



MINUTES

BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING AUGUST 28, 2024 6:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular workshop meeting at 6:00 p.m. on August 28, 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 (Absent)
Clara VanBlargan, City Clerk
Andrew Laflin, Finance Director, City Treasurer (Absent)
Thomas Trask, City Attorney

1. CALL TO ORDER

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

2. ROLL CALL

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

3. PUBLIC COMMENT

There were no public comments.

4. FIRE

A. Presentation to Lt. Andrew Childers

Fire Chief Clint Belk recognized Lt. Childers for 12 years of outstanding service. His last day with the Madeira Beach Fire Department will be September 2, 2024

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

B. ITB #24-07 Awning Over Parking Pad/Storage at the Fire Station

Fire Chief Clint Belk said staff placed ITB #24-07 to construct an awning over the parking pad/storage area at the Fire Department. Three bids were received, and the Bid Review Committee chose Muratte Construction to construct the awning over the parking/storage area at the fire station for \$26,647.66. The project is expected to take 120 days after approval and permitting.

Chief Belk responded to questions and comments from the Board.

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

The consensus of the Board was to move forward.

C. Approval of Construction Manager at Risk for Redington EMS Station

Chief Belk said it was the first step in constructing the Redington EMS Station, for which Madeira Beach is the project manager for North Redington Beach and North Redington Shores. They put it out to bid and received responses. The Selection Committee chose the proposal from Biltmore. The Selection Committee consisted of Mayor Queen from North Redington Beach, himself and Trish Eaton, Allie Lollis from Public Works, and Robin Gomez.

Chief Belk responded to questions and comments from the Board.

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

The consensus of the Board was to move forward.

D. Approval of 2024 Emergency Medical Services ALS First Responder Agreement and FY 25 ALSFR Budget

Chief Belk said it is a contract for Pinellas County to provide medical services because they do not provide fire suppression services. They enter an agreement with Pinellas County every two years. This year, they decided to mirror the new Sunstar contract, which is five years, and extend the City's contract. It does not affect the ALS budget and will continue coming to the City annually to make any adjustments needed. This year's budget is 19.49% higher than last year's budget. They are allowed a 3% increase, and if there is justification for an increase higher than 3%, they are allowed to increase it by more than 3%. It then goes to the Pinellas County Board of Commissioners for approval. So far, they have approved the increases based on the justification provided.

Chief Belk responded to questions and comments from the Board.

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

The consensus of the Board was to move forward.

5. BOARD OF COMMISSIONERS

A. Flood Insurance Update/Homestead Issue – Letter to State

Commissioner Kerr said he was tasked to write a letter to support his thoughts on flood mitigation. He had been referencing it as the Homestead Relief Act. He outlined that the MySafe Florida Home, a statewide program for Florida, was for wind mitigation, not flood mitigation. He wanted to get as much information as possible without going overboard in a letter to send to their state representatives. They could share it with the other cities along the beaches in the Big C. Flooding is a big issue; you do not have to be on the coastline. For people to try raising their homes or rebuilding them and still have the same density, he does not know why they should be impacted by their property insurance escalating so they cannot afford to stay in their home. It also gives the opportunity to decrease the maximum taxable property tax value from 3% to 2%. He wanted to put it before the state to see if they could get some traction to get a vote on it. It would help with the home insurance crises. Research showed that since 2014, Florida has consistently been in the top three paying the highest insurance premiums nationwide. Four out of those eight years, Florida was the number one.

Commissioner Kerr said the letter was a draft; he was open to wordsmithing and ideas.

Mayor Brooks opened to public comment. There was no public comment.

Vice Mayor Tagliarini said he appreciated Commissioner Kerr's hard work. He did not see anything to change and recommended it going forward.

Commission Ghovae suggested adding that Madeira Beach is probably the only City using four feet of freeboard above FEMA regulation, which should count for lower flood rates. Other cities are lower than four feet. With four feet of freeboard, the flood rate should be much lower, and flood insurance costs should be reduced.

Mayor Brooks suggested that Community Development review the letter and provide any feedback they might have. The letter can be brought back to the next meeting for a vote to move it forward. Commissioner Kerr said when he submitted the letter to Robin, he copied them on it. They have had an opportunity to look at it but not necessarily a chance to respond.

Marci Forbes, Community Development Engineer, said she looked at it but did not discuss it as a team. However, she did see an opportunity to clarify a few things that would be helpful. She could share a website dashboard with information that could be included. The letter was very well written, and she could see where they were headed.

Mayor Brooks asked Ms. Forbes to make the changes in the letter and provide it to Commissioner Kerr within the next week. Commissioner Kerr could then put his stamp on it. That could come before the Commission at their next meeting.

Commissioner McGeehen agreed with the Board and asked for clarification on the two percent maximum property tax increase that may require non-homestead residential and commercial properties to absorb any unrealized taxes from homestead properties. Commissioner Kerr explained.

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

B. PCPAO City of MB Right-of-Way (ROW) Map Information – Election Candidates Campaign Sign Placement - Sign Codes

Commissioner Kerr asked how people would know they were in violation.

Andrew Morris, Long Range Planner, said he included a link to the Pinellas County Property Appraiser's website. He showed the maps on the site and the location of the rights-of-way. The source is available and easily accessible to the public. Everything is labeled.

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

Vice Mayor Tagliarini suggested including a copy of the maps in the candidate packets. Mr. Morris explained the difficulty in printing them.

Commissioner Kerr said there had not been an issue in residential areas and suggested making the ordinance only apply to the main thoroughfares.

Mayor Brooks said she would not have an issue with it. If they are not policing the signs in the neighborhoods and it is just on the main thoroughfares, she would be curious to know how many complaints the City or the Sheriff's Department received regarding over signage in residential neighborhoods, whether that has ever been an issue. She lives on 150th and sees the signs that go out on the main thoroughfares much more often than those in the residential neighborhoods.

Vice Mayor Tagliarini said that when putting out signs in the residential neighborhoods, the only discrepancy he saw was that someone had put a sign on a telephone pole. Whether or not they actively enforce the ordinance, they keep those ordinances in place to address any discrepancies. They would know what is and is not allowed. Commissioner Kerr said the ordinance states that putting signs on a telephone pole is prohibited.

Commissioner McGeehen said he did not see a problem in the residential areas. They should include in the ordinance the penalty for violating the sign code or stealing someone's signs and let the people know what it is. Vice Mayor Tagliarini said the information in the candidate packet outlines that.

The City Clerk said she included the City's code sign information in the candidate packet and would add the link to the property appraiser.

Commissioner Ghovae said political signs should always be on private property. The people helping a candidate put out signs are not surveyors. They may put signs anywhere. If in the right-

of-way, they take a chance at losing that sign by the Sheriff's Department. He would not want to overthink it. There must be an agreement between the candidate and the property owner to place a sign on private property.

Mayor Brooks said the City has a collection of signs placed illegally.

Commissioner Kerr said who cares in a residential area. That is not where they had an issue when they had the mayoral election.

6. COMMUNITY DEVELOPMENT

A. John's Pass Village Activity Center Standards

Ms. Forbes explained the item. Ordinance 2024-09 Appendix D is John's Pass Village Activity Center development standards. Since the approval of the first reading, they have made changes to the ordinance based on feedback given during the last meeting. She explained the following changes made to the ordinance:

1. On Page 197 in Section D-107, Setback Requirements, they added verbiage, "Setbacks are the minimum required distance from the property lines to the outermost vertical component of a building wall. Stepbacks are measured from the lowest floor facade of the building." For clarification, if you are already meeting the setback, you must have that stepback. It does not preclude you from putting the stepback when you build. It was added to the drawing the Commissioners received in the packet.
2. On Page 200 in Section D-108, Maximum Building Height, the following changes were made:
 - a. They added verbiage in the first sentence to say, "The following maximum building heights are measured from Design Flood Elevation in the John's Pass Village District to the eave line 'or highest point of a flat roof' of the building."
 - b. In Commercial Core paragraph 2a, they lowered the lots equal to or less than $\frac{1}{4}$ acre in size from 34 feet to 30 feet.
 - c. In Commercial Core paragraph 2b, they changed the verbiage for lots between $\frac{1}{4}$ acre to $\frac{1}{2}$ acre to lots "larger than $\frac{1}{4}$ acre" in size: 44 feet, not to exceed 3 stories over ground floor commercial.
 - d. In Commercial Core paragraph 2c, they struck out the sentence, "Lots equal to or larger than $\frac{1}{2}$ acre in size: 55 feet not to exceed 4 stories over ground floor commercial."
 - e. In Traditional Village paragraph 5a, they changed the verbiage for lots equal to or less than $\frac{1}{2}$ acre from 34 feet to "30 feet," not to exceed 2 stories over ground floor commercial, so they end up with a maximum of four stories.

Mr. Morris showed PowerPoint slides throughout the discussion.

Mayor Brooks opened to public comment.

