

A special meeting of the City of Madeira Beach Board of Commissioners was held at 6:15 p.m. on March 16, 2018 in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida. Mayor Black called the meeting to order.

**MEMBERS PRESENT:** Maggi Black, Mayor  
John Douthirt, Vice-Mayor, Commissioner District 4  
Terry Lister, Commissioner District 1  
Nancy Hodges, Commissioner District 2  
Nancy Oakley, Commissioner District 3

**CITY STAFF PRESENT:** Jonathan Evans, City Manager  
Ralf Brookes, City Attorney  
Clara VanBlargan, City Clerk  
Walter Pierce, Finance Director  
Dave Marsicano, Public Works/Marina Director

#### **1. CALL TO ORDER**

The Mayor called the meeting to order at 6:15 p.m.

#### **2. ROLL CALL**

The City Clerk called the roll.

#### **3. PUBIC COMMENT**

Mitchell [? Last name], Treasure Island resident, wanted to comment on the Old Salt Fishing Tournament events and the Mayor asked him to wait until the item came up on the agenda.

Lorraine Whitaker, Madeira Beach Yacht Club, wanted to make comment on the Dive Bar's alcohol permit item and the Mayor asked her to wait until the item came up on the agenda.

John Hendricks – Commented on how he thought the City was wasting the City's money.

Michael Grimes, resident, asked the Commission to consider the people that work and to move the meeting times consistent with other cities.

#### **4. NEW BUSINESS**

##### **A. 4COP Alcoholic Beverage Permit Application to allow Consumption of Alcohol on the Premises of Mad Beach Dive Bar – *Linda Portal, Planning Director***

Linda Portal explained Agenda Item 4.A.

The Mayor opened to public comment.

#### **PUBIC COMMENT**

Lorraine Whitaker, Madeira Beach Yacht Club, stressed concern with the Dive Bar going from a 2COP Alcoholic Beverage License to a 4COP Alcoholic Beverage License and with the tow-away signs there, which allows Dive Bar customers to park there only. She said Colette's Dress Shop has been there for over 35 years and their elderly customer's have no where to park because of those signs. They are afraid their car may be towed. She questioned the legality of the signs being there and who authorized them. When

turning out of Municipal Drive onto Madeira Way, left or right, the view is blocked by the large vehicles parked there. The outside tables could also be a problem.

Missy Hahn, Treasