



## MINUTES

### BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING NOVEMBER 13, 2024 2:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular workshop meeting at 2:00 p.m. on November 13, 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, Vice Mayor/Commissioner District 1  
Ray Kerr, Commissioner District 2  
Eddie McGeehen, Commissioner District 3  
Housh Ghovae, Commissioner District 4

**MEMBERS ABSENT:**

**CHARTER OFFICERS 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 2:00 p.m.

#### 2. ROLL CALL

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

Mayor Brooks added two items to the agenda for discussion:

1. Discussion on the Jetty removal at John's Pass.
2. Update on Hurricane Helene and Milton, and where we are with the planning and zoning.

#### 3. PUBLIC COMMENT

There were no public comments.

#### 4. COMMUNITY DEVELOPMENT

##### A. Post Storm Update and Jetty Update

The City Manager gave an update on Hurricane Helene and Milton debris removal. Public Works Director Megan Wepfer and the City Manager responded to questions and comments from the Board.

Vice Mayor Tagliarini asked about hazardous and paint removal. Public Works Director Megan Wepfer explained. The City Manager said 100% of the debris should be removed by the first or second week of December. A flyer will go out to remind everyone to have their debris out by the street by a certain date. They have 90 days to remove the debris for reimbursement by FEMA. Reports would be posted daily on the City's website.

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

The City Manager gave an update on the Jetty removal. The Jetty was damaged and needed repair, and it has been removed. A lawsuit that was filed because someone was hurt due to sidewalk damage on the Jetty had been settled and paid for by the City and the County.

Mayor Brooks explained why she had added the two topics to the agenda for discussion. The City Manager said whether they repaired or removed it, it still needed to go through the permitting process. The Mayor said they should have gotten a professional opinion before doing anything. The Board should have made that decision on what to do.

Commissioner Ghovae agreed with the Mayor and said every project should be discussed by the Board and shared with the community. They should obtain a permit for every project and erect a silt screen around the construction area.

Commissioner Kerr said he saw in an email that the Jetty had been damaged but did not know it had been removed. The City Manager said they had removed the concrete sidewalk on top of the Jetty but not the rocks.

Commissioner Ghovae said he has pictures before and after Hurricane Helene.

Mayor Brooks said her point is that it would be very poor judgment not to bring something to the Board when it should have. The decision was made at the staff level when it should have come to the Board for a vote. She does not want to create turmoil between the City and the residents. This is the only platform for the five of them to talk about anything.

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

Commissioner Kerr agreed that it should have come to the Board. They need to expedite the permit process.

Commissioner McGeehen agreed it should have come to the Board. When discussing as a team, it shows unity.

Commissioner Ghovae said he hoped that the decision made would not come back to look bad on them.

Community Development Engineer Marci Forbes gave an update on the process they are doing to assess property damage and how they deem them to be demolished. This will be the first week of notifying the residents with substantial damage. There will be properties that will be moved out of those determinations through the process. The permit fees are waived.

Ms. Forbes responded to questions and comments from the Board. The goal is to have the best possible update by this Friday for people. They will provide that information to the Board.

Commissioner McGeehan asked that they provide the information along with step-by-step instructions to get a permit, with the most important being the first.

Commissioner Ghovae said they need to help people get back into their homes and businesses quickly; that is the first priority. Being that they are dealing with a mass of people, perhaps they could be creative. He suggested they have professionals to help with that. It is unfair to a resident to have to stay away from their home longer because the City does not have the manpower or what it takes to get them into their homes quickly. Ms. Forbes said it is a driving force for her. They have asked for additional support, including inspectors. She is constantly trying to figure out what to do.

The City Manager said they must keep in mind they have to follow FEMA rules. Ms. Forbes explained the process and the others involved in it. They are reviewing the data points as part of the assessment process. The City Manager explained what FEMA is doing as part of the public assistance, which is separate from what the City is discussing.

Commissioner Kerr asked about the risk and what it looks like if someone does not get the required permits. Ms. Forbes said it would be a huge risk and explained that they would have to go after the property owner to the fullest extent. FEMA would expect the City to sue the homeowner and take their home down. The City needs to be the front-line defense for that. She would not want to sue someone unless they had to. They are trying to get people back into their homes.

Mayor Brooks asked that since they only have one building official could they get SAFEbuilt to help. The City Manager said yes. Ms. Forbes said they could also utilize their continuing engineering services contract and recreation staff.

Mayor Brooks opened to public comment.

Bob Bello, 13301 Gulf Lane, suggested they post videos to help people fill out permits. Ms. Forbes said, according to Florida Statutes, if a homeowner pulls their permit, they cannot sell or lease the property for a year. Mr. Bello said that information and any other helpful information would need to be included to help people know how to get back into their homes.

Mayor Brooks said they are putting out a package of information to the residents to help them with the permitting process. Ms. Forbes said they are working to catch things early in the process.

## **B. Ordinance 2024-21, Revising Definition of Substantial Improvement**

The City Attorney read the ordinance by title only:

### **ORDINANCE 2024-21**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REVISING SECTION 94-33 OF DIVISION 9 (GENERAL) OF CHAPTER 94 (FLOODPLAIN MANAGEMENT) TO DELETE THE REQUIREMENT TO EVALUATE PREVIOUSLY ISSUED BUILDING PERMITS; AMENDING THE DEFINITIONS OF SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT IN SECTION 94-93 OF DIVISION 9 (GENERAL) OF CHAPTER 94 (FLOODPLAIN MANAGEMENT) OF THE CODE OF ORDINANCES TO DELETE THE REPETITIVE FLOOD DAMAGE PROVISION AND THE ONE-YEAR LOOK BACK REQUIREMENT; REVISING SECTION 14-39 OF ARTICLE II (TECHNICAL CODES AND STANDARDS) OF CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES TO DELETE SUBPARAGRAPH (D) REGARDING THE DEFINITIONS OF SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT IN THE FLORIDA BUILDING CODE; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Community Development Engineer Marci Forbes explained the ordinance. It would update the references to substantial damage and substantial improvement to remove the one-year lookback requirement. Removing the one-year look back requirement would mean that the FEMA 50% Rule would be used for each individual renovation or repair project. It would not impact the Community Rating System Class Rating.

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

The consensus of the Board was to move forward with the ordinance.

#### **C. Madeira Beach Master Plan Update**

Representatives of Kimley-Horne showed PowerPoint slides and gave an update on the Master Plan project. They welcomed feedback from everyone and responded to questions and comments by the Board.

Commissioner Kerr suggested waiting to schedule a public meeting after the Holidays due to the state of the City.

Commissioner Ghovae said they must deal with FDOT and asked if they had any plans in mind to vacate certain rights-of-way and how they would deal with that. Kimley-Horn said there would be continuous conversations with FDOT. Any state rights-of-way would be a conversation between the City and the state.

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

Mayor Brooks said it would be a great time to build a bike path or walkway on the beach.

#### **D. Madeira Beach Proportionate-Share Development Fee**

The City Manager said the proportionate-share development fee was established by ordinance. To change it would be by ordinance. Mr. Andrew Moris said they would need a comprehensive plan amendment, which would be a lengthy process.

Mayor Brooks said she does not favor doing away with commercial or residential impact fees. If they take it away, the only fee would be to benefit the building department. Impact fees only affect a few but benefit everyone. The building fees only affect the building department. They depend on it. The packet has an item to reduce the permitting fees from 2% to 1%.

Commissioner Ghovae said Pinellas County does not charge impact fees for existing dwelling units. Would it come directly to the City if they charge impact fees for square footage? Mayor Brooks said they dictate where it can be spent, but there is a broader opportunity to be spent on the residents.

Commissioner Kerr said he was totally against the impact fees. It was his understanding that the whole idea of implementing it was so that when a new condominium or hotel was built, it would cover the cost of the services brought to the City as a one-time fee. Funding these services, which the fees pay for, would burden a few citizens but not be a burden to the City. They should do away with it and find another funding source. They cannot have a bed tax, but other fees could be implemented to benefit them more. The impact fee failed because it was developed to cover the impacts. It is on the back of the residents. There should be another source of revenue. Mr. Morris explained how the residents could rebuild without the impact. Commissioner Kerr said there are many reasons someone would want to build bigger. It would still be a single-family home.

Commissioner Tagliarini agreed that if someone wants to enlarge, it is still a single-family dwelling. They could redefine impact to make it a little more precise. Commissioner Kerr said they were told in the Planning Commission that they could not separate Commercial and residential. It was not until passed that Mr. Jerry Murphy said they could have done it a little differently.

Commissioner Ghovae said it is only a one-time impact fee. Mayor Brooks said there is an impact on a resident enlarging their home. If the Board would like to change it, it would require a study and written to make that change. It could take one year to do that. Currently, people will need to pay.

The City Attorney said they do not have to charge the impact fee, but changing it would require a cost to change the data. To remove it from the Code would require a comprehensive plan amendment. Commissioner Kerr said Mr. Murphy was to provide them with a quote about six months ago. Mr. Morris noted Mr. Murphy did provide an estimate. They provided a full update on all the elements of the comprehensive plan.

Mayor Brooks opened to public comment.

A person in the audience asked if the fees could be waived because of the storm this year.

Bob Bello, 13301 Gulf Lane, suggested looking to redefine things and maybe looking at what other cities are charging.

Sarah Nichols, 522 Johns Pass Avenue, said that no matter what they do, the effective square footage would increase if the home were elevated. It would increase without even trying to increase it.

Ms. Forbes said the quote that Jerry sent was \$30,000.

Vice Mayor Tagliarini asked if the impact fee could be waived for construction that is needed because of the storms. He asked for clarification if unairconditioned space would not count in impact fees. Mr. Morris confirmed that Madeira Beach does not include unairconditioned space in impact fees; they look at the square footage of heated and cooled conditioned space.

Mayor Brooks asked if they could waive the impact fees without changing it. The City Attorney had said he would not suggest waving the impact fees. It needs to go through the correct process.

Commissioner Kerr said it was voted on under false pretense. They were told that if they do it for commercial purposes and for condos, it must be done for residential purposes.

## **5. FINANCE**

### **A. FY 2024 Audit Engagement Letter – James Moore & Co.**

Finance Director Consultant Andrew Laflin explained the item. He recommended the approval of the Audit Engagement Letter.

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

The consensus of the Board was to move forward with it.

### **B. Presentation of FY 2024 Budget vs Actual Analysis & FY 2025 Revenue Loss Projections**

Mr. Laflin explained the item and gave a budget vs. actual comparison and potential revenue loss in FY 2025 due to Hurricane Helene and Hurricane Milton. The City Manager said they are trying to be realistic. The projections could be lesser. The property appraiser could reassess the properties based on both storms.

Mr. Laflin said he is not concerned about covering the general operating expenses, but they might have to delay certain projects due to revenue loss.

Commissioner Kerr asked if there was an opportunity to recover any revenue loss. Mr. Laflin explained no.

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

**C. Ordinance 2024-22, Fees & Collection Procedure Manual – FY 2025 Update #1**

The City Attorney read the ordinance by title only:

**ORDINANCE 2024-22**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A REVISED APPENDIX A. – FEES AND COLLECTION PROCEDURES MANUAL OF THE CODE OF ORDINANCES OF CITY OF MADEIRA BEACH, FLORIDA; REPEALING ORDINANCE 2024-05; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The City Attorney reviewed the item.

Vice Mayor Tagliarini asked for confirmation that the ordinance would lower the permit fees from 2% to 1% and zero for catastrophe-related construction for 180 days. The City Attorney confirmed it and said it would be 180 days from the second reading. The City Manager suggested making it 270 days or a full year. The City Attorney suggested making it a certain date and providing the actual language of how the ordinance would read at the next regular meeting.

Mayor Brooks opened to public comment.

A person in the audience asked if there was a way to separate a request for a regular building permit from a storm-related permit. The City Manager said the storm is identified on the permit request.

David Slosser, 494 Crystal Drive, asked if they would still pay the \$50 for a storm-related permit fee. The City Manager said the Board could suspend that. The Mayor said she thought they would be waiving all fees.

A person in the audience asked the number of permits issued thus far. The City Manager said there were hundreds of permits for demos. The substantial damage letters will go out hopefully next week. There are 1,700 residential structures in Madeira Beach, and 1,400 were identified as having major damage from both storms.

Robert Stadlman, 14109 West Parsley Dr., said he agrees with waiving the fees for one year, but he wanted to make sure he would still be covered if it was a lengthy process. The City Manager said it could be revisited and the time extended.

The consensus of the Board was to move forward with it and set the date to one year from the date of the hurricane.

#### **D. Amendments to Aclarian Consulting and Software Agreements**

The City Manager said the Agreement is to renew the annual Aclarian Consulting Agreement and the annual Software Agreement for one year. The software meets all the financial requirements they need to do. They are in compliance with all the generally accepted accounting and what their auditors review when there. Staff is recommending continuance of both Agreements. There is a slight increase of 5% in the consulting agreement as listed in the agenda packet and on the screen. It is the fourth year having the Agreement.

Mayor Brooks said in the Agreement that they had a standard user access fee of \$55 per user. The users range anywhere from 40 to 50. The change is to give them a fixed subscription fee of \$38,000, which is quite an increase in what they pay currently depending on the number of users. Currently, it is \$55,000 per user. With 40 users, it would be \$79.16 per user, 45 users would be \$70.37 per user, and 50 users would be \$63.33 per user. She asked what was generating the change from paying per user to an annual fee that gives them an increase.

Director Laflin explained that it gives the City the flexibility not to manage users and not worry about users coming in and out. It would have unlimited users and potentially expand its use. Some users would only utilize certain components, which would not be a concern. It also simplifies the costs. The component had a fixed cost for just the use of the production environment. There has also been a slight increase in his finance director services. The main point was about user management and not worrying about users coming in and out.

Mayor Brooks said if they had 40 or 50 users, they probably would not have added users because of the fee associated with it to keep the fees down. If going under a flat fee, could the departments utilize additional employees to do the work in Aclarian instead of just one contact in that department or in that space using it? All five commission members could use it, not just one. Mr. Laflin said it was quite possible, not only today but in the future. There are features that Aclarian is adding that might bring on more users. They are developing a policies and procedures module to consolidate policy procedures from all different aspects of the City. For example, they would have users that would provide that data they could post online so employees could access it. That would be in the future based on additional features that may come out that could spark additional usage by City employees.

The consensus was to move forward.

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

### **6. PUBLIC WORKS**

#### **A. Park Street Antique Center Lease for Public Works**

The City Manager said the item is for a renewal of the Lease for one year to store equipment, sanitation, and vehicles, and the mechanic to do the repair work on the property at the Park Street address.

Public Works Director Megan Wepfer said they are fortunate to lease the property because a lot of their equipment did not flood. The rent will be an additional \$100 monthly, from \$3,100 to \$3,200 monthly.



The City Attorney said they would not be entering into a new lease. It is exercising an option to renew, which is included in the Lease executed last year. They would have the City Manager send a letter to the landlord saying we exercise the option. It would not require signing a new lease.

Commissioner Kerr asked how long the City had been using the property. The City Attorney said it was over ten years. Director Wepfer said the Lease increases by \$100 per month annually. The plan is to build, but they do not know the plan moving forward. They would still have to lease the property for the garbage trucks.

The consensus was to move forward.

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

## **7. RECREATION**

### **A. For F-250 Crew Cab XL Purchase**

Recreation Director Jay Hatch said the item is to purchase a Ford F-250 Crew Cab XL truck \$55,411.10 that was budgeted for in the current fiscal year to be used for all the special events primarily. The purchase is through the Bradford County Sheriff's Office contract for vehicle purchases. It will make the job more streamlined by having the extra vehicle.

The consensus was to move forward.

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

### **B. JUCO Kickoff Classic Proposed Agreement**

Mayor Brooks opened to public comment.

Director Hatch said the item is for an agreement for the JUCO Kickoff Classic, a junior college collegiate softball tournament. The contract is very similar to the one previously approved. The event is in the last week of January and will bring top junior college softball organizations to compete in Madeira Beach. They hope to bring the event to Madeira Beach every year in January.

The consensus was to move forward.

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

## **8. ADJOURNMENT**

Mayor Brooks adjourned the meeting at 5:05 p.m.

ATTEST:

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Anne-Marie Brooks, Mayor

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Clara VanBlargan, MMC, MSM, City Clerk