



MINUTES

BOARD OF COMMISSIONERS REGULAR MEETING AUGUST 14, 2024 6:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular meeting at 6:00 p.m. on August 14, 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 6:00 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

Vice Mayor Tagliarini motioned to approve the Agenda as written. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Tagliarini "YES"

Commissioner Ghovae	"YES"
Commissioner McGeehen	"YES"
Commissioner Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

5. PROCLAMATIONS

There were no proclamations.

6. PRESENTATIONS

There were no presentations.

7. PUBLIC COMMENT

Nathan Bruemmer, 2630 Miriam Street S. Gulfport, introduced himself as a candidate for State House in District 61 in the upcoming election.

Jeff Beggins, 429 Boca Ciega Drive, asked that the Board look into illegal short-term rentals and harder enforcements.

8. APPROVAL OF MINUTES

- A. 2024-06-26, BOC Regular Workshop Meeting Minutes
- B. 2024-07-10, BOC Regular Meeting Minutes
- C. 2024-07-24, BOC Budget Workshop Meeting Minutes
- D. 2024-07-24, BOC Regular Workshop Meeting Minutes

Commissioner Kerr motioned to approve the meeting minutes as written. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

9. CONSENT AGENDA

10. PUBLIC HEARINGS

A. ABP 2024-04 Dick's Last Resort

City Attorney Tom Trask said it was a quasi-judicial proceeding and would go through the process required by the City's code. For the summary of the application, the applicant for ABP 2024-04 is requesting authorization from the Board of Commissioners for the approval of a (4COP) alcoholic beverage license for the sale of beer, wine, and liquor for consumption on premises at Dick's Last Resort restaurant at 111 Boardwalk Place W, Suite 203, Madeira Beach, FL 33708.

- The City Attorney read the standards of factors to be applied at the meeting for the application as set forth in Section 110-532.
- The City Attorney read the burden of proof to be applied as set forth in Section 2-10 (A) in the Code.
- The City Attorney said the parties were the City of Madeira Beach and the applicant, DLR Madeira Beach, LLC of 111 Boardwalk Place W, Suit 203 Madeira Beach, FL 33708. The order of the presentation would normally be for the applicant to present first.
- The City Attorney read the quasi-judicial procedures to follow per the City's code.
- The City Attorney asked the Commissioners if they had any ex-parte communication or conflicts of interest to disclose. There were none.
- The City Attorney administered the Oath to the witnesses who would be speaking.

Applicant Presentation

Attorney Amanda Hessein introduced herself on the applicant's behalf and stated the item's purpose.

City Staff Presentation

Joseph Petraglia, Planning Technician, read the staff report and the five factors to be considered when voting on the alcoholic beverage license application. Staff recommended the approval of ABP 2024-04.

The City Attorney asked if Mr. Petraglia wanted the staff report to be received into evidence. Mr. Petraglia said yes.

Public Comment

There were no public comments.

The City Attorney said the public portion of the meeting was closed. It was back to the Commission for a motion.

There were no Commission comments.

Vice Mayor Tagliarini motioned to approve (4COP) Alcoholic Beverage License ABP 2024-04 for Dicks' Last Resort. Commissioner Kerr seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

B. Ordinance 2024-08, Fences – 2nd Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-08 by title only:

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE VI SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 3 LANDSCAPE FENCES, GATES, HEDGES, AND WALLS OF THE CITY'S LAND DEVELOPMENT CODE TO PROVIDE FURTHER INFORMATION ON DEFINITIONS IN APPLICABILITY OF DIVISION; TO INCLUDE THE VISION TRIANGLE, AMEND FRONT, SIDE AND REAR YARDS, AND INCLUDE FENCES AROUND SWIMMING POOLS IN LOCATION AND HEIGHT OF FENCES, HEDGES, AND WALLS; AND ADD A NONCONFORMITIES SECTION; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Joseph Petraglia, Planning Technician, reviewed the item and stated the two changes made following the first reading of the ordinance as follows:

- A change in the grade definition was made to accommodate for fences along property lines with different grade elevations.
- An addition to Sec. 110-44(c)(1) to clarify that a fence is not required along the seawall for waterfront properties with a pool.

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

Mr. Petraglia and Marci Forbes, Community Development Engineer, responded to questions and comments by the Board.

Vice Mayor Tagliarini motioned to adopt Ordinance 2024-08, Fences, after 2nd Reading and Public Hearing. Commissioner Kerr seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

C. Ordinance 2024-09, Appendix D John's Pass Village Activity Center Development Standards – 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-09 by title only:

ORDINANCE 2024-09

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO ADOPT APPENDIX D TO ESTABLISH THE JOHN'S PASS VILLAGE ACTIVITY CENTER DEVELOPMENT STANDARDS; PROVIDING THAT SAID STANDARDS SHALL REGULATE DEVELOPMENT IN THE JOHN'S PASS VILLAGE DISTRICT; PROVIDING FOR PERMITTED, ACCESSORY AND SPECIAL EXCEPTION USES; PROVIDING FOR BUILDING SITE AREA REQUIREMENTS; PROVIDING FOR SETBACK REQUIREMENTS; PROVIDING FOR RESIDENTIAL, VACATION RENTAL AND TEMPORARY LODGING USE DENSITY; PROVIDING FOR MAXIMUM BUILDING HEIGHT; PROVIDING FOR MAXIMUM FLOOR AREA RATIO; PROVIDING FOR IMPERVIOUS SURFACE RATIO; PROVIDING FOR ALTERNATIVE TEMPORARY LODGING USE STANDARDS; PROVIDING FOR DESIGN STANDARDS AND GUIDELINES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Jenny Rowan reviewed the item and showed a PowerPoint presentation. She explained that Ordinance 2024-09, a new John's Pass Village Activity Center Development Standards, creates a new appendix, Appendix D, in the Code of Ordinances that outlines all development standards in the Activity Center land use category. The development standards differ from character district to character district, encompassing the standards from the John's Pass Village Special Area Plan.

Director Rowan, Ms. Forbes, and Andrew Morris, Long Range Planner, responded to questions and comments by the Board.

- There are certain things that can exceed the height, such as mechanical units. Pergolas are not mentioned in the Code. The Planning Commission adopted language for stories to help keep things limited.
- Special Exception Uses must go before the Special Magistrate.
- If using the alternative temporary lodging standards, the applicant would have to conform to all design standards and guidelines. If using the alternative temporary lodging standards, you have to count the structured garage within the Floor Area Ratio (FAR).
- Activity centers in the county use an all-inclusive Floor Area Ratio.
- If somebody is applying for PD zoning, they would have to comply with all of the standards and guidelines in Appendix D.

Mayor Brooks opened to public comment.

John Connolly, Normandy Road, said if they have a height of 44 feet plus mechanicals, why can't they come up to a finished 60 feet or 54 feet and make it common for everything? So everybody understands the finished height of all the buildings.

Vice Mayor Tagliarini explained why his changes were not included in the ordinance. That will be addressed at the upcoming workshop because it does not belong in the ordinance.

Commissioner Kerr suggested including parapet walls and flat roofs under design guidelines, which state that gabled roofs with dormers are encouraged. Director Rowan said the design standards state mechanical units must be located in an inconspicuous area of a building and must be adhered to.

Commissioner Ghovae said that FAR is based on gross and is regulated by the state and county, so they must make sure they do not go above what they require.

Mr. Morris said they wanted to make sure they reduced the bulk of the height of the buildings to make it less imposing. Director Rowan said what was measured on their walkthrough, the highest eave in the Commercial Core, was 44 feet from grade.

Commissioner Kerr said he embraces rebuilding John's Pass Village but wants to do it the right way. He doesn't want it to become the John's Pass Resort area; he wants it to be a reason that people would want to spend their money there. He recommended discussing the item at another workshop because he felt it was not ready.

Commissioner Ghovae agreed. Staff does a good job but needs to slow down so they can describe and explain things to the public.

Commissioner McGeehen agreed that they need another meeting on it because there is no reason to rush it through.

Mayor Brooks disagreed. They have had many meetings about it and have allowed time to ask questions. Currently, there are no design standards to follow. The public provided input, and Community Development considered the input and brought the ordinance forward. The Planning

Commission voted on it following multiple meetings. Forward Pinellas reviewed it and provided their blessing. They should move it forward so they can ensure the integrity of the Village.

Commissioner Kerr said the max FAR is 2.0, and he is not ready to approve 55 feet. That would put buildings 20 feet taller than the highest eave in John's Pass Village. He cannot vote on it.

Mr. Morris said they are not super detailed drawings; they are to show the height of the buildings and how the setbacks work.

Vice Mayor Tagliarini said that based on the Planning Commission's recommendations, public meetings, and staff meetings, he would be in favor of moving forward with it.

Commissioner Kerr said he was not asking to change the FAR; he does not want buildings taller than any existing structure.

Commissioner Ghovae received confirmation that FAR controls the units per acre. The County regulates both. After seeing the height, he feels more comfortable with it.

Vice Mayor Tagliarini motioned to approve Ordinance 2024-09, Appendix D John's Pass Village Activity Center Development Standards, after 1st Reading and Public Hearing. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

D. Ordinance 2024-10, C-1 refer to Appendix D - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-10 by title only:

ORDINANCE 2024-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 5. C-1, TOURIST COMMERCIAL OF THE CITY'S LAND DEVELOPMENT CODE TO RENAME IT AS C-1 JOHN'S PASS VILLAGE ACTIVITY CENTER; PROVIDING FURTHER INFORMATION ON PURPOSE AND INTENT OF THE JOHN'S PASS VILLAGE ACTIVITY CENTER DISTRICT; REPLACING THE DEVELOPMENT STANDARDS SET FORTH IN SECTIONS 110-257 THROUGH 110-265 WITH THE DEVELOPMENT STANDARDS SET FORTH IN APPENDIX D (JOHN'S

**PASS VILLAGE ACTIVITY CENTER DEVELOPMENT STANDARDS);
PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.**

Director Rowan said Ordinance 2024-10 amends the C-1 Tourist Commercial Zoning District to refer to the new Appendix D (Ordinance 2024-09) that outlines all the development standards in the John's Pass Village Activity Center Area. The amendment to the Land Development Regulations removes all the previous standards in the Zoning District and renames the district from Tourist Commercial to John's Pass Village Activity Center Zoning District.

Mayor Brooks opened to public comment.

Chuck Dillion, 529 Lillian Drive, commented that it had already been approved by the Planning Commission.

There were no comments by the Board.

Vice Mayor Tagliarini motioned to approve Ordinance 2024-10, amending C-1 refer to Appendix D, after 1st Reading and Public Hearing. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

E. Ordinance 2024-11, Rezone John's Pass Village Activity Center Development Standards - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-11 by title only:

ORDINANCE 2024-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REZONING REAL PROPERTY FROM C-1 JOHN'S PASS VILLAGE ACTIVITY CENTER, C-2 JOHN'S PASS MARINE COMMERCIAL, C-3 RETAIL COMMERCIAL, C-4 MARINE COMMERCIAL, PD PLANNED DEVELOPMENT, AND R-3 MEDIUM DENSITY MULTIFAMILY RESIDENTIAL ZONING DISTRICTS TO C-1 JOHN'S PASS VILLAGE ACTIVITY CENTER FOR THE AREA AS SET FORTH IN THE ACCOMPANYING LEGAL DESCRIPTION AND PARCEL IDENTIFICATION NUMBERS LISTED 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 PROVIDING FOR AN EFFECTIVE DATE THEREOF.

The City Attorney read a summary of the ordinance and read the procedures of a quasi-judicial hearing. There were no ex-parte communication or conflicts of interest to disclose. There was one affected party. The City was the applicant and would present first.

He administered the Oath to the witnesses, Joseph Petraglia, Planning Technician; Andrew Morris, Long Range Planner; Jenny Rowan, Community Development Director; Marci Forbes, Community Development Engineer; and the affected party [Name was unclear in the meeting video].

City Presentation

Director Rowan explained the item. Ordinance 2024-11 rezones the entire JPV Activity Center area to C-1, John's Pass Village Activity Center Zoning District. The future land use in the Madeira Beach Comprehensive Plan is Activity Center and designated Activity Center with the Countywide Plan Map. All three maps and plans/regulations (Countywide Plan, Madeira Beach Comprehensive Plan, and Madeira Beach Land Development Regulations) will be consistent with the John's Pass Village Activity Center Plan (Special Area Plan) once Ordinance 2024-11 is adopted.

Commissioner Ghovae asked if the zoning of the property to the west of Gulf Blvd. went to the CCC Line. Mr. Morris said yes, but it is preservation area on the Future Land Use Map. That could be rezoned in the future.

The affected party had no comments.

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

Vice Mayor Tagliarini motioned to approve Ordinance 2024-11, Rezone John's Pass Village Activity Center to C-1 John's Pass Village Activity Center, after 1st Reading and Public Hearing. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

F. Ordinance 2024-12, Amending C-2 to reserve - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-12 by title only:

ORDINANCE 2024-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, DELETING DIVISION 6. JOHN'S PASS MARINE COMMERCIAL, SECTIONS 110-286 THROUGH 110-295 OF CHAPTER 110 ZONING, ARTICLE V. DISTRICTS OF THE CITY'S LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Director Rowan said Ordinance 2024-12 removes all standards in the C-2 John's Pass Marine Commercial Zoning District and relabels the district as reserved. C-2 Zoning District encompasses all the land along the boardwalk in the John's Pass Village area, which will be designated C-1 John's Pass Village Activity Center Zoning District, which has its own standards within Appendix D.

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

Commissioner Ghovae asked if they would be creating any non-conformity with the zoning change. Director Rowan said not with Appendix D and the development standards.

Commissioner McGeehen motioned to approve Ordinance 2024-12, Amending C-2 to reserve, after 1st Reading and Public Hearing. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

G. Ordinance 2024-13, C-3 to be consistent with MBTC SAP - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-13 by title only:

ORDINANCE 2024-13

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 7. C-3, RETAIL COMMERCIAL, OF THE CITY'S LAND DEVELOPMENT CODE PROVIDING FURTHER INFORMATION ON DEFINITION; PURPOSE AND INTENT; ALLOWING TOWNHOUSES AS AN ALLOWED USE; INCLUDING OPEN ROOFTOP USES AS A SPECIAL EXCEPTION USE; INCLUDING DEVELOPMENT STANDARDS THAT REFERENCES DENSITY AND INTENSITY, HEIGHT, FLOOR AREA RATIO, AND IMPERVIOUS SURFACE RATIO REGULATIONS IN THE COMMERCIAL CORE AND TRANSITIONAL CHARACTER DISTRICTS FROM THE MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Director Rowan reviewed the item. Ordinance 2024-13 was prepared for the C-3 zoning district to be consistent with MBTC SAP amends the C-3, Retail Commercial Zoning District to reference properties within the PR-MU Future Land Use Category and other minor updates (including townhomes as an allowed use and open rooftop uses as a special exception).

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

Vice Mayor Tagliarini motioned to approve Ordinance 2024-13, C-3 to be consistent with MBTC SAP amends the C-3 Retail Commercial Zoning District to reference properties within the PR-MU Future Land Use Category and other minor updates including townhouses as an allowed use and open rooftop uses as a special exception, after 1st Reading and Public Hearing. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

H. Ordinance 2024-14 C-4 to be consistent with MBTC SAP - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-14 by title only:

ORDINANCE 2024-14

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 8. C-4, MARINE COMMERCIAL, OF THE CITY'S LAND DEVELOPMENT CODE PROVIDING FURTHER INFORMATION ON DEFINITION; PURPOSE AND INTENT; ALLOWING TOWNHOUSES AS AN ALLOWED USE; INCLUDING OPEN ROOFTOP USES AS A SPECIAL EXCEPTION USE; INCLUDING DEVELOPMENT STANDARDS THAT REFERENCES DENSITY AND INTENSITY, HEIGHT, FLOOR AREA RATIO, AND IMPERVIOUS SURFACE RATIO REGULATIONS IN THE CAUSEWAY CHARACTER DISTRICT FROM THE MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Director Rowan said the ordinance brings all the development standards within those character districts within the C-4 Zoning District over from the Special Area Plan and puts them into the Land Development Regulations. The two additions, the open rooftop balcony and elevated terrace uses, if commercial or accessible to more than one temporary lodging vacation rental or residential unit, must go through the special exception use process and allow townhouses to be permitted use.

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

Mayor Brooks said each of the ordinances has gone to Forward Pinellas and approved by them.

Commissioner McGeehen motioned to approve Ordinance 2024-14, C-4 to be consistent with MBTC SAP, after 1st Reading and Public Hearing. Vice Mayor Tagliarini seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

I. Ordinance 2024-15, R-3 to be consistent with MBTC SAP - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-15 by title only:

ORDINANCE 2024-15

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS,

DIVISION 4. R-3, MEDIUM DENSITY MULTIFAMILY RESIDENTIAL, OF THE CITY'S LAND DEVELOPMENT CODE PROVIDING FURTHER INFORMATION ON DEFINITION; PURPOSE AND INTENT; ALLOWING TOWNHOUSES AS AN ALLOWED USE; INCLUDING OPEN ROOFTOP USES AS A SPECIAL EXCEPTION USE; INCLUDING DEVELOPMENT STANDARDS THAT REFERENCES DENSITY AND INTENSITY, HEIGHT, FLOOR AREA RATIO, AND IMPERVIOUS SURFACE RATIO REGULATIONS IN THE BEACHFRONT, CAUSEWAY, AND PENINSULA CHARACTER DISTRICTS FROM THE MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Director Rowan said the ordinance is similar to the other two. It brings all the development standards from the Special Area Plan into the Land Development Regulations and allows townhouses to be a permitted use and open rooftop balcony and elevated terrace uses as a special exception use, which must go through the special magistrate.

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

Vice Mayor Tagliarini motioned to approve Ordinance 2024-15, R-3 to be consistent with MBTC SAP, after 1st Reading and Public Hearing. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

J. Ordinance 2024-16, Fees & Collection Procedures Manual FY 2024 Update #2 - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-16 by title only:

ORDINANCE 2024-16

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING THE FEES AND COLLECTIONS PROCEDURE MANUAL; REPEALING ORDINANCE 2024- 05; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Andrew Laflin said the item was presented at the workshop. The following changes were made:

- Development Services – Site Plan Review and Zoning update.
- Finance Department – Parking Fee increase from \$3.00 to \$4.00 an hour.
- Fire Department – Short Term Vacation Rental Inspection - Annual \$100.00
- Municipal Marina – Transient, Wet Slip & Dry Storage rental fee update.

Mayor Brooks opened to public comment.

Chuck Dillion, 529 Lillian Drive, wanted to know if any of the increases to the parking fees would go toward the parking garage.

Mayor Brooks said part of the changes for approval would be a savings to people who are building. The fee was removed for the submittal of a preliminary site plan and additional site plan review submittals. They reduced the Land Development Regulation interpretation fees and made it one flat fee. Part of the \$4.00 increase in parking fees will go toward building the parking garage. The annual \$100 short-term vacation rental inspection fee has been removed.

The City Manager said they also updated the various fees in the Marina operations that go into the Marina Fund.

Commissioner Kerr motioned to approve Ordinance 2024-16, Fees & Collection Procedures Manual FY 2024 Update #2, after 1st Reading and Public Hearing. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

K. Ordinance 2024-17, Business Tax Receipt Fee Update - 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2024-17 by title only:

ORDINANCE 2024-17

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA,
AMENDING CHAPTER 62 TAXATION, ARTICLE II LOCAL BUSINESS
TAX, SECTION 62-60 LOCAL BUSINESS TAX SCHEDULE OF THE
CITY'S CODE OF ORDINANCES TO INCREASE THE LEVY OF THE**

LOCAL BUSINESS TAX FEES BY FIVE PERCENT; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Director Rowan said their business tax receipts have not been updated since 2014. They are allowed to increase it by 5% every other year. The proposed ordinance reflects a 5% increase in the business tax receipts across the board.

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

Mayor Brooks said the fees collected go to the General Fund and are not allocated towards any specific spending but the General Fund.

Vice Mayor Tagliarini motioned to approve Ordinance 2024-17, Business Tax Receipt Fee Update, after 1st Reading and Public Hearing. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

11. UNFINISHED BUSINESS

12. NEW BUSINESS

A. Resolution 2024-04, Adoption of Section 125 Cafeteria Plan

City Attorney Tom Trask read Resolution 2024-04 by title only:

RESOLUTION 2024-04

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A SECTION 125 CAFETERIA PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Finance Director Laflin said the purpose of the resolution is to memorialize a plan document for health and other benefits for employees to ensure compliance with IRC, Internal Revenue Codes, Section 125.

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

Commissioner Ghovae motioned to adopt Resolution 2024-04, Adoption of Section 125 Cafeteria Plan. Commissioner Kerr seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

B. Resolution 2024-05, Holiday Halfathon Road Closure

City Attorney Tom Trask read Resolution 2024-05 by title only:

RESOLUTION 2024-05

**A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA,
ESTABLISHING:**

**SUNDAY, DECEMBER 22, 2024
SUNDAY, DECEMBER 21, 2025
SUNDAY, DECEMBER 20, 2026
SUNDAY, DECEMBER 19, 2027
SUNDAY, DECEMBER 17, 2028**

AS THE DATES FOR THE ANNUAL FLORIDA GULF BEACHES HOLIDAY HALFATHON, STARTING IN MADEIRA BEACH ADJACENT TO CITY HALL, SOUTH TO MADEIRA WAY, WEST TO GULF BOULEVARD, HEADING NORTH IN THE NORTHBOUND LANES OF GULF BOULEVARD TO INDIAN SHORES; ALLOWING TEMPORARY ROAD RESTRICTIONS TO BE CREATED BETWEEN 6:00 A.M. AND 9:00 A.M., TO BE FIELD ADJUSTED AS NECESSARY BY THE PINELLAS COUNTY SHERIFF'S OFFICE; AUTHORIZING THE CITY MANAGER TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION APPLICATIONS, PROVIDED BY THE RACE DIRECTOR, FOR TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

Recreation Director Jay Hatch said it is the fourth time doing it for the Gulf Beaches Holiday Halfathon. The City supports the event through the temporary single road closure. The resolution secures the road closure for the event dates listed.

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

Commissioner McGeehen motioned to adopt Resolution 2024-05, Holiday Halfathon Road Closure. Vice Mayor Tagliarini seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

C. Appointments – Civil Service Commission

The City Attorney said there is a vacancy on the Civil Service Commission with a partial term expiring on October 30, 2026, and two expiring terms on October 30, 2024. There were two applicants, one is from a current member, Paul Tilka. The other current member, Christina Ponte, did not want to apply for reappointment.

Applicants:

- James Michael Paul
- Paul Tilka

The recommendation for the Board of Commissioners is as follows:

1. Appoint James Michael Paul to serve as a member of the Civil Service Commission for a partial term expiring on 10/30/2026.
2. Appoint Paul Tilka to serve as a member of the Civil Service Commission for a new term expiring on 10/30/2027.

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

Commissioner Kerr motioned to approve the staff's recommendation to appoint James Michael Paul and Paul Tilka to serve on the Civil Service Commission. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Kerr	"YES"
Commissioner McGeehen	"YES"
Vice Mayor Tagliarini	"YES"
Commissioner Ghovae	"YES"

Mayor Brooks

"YES"

The motion carried 5-0.

D. Appointments – Planning Commission

The City Attorney reviewed the item. There is a vacancy on the Planning Commission due to the resignation of a member who was appointed on July 10, 2024, to serve on the Board of Commissioners and two expiring terms on 9/30/2024. The applicant appointed to fill the vacancy is for a partial term expiring on 9/30/2025. The recommendation is to fill the vacancy and the two expiring terms. The Commission members will select three out of the five applicants listed on the ballot. Two of the applicants are current members with the expiring terms: John Meagher and John Connolly.

Applicants:

- Mark Cloud
- Whitney Duenas Richardson
- Randall Keys
- John Meagher
- John Connolly

The three applicants in attendance, John Connolly, Whitney Duenas Richardson, and Randall Keys, gave their backgrounds and reasons for wanting to serve on the Planning Commission.

The City Clerk provided a ballot to each of the Commission members to mark three selections and read aloud each Commission member's selection, which are as follows:

Mayor Brooks

- Mark Cloud
- John Meagher
- John Connolly

Vice Mayor Tagliarini

- Mark Cloud
- John Meagher
- John Connolly

Commissioner Kerr

- Mark Cloud
- Randall Keys
- John Meagher

Commissioner McGeehen

- Whitney Duenas Richardson

- Randall Keys
- John Connolly

Commissioner Ghovae

- Mark Cloud
- John Meagher
- John Connolly

The City Clerk tallied the votes and read the totals aloud as follows:

- Mark Cloud 4
- Whitney Duenas Richardson 1
- Randall Keys 2
- John Meagher 4
- John Connolly 4

The City Clerk announced that the three applicants with the highest votes were:

- Mark Cloud 4
- John Meagher 4
- John Connolly 4

Mayor Brooks thanked the applicants for applying and coming to the meeting.

13. CONTRACTS/AGREEMENTS

A. Contract Approval RFP 2024-06 City Facility Cleaning Services

Director Megan Wepfer reviewed the item and said it was discussed at the workshop meeting. The contract is with American Janitorial, Inc. for an annual base price of \$136,319.44. The savings to the City would be upwards of \$14,000 annually, which will be broken up into several different departments.

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

Vice Mayor Tagliarini motioned to approve the City Facility Cleaning Services Agreement with American Janitorial, Inc. for a three-year term with two one-year optional renewals for \$136,319.44 annually. Commissioner Ghovae seconded the motion.

ROLL CALL:

- Vice Mayor Tagliarini "YES"
- Commissioner Ghovae "YES"
- Commissioner Kerr "YES"
- Commissioner McGeehen "YES"
- Mayor Brooks "YES"

The motion carried 5-0.

14. AGENDA SETTING – August 28, 2024 BOC Regular Workshop Meeting

- A. PCPAP City of MB Right-of-Way (ROW) Map Information – Election Candidates Campaign Sign Placement**
- B. Commission Districts**
- C. Flood Insurance Update/Homestead Issue – Letter to State**
- D. ITB #24-07 Award of Bid for Awning over Parking/Storage area at Fire Station**
- E. ITB #24-08 Archibald Park Bathroom Project**
- F. RFQ 24-09 Construction Manager At-Risk N Redington Fire Station**
- G. Approval of 2024 EMS ALSFR Agreement & FY25 ALSFR Budget**
- H. Seawall Repair/Replacement RFP 2024-03**
- I. Alcohol, Noise, and Special Events**

Mayor Brooks said in the public comment at the beginning of the meeting there was a request about short-term rentals. That is an item that the City Manager will be bringing to the September workshop meeting to discuss short-term rental enforcement and code enforcement on tall grass and derelict items in the yards.

The City Manager reviewed the workshop items listed on the agenda for the August workshop meeting.

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

15. REPORTS/CORRESPONDENCE

- **Board of Commissioners – 2024 BOC Scheduled Meetings**

The City Clerk said there would be a change to the meeting schedule. Where she listed the upcoming Commission seats for the candidate qualifying period, she will add the Mayor with Districts 3 and 4.

- **City Attorney**

No report.

- **City Clerk – August 2024 City Clerk's Report**

The City Clerk encouraged everyone to read the history of the Madeira Tomorrow Project in the City Clerk's Report.

Mayor Brooks asked about the Laserfiche project where the City's history will be uploaded to. The City Clerk gave an update and said she hoped to have the public portal available by the middle of September. Mayor Brooks said when sitting with the City Clerk's Office she

found Laserfiche to be a cool software. It will be a fun and neat place to read about the City's history. Not everyone knows about the history of Madeira Beach. Laserfiche will be a user-friendly portal for searching old documents and reading about the City's history.

The City Manager said the purpose of the Laserfiche software is public usage. The public will be able to access thousands of pages of documents, from meeting minutes, agendas, contracts, and agreements to projects the City approved. It will be a wealth of where the meat of the City will be located. It is essentially the repository of the City of Madeira Beach, a place to make almost every document available to the public. A lot of cities are using Laserfiche.

The City Clerk said it would be a starting point, the first time using that type of program. There will probably be tweaks to be made, so she welcomes feedback from everyone on the program because they want it to be a great program.

- Tropical Storm Debby – Commissioner Ghovae said they weathered the storm really well. He recognized the City Manager for doing a wonderful job for the City. He was dedicated and worked tirelessly all over the place. The Mayor recognized the City Manager, fire department, public works department, and the recreation department for doing an amazing job. Their wonderful staff pulls and works together to do what needs to be done.
- Commissioner Ghovae said the Trash Pirates did an amazing job cleaning the beaches.
- **City Manager**

The City Manager thanked everyone for doing a great job during the storm and for the preparation and cleanup afterward. He invited everyone to attend upcoming public meetings and events.

16. ADJOURNMENT

Mayor Brooks adjourned the meeting at 8:34 p.m.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk