



MINUTES

BOARD OF COMMISSIONERS REGULAR MEETING JULY 10, 2024 6:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular meeting at 6:00 p.m. on July 10, 2024, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT:

Anne-Marie Brooks, Mayor
David Tagliarini, Commissioner District 1
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3

MEMBERS PRESENT: (2nd Roll Call)

Anne-Marie Brooks, Mayor
David Tagliarini, Commissioner District 1
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3
Housh Ghovae, Commissioner District 4

MEMBERS ABSENT:

CITY STAFF PRESENT:

Robin Gomez, City Manager
Clara VanBlargan, City Clerk
Andrew Laflin, Finance Director/City Treasurer
Thomas Trask, City Attorney

1. CALL TO ORDER

Mayor Brooks called the meeting to order at 6:00 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

City Attorney Tom Trask gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

City Clerk Clara VanBlargan called the roll. All were present.

4. APPROVAL OF THE AGENDA

Mayor Brooks requested that the Edward Byrne Memorial Justice Assistance Grant County Funds Letter be added as Item 16.B.

Commissioner Kerr motioned to approve the Agenda, as written with the addition of the Edward Byrne Memorial Justice Assistance Grant Letter as Item 16.B. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Commission Kerr	"YES"
Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 4-0.

5. PUBLIC COMMENT

Chuck Dillon, 529 Lillian Drive, made the following comments:

- Consider doing away with Commission districts.
- Commented that Mr. Ghovae would be a good fit for Commissioner District 4 but would be greatly missed on the Planning Commission.
- Be prepared for the rush of property owners claiming rights to the beach.

6. REVIEW APPLICATIONS FOR BOARD OF COMMISSIONERS VACANCY AND APPOINT DISTRICT 4 COMMISSION MEMBER

A. Process for Review of Applications for District 4 Commission Member Vacancy and Appointment of Commissioner

City Attorney Tom Trask reviewed the process for reviewing the applications for District 4 Commission Member and said there is only one qualified applicant.

Applicant – Housh Ghovae, Commissioner District 4

Housh Ghovae introduced himself, told his background and education. He is fully committed and it would be the greatest honor if the Board appointed him.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Tagliarini motioned to appoint the applicant, Housh Ghovae, as District 4 Commissioner. Commissioner Kerr seconded the motion.

ROLL CALL:

Commission Tagliarini	"YES"
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Commissioner Kerr	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 4-0.

7. INDUCTION INTO OFFICE – DISTRICT 4 COMMISSIONER

The City Clerk administered the Oath of Office to Housh Ghovae, District 4 Commissioner.

8. ROLL CALL

City Clerk Clara VanBlargan called the roll call of the Board of Commissioners:

Anne-Marie Brooks, Mayor
David Tagliarini, Commissioner District 1
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3
Housh Ghovae, Commissioner District 4

9. APPOINTMENT OF VICE CHAIR

City Attorney Tom Trask read City Charter, Section 4.4 – Vice Mayor.

Commissioner Tagliarini motioned to appoint himself as Vice Mayor. Commissioner Kerr seconded the motion.

There was a short discussion among the Board.

ROLL CALL:

Commission Tagliarini	"YES"
Commissioner Kerr	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

10. PROCLAMATIONS

There were no proclamations.

11. PRESENTATIONS

There were no presentations.

12. APPROVAL OF MINUTES

- A. 2024-06-12, BOC Regular Meeting Minutes**
- B. 2024-06-26, BOC Budget Workshop Meeting Minutes**
- C. 2024-06-26, BOC Special Meeting Minutes**

Commissioner Kerr motioned to approve the meeting minutes as written. Vice Mayor Tagliarini seconded the motion.

ROLL CALL:

Commissioner Kerr	"YES"
Vice Mayor Tagliarini	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

13. PUBLIC HEARINGS

A. Ordinance 2024-08 Fences, 1st Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2024-08 by title only:

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE VI SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 3 LANDSCAPE FENCES, GATES, HEDGES, AND WALLS OF THE CITY'S LAND DEVELOPMENT CODE TO PROVIDE FURTHER INFORMATION ON DEFINITIONS IN APPLICABILITY OF DIVISION; TO INCLUDE THE VISION TRIANGLE, AMEND FRONT, SIDE AND REAR YARDS, AND INCLUDE FENCES AROUND SWIMMING POOLS IN LOCATION AND HEIGHT OF FENCES, HEDGES, AND WALLS; AND ADD A NONCONFORMITIES SECTION; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Joseph Petraglia, Planning Technician, said they discussed the proposed ordinance at the April 24 workshop meeting and the May 6 and June 3 Planning Commission Meetings, and it has since been revised. He reviewed the following changes:

- Sec. 110-446 – Applicability of division
(1) Definitions – the definition of Building Lines was made more clear

- (4) Openings - was added
- (5) Open fences – added language to make it more clear
- Sec. 110-447 – Location and height of fences, hedges, and walls – language was added throughout the section to make it more clear
- (c) Swimming pool fence - was added
- Sec. 110-449 – Nonconformities was added

Mayor Brooks opened to public comment. There were no public comments.

Following discussion, the City Attorney said the changes can be brought back at the second reading.

Commissioner McGeehen motioned to approve Ordinance 2024-08 Fences after 1st Reading and Public Hearing. Commissioner Kerr seconded the motion.

ROLL CALL:

Commission McGeehen	"YES"
Commissioner Kerr	"YES"
Commissioner Ghovae	"YES"
Vice Mayor Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

14. UNFINISHED BUSINESS

15. CONTRACTS/AGREEMENTS

A. Human resources, Compensation, & Classification Study – Approve Consulting Agreement with RSC Insurance Brokerage, dba Risk Strategies Company (Gehring Group)

The City Manager explained the item and recommended approval of the agreement with RSC Insurance Brokerage, dba Risk Strategies (Gehring Group) for \$37,640.

Mayor Brooks opened to public comment.

John Hendricks, 569 Normandy Road, said they need to start looking at what the City is spending and get a handle on it. He did not think the City needed to spend the money on a study done a few years ago.

Following discussion by the Board, Vice Mayor Tagliarini motioned to approve the Consulting Agreement with RSC Insurance Brokerage, dba Risk Strategies Company (Gehring Group). Commissioner Kerr seconded the motion.

ROLL CALL:

Vice Mayor Tagliarini	"YES"
Commissioner Kerr	"YES"
Commissioner Ghovae	"YES"
Commissioner McGeehen	"NO"
Mayor Brooks	"YES"

The motion carried 4-1.

B. ITB #2004-05 Purchase ADA Restroom Trailer

The City Manager said the item was discussed at the workshop. Three responsive replies were received. They realized that the one recommended, NIU Toilet for \$56,900, although not the lowest bidder is also listed on the Sourcewell cooperative purchasing program. This was mentioned in the staff memo at the workshop and this meeting. Staff suspended the invitation to bid because it had already been bid out under the Sourcewell cooperative purchasing program. There is an exception in the purchasing code that would allow them to utilize the Sourcewell cooperative purchasing agreement.

The City Attorney said they are changing from an invitation to bid to a piggyback. The recommended motion mentioned in the packet would address it the way the city manager addressed it. It would be to approve the purchase of that trailer from that company listed at that dollar amount.

Mayor Brooks opened to public comment. There were no public comments.

Following discussion, Commissioner Kerr received confirmation from the City Manager that they are looking for grants for it and the Gehring Group.

Vice Mayor Tagliarini motioned to move forward with purchasing from NIU Toilet for the amount of \$56,900, who is also on the Sourcewell purchasing program for government agencies under Contract #081721-NIU. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Tagliarini	"YES"
Commissioner Ghovae	"YES"
Commissioner Kerr	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

C. Snack Shack Concession Agreement – Approve 2nd Amendment

The City Manager said they have one remaining two-year renewal for their Concession Agreement. The Concessionaire, United Park Services, Inc., utilizes the structure at Archibald Park. The renewal is through July 31, 2026. All the conditions in the agreement remain the same. Upon approval, the monthly rent received from the Concessionaire will increase by 5% each year beginning August 1, 2024. All financial items remain the same in the agreement. They currently pay \$1,300 a month for the bathrooms, which will increase to \$1,500 monthly. The Concessionaire is current on all other payments and in compliance with the agreement. If approved, before the conclusion of the second year, they would issue an RFP for the next agreement.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Ghovae said they are in a FEMA zone and cannot increase the value by more than 50%. The City Manager said they would only renovate the bathroom and it would not come close to 50%. Commissioner Kerr asked that they consider putting a tarp or something on in to keep the sun off. The City Manager said it was an outdoor unit and would look into it.

Commissioner Ghovae mentioned that there was an old statue located south of the building that is sort of hidden by the scrubs and looked not cleaned in years. He asked that someone pay more attention to it.

Vice Mayor Tagliarini motioned to approve the staff's recommendation to approve the 2nd Amendment to the original Concession Agreement with United Park Services, Inc. for the concession services at Archibald Park. Commissioner McGeehen seconded the motion.

ROLL CALL:

Vice Mayor Tagliarini	"YES"
Commissioner McGeehen	"YES"
Commissioner Kerr	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

16. NEW BUSINESS

A. Appointment of Alternate Trustee to the Gulf Beaches Public Library Board

Vice Mayor Tagliarini said he would be interested unless somebody has a burning interest in serving.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Kerr motioned to appoint Vice Mayor Tagliarini as an alternate to the Gulf Beaches Public Library Board. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commission Kerr	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Vice Mayor Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

B. Fiscal Year 2023 Edward Byrne Memorial JAG – Countywide Program funds for Projects within Pinellas County

This item was added at the beginning of the meeting.

The City Manager said they received a letter from Pinellas County addressed to Mayor Brooks to provide a letter of support to them receiving grant funds they applied for from the Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Fund. They are set to receive \$270,837 for various countywide programs listed in the letter. Most are related to different social services and outreach programs. The County provided the support letter.

The City Manager reviewed the items on the list.

Mayor Brooks opened to public comment. There were no public comments.

Following discussion by the Board, Commissioner Kerr motioned that they provide the support letter as written for the Fiscal Year 2023 Edward Byrne Memorial Program. Commissioner Ghovae seconded the motion.

ROLL CALL:

Commission Kerr	"YES"
Commissioner Ghovae	"YES"
Commissioner McGeehen	"YES"
Vice Mayor Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

17. AGENDA SETTING – July 24, 2024 BOC Workshop Meeting

- A. Planned Development Amendment**
- B. Proposed Zoning Change – 129th Ave. E.**
- C. John's Pass Village Zoning**
- D. Floodplain amendments**
- E. Parking Garage**

- F. PCSO Law Enforcement Services Agreement FY 2025**
- G. RFP 2024-06 City Facility Cleaning Contract**
- H. Mayor/District Commissioners Pay**
- I. Flood Insurance Update/Homestead Issue – Letter to State**

Items added:

Board of Commissioners (from citizen comments)

- Commission districts, why they have them, why the Mayor is at large, the challenges of changing that, and the pros and cons.

Mayor Brooks

- Court of Honor
- Boat docks at Rock Park
- Kitty Stewart Park bathroom
- Undergrounding commercial utility projects going on that are not complete. Invite Duke Energy to attend the workshop.
- Residential undergrounding. What does that look like, how is Duke Energy involved, and what is the cost? Invite Duke Energy to attend the workshop.

Commissioner Kerr

- What are the rights on their beaches, public versus private? If their property lines are extending automatically down to the mean water line, then how much can that be regulated by the City or any municipality? If it is private property, can it be regulated? If it is public property, why can't they regulate it as long as it is a blanket regulation, not specifically for one property?

Commissioner Ghovae

- Discuss how to designate zoning of beach property seawards of the coastal construction control line, i.e., preserving land and what activities are permissible in the hypothetical zoning. He would like them to discuss that and create uniformity along their beaches.

Commissioner McGeehen

- Make a playground in the area of 140th.

Mayor Brooks opened to public comment.

Chuck Dillon thanked the Board for being a supportive group for the City. He asked about the vacancy on the Planning Commission. The City Clerk said she would be advertising the vacancy.

18. REPORTS/CORRESPONDENCE

A. Board of Commissioners – 2024 BOC Scheduled Meetings

Mayor Brooks opened to public comment. There were no public comments.

There were no changes to the 2024 BOC meeting schedule.

The Board congratulated Vice Mayor Tagliarini and Commissioner Ghovae on their new positions.

B. City Attorney

The City Attorney had no report.

C. City Clerk

The City Clerk said she would have a report for the next meeting. The District 4 vacancy kept her busy and did not have time to focus on the report.

Commissioner Ghovae thanked the City Clerk for her steadfast work in the appointment process and for ensuring every line on the application was complete.

D. City Manager

The City Manager reminded the Board of the four-hour mandatory ethics training on July 17 from 10:00 a.m. to 3:30 p.m. in the Chamber and other upcoming events. The City Clerk said lunch will be provided at the ethics training.

19. ADJOURNMENT

Mayor Brooks adjourned the meeting at 7:50 p.m.


Anne-Marie Brooks, Mayor

ATTEST:


Clara VanBlargan, MMC, MSM, City Clerk





THE CITY OF MADEIRA BEACH, FLORIDA
BOARD OF COMMISSIONERS

OATH OF OFFICE

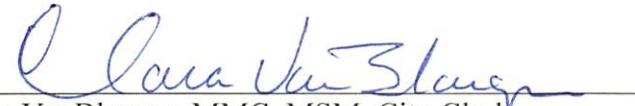
"I, Housh Ghovaece, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida, the City Charter, City Codes, and Policies and Procedures of the City of Madeira Beach and the Board of Commissioners, and that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of Commissioner District 4, upon which I am now about to enter. So help me God.


Housh Ghovaece, Commissioner District 4

July 10, 24
Date

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 10th day of July 2024.


Clara VanBlargen, MMC, MSM, City Clerk