusive, expensive, and unnecessary to serve any of these proposes ". He strongly suggests the BOC not approve it.

Jim Madden: He agrees with Mr. Lewis. Enforcement is the issue and this is the 4th time dealing with the rental issue. He says that there were no Code Violations that were in accordance with any of the previous 3 Ordinances. The impact, based on this Ordinance, will be substantial (Inspecting each unit). When will it end? He doesn't think that this Ordinance is representative of what the people in the community agree is fair and just. What is the difference between more than 5 units as opposed to other types of rentals? Why does the PCCLB make this necessary? He hopes the new official holds all licenses and makes the best assessments. He referred to units dating back to 1932 – what code applies to those units (current or 1932 code)?

Victor Cucura 321 Boca Ciega Drive: This is intrusive and he would like the BOC to reconsider. There are state regulations and why is the City superseding that?

Mayor Palladeno: There haven't been many cases going in front of the Special Magistrate because the Deputies have been proactive to ensure that the Charges don't mount up. Crime rates have been steadily decreasing and that is making the properties more valuable as well as more enjoyable to live in.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

2. **ORDINANCE NO. 2013-09**

THE SECOND READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, RE-ESTABLISHING THE MILLAGE RATE REPEALING ORDINANCE 2013-03; FOR FISCAL YEAR 2014; PROVIDING AND ANNOUNCING THE NAME OF THE TAXING AUTHORITY; THE ROLLED-BACK RATE; THE PERCENTAGE INCREASE OVER THE ROLLED-BACK RATE; AND THE FINAL ADOPTED MILLAGE RATE; BY PROVIDING FOR READING IN ITS ENTIRETY; AND PROVIDING FOR AN EFFECTIVE DATE.

CA: Read Ordinance 2013-09 in its entirety.

Motion was made Commissioner Shontz to approve Ordinance 2013-09 and was seconded by Commissioner Poe.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

3. **ORDINANCE NO. 2013-10**

THE SECOND READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, RE-ADOPTING THE BUDGET FOR FISCAL YEAR 2014; REPEALING ORDINANCE 2013-04; BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE.

CA: Read Ordinance 2013-09 in its entirety.

Motion was made by Vice-Mayor Lister to approve Ordinance 2013-10 and was seconded by Commissioner Hodges.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

I. NEW BUSINESS

1. **ORDINANCE NO. 2013-11**

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 102-56 OF THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH, FLORIDA TO PROVIDE TEMPORARY SIGN EXEMPTIONS FOR CERTAIN SIGNS; AND PROVIDING FOR AN EFFECTIVE DATE.

CA: Read by Title only. The Resolution is coming up next and they work hand and hand. There will be the stipulation that allows for situational signs.

Dick Lewis 561 Crystal Drive: The part pertaining to "sandwich signs" says it has to be on private property and he thinks that this should also pertain to banners.

Motion was made by to approve Commissioner Hodges Ordinance 2013-10 and was seconded by Vice-Mayor Lister.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

2. RESOLUTION 2013-56

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FINDING THAT THERE EXISTS AN ECONOMIC HARDSHIP IN THE CITY OF MADEIRA BEACH BY FINDING THE EXISTENCE OF AN UNEMPLOYMENT RATE OF 8.3% AS PUBLISHED BY THE BUREAU OF LABOR STATISTICS FOR PINELLAS COUNTY; AUTHORIZING A TEMPORARY EXEMPTION FOR THE USE OF CERTAIN PROHIBITED SIGNS BY OWNER OR TENANTS OF COMMERCIAL PROPERTIES IN THE CITY OF MADEIRA BEACH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Motion was made by to approve Vice-Mayor Lister Resolution 2013-56 and was seconded by Commissioner Hodges.

Marilyn Maginley North Bayshore Drive: She is curious about the conflict in the unemployment statistics given from Pinellas County. CA: It is a constantly moving target and it may change. When it was last checked, it hit the 8.3% in the last 6 months, and if it was below 7, the City wouldn't be able to do this. The City will do this again next year if it goes above 7%. The City started the process 2 months ago and it was requested by the Johns Pass Village Association. CM: Lisa's Café is the best example of this Resolution and it allows relief to the businesses. This is considered temporary relief and if it is more concrete, it will go in front of the Planning Commission.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

3. RESOLUTION 2013-57

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, VACATING A 5-FOOT WIDE BY 366 FOOT LONG DRAINAGE EASEMENT GENERALLY LOCATED AT THE NORTHEAST CORNER OF GULF BOULEVARD AND MADEIRA WAY, AS SHOWN ON THE PLAT OF GOVERNMENT LOT 1 IN SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

CA: Ready by Title only. This is across the street from the City Hall and it needs to be vacated in order to start the CVS project.

Motion was made by to approve Commissioner Shontz Resolution 2013-57 and was seconded by Commissioner Poe.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe..... YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

4. **DEVELOPMENT AGREEMENT**

A SECOND READING TO CONSIDER A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND PINE MADEIRA, LLC TO BUILD A 14,903 SQUARE FOOT CVS RETAIL PHARMACY AND TO PROVIDE FOR A FUTURE 2,500 SQUARE FOOT FLEX USE BUILDING ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF GULF BOULEVARD AND MADEIRA WAY.

CM: This will be a short presentation and if the public has any questions they can ask.

Ed Armstrong – Attorney with Hill Ward Henderson 311 Park Place Blvd Suite 240 Clearwater, FL: This is a Development Agreement for the new CVS. He introduced Jose Martinez.

Jose Martinez – Civil Engineer Forsite Engineering Group Tampa, FL: Explained the site plan and other specifics of the project. It will be located on Madeira Way and Municipal Drive. It will be on the strip where Original Pizza, Pack-n-Ship Store, and Osaka Sushi as well as the vacant gas station property. CVS developer will be doing all of the construction. They will include a safety upgrade and access to the Winn-Dixie shopping center. The construction will be done in the manner they are proposing to be in accordance with the "Urban Pedestrian Corridor" theme that the City is promoting and thus this is a little different than conventional CVS buildings. The agreement requires BOC approval.

Stefano DeLuca – Architect for CVS – 611 Edwin St. Hollywood, FL: Created 3-D renderings where the building will be situated along Madeira Way and Municipal Drive. The building will have a faux entry that will go along with the Urban Corridor theme. He has worked with CDD Rosetti to include the best architecture for the project. He added in colors and landscaping that accentuate the water and surrounding landscape.

CA: This needs to be adopted after 2 readings (1st reading was at the Planning Commission Meeting). There have been multiple discussions He commends CDD Rosetti. If the BOC approves this tonight, the licensing and permitting process starts. CA said that they have met all of the requirements and have met with CDD on a consistent basis to get the optimal product.

CM: The timeframe to begin is October or November of 2014. Full Disclosure from the Planning Commission said that the vote was 4-2 in approval. The dissenting votes came from the rationale that it was a beautiful piece of property across from Archibald Park and it could be better suited for other purposes. City Staff approves of the project and the developers are very easy to work with.

Commissioner Shontz: Hopes to see exactly what is on the pictures. She has experienced other instances with CVS in which they didn't come through. The Architect and Engineer assured her that it will be exactly the same. She commends the developers with what they have presented.

Vice-Mayor Lister: Is wondering about the extra 2,500 sq ft property in the back and what the parking situation will be. Will they tow cars and how will it be policed when there is a major event?

Wright Barrs – Boos Development Group 595 N Dexter Ave Tampa, FL: He is the developer representing CVS. The development has sufficient parking for the use of CVS shopping. There is only so much they can do enforce the parking, but it is up to the store manager and operation. There is no signage saying "only CVS parking", but it is intended to be so. The 2,500 sq ft building hasn't been set yet and it might be involved with the businesses that have been displaced (stated by CM) by the CVS. Soil Contaminant testing has already occurred where the gas station tanks were located.

Motion was made by Commissioner Poe to approve the Development agreement for CVS and was seconded by Commissioner Hodges.

ROLL CALL:

Commissioner Hodges.....YES
Commissioner Poe.....YES
Mayor Palladeno.....YES

Vice-Mayor Lister.....YES
Commissioner Shontz.....YES

J. REPORTS/CORRESPONDENCE

- **CITY COMMISSION**

Mayor Palladeno: All of the County-wide meetings have been cancelled and will commence again in January.

- **CITY ATTORNEY**
- **CITY MANAGER**

CM: There will be a very large boat parade on 12/14/13. The grand prize is \$2,500 so please sign up. There is another rumor that the City made a mistake on the bid for the Snack Shack and the City was begging a local vendor to cover up that mistake. That is not the case and it was bid out properly. The City will make out much better financially that it had in the past. The City shut down Kitty Stuart Park for a little bit for the restaurant and the ownership make-up of that project has changed. There is a new owner and it may resume as early as January or early next year. The Marriott and the Condo projects on Gulf Blvd are coming along nicely. There was supposed to be a presentation by the GFOA for the Finance Department because they won an award for Excellence. The award didn't arrive yet and they will present it to the Finance Department at the next meeting. The FD is working toward achieving his GFOA certification and he took his first test. He got a 93% and the mean score was 81%. This was an issue when he was employed by the City and now that hiring has been looking extra special.

Mayor Palladeno: Would like an update on the Archibald Project at the next meeting.

CM: The Snack Shack exterior color will be voted upon on Thursday. It's not an historic designation, so they could paint it whatever they choose. Color is a very important and political issue. There are renderings of what the inside of the building will look like and they want to start construction as quickly as possible as they want to be fully operational by 2/1/14. This will also be voted upon at the Thursday meeting.

- **CITY CLERK**

CC: The BOC received a Thank You letters from the T.I./Madeira Beach Chamber of Commerce for sponsoring the Casino night for their sponsorship from the Madeira Beach Social Club. There are eight more meeting minutes that are to be finished in order for the 2012 minutes to be completed. Furthermore, the Election Qualifying Period begins tomorrow.

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

Date Approved: 1/21/14



Travis Palladeno, Mayor



Submitted by Aimee Servadio, City Clerk

Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

Posted: December 6, 2013 Televised live on Channel 615