Jeff Beggins said he had followed the discussion for the last couple of years. He asked if the criteria for commercial core had changed since the ordinance was approved on first reading a couple of weeks ago, dropping it from four stories to three stories. It passed on the first reading and asked if there was another meeting since then to reduce it.

Ms. Forbes said it did change based on the conversations from the previous BOC meeting. They did have it for the larger of the lots. It was 55 feet, not to exceed four stories over ground floor parking. It was the first time the changes were published.

Mr. Morris said the proposed changes presented were not adopted at first reading. At the second reading, the proposed changes would be included in the motion to be approved in the ordinance. It is similar to the second reading when the land use was done. Some reductions in density were done at the second reading. It was adopted at the first reading as is in the ordinance and advertised in the legal ad.

Mr. Beggins asked who recommended the proposed changes. Ms. Forbes said it was kind of based on feedback they received at that meeting and having a meeting with Commissioner Kerr regarding the heights. They took that feedback to come up with a happy medium, considering the heights in the comprehensive plan and not wanting to go any lower than those. Four stories seem to be the best compromise.

Mr. Beggins said it was unanimously approved at the meeting. It never came up in the multiple meetings he attended prior to that. It does not make sense that one opinion changed that. Ms. Forbes said she did not want to imply that it was just one person's opinion, but they also worked hard on it and wanted to ensure they had something that did pass and worked for everybody.

City Attorney Tom Trask said there are two public hearings, so it did not pass at the first meeting. They often have either substantial or minor changes between the first and second reading. If a substantial change they require a third public hearing. If it is a minor change, which it may fall into, it would only require a second hearing. At the second reading, there would be a motion to approve the ordinance as presented with a notation that the following changes have been made since the first reading.

Bill Karns, 400 150th Avenue, said it looks like the change only affected the commercial core area, and everything else stayed as approved. The Activity Center has been kicked down the road more than he could remember. He was told it would be about an eight-month process when he purchased property in John's Pass. It is three years. He is the largest property owner in the commercial core area. He felt the change directly affected him and did not like it or anything about it. It seems like at the twelfth hour, they are knocking one floor off. It probably will not affect him, but it will affect the City. He wanted to give the City parking when redeveloping his property. The City is looking to spend millions of dollars to get parking, and he wants to give the City parking. It eliminates any possibility of providing the City with anything. He had provided so many things to the City over the 20-plus years he has been there, trying to be a good neighbor.

Commissioner Ghovae asked how the height would be measured. Ms. Forbes said the height provided is to the eave line or the top of the flat roof. There is nothing from the ground regarding

footage measurement, but they will only start measurement at DFE. They did the same thing in the traditional Village. They lowered it from 34 feet to 30 feet above DFE.

Commissioner Ghovae asked if any deviation in height could go before the Special Magistrate. Mr. Morris said the height is locked in the zoning. It would have to be rezoned to a plan development to have flexibility on the height. The goal for John's Pass was to lock in the height limits and other standards to try to make other developments follow that. They would still need to meet the design standards and guidelines.

Commissioner Ghovae asked about the criteria for PD zoning to allow for a higher height if incentives were provided. Ms. Forbes said the PD would allow for that. Other limitations also apply. They do not want to set up a system that encourages PDs, but instead, they want something reasonable and buildable by right.

Mayor Brooks said they voted on the heights at the last meeting. They talked about height for over a year. Commissioner Kerr had spoken about lowering it, and Vice Mayor Tagliarini motioned to go forward with the ordinance, and they all voted yes. After many exhaustive conversations with residents, public meetings, and tours at John's Pass, the Planning Commission discussed it, and the Board voted on it at the last meeting. When the discussion came up about lowering the heights at their last meeting, she said nobody was there to ask them to go lower. Lowering the heights would only encourage plan developments. She thought they had been proposing numbers that were based on existing buildings. To totally change the commercial core, what about the parking garage? There is already a parking garage there. It is six stories with retail and parking; you cannot tell it is six stories. They had all talked about keeping some consistency with that, so she fails to understand why they are talking again about reducing height and trying to keep what is there. No matter how much land someone owns, they would only be required to build a little building so big, along with other requirements that must be met. At this stage, she does not understand voting on the height of the commercial core and changing the traditional Village.

Commissioner Kerr directed the Board to Page 198, Section D-107, Setback Requirements, paragraph 2, Commercial Core, a. Front Yard. Subjection i says, "Buildings one story high: 0 feet minimum to 10 feet maximum." He asked what 0 minimum setback meant. Ms. Forbs said they could be at their property line. When they did the walkthrough, some buildings were right on the property line, especially on the back of the Boardwalk. Those buildings are right up to the property line.

Commissioner Kerr said he did not call a meeting to speak with the City staff about making any changes. The City Manager had asked to meet with him and get his thoughts on lowering the height because he was the one who spoke most about it. Community Development staff were also at that meeting. He was surprised to see it at a Board meeting to vote on because, typically, they get to see things at a workshop after it has gone to the planning commission before it comes to them at a workshop before going to a regular meeting to vote on.

Commissioner Kerr said that currently, throughout the commercial core, as it stands before any of it passes, the highest building is 35 feet from grade to the top of the roof. Mr. Morris said, as shown on the plans, that it is 49 feet from grade. Commissioner Kerr said it would meet that standard if

they were to build something down there. He does not know what the current zoning is. Mr. Morris said he did not know about that specific one, but it looks like some variances were done with the parking garage. Commissioner Kerr asked if he could build something by right without getting any variances. He did not want to take away anything. If anything, he wants to show they are adding value to property in the Village.

Mayor Brooks said she did not see where this would change the Village's character. The Village is going to expand and will have changes. Parking lots will go away and become buildings. They are either coming back to them, or they will build it by right. You cannot discount there is a parking garage there. Changing the recommendation after all the public meetings and conversations is a drastic change. It is a significant change from what was originally recommended to them for the Village.

Commissioner McGeehen said he agrees with the Mayor. He would accept going back to the original proposal presented to them at the first reading when they approved it. If they change it, they will only encourage PDs. He did not think it would hurt the character of John's Pass but would bring in more revenue for the City and make more parking available to people that want to come here.

Commissioner Kerr said he would accept what is written now to strike 55 feet, which is really 65 feet from grade to the eave. Fifty-five feet would be taller than anything built in the Village. He would vote for that. He thought the Village would be better served at 34 feet, but he would agree with the 44 feet at the eave. Commissioner Kerr said the character of the Village is where his heart is. To him, 55 feet would ruin the character of the Village. He would not be a part of that vote and would hold his head high with his neighbors and say he did not vote for it.

Commissioner McGeehen thought 44 feet from the design flood elevation height was a good compromise.

Mayor Brooks said the parking garage is 65 feet. The tallest building in the commercial corridor is 65 feet. If they were voting on it tonight, it would be for a maximum height of 44 feet. That does not keep with what is there. If the parking garage burned to the ground, they could not rebuild it because it would not meet the Code. If the Board goes that restrictive, they will not build that restrictive. They will come in with a PD. The whole idea of how the commercial core was written and the traditional Village at 34 feet was to encourage anyone who owns property to build by right. She did not ask for any changes and does not understand making drastic changes to something they discussed and agreed upon.

Mayor Brooks said the greater keeping of character of the Village is not tied to height or stories as much as it is tied to the aesthetics of the building. Cambria would be an example. That building is out of place in Madeira Beach. It is square, and it is not particularly beachy looking at all. More would have been obtained in aesthetics if there had been more thoughtfulness regarding how it looks.

Vice Mayor Tagliarini said he thought they were approving something that would not go higher than the garage. Fifty-five feet is part of what they voted on at first reading. Commissioner Kerr said they are not asking for anything less than but equal to the parking garage.

Commissioner Ghovae said that the FAR is 2.0. That by itself could be a controlling factor of height. So, just because they could vote for a height of 55 feet above DFE does not mean they can achieve it. It just gives the flexibility of undulating the building, narrowing it up, and giving all those setbacks they like to see. They would be short-sighted if they did not consider FAR a height component.

Commissioner Ghovae said he would like to add parapet walls that may be 4 feet above that and an elevator shaft that may be 16 feet above that. The City Attorney said that was a separate code section.

Ms. Forbs said there was a sentence change on Page 197 of the packet, the first sentence in D-107 they would like to keep. It is more of a clarification sentence.

Commissioner Kerr asked that they clarify the first floor commercial requirement in the Commercial Core Temporary Lodging District before the second reading.

The City Attorney received direction from the Board to bring back the ordinance as it was at the first reading, except to add the words "or highest point of a flat roof" in the beginning paragraph of Section D-108 and keep the added first sentence in D-107 shown on Page 197 of the packet.

B. Discussion of potential amendments to Alcoholic Beverages, Noise, and Special Events in the Madeira Beach Code of Ordinances

Vice Mayor Tagliarini said the item pertains to the businesses in the Transitional District from 131st Ave. to 133rd Ave. He would like to recommend amending the existing ordinances with the following changes:

- No amplified music in the sound ordinance
- No rooftop bar liquor license or no rooftop bars
- No special activity permits on the beach for the two blocks

Mayor Brooks opened to public comment.

Jeff Beggins said there are current noise ordinances that govern it, and if they are broken, the businesses would have to stop. Why punish the businesses any further? He is not aware of any problem. People should know the risks of living in a residential home in a commercial hotel-zoned area. He is opposed to all three of the recommendations because they are addressed in the current ordinances the way they are written.

Vice Mayor Tagliarini said amplified noise is not specifically covered in the noise ordinance, and the ordinance is hard to enforce.

Mr. Morris said they need to be consistent across the Board when they make restrictions. The beachside is already more restrictive with alcohol licenses. It needs to be a restaurant, and sixty percent of the gross revenue needs to be from food.

City Attorney Tom Trask said a provision in the Code talks about amplified music or live entertainment. Vice Mayor Tagliarini asked for a sound meter and for the Sheriffs to enforce it.

Mayor Brooks said she would like to bring the item back to the next workshop. She would like to walk the area and look at the neighborhood on the beachside. She suggested discussing discretion with the City Manager in approving events in the area and stepping up the enforcement.

The consensus of the Board was to bring the item back to the next workshop.

7. MARINA

A. RFP 2024-03 City Seawall Repairs and Replacements

Commissioner Kerr asked whether the elevation above the base sea level for the seawalls was consistent throughout all the projects. Brian Crabtree, Marina Manager, said it would be existing. They cannot raise it higher at the Marina site because it would not drain. They would have to put in a drainage, which would make the project much larger. There is no threat at the Marina because the buildings are up high. If they were to raise it, they would have to raise the elevation of docking and other things.

Commissioner Kerr said he had read somewhere that it was going from 53 inches to 80 inches. Mayor Brooks said it mentioned that at 150th the exposed height is 58 inches to 83 inches.

Meagan Wepfer, Public Works Director, said there are four separate locations. The Marina site, Patriot Park that is just a repair with a sidewalk replacement, 142nd and North Bayshore that is just a repair, and 141st, where the stormwater station is, a replacement. Both of the replacement seawalls are going to go within the existing footprint. There will be no raising of the seawalls.

Commissioner Ghovae asked about the quality of the seawall, concrete, PVC, or aluminum. Mr. Crabtree said the replacement seawalls will be one-inch-thick PVC.

Commissioner McGeehen agreed with Speeler that he would be doing the project. Mr. Crabtree said they were the most qualified and had done several seawall projects in the City, but they were lower than the second bid. The Mayor said from a financial standpoint, they are the top choice. They know the City and have worked in the City, and they make a bid based on their past experience and work. They know what they are going to do. She asked about the timeline for starting. Mr. Crabtree said he wants to start it after the Boat Parade. The timeline would be to get the Marina done before March.

Commissioner Kerr asked if they were getting any external grant money for the project. Mr. Crabtree said it is in the budget that there will be a \$100,000 state appropriation grant for the project, 70% toward Marina and 30% towards Public Works.

The Board consented to go with the staff's recommendation.

8. PUBLIC WORKS

A. ITB 2024-08 Archibald Restroom Project Discussion

Public Works Director Megan Wepfer explained the item. On August 20, all bids were due by 10 a.m.; staff received two bids, and only one qualified for the project. Staff recommended the Board accept and approve the contract with Khors Construction Inc. for \$823,498.00 with a ten percent contingency for \$905,847.80.

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

Director Wepfer responded to questions and comments from the Board.

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

B. Rubicon Software Contract Approval

Director Wepfer said the Rubicon Software is an app designed for Sanitation Departments and routes the driver effectively and safely. The Sanitation Department has been working off paper spreadsheets for commercial property pickups, and she has been looking for software for some time. The contract would be for a three-year term of \$17,225.25 for the first year due to programming the system and \$12,444.00 for the remaining two years. The fees include using the software, GPS, and Dash Cams.

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

Director Wepfer responded to questions and comments from the Board.

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

Vice Mayor Tagliarini recognized some residents who went the extra mile to save some of the dunes due to the hurricane of 2023. The residents requested 2,000 sea oats but received 650. They planted them and fixed the 133rd Ave. beach access. He thanked the residents for their efforts.

9. ADJOURNMENT

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

Anne-Marie Brooks, Mayor

ATTEST:

DRAFT