



MINUTES

BOARD OF COMMISSIONERS REGULAR MEETING MARCH 13, 2024 2:00 P.M.

The City of Madeira Beach Board of Commissioners held a regular meeting at 2:00 p.m. on March 13, 2024, 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, Vice Mayor/Commissioner District 2
David Tagliarini, Commissioner District 1
Eddie McGeehen, Commissioner District 3
Anne-Marie Brooks, 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 Rostek called the meeting to order at 2:00 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

Attorney Trask requested to add the Easement Agreement for Condo A Company, LLC as Item 12 E. under Contracts/Agreements.

Commissioner Tagliarini requested Item 10 C. be moved to Item 10 A.

Vice Mayor Kerr motioned to approve the agenda as amended. Commissioner Brooks seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

5. PROCLAMATIONS

There were no proclamations.

6. PRESENTATIONS

A. TI/MB Chamber of Commerce 2023 Community Partner of the Year

City Manager Robin Gomez presented the 2023 Community Partner of the Year award to the Madeira Beach Recreation Department.

7. PUBLIC COMMENT

Helen “Happy” Price, 13319 Boca Ciega Ave., gave an update on the Gulf Beaches Public Library and the recent fund raising event.

Chuck Dillon, 529 Lillian Drive, recommended changing the parking at Tom and Kitty Stuart Park to include two resident parking spots, two motorcycle/golf cart parking spots, and one handicap spot. It would increase three pay spots.

Tom Edwards, District One, thanked the City for the great job done on the Gulf Lane paving project. He suggested painting the curb and some parking bumpers.

8. APPROVAL OF MINUTES

A. 2024-02-14, BOC Regular Meeting Minutes

B. 2024-02-28, BOC Special Meeting Minutes

C. 2024-02-28, BOC Regular Workshop Meeting Minutes

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

ROLL CALL:

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

The motion carried 5-0.

9. CONSENT AGENDA

10. PUBLIC HEARINGS

A. Ordinance 2023-01, John's Pass Village Activity Center Plan – 2nd Reading and Public Hearing

The item was moved from 10 C.

City Attorney Tom Trask read Ordinance 2023-01 by title only and said it requires a supermajority or four-fifths vote to pass:

ORDINANCE 2023-01

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING THE MADEIRA BEACH JOHN'S PASS VILLAGE ACTIVITY CENTER PLAN; PROVIDING FOR AN INTRODUCTORY STATEMENT OF PLAN PURPOSE AND OVERVIEW; PROVIDING FOR BACKGROUND HISTORY AND COMMUNITY ENGAGEMENT; PROVIDING FOR THE PLAN AREA, EXISTING AND PROPOSED USES AND DENSITY/INTENSITY STANDARDS, AND DISTINCT CHARACTER DISTRICTS; PROVIDING FOR TRANSPORTATION IMPACTS AND CONNECTIVITY; PROVIDING FOR COASTAL HIGH HAZARD AREA CONSIDERATIONS; PROVIDING FOR PLANNING AND URBAN DESIGN PRINCIPLES; PROVIDING FOR IMPLEMENTATION STRATEGIES; PROVIDING FOR TRANSMITTAL TO, AND CONSIDERATION BY, FORWARD PINELLAS AND THE COUNTYWIDE PLANNING AUTHORITY; PROVIDING FOR TRANSMITTAL TO THE FLORIDA STATE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THEIR REVIEW AND COMMENT; PROVIDING FOR THE FILING OF THIS AMENDMENT IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Rostek opened to public comment.

Paul Tilka, North Bayshore Drive, said research showed that the number of people per square mile in Madeira Beach exceeds the Pinellas County average. He did not see how they could accommodate any more large development projects. He suggested a neighborhood meeting so all residents would have an opportunity to attend.

Cristina Ponte, 14093 North Bayshore Drive, said after reviewing videos and information, the question of what it would do to the population density was not answered. She was concerned that it would almost double what could be done in John's Pass Village.

Happy Price, 13319 Boca Ciega Ave., said it has been going on for a while, and the County Commissioners approved it. She trusted the Commission and Planning Department would make the right decision to rebuild John's Pass Village the way it is if something happened. She was concerned they would lose the largest free tourist attraction on the west coast of Florida. It needs to be changed.

Katie Bowman, 701 Sunset Cove, said it would be great if it could help rebuild John's Pass Village as it is if a disaster occurred. She would like to see them lower the numbers.

Tom Edwards, District One, felt the Activity Center should be concentrated within the businesses that are there.

Jerry Cantrell, 13322 First Street East, said they need to address the ability to rebuild. They can identify four buildings that cannot be rebuilt.

Doug Andrews, a Madeira Beach business owner, said they should listen to the recommendations of staff and expert consultants, not to people who are not experts. It is a designation that the County Commissioners agree with.

Bill Karns, a business owner, said if it does not pass, it could not be rebuilt. The area needs to be protected. The purpose of the Activity Center is to allow the property owners to rebuild and maintain the quaintness of the village.

Chuck Dillon, 529 Lillian Drive, believed everyone is afraid of big construction. If anything would change, it will go before the Planning Commission and the Board of Commissioners for approval.

Jeff Beggins, 429 Boca Ciega Drive District One and property owner in John's Pass Village, thought staff did a phenomenal job on it and urged the Commission to pass it.

Kathy Collier, 13145 Third Street East, said extending the Activity Center to 133rd Ave. makes her nervous. She did not understand why it would go that far if it was about John's Pass being able to rebuild if there was a disaster.

Community Development Director Jenny Rowan gave a PowerPoint presentation on the Activity Center Plan and Ordinance 2023-02, which would change the Future Land Use Map. It is the final action of the Board to adopt the two ordinances. She, Andrew Morris, Long Range Planner, and Marci Forbes, Community Development Engineer, responded to questions and comments from the Board.

- In 2001, when the Duany plan was created, it was shown as a Neighborhood Center. It has been reduced to the Transitional Area, which it currently is.

- With planned development, you would need a development agreement. But with a development agreement, you would not need planned development. The minimum standards are within the development agreement.
- If it does not pass, there would be a limit to units per acre if someone went through planned development because the standards were inconsistent.
- The proposed is less than the county's maximum standards for the Alternative Temporary Lodging Use Standards. What is proposed is 60% of what the county would by right approve. The lots in John's Pass Village are very small.
- It gives more control over design and negotiation. Because parking is included in the Floor Area Ratio (FAR), it can limit the number of rooms a hotel can have.
- Commissioner Tagliarini suggested an amendment to two areas of the plan: lowering the bonus maximums at the Commercial Core and John's Pass Resort Character Districts to 75.
- If the Commercial Core stays at 100 Units per Acre (UPA), a developer would have to meet the 3.0 FAR, which would include parking. It would be a balanced give and take. The Board would have the opportunity to structure things more when they start looking at the zoning requirements.
- Andrew Morris, Long Range Planner, suggested two options for a compromise. One would be to split the difference and average 70 and 100 UPA and make it the max, which would be 87.5. The second option would be to cap it at 75 UPA for over an acre of land and allow up to the 3.0 FAR to retain the structured parking and ground floor retail. It would be better to compromise, reduce the density, and pass it with the necessary votes than to lose everything, and nothing would be fixed.

Commissioner Tagliarini motioned to amend Ordinance 2023-01 to lower the bonus maximum in the Commercial Core from 100 to 87 UPA and the John's Pass Resort from 100 to 75 UPA after 2nd Reading and Public Hearing. Commissioner Brooks seconded the motion.

ROLL CALL:

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

The motion carried 4-1.

B. Ordinance 2023-02, Amending FLUM to add John's Pass Village Activity Center – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2023-02 by title only:

ORDINANCE 2023-02

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP DESIGNATION OF THE CITY'S COMPREHENSIVE PLAN FROM COMMERCIAL GENERAL, RECREATION/OPEN SPACE, RESIDENTIAL MEDIUM, RESIDENTIAL/OFFICE/RETAIL, AND RESORT FACILITIES MEDIUM TO ACTIVITY CENTER FOR THE AREA AS SET FORTH IN THE ACCOMPANYING LEGAL DESCRIPTION IN EXHIBIT A ATTACHED HERETO AND HEREBY MADE A PART OF THIS ORDINANCE; PROVIDING FOR FUTURE REVITALIZATION AND DEVELOPMENT WITHIN THE ACTIVITY CENTER CATEGORY TO BE CONSISTENT WITH AND PURSUANT TO THE PROCEDURES, GUIDELINES AND STANDARDS OF THE JOHN'S PASS VILLAGE ACTIVITY CENTER PLAN AS ADOPTED BY ORDINANCE 2023-01, AND AS SUCH PLAN MAY BE IMPLEMENTED AND ADMINISTERED THROUGH THE ADOPTION OF A JOHN'S PASS VILLAGE ACTIVITY CENTER ZONING DISTRICT(S); PROVIDING FOR TRANSMITTAL TO AND CONSIDERATION BY FORWARD PINELLAS AND THE COUNTYWIDE PLANNING AUTHORITY FOR A CORRESPONDING AMENDMENT OF THE COUNTYWIDE FUTURE LAND USE MAP TO THE COUNTYWIDE PLAN CATEGORY OF ACTIVITY CENTER (NEIGHBORHOOD CENTER); PROVIDING FOR TRANSMITTAL TO THE FLORIDA STATE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THEIR REVIEW AND COMMENT; PROVIDING FOR THE FILING OF THIS AMENDMENT TO THE CITY FUTURE LAND USE MAP IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Rostek opened to public comment.

Cristina Ponte, North Bayshore Drive, said she is disappointed that her question was not answered. She asked which building in John's Pass Village could not be rebuilt. Most of the buildings in the John's Pass Resort area are currently at 30-40 UPA, and now they are allowing by right 60 UPA. It doubled.

Commissioner Tagliarini motioned to approve Ordinance 2024-02, Amending FLUM to add John's Pass Village Activity Center, after 2nd Reading and Public Hearing. Commissioner Brooks seconded the motion.

ROLL CALL:

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

The motion carried 4-1.

C. Ordinance 2024-02, Open Accessory Structures – 1st Reading & Public Hearing

Mayor Rostek suggested they postpone the item to a workshop meeting since there have been significant changes.

Vice Mayor Kerr motioned to postpone the 1st Reading and Public Hearing of Ordinance 2024-02 to the April 10, 2024, BOC regular meeting and discuss it at the March 27, 2024, BOC workshop meeting. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

D. Ordinance 2023-01, John’s Pass Village Activity Center Plan – 2nd Reading and Public Hearing

The item was moved to 10 A.

E. Ordinance 2024-03, An Ordinance adopting a code provision regarding parking meter overtime and failure to pay provisions – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2024-03 by title only:

ORDINANCE 2024-03

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 66-70 TO PROVIDE DUTIES OF VEHICLE OPERATORS TO ACTUATE PARKING METERS AND AMENDING SECTION 66-72 TO PROVIDE FOR ADDITIONAL LIMITATIONS ON PARKING IN CITY PARKING LOTS AND BEACH ACCESS EASEMENTS IN CHAPTER 66 (TRAFFIC AND VEHICLES) OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING

FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Manager said it is to clarify and add language to the parking process.

Mayor Rostek opened to public comment.

Tom Edwards, District One, said the ordinance conflicts with Section 66-66, which needs to be corrected. The City Attorney said if there is a conflict, it can be corrected by an ordinance. Mr. Edwards suggested they put a specific maximum length of a vehicle that could occupy a parking space. He suggested adding a specific length that a vehicle should be from a flashing signal, stop sign, or traffic control device located on the side of the roadway. He suggested erecting signs that read “No Parking 11:00 p.m. to 7:00 a.m.” at the beach accesses near residences.

The City Manager responded to Mr. Edwards’ comments:

- A vehicle could be ticketed every hour but must be removed after two hours if ticketed.
- The time the lots will not be enforced will remain from 12:00 a.m. to 6:00 a.m.
- It is posted that vehicles over 18 feet long cannot be parked in a parking spot.
- Putting a specific distance a vehicle should be from a stop sign would get too complicated. Visibility is only an issue in certain neighborhoods, and it is due to people’s landscaping.

The consensus of the Board was to adopt the ordinance and revisit neighborhood parking procedures at a future workshop.

Commissioner Tagliarini motioned to adopt Ordinance 2024-03, an ordinance adopting a code provision regarding parking meter overtime and failure to pay provisions, after 2nd Reading and Public Hearing. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

11. UNFINISHED BUSINESS

12. CONTRACTS/AGREEMENTS

A. Code Enforcement/Satellite Office

The City Manager explained the item and recommended the Commission approve entering into an agreement with Mali Contracting Corporation. The budget was estimated at \$260,000, and the bid amount was \$219,683.

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

Mayor Rostek asked if they researched the Florida Department of Business and Professional Regulation website. The City Manager said yes.

Commissioner Tagliarini motioned to allow staff to negotiate an agreement with Mali Corp. to construct the code enforcement office space. Commissioner Brooks seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

B. Approve Agreement with Network People for Security Focused Information Technology Support and Consulting Services

The City Manager said it is the proposed final five-year agreement.

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

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

- The City has been using different software in different departments for different functions, and Network People has been very supportive of working with the different vendors.
- The City has been content and would like to continue working with Network People.

Commissioner Brooks motioned to approve the contract with Network People for Security Focused Information Technology Support and Consulting Services. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Brooks	"YES"
Commissioner McGeehen	"YES"

Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Mayor Rostek	"YES"

The motion carried 5-0.

C. RFQ 23-12, Planning Services to Create and Implement a New City Master Plan

Director Rowan explained the item and recommended proceeding with a Master Plan with Kimley-Horn.

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

Commissioner Tagliarini motioned to proceed with Kimley-Horn for RFQ 23-12, Planning Services to create and implement a New City Master Plan. Vice Mayor Kerr seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

D. ADA Bus Purchase

The City Manager requested approval to proceed with the purchase of the 2023 Starcraft Allstar XL bus. \$200,000 was budgeted in the FY 2024 budget. The 2017 bus would be traded in for approximately \$34,350. The total contract price would be \$184,342. They have not located a specific grant, but continue to search.

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

Commissioner Brooks motioned to approve the purchase of an ADA bus. Commissioner Tagliarini seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

E. Easement Agreement for Condo A Company, LLC

The item was added to the Agenda.

City Attorney Tom Trask said in 2017, the City entered into a development agreement with Madeira Beach Town Center, LLC, to develop about 6.6 acres within the Town Center special area plan. The project would be developed in phases; each phase would be established by parcels, and each parcel would be conveyed to a successor entity. One of the parcels is owned by Condo A Company, LLC, which is almost complete. The developer is obligated to provide the City with a public use pedestrian access easement for a ten-foot wide sidewalk. The property owner would be responsible for maintaining the sidewalk. He asked the Board for their approval.

The City Attorney responded to questions and comments from the Board.

- The easement is ten feet wide beginning at Condo B on 150th Ave. to the bridge.
- The Dockmaster Building and the Marina easements would not be required until construction was complete.

Commissioner Brooks motioned to approve the easement agreement for Condo A Company, LLC. Vice Mayor Kerr seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

13. NEW BUSINESS

A. Resolution 2024-01, Statewide Mutual Aid Agreement – 2023

City Attorney Tom Trask read Resolution 2024-01 by title only:

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A STATEWIDE MUTUAL

AID AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Fire Chief Clint Belk said it would allow the City to receive and give support and assistance after any disaster.

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

Commissioner Tagliarini motioned to adopt Resolution 2024-01, Statewide Mutual Aid Agreement 2023. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

14. STAFF REPORTS

There were no staff member reports.

15. AGENDA SETTING – March 27, 2024 BOC Regular Workshop Meeting

- A. JPV Zoning**
- B. CRS and LMS**
- C. Master Plan**
- D. Board of Commissioners Policy Handbook – Review for changes**
- E. RFP 2024-02 City Facility Cleaning Services bid discussion**
- F. RFP 2023-14 Coastal Groin Restoration bid discussion**

Items added to the workshop agenda:

1. Residential Parking discussion
2. Ordinance 2024-02, Open Accessory Structures
3. Ordinance 2024-04, Special Magistrate Provisions Relating to Code Enforcement
4. Ordinance 2024-06, Special Magistrate Provisions Relating to Variances and Special Exceptions

5. Special Magistrate Agreement Approval
6. Ordinance 2024-05, Amend Fees and Collections Procedure Manual
7. Bicentennial Park – Added to the April workshop meeting

16. REPORTS/CORRESPONDENCE

A. Board of Commissioners

The Board of Commissioners had no report.

B. City Attorney

The City Attorney had no report.

C. City Clerk's Report – March 2024

The City Clerk reminded everyone of the election on Tuesday, March 19th and gave an overview of her March 2024 report.

D. City Manager's Reports – February 2024

The City Manager reviewed the City Manager's Report for February 2024 and said he would email it to the Board by Friday.

17. ADJOURNMENT

Mayor Rostek adjourned the meeting at 4:44 p.m.

ATTEST:

James "Jim" Rostek, Mayor

Clara VanBlargan, MMC, MSM, City Clerk