



MINUTES

BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING MAY 22, 2024 6:00 P.M.

The City of Madeira Beach Board of Commissioners held a regular workshop meeting at 6:00 p.m. on May 22, 2024, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT:

James "Jim" Rostek, Mayor
Anne-Marie Brooks, Vice Mayor/Commissioner District 4
David Tagliarini, Commissioner District 1
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3

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

2. ROLL CALL

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

Mayor Rostek announced that Item 7.B. Chairs/Umbrellas on Sand at Caddy's Restaurant on Gulf Blvd. was pulled from the Agenda. City Attorney Tom Trask explained he could not give direction to the item until it was vetted through the real estate attorney. City Manager Robin Gomez said the item will be placed on the Wednesday, June 26, 2024, Commission workshop meeting agenda.

3. PUBLIC COMMENT

The following people spoke in opposition to the Caddy's item:

- Ray Leone, a resident
- Mary, Palm Street, representing herself and others at 14001 Gulf Blvd
- Linda Kramer, 14010 Gulf Blvd
- A resident, Ms. Kramer's neighbor

- Pamela Tuason, 137th Ave, Circle
- Joseph Snyders, a resident
- Chuck Dillon, Lillian Dr.
- John Connolly, a resident
- Brian Hickey, Normandy Rd.
- Tom Edwards, District One
- Eric Cabrera, Miramar Ave.
- Pat O'Brien, Palm St.
- Sheba Lee, a resident
- Dan, Gulf Blvd.

The following people made other comments about the Caddy's item:

- Doug Andrews, a resident, wanted to reserve his comment until they knew the whole story.
- Evis Farmer, a resident, said she is all for property rights and asked the Board to consider creating a buffer between Caddy's and the public park and between the public park and Beach Flower.

The City Attorney made the following comments about the Caddy's item:

- The Development Agreement entered into in 2016 has expired and is no longer controlling on the property.
- Caddy's does not have a pending application and is not asking for anything.
- Caddy's agreed they would not put chairs on the public beach, but if their property line goes to the mean high water, they would be allowed to put chairs on their private property.
- The issue is where the property line is.

The City Manager said at the time of the Quasi-judicial hearing for the alcoholic beverage permit, it was agreed that there would be no chairs or tables on the public beach. They are trying to clarify what is their property. Part of the condition that was agreed to is there will be no table service on the beach.

4. BOARD OF COMMISSIONERS

A. Bicentennial Park Usage

The City Manager said the City has an agreement with the Pinellas County School District to utilize and maintain Bicentennial Park, which is located on the east side of the Causeway. Any changes to the agreement would require the School District's approval.

Mayor Rostek opened to public comment.

John Connolly, a Madeira Beach resident, asked to use the restricted road down to the beach to unload kayaks.

- The City Manager said they could try it on a trial basis with monitoring.
- Public Works Director Megan Wepfer said there are safety issues, and the culvert is not meant to be driven on many times.
- Recreation Director Jay Hatch said the paved area where people park is the Department of Transportation's property. They need to consider additional unreasonable uses they will face.
- The City Manager will check the level of complaints and issues.
- Commissioner Tagliarini suggested a designated kayak and jet ski launch and a fenced-in area for dogs.
- Commissioner Kerr said it would be one more thing to enforce if they allowed cars in the restricted area.
- The City Manager will do more research and get back to the Board.
- Deputy Krager said he starts patrolling the parks at 4:30 a.m.
- Commissioner McGeehen asked about the new derelict boats in the area. The City Manager said the Sheriff's Marine Unit has a process they go through.
- The City Manager said Pinellas County does the water testing. He would check to see when the last time the area was tested.
- The City Attorney reminded the Board that any modification of the park needs to be approved by the School Board. There are specific provisions in the agreement that prohibit the City from damaging the property. They do not want to put themselves in a position where they could lose the right to use the property.

5. CITY MANAGER

A. City Manager Employment Agreement – 2nd Amendment

The City Manager said he is requesting a two-year extension and an additional four leave days.

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

- Commissioner Kerr said he wanted the City Manager to stay another two years, but he would like to make it more permanent.
- Vice Mayor Brooks agreed with Commissioner Kerr. She would like to see his contract extended for at least three years. The City Manager has brought stability to the City and City staff.

- Commissioner McGeehen agreed that extending the contract to three years would be fair.
- Mayor Rostek said he would like to extend it two years.
- Commissioner Tagliarini said he would support the three-year extension and the vacation leave.
- The City Attorney said the City Charter requires the City Manager to be employed by a written contract, and Section 3B of the contract covers compensation.

The Board discussed a four-year extension with four additional leave days and would discuss a salary increase every May.

B. Gulf Beaches Public Library FY 2025 Budget

Helen “Happy” Price, Gulf Beaches Public Library Vice Chairperson, gave an update on the FY 2025 budget. They proposed an increase of 1.04% from last year. She explained the budget's increases and decreases. It will be on the June 12th regular meeting agenda for approval. She reminded them that an alternate needs to be appointed.

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

The consensus of the Board was to bring it back to the June 12th regular meeting for approval.

C. Parking Hourly Rate Discussion

The City Manager explained the item and responded to questions and comments from the Board.

Mayor Rostek opened to public comment.

Doug Andrews, business owner at 13601 Gulf Blvd., said they should be looking at other forms of revenue they are generating. The net difference in parking went down this year compared to last year. They need new revenue sources.

- The City Manager said he does not think outsourcing parking is the right way to go. In the future, the cost of running the Parking Division will decrease through technology and other changes.
- Parking Enforcement Supervisor Jamal Yahia said they need more structure regulating because there is a lot they are not catching.
- Commissioner Kerr thought they could reduce expenses with technology, but that should be discussed at a separate workshop. He felt outsourcing would be a negative for the City, and they needed to be competitive with the rates. They will be making an investment in

parking garages, which will increase the number of spaces and the overall bottom line. They should maximize what the market is, and it is \$4.

- Vice Mayor Brooks said increasing the rate by a dollar is a lot. She would like to know another way to get revenue in the City that is not through taxes or parking.
- Commissioner McGeehen agreed with Vice Mayor Brooks. He would be willing to compromise with a fifty-cent increase.
- The City Manager suggested varying rates in different lots.
- Commissioner Tagliarini was in favor of a modest increase but would go as high as \$3.75 to match Treasure Island. He would be opposed to contracting it out. He suggested the City start charging for the free parking spaces.
- Mayor Rostek agreed with Mr. Andrews. They cannot keep using the parking fund, but it is its own Enterprise Fund, which is going to get the parking garage. He was bothered by parking enforcement costing the City \$600,000 a year. The City Manager said they will look at the budget and provide more detail. The Mayor said he would like to see it between \$3.75 and \$4.
- Commissioner Kerr said they will need revenue to pay the bonds used to fund the parking garages. He would like to add the dollar increase directly into the Fund. If the revenue is higher and the bond is a little lower, it will help keep the millage rate the same.

John Connolly, a Madeira Beach resident, said people should back into the spaces at Tom & Kitty Stuart Park because there is not enough room, and it is very dangerous with cars pulling into the lot. He thought the parking garage should have been built five years ago.

The consensus of the Board was to bring the ordinance for the increase back for first reading at the August meeting and second reading at the September meeting.

6. CIVIL SERVICE COMMISSION

A. RFP 2024-01 HR, Classification, and Compensation Plans Study

Jerry Cantrell, Civil Service Commission Chair, gave a PowerPoint presentation explaining the need for a new Compensation Study.

- The recommendation of the Civil Service Commission is to do the study.
- The 2019 study was not a complete study.
- The Gehring Group will be doing a complete study. For an additional \$10,000, they would include a review of job descriptions.

- Vice Mayor Brooks thought the study was needed, and they needed a third-party professional opinion that would help the Civil Service Commission finish the Employee Handbook.
- Commissioner Tagliarini was in favor of the study to have validation for the employee structure.
- The total cost is \$37,640. The City Manager said \$50,000 was budgeted for the study, and they would not need to borrow money from other funds.

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

7. COMMUNITY DEVELOPMENT

A. Impact Fees – Residential

Commissioner Kerr asked that this item be on the agenda to get an update on the possibility of removing residential impact fees. Residential impact fees discourage residents from rebuilding homes, and they need to encourage it.

Jerry Murphy, University of Florida and Planning Consultant to the City, explained that the way the Comprehensive Plan was established, they needed to have both commercial and residential impact fees. They would need to amend the Comprehensive Plan and show that residential growth has no impact on the community. There may be other options to look at.

- Over time, the impact fees will get higher.
- The trend has been for the commercialization of residential properties on the barrier islands because more people have more impacts.
- If a home is elevated to comply with flood regulations and the size of the home does not change, there would be no additional impact fee.
- If the City is going to continue to have an impact fee, the Comprehensive Plan must comply with the State Statute and be applied equally. They would have to conduct a study to show that the increased size of residential homes would not impact the City.
- The fees are based on the value of all the facilities and services the City provides. The City has not generated enough fees to do a full project, but they can be used for a portion of a project.
- Commissioner Tagliarini suggested if a resident could provide homestead exemption, they could be exempt from impact fees. It would be up to the City to enforce it.

Commissioner Tagliarini left the meeting at 9:18 p.m.

- Mr. Murphy said they could do another study to change the impact fee ordinance, but there would be a cost to do it.

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

The consensus of the Board was to have the City Manager meet with the City Attorney and Community Development to decide the best course of action and bring it back to the Board.

B. Chairs/Umbrellas on Sand at Caddy's Restaurant on Gulf Blvd.

The item was removed from the agenda.

C. Noise Ordinance

Mayor Rostek opened to public comment.

Tom Edwards, District One, suggested putting a provision in the ordinance that would allow a citizen to object to a permit like the City of St. Petersburg has. He encouraged the Board to look at it.

Community Development Director Jenny Rowan said they were asked to include provisions in the ordinance that would address complaints about noise from accessory structures and special events.

- A subsection in Section 34-87 for mechanical machinery to include noise-dampening methods would be an option.
- Mayor Rostek said there had been neighborhood complaints about excessive mechanical noise because of the expansion of a local fishing operation. It violates the local ordinance. He asked for help. Director Rowan said that once the Accessory Structure Code is adopted, they can permit it and officially require the sound-dampening equipment to be installed around the machinery. They could look at hours of operation.
- The City Manager said the issue with a special event is that there are no noise restrictions. Vice Mayor Brooks said it is difficult to regulate it for special events.
- Recreation Director Jay Hatch said staff reviews every special event application for concerns. He tells every applicant they need to be a good neighbor if they get complaints.

Mr. Edwards said the problem is the pounding bass. There is no concern for the residents.

- Director Hatch said he would look at what other cities do for special events and bring back options and recommendations.
- The City Manager said Commissioner Tagliarini commented on the walking tour of John's Pass Village, suggesting they limit the amplified noise in the Transitional District.

- Deputy Krager said if a special event permit is issued without a decibel threshold, the deputies cannot interrupt the event.
- The City Manager suggested amending the special event ordinance to require a decibel limit.

A Madeira Beach resident (?), Gulf Blvd., said the decibel meters do not pick up the annoying bass sound.

D. John's Pass Village Activity Center Zoning Workshop

Director Rowen said a summary of the public workshops is on pages 229-230 of the agenda packet.

- The height of the buildings was measured from the Design Flood Elevation (DFE) to the eaves.
- The public right-of-way and the property lines in the Village are not where you would think they should be, which contributes to the proposed setbacks.
- They hope to have a rough draft for the Planning Commission to review at the June meeting.
- Andrew Morris, Long Range Planner, said the City previously measured from grade, but it was recommended in the Master Plan that the City not do that. Measuring from the Design Flood Elevation is more consistent and would allow businesses to build up.
- Commissioner Kerr liked the idea of having 7.6 feet as the lowest floor elevation so they would not have to worry about flooding throughout and do some measurements from there. He was interested in seeing how putting in fill would impact how the buildings would look.
- Mr. Morris said to reduce the size of the buildings in the Commercial Core District, certain lot sizes would need to be met in order to reach certain heights.

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

8. FIRE

A. IAFF Local 4966 Collective Bargaining Agreement Oct 2024 – Sept 2027

Fire Chief Clint Belk said the agreement outlines the pay, leave hours, and disciplinary actions.

Lieutenant Andy Childers, Union Representative, said it was a simple round of negotiations. The City Manager said the estimated fiscal impact for the first year is about \$200,000.

9. PUBLIC WORKS

A. Gulf Blvd Undergrounding City Easement Approval

Director Wepfer requested the Board's approval for three easements for the final phase of the Gulf Blvd. Utility Underground project. The easements allow Duke Energy to place its equipment on the City's parcels rather than the FDOT right-of-way.

The City Attorney said they would have a descriptive easement within 90 days of Duke Energy placing the equipment so that another one would come back for each of the three locations. He recommended approval from the Board to keep the project moving.

- They would be placed where they take up the least amount of space. It would require mutual agreement.
- The FDOT permit has been received, and they are scheduled to begin in mid-June.

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

The consensus of the Board was to bring it back to the next regular meeting for approval.

10. RECREATION

A. Concession Stand and Enclosed Building Schematic Proposal

Director Hatch explained the item and asked for approval to move forward with the proposal provided by Colliers Engineering & Design, Inc., which is currently under contract with the City.

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

- \$100,000 was budgeted for FY 2024. The proposal is for \$53,025.
- There are potential grants in the future if they have the schematics. The County had a Capital Improvement program that was overfunded in 2017, and they gave the City 90 days to apply. The City will not be able to get it this year but will apply for it next year if the application is reopened.
- Colliers Engineering & Design, Inc. will be doing the grant writing.
- Director Hatch will bring back the cost estimates and the source of funding.

11. ADJOURNMENT

Mayor Rostek adjourned the meeting at 10:40 p.m.

James "Jim" Rostek, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

DRAFT