



MINUTES

BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING MARCH 22, 2023 6:00 P.M.

The City of Madeira Beach Board of Commissioners held a regular workshop meeting at 6:00 p.m. on March 22, 2023, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: James “Jim” Rostek, Mayor
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3
Anne-Marie Brooks, Commissioner District 4

MEMBERS ABSENT: David Tagliarini, Commissioner District 1

CITY STAFF PRESENT: Robin Gomez, City Manager
Clara VanBlargan, City Clerk
Thomas Trask, City Attorney

1. CALL TO ORDER

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

2. ROLL CALL

City Clerk Clara VanBlargan called the roll.

3. PUBLIC COMMENT

Barry Rubin, President and CEO of the Treasure Island and Madeira Beach Chamber of Commerce, welcomed the new Mayor and new Commissioners to the Board and wished them good luck.

4. PRESENTATIONS (limited to 10 minutes each)

A. Fire Department Presentation

This item was moved to the Special Meeting at 4:30 p.m.

B. Firefighter of the Year – Michael Wasilewski, Firefighter/Paramedic

Fire Chief Clint Belk presented the 2023 Madeira Beach Fire Department Firefighter of the Year Award to Michael Wasilewski, Firefighter/Paramedic.

C. Recognition of Five Years of Service – Lieutenant Tom McClave

Fire Chief Clint Belk presented the Five-Year Pin to Lieutenant Tom McClave for his five years of service with the Madeira Beach Fire Department.

5. TOPICS FOR DISCUSSION

A. City Manager's Monthly Report – February 2023

City Manager Robin Gomez reviewed the City Manager's Report for February 2023.

Commissioner Kerr asked if there was an update on the property on 95th Street. The City Manager said they were waiting on the second appraisal. Once they have it, the Commission would be notified, and they would proceed from there.

B. 2023 FI Legislative Session Bills Impacting Cities

The City Manager said the City Attorney's office compiled a list of pending bills according to category that is of concern to the City, which was included in the agenda packet. The City Attorney explained the memorandum he included in the pack. They issue a memorandum every 10-14 days to let the Board know where the bills are at, what their thoughts are on the bills and the bills that are no longer an issue because they did not make it through Committee.

The City Manager reviewed Senate Bill 170/House Bill 515. The City Attorney said it was called a Business Impact Estimate and would be a major expense and slow-down for the City. He recommended the Code of Ordinances be thoroughly reviewed, and the updating be complete by October 1st.

The City Manager reviewed Senate Joint Resolution 122/House Joint Resolution 469, which would reduce the limitation on annual increases of homestead property tax assessments from 3% to 2%.

The City Manager explained the Sovereign Immunity Bill, which would increase the statutory caps on liability from \$200,000 per person and \$300,000 per incident to \$2.5 million per person and \$5 million per incident.

Commissioner Kerr asked the City Attorney if he was suggesting they look at the planning note and implement them after the session was over or if it was something they should do regardless. The City Attorney said there would be no need to make changes unless it became law. If it became law, they would need to review the Code of Ordinances and make the necessary changes before October 1st. They should not change the Code for something they thought would happen because it might not actually happen.

C. Area 6A Engineering Scope Approval

Public Works Director Megan Wepfer said Area 6A included Municipal Drive, 1st Street E., 2nd Street E., 153rd Ave., 154th Ave., 155th Ave., and Harbor Dr. It was the next area to begin work on as part of the capital improvement projects. They requested State Appropriations and received \$1 million dollars for the project. Construction included milling, resurfacing, curb repair, and replacing storm drains and would start in about eight months or more. There are five stormwater outfalls in the area; two are major outfalls recognized by SWFMD (Southwest Florida Management District) and NPDES (National Pollutant Discharge Elimination System).

Commissioner Kerr asked if they were locked in on the budget or if they would find themselves in the same situation they did with the utility undergrounding. Director Wepfer said they could not predict construction prices. She budgeted \$200,000 for the engineering, and it came in at \$141,500, but construction prices change often.

D. Area 5 – Engineering Scope Approval

Director Wepfer said Area 5 was the same project in a different area. Area 5 included 129th Ave. and 131st Ave. E. They would go into a joint participation agreement with Pinellas County, or they would pay for their services to replace the water and sewer lines in Areas 5 and 6A. The quote came in at \$52,000.

Commissioner Kerr asked if they were going to put conduit in for future utility undergrounding. Director Wepfer said Area 6A was in the works, but she did not think it would be possible for Area 5 because they were already doing the engineering for Pinellas County. There would be more right-of-way in Area 5 so it would not go in the street.

Director Wepfer said she requested funding for Area 5 but did not hear back on her application.

E. Pocket Parks Design Proposal

Director Wepfer said there are five pocket parks in the Boca Ciega neighborhood. She requested quotes from two paver companies that came in way over the budget threshold. She provided a quote from HALFF Associates, Inc. in the packet, which would resemble the pocket park on 133rd Ave. E.

Director Wepfer said permitting for kayak launches is \$33,000. The pocket parks are 40 feet wide, and, per the ordinance, they can only go 20 feet out, which would not be ADA compliant. She proposed taking it out.

Mayor Rostek asked if they were going to pay \$7,600 just for plans. Director Wepfer said it was not cheap, and in order for her to go out to bid, she needed plans and specs. She asked for direction from the Board.

The City Manager said there are numerous examples of individuals using public right-of-ways, and they were working on being accommodating, but they can not continue to give away the right-of-ways.

Mayor Rostek opened to public comment.

Kathy Behrmann, the owner of Changing Tides Cottages, said she was concerned about her property and the value of her property. She hoped the City would be willing to work with her so she could have enough places for people to park. She would also like the Board to get input from the people before they spend money.

Tim Hawkins, 123 Boca Ciega Drive, said the pocket parks are easements for pipes and storm sewage and wondered how much money they would want to put into it since they periodically dig them up. Several properties, including his, were designed knowing nothing would ever be built on the City-owned properties. He said he was fine with the way it is and wanted to be able to continue to access his backyard and side yard.

Mayor Rostek asked Director Wepfer if Mr. Hawkins was correct. She said yes, and they would not build anything substantial on the properties. The City Manager said they know where all the lines are.

The consensus of the Board was to move forward without the kayak launches.

F. Gulf Lane Amenities – Bathroom/showers

Commissioner Kerr said he brought the item up because Gulf Lane is ready to be repaved, and he wondered if they would want to install underground plumbing and power for future use so it would not need to be dug up later.

Director Wepfer said she did not plan for restroom facilities to be added anywhere on Gulf Lane. Every property next to a beach access has taken part of the right-of-way, and those areas are very narrow. In the future, they could add a bathroom trailer because there are sewer and water lines nearby. Power is already getting underground with the undergrounding project.

Director Wepfer said she would add foot showers and asked if they were needed at every access because some accesses only have two parking spots. She said they are probably \$4,500 now.

Commissioner Kerr said he wanted to make sure it was well thought out.

The City Manager said some residents expressed an interest in bathrooms along Gulf Lane beach accesses because of the issues they had with people using private properties as bathrooms. There are seven beach accesses along Gulf Lane, and 131st and part of 132nd are the busiest. They would need to consider the type of structure and cost. They would lose a few parking spaces. It would come back to the Board when they get the bids in for the milling and resurfacing.

Commissioner Kerr asked if security cameras would help the residents on Gulf Lane. The City Manager said it might deter some people, but they could not face a camera in someone's backyard. Director Wepfer said they would include a restroom in the parking garage. Mayor Rostek suggested fake cameras as a deterrent.

Mayor Rostek opened to public comment.

Tom Edwards, protected address, said he did not think the residents along Gulf Lane would want a restroom in front of their beach property. The parking garage would be ideal, and the end of the boardwalk on 132nd would be the best place for a shower.

G. Parking Presentation

Parking Enforcement Supervisor Jamal Yahia gave an update on the Parking Department and responded to questions and comments from the Board. His PowerPoint presentation included the following items:

- The ParkMobile App
- Revenues and Expenses
- Tickets by Location
- ParkMobile App Parking Meter Revenue
- Citation Revenue
- Citations Dismissed vs Paid
- Citation Fees
- Resident Parking and Revenue
- Business Parking
- Future Technology
- The Parking Garage Project
- John's Pass Village Seafood Festival Parking Revenue

Commissioner Kerr asked if ParkMobile charged the City a fee. Mr. Yahia said no.

Mayor Rostek asked Mr. Yahia to elaborate on the \$481,000 in expenses for FY'2022. Mr. Yahia said it was mainly updating signage. The City Manager said they added two part-time enforcement positions and paid about \$100,000 to ParkMobile.

Tom Edwards, protected address, asked if they thought about using a license plate reader on the enforcement cars to help with the license plate errors and possibly sell the data. The City Manager opined against it.

Commissioner McGeehen asked what the percentage was of people that do not pay to park. The City Manager said it was about 15%.

Commissioner McGeehen asked if it would be possible to leave the County Park open until 11:00 p.m. The City Manager said he would follow up with Pinellas County. He never saw the County enforce there. He would like to come to an agreement with them, which would allow the City to manage the lot and split the revenue.

Commissioner Kerr said they were making \$50,000 a month since May 2022. The City Manager said that equated to \$600,000 for the year.

Finance Director Andrew Laflin said the parking operation is a significant source of net revenue, assists in maintaining solvency in the Storm Water Fund, good healthy reserves for the General Fund, and helps maintain a flat millage rate.

H. Replacement of Alternate Board of Trustee on the Gulf Beaches Public Library Board

The City Manager said Dave Hutson was the alternate on the Gulf Beaches Public Library Board and would like to be replaced. The current City representative on the Board is Helen Price, and she would like to continue.

Commissioner Kerr asked if it needed to be a Board member. Commissioner Tagliarini expressed interest when he became a Commissioner.

The City Attorney said when the Interlocal Agreement was drafted, there was a change in the makeup of the Board from eleven members to five. Section 5A states the five voting members shall consist of one member from each municipality, and it is the preference of the municipalities that the member be an elected official. There is no provision for an alternate.

Commissioner Kerr said he did not see a requirement for it to be a Board member, and Helen Price has been doing a great job. Commissioner Brooks agreed. Commissioner Kerr said his preference would be Helen Price if she was willing and see if Commissioner Tagliarini was interested in being an alternate.

I. Discussion – Ordinance 2023-15 Comprehensive Plan Activity Center Definition

Community Director Jenny Rowen said Ordinance 2023-15 would create the Activity Center Future Land Use Category in the Madeira Beach Comprehensive Plan. It would be consistent with the County-wide rules. It is a rewrite of Ordinance 2022-03 with minor changes. The Department of Economic Opportunity (DEO) would not allow them to amend the Comprehensive Plan until private property rights were adopted. Ordinance 2022-15 is scheduled for review at the April Planning Commission meeting.

Commissioner Kerr said he did not recall a second reading of Ordinance 2022-03. Director Rowen said the second reading was February 9, 2022. It would create a land use category and has no land tied to it. She would like to bring it back to the Board in May for first reading, and then it would go to the DEO for their review. It would need to be adopted before the John's Pass Village Activity Center had second reading. Commissioner Kerr asked if John's Pass Village Activity Center was in review with Forward Pinellas. Director Rowen said Forward Pinellas was waiting for Ordinance 2023-15 to be adopted before providing a review.

J. Director of Finance and City Treasurer Position

The City Manager said as a result of the election, the second proposed amendment to the City Charter did not get approved. It would have provided the Board with the option to delegate a contractor or firm to perform the services of Finance Director and City Treasurer. He is very

comfortable with having Mr. Laflin's firm serve as the City's Finance Director and City Treasurer. He asked the Board for direction on how to proceed.

The City Attorney said Section 5.5 of the Charter does not require the City Treasurer or Director of Finance to be a City employee. Whether the proposed amendment was approved or not, it would not alter what the City was doing or what it needed to do. They did not need to do anything unless they were dissatisfied.

The Mayor said the voters voted the amendment down, which in essence, says the majority vote wanted a full-time Finance Director. The City Manager said that could be inferred from the vote. The Mayor asked if a contractor could be a Charter Officer. The City Attorney said he is a Charter Officer but not an employee, and it would be the same for the Finance Director.

The Mayor asked what would be most cost-effective. The City Manager said the current arrangement would be the most cost-effective. The City currently pays \$90,000 annually for Mr. Laflin's firm to serve as the Finance Director and City Treasurer. It would be about \$160,000 for a full-time Finance Director, but realistically it would only require about 25-30 hours per week.

Commissioner Kerr said Mr. Laflin represents his firm during their meetings, he has a staff, he developed software, and he works for multiple government agencies. There is nothing but positives to having the contract with Mr. Laflin's firm.

Commissioner McGeehen asked if they could move forward with it. The City Attorney said no action would be required.

Mr. Laflin said he welcomes any discussion regarding his performance, his firm's performance, or the finance operation in general. From his perspective, it has been a great working dynamic between himself, his firm, and the full-time employees of the finance team.

Mayor Rostek opened to public comment.

Bill Howell, 497 John's Pass Avenue, said he could not believe they considered not doing something after the City voted against it. He asked why they put it on the ballot. He challenged the competency of Mr. Laflin, his firm, and the City Attorney.

The City Manager said the City has a Finance Department, and they keep an eye on the finances daily. He wanted it to be clear that 427 people voted "yes" for the amendment.

Mr. Howell said it was turned down by the citizens and asked if they were going to rewrite the whole notion of voting. He said sending a message like that to the citizens was shameful.

6. ADJOURNMENT

Mayor Rostek adjourned the meeting at 8:29 p.m.

James Rostek, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk