



## MINUTES

### BOARD OF COMMISSIONERS REGULAR MEETING OCTOBER 14, 2020 6:00 P.M.

A regular meeting of the City of Madeira Beach Board of Commissioners was held at 6:00 p.m. on October 14, 2020 in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

#### MEMBERS PRESENT:

John B. Hendricks, Mayor  
Doug Andrews, Vice Mayor/Commissioner District 3  
Helen "Happy" Price, Commissioner District 1  
Nancy Hodges, Commissioner District 2  
John Douthirt, Commissioner District 4 (via zoom)

#### MEMBERS ABSENT:

#### CITY STAFF PRESENT:

Robert Daniels, City Manager  
Clara VanBlargan, City Clerk  
Patty Kordis, Deputy Clerk  
Thomas Trask, Interim City Attorney

#### 1. CALL TO ORDER

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

#### 2. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Hodges asked for a moment of silence for former Mayor Maggi Black, who passed away that day, and led the Pledge of Allegiance.

#### 3. ROLL CALL

City Clerk Clara VanBlargan called the roll.

#### 4. APPROVAL OF THE AGENDA

Vice Mayor Andrews motioned to approve the Agenda. Commissioner Hodges seconded the motion.

#### ROLL CALL:

Vice Mayor Andrews	"YES"
Commissioner Hodges	"YES"

Commissioner Douthirt	"YES"
Commissioner Price	"YES"
Mayor Hendricks	"YES"

The motion carried 5-0.

## **5. PROCLAMATIONS/PRESENTATIONS**

### **5.1. PROCLAMATIONS – MAYOR/ CITY CLERK**

#### **A. Domestic Violence Awareness Month; October 2020**

City Manager Robert Daniels read a proclamation proclaiming October 2020 as "Domestic Violence Awareness Month." A representative from the organization accepted the proclamation.

### **5.2. PRESENTATIONS**

#### **A. Funding Projects for City of Madeira Beach – *Florida Representative Jennifer Webb***

Florida Representative Jennifer Webb presented via Zoom.

Representative Webb gave a Legislative recap on what they were able to accomplish in the 2020 session, where they are with COVID relief at the state level, what is available to individuals and businesses, and things they would like addressed in the upcoming session. Last year she was able to get money for the beach groins finally, but due to the economic downturn, it was vetoed by the governor. She is always willing to work with the City Manager to ensure that Madeira has what it needs to be successful.

Mayor Hendricks said he had spoken to Representative Webb and Senator Brandes about the beach groins and would love to see that item back on their agenda to put it back on the governor's desk. The City appreciates everything Representative Webb can help push up to the state or the U.S. Army Corps of Engineers to correct the ongoing problems in John's Pass.

Representative Webb said she would continue working with the City, the business owners in John's Pass, and the county to find solutions and to put pressure on the Army Corps of Engineers and the federal government. She is also looking into other available engineering solutions. She reached out to Congressman Bilirakis' office because he was able to clear Anclote River, which is not federal waters.

Mayor Hendricks said they also needed help getting some funding and grants to replace the City's stormwater system. Representative Webb said she could help with any kind of infrastructure projects as possible to reduce costs.

#### **B. Presentation by the 9/11 Committee**

A representative of the 9/11 Memorial Committee made a presentation to the Board.

Mayor Hendricks said he would like the City to rename Memorial Park to the 9/11 Memorial Park.

## **6. PUBLIC COMMENT**

Mayor Hendricks opened to public comment.

City Manager Robert Daniels read 45 names and addresses of people that submitted comments electronically regarding the sand issues in John's Pass:

- Jennifer Roberts, Tampa, Florida
- Dajana Vladicic, Madeira Beach, Florida
- Francene Breton, Largo, Florida
- Crystal Wood, Tampa, Florida
- Tibbie Farnsworth, Tampa, Florida
- Kyle Hayden, Tolono, Illinois
- William Burchardt, Land o Lakes, Florida
- Steve Miller, St. Petersburg, Florida
- Howard Banes, Tampa, Florida
- Dave Larsen, Tampa, Florida
- Dan Loughman, St. Clair Shores, Michigan
- Penny Swiger, Moundsville, West Virginia
- James Gagliano, Nokomis, Florida
- Gloria Stanley, Holiday, Florida
- Lee Lance, Seymour, Tennessee
- Melissa Rose, Seminole, Maryland
- Philip Bridis, Pembroke Pines, Florida
- Cynder Goldsmith, St. Petersburg, Florida
- William Murphy, Madeira Beach, Florida
- Patricia Kinkade, East Bethel, Minnesota
- Cole Owens, Gilbert, Arizona
- Jerry Farmer, Dayton, Ohio
- Fritz Schlichting, Sun City Center, Florida
- Angie Starcher, Lake Wales, Florida
- Melinda Crosby, Valrico, Florida
- Gina Ghiglietti, Madeira Beach, Florida
- Nick Tekulve, Erlanger, Kentucky
- Kristina Hubbard, Hillsboro, Ohio
- Stergos Stergos, Sarasota, Florida
- James Davis, Hilliard, Florida
- Amanda Partee, Saint Louis, Missouri
- Lesley Groll, Jacksonville, Tennessee
- Ralph Stephens, Englewood, Florida
- Julia Geno, Largo, Florida
- Bonnie Korniak, St. Petersburg, Florida
- Amanda Lottermann, Lakeland, Florida

- Richard Turay, Jacksonville, Florida
- Susan Irving, St. Petersburg, Florida
- Raleigh Thomas, Palm Harbor, Florida
- Jeff Spath, Seminole, Florida
- Daniel Netto, Tampa, Florida
- Marie Eliman, Winter Haven, Florida
- Irene Duda, Machias, New York
- Jennifer Roberts, Tampa, Florida
- Pamela Tondi, Ganville, Illinois

Mayor Hendricks asked that the 45 people who submitted comments to also send them to their state representative and United States Senator.

Vice Mayor Andrews said the long-term solution is building out the jetties and replacing the groins. The problem at John's Pass has been going on for years and has now accelerated. He asked if there was a short-term solution that they could do as a City to help the business owners in John's Pass get operational.

The City Manager said the property's upland owners already have the permits to dredge the area and they have dredged the site in the past at their expense. Because of mother nature, after a storm, the problem will still exist. The City has been working with Army Corp to try getting on the maintenance program to have it done.

Public Works Director Jamie Ahrens said the upland owners have a permit to reopen from the previous dredging done a few years ago. It is a costly short-term solution. It is a matter of months before it back-fills

Mayor Hendricks said he brought up something several weeks ago about the City's drains plugged up with sand. The parking lots and streets are not draining. At that time, he had asked to get something done about it as a temporary fix to get a culvert run out to the water to prevent the drains from plugging up. By doing something about it would help the businesses there, but that has not been done. Director Ahrens said any additional drainage structures placed there would have to go through a longer permitting process, which would be an extensive expense to the City. They are looking at alternatives for a permanent solution and would consider any option. A phone call has always handled it. Staff would remove the clog and the problem is resolved within 30 minutes or so.

The Mayor said after staff removes the clog, the drains are plugged the next day again. He asked how long Public Works would be letting the City streets and parking lots plug. Director Ahrens said he could get a proposal for an engineering evaluation and study all the alternatives. The Mayor asked how long the study would take, for he wanted the drainage problem fixed. Director Ahrens said he could not give those answers, but he will work on it.

Commissioner Price said she understood that they are cleaning out the sand multiple times a week. As it stands now, it is not raining every day for it to be that clogged up. The Mayor said it is the sand coming in from the inlet that is plugging it up. It covers the ones belonging to the state and

belonging to the City. Commissioner Price suggested stationing a bobcat there to keep it open. The Mayor said he does not mean to be frustrated with it, but it is time to get something done there. If there is a concern about City property going on to the private property, he is sure the property owners will help. A culvert cannot be that much, and he can go down and dig the trench with a shovel if he had to, so something gets done.

Vice Mayor Andrews said he understands that the City has a policy about lending equipment. The owner of Hubbard's Marina is willing to do the work if the City gave them the equipment to do it. He does not know what the process is or what the City needs to do, but the City has the equipment. Whatever it is that the City can do to show good faith, he is all for it.

The Mayor said the sand issue is causing loss of boat slips, and it will be a domino effect there. To help those businesses, the City has to move quickly. He gets so frustrated when he asks about something and then told there would be a study on it. There is no time to waste. Something should already have been done.

Commissioner Price asked who has the authority to remove the sand, the owner, or the City. The City Manager said the owner is the one with authority and the permit to do the work. He will contact the owner again and see if there is something the City can do jointly with him. They could work with the owner through Dylan and the whole group. Although that will be a short-term fix, they need to do something to not lose an economic part. Commissioner Price said they also do not want to lose the historical part of the village. It was started by the Hubbard's and developed by them.

Commissioner Hodges asked why the owner with the permit was not doing it. He sees what is happening. The City Manager said they dredged before, but it was only a short-term fix. There was no plan to look for a long-term solution. City staff has reached out to county officials, state officials, federal officials, and others. They have a meeting on November 6<sup>th</sup> to look at a long-term thing, but he does not think that a meeting will cut it. So, they could get with the landowner, Dylan, and a member of the Commission to move forward with it. He will make some phone calls tomorrow and see what they can do about getting the drainage to be more efficient.

The Mayor said they need to get the federal government involved because dredging does not work.

## **7. PUBLIC HEARINGS**

### **A. Ordinance No. 2020-20, amending Section 2-151, of the Code of Ordinances to amend the titles of administrative departments of the City of Madeira Beach – 2nd Reading and Public Hearing - *Robert Daniels, City Manager***

Interim City Attorney Trask read Ordinance No. 2020-20 by title only:

#### **ORDINANCE NO. 2020-20**

#### **AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 2-151, OF THE CODE OF ORDINANCES TO**

**AMEND THE TITLES OF ADMINISTRATIVE DEPARTMENTS OF THE CITY OF MADEIRA BEACH; AND PROVIDING FOR AN EFFECTIVE DATE.**

The City Manager reviewed the item.

Mayor Hendricks opened to public comment. There were no comments received in person or electronically.

Commissioner Hodges motioned to approve Ordinance No. 2020-20 on second reading and public hearing. Commissioner Price seconded the motion.

**ROLL CALL:**

Commissioner Hodges	"YES"
Commissioner Price	"YES"
Vice Mayor Andrews	"YES"
Commissioner Douthirt	"YES"
Mayor Hendricks	"YES"

The motion carried 5-0.

**B. Ordinance No. 2020-21, Level of Service Standards - 1st Reading & Public Hearing  
- Linda Portal, Community Development Director**

Interim City Attorney Trask read Ordinance No. 2020-21 by title only.

**ORDINANCE NO. 2020-21**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO ESTABLISH DEFINITIONS; RENUMBER THE PLAN ELEMENTS, GOALS, OBJECTIVES, POLICIES, AND STRATEGIES TO ESTABLISH A UNIQUE ENUMERATION SYSTEM; AMENDING THE TRANSPORTATION, INFRASTRUCTURE, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS TO ESTABLISH NEW LEVEL-OF-SERVICE STANDARDS FOR MUNICIPAL, AREA-WIDE CULTURE AND RECREATION, MOBILITY, AND PUBLIC SAFETY FACILITIES AND SERVICES; REVISING LANGUAGE FOR IMPROVED ACCESSIBILITY; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO UPDATE THE CAPITAL IMPROVEMENTS PROGRAM (CIP) AND THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; RENUMBERING SECTION 3.1, GOALS, OBJECTIVES, AND POLICIES, TO SECTION 3.0, RETITLED COMPREHENSIVE PLAN ELEMENTS; AMENDING SECTION 3.1 TO**

**BE RETITLED DEFINITIONS, AND PROVIDING FOR CERTAIN DEFINITIONS; AMENDING SECTION 3.2, INTRODUCTION; RENUMBERING SECTION 3.3, FUTURE LAND USE ELEMENT TO SECTION 4.0; RENUMBERING SECTION 3.4, TRANSPORTATION ELEMENT TO SECTION 5.0, RETITLED MOBILITY ELEMENT, AND AMENDING THE GOALS, OBJECTIVES, AND POLICIES THEREUNDER FOR MORE ACCESSIBLE LANGUAGE, TO PROVIDE A LEVEL-OF-SERVICE STANDARD FOR IMPROVED MUNICIPAL MOBILITY FACILITIES AND SERVICES, A MOBILITY PLAN, AND THE UTILIZATION OF PROPORTIONATE SHARE DEVELOPMENT FEES; REMOVING THE STORMWATER MANAGEMENT GOALS, OBJECTIVES, AND POLICIES FROM SECTION 3.6, INFRASTRUCTURE ELEMENT, RELOCATING TO SECTION 5.0, MOBILITY ELEMENT, AND AMENDING FOR MORE ACCESSIBLE LANGUAGE; RENUMBERING SECTION 3.5, HOUSING ELEMENT, TO SECTION 6.0; RENUMBERING SECTION 3.6, INFRASTRUCTURE ELEMENT TO SECTION 7.0, AND AMENDING THE GOALS, OBJECTIVES, AND POLICIES THEREUNDER FOR MORE ACCESSIBLE LANGUAGE, AND AMENDING LEVEL-OF-SERVICE STANDARDS; RENUMBERING SECTION 3.7, CONSERVATION AND COASTAL MANAGEMENT ELEMENT, TO SECTION 8.0; AMENDING AND RENUMBERING SECTION 9.0, RESERVED; RENUMBERING SECTION 3.8, OPEN SPACE AND RECREATION ELEMENT, TO SECTION 10.0, RENAMING SECTION 10.0 CULTURE AND RECREATION ELEMENT, AND AMENDING THE GOALS, OBJECTIVES, AND POLICIES THEREUNDER FOR MORE ACCESSIBLE LANGUAGE, LEVEL-OF-SERVICE STANDARDS, AND THE UTILIZATION OF PROPORTIONATE SHARE DEVELOPMENT FEES; RENUMBERING SECTION 3.9, INTERGOVERNMENTAL COORDINATION ELEMENT, TO SECTION 11.0, AND AMENDING THE GOALS, OBJECTIVES, AND POLICIES THEREUNDER FOR MORE ACCESSIBLE LANGUAGE; AMENDING AND RENUMBERING SECTION 12.0, RESERVED; RENUMBERING SECTION 3.10, CAPITAL IMPROVEMENTS ELEMENT, 200928 LPA/PC DRAFT Revised 200915 Ordinance 2020-21 Page 2 of 49 TO SECTION 13.0, AMENDING THE GOALS, OBJECTIVES, AND POLICIES THEREUNDER FOR MORE ACCESSIBLE LANGUAGE, TO PROVIDE LEVEL-OF-SERVICE STANDARDS, UPDATING THE CAPITAL IMPROVEMENT PROGRAM (CIP) SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2020-21 THROUGH 2024-25 AND THE UTILIZATION OF PROPORTIONATE-SHARE DEVELOPMENT FEES; RENUMBERING SECTION 3.11, PUBLIC SCHOOL FACILITIES ELEMENT, TO SECTION 14.0; AND PROVIDING FOR AN EFFECTIVE DATE.**

Community Development Director Linda Portal said it was a transmittal hearing for the comprehensive planning process. Following a transmittal hearing, it is transmitted to the state for

their review. They are asking the Board to open the public hearing but continue it on October 28<sup>th</sup> for the remainder of the discussion.

Mayor Hendricks opened to public comments.

The City Manager read the following public comments submitted electronically:

- Dick Lewis, 561 Crystal Drive, made an editorial suggestion concerning proposed Ordinance 2020-21 regarding how fiscal years is written on p. 40 of the CIP.
- William Gay, 423 150<sup>th</sup> Avenue, stressed concern about proposed Ordinance No. 2020-21. The ordinance does not provide reasoning and any researched information to what is being proposed.

Commissioner Douthirt said in Section 5.1.6.7, they talked about expanding Tom Stuart and asked if FDOT had approved it. If not, they cannot put that in an ordinance. He asked the meaning of intermodal terminals mentioned in Section 5.1.7.1.

Director Portal explained the meaning of intermodal terminals and the recommended long-term options or policies to be considered. She said the policies are in the City's master plan adopted in concept in 2003 following a study and proposal made in 2002. The whole master plan was proposed to the Planning Commission to look at with the understanding that the intent to make improvements on 150<sup>th</sup> as they get closer to Gulf to create a sense that you have arrived somewhere instead of just at an intersection of two state highways, which is what state roadway improvements have done over the years and caused pedestrian and traffic concerns. At the time of the study, there was not a significant engineering study done. It is a state road, and the City cannot do anything on its own. The City can have a policy that they are interested in, but it would still be dependent upon the study being done and DOT agreeing to it.

Vice Mayor Andrews asked if Policy 5.1.6.7 was new or from the old agreement. Director Portal confirmed it was from the old comprehensive plan. It is one of the proposals out of it. Vice Mayor Andrews asked what they would be voting on after the public hearing. Director Portal said when the Board adopt policies, they must have a means of accomplishing them or a plan to attempt them and have a way to pay for them over time.

Commissioner Price motioned to postpone the public hearing for Ordinance 2020-21 until October 28, 2020 at 5:15 p.m. Vice Mayor Andrews seconded the motion.

**ROLL CALL:**

Commissioner Price	"YES"
Vice Mayor Andrews	"YES"
Commissioner Hodges	"YES"
Commissioner Douthirt	"YES"
Mayor Hendricks	"YES"



The motion carried 5-0.

## 8. CONSENT AGENDA

### A. Approval of Minutes:

2020-8-19, BOC Special Meeting  
2020-8-19, BOC Budget Workshop Meeting  
2020-8-26, BOC Workshop Meeting  
2020-9-1, Bid Opening Meeting  
2020-9-2, BOC Budget Workshop Meeting  
2020-9-9, BOC Special Meeting  
2020-9-9, BOC Workshop Agenda Setting Meeting  
2020-9-9, BOC Regular Meeting  
2020-9-16, 2020, Town Hall Meeting  
2020-9-23, BOC Special Meeting  
2020-9-23, BOC Workshop Meeting

### B. Gulf Beaches Public Library Service Contract, October 1, 2020 through September 30, 2021 - Robert Daniels, City Manager

### C. Purchase of Load and Pack Broyhill for Beach Garbage Collection - Jamie Ahrens, Public Works Director

Mayor Hendricks asked that Consent Agenda Item C be pulled for separate discussion and vote.

Vice Mayor Andrews motioned to approve the Consent Agenda Items A & B, excluding Consent Item C. Commissioner Hodges seconded the motion.

#### ROLL CALL:

Vice Mayor Andrews	"YES"
Commissioner Hodges	"YES"
Commissioner Price	"YES"
Commissioner Douthirt	"YES"
Mayor Hendricks	"YES"

The motion carried 5-0.

### C. Purchase of Load and Pack Broyhill for Beach Garbage Collection - Jamie Ahrens, Public Works Director

This item was pulled for separate discussion and vote.

Public Works Director Jamie Ahrens presented the item.

Mayor Hendricks said he would like to wait on approving the item until next year.

Commissioner Douthirt asked if the vehicle breaks down how will the trash be collected. He does not see a benefit to the City in approving the item at that time.

Commissioner Price said the item was approved in the budget. She is in favor.

Vice Mayor Andrews commented in favor of the item. They made a push to keep trash off the beach and get cans on the beach.

Mayor Hendrick opened to public comment. There were no comments received in person or electronically.

Commissioner Price motioned to purchase the Load and Pack Broyhill beach garbage system. Vice Mayor Andrews seconded the motion.

**ROLL CALL:**

Commissioner Price	"YES"
Vice Mayor Andrews	"YES"
Commissioner Hodges	"YES"
Commissioner Douthirt	"NO"
Mayor Hendricks	"YES"

The motion carried 4-1.

**9. UNFINISHED BUSINESS**

**10. CONTRACTS/AGREEMENTS**

**11. NEW BUSINESS**

- A. RFP NO. 20-06, Financial Auditing Services - Start the negotiation process with the top three auditor firms selected by the Auditor Selection Committee at its September 14, 2020 meeting: #1-James Moore & Co; #2- C. S. & L.; #3-Wells Houser & Schatzel - Board of Commissioners**

Mayor Hendricks opened to public comment. There were no electronic comments received.

Zack Chalifour, a partner with James Moore & Co., thanked the Board for the opportunity to submit a proposal for auditing services.

The City Manager presented the item.

Interim City Attorney recommended that the motion be to accept the ranking for proposals #1, #2, and #3 and begin the negotiation process on proposal #1.

Commissioner Price motioned to accept the ranking for proposals #1, #2, and #3 and begin the negotiation process on proposal #1. Vice Mayor Andrews seconded the motion.

ROLL CALL:

Commissioner Price	"YES"
Vice Mayor Andrews	"YES"
Commissioner Hodges	"YES"
Commissioner Douthirt	"YES"
Mayor Hendricks	"YES"

The motion carried 5-0.

**B. Presentation on the proposed data/analysis and policy amendments to the Mobility Element - *Linda Portal, Community Development Director***

Director Portal reviewed the item and answered questions by the Board.

**12. STAFF REPORTS**

**A. August 2020 Financial Report and September 2020 Financial Report - *Patrick Cade, Accounting Manager; Andrew Laflin, Financial Consultant***

Financial Consultant Andrew Laflin said the official budget was finalized and posted on the City's website; each Board member will receive a bound copy of the budget book for their review. Staff is closing out Fiscal Year 2020 budget and preparing for the financial audit. He reviewed the September 2020 financial report and said some fund balances might change. The state law requires amendments to the budget be made within sixty days for the previous year's closeout. He will present final budget amendments based on results in an upcoming meeting and include FY 2021 budgetary policies on budget transfers.

Mayor Hendricks stressed he was no longer in favor of giving the employees a 2% across the board raise. Instead, he would rather the increase be based on merit. He did not feel giving across the board raises when they just had to cut back on the Library's budget.

Commissioner Price asked why the discussion. The budget had already been approved.

Vice Mayor Andrews stressed that the budget had been approved. The employees were already receiving a small increase. It would not be acceptable to ask them to pay it back. It could be a topic for next year.

**B. September 2020 City Manager's Report - *Robert Daniels, City Manager***

The City Manager reminded everyone to complete the 2020 Census. He reported project updates on the installation of the generator at City Hall, developments, bridge opening times, and on the littering committee.

**13. REPORTS/CORRESPONDENCE**

- Board of Commissioners
- City Attorney

Attorney Trask said he provided the litigation report to the City Manager for the agenda at the end of September. The City Manager said he would send the report to the Board.

- City Manager
- City Clerk

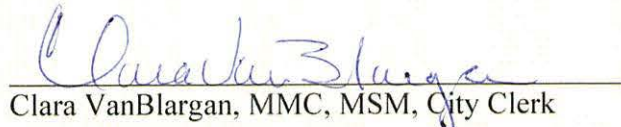
The City Clerk reminded the voters of Madeira Beach to vote on November 3, 2020.

#### **14. ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 8:18 p.m.

  
John B. Hendricks, Mayor

ATTEST:

  
Clara VanBlargan, MMC, MSM, City Clerk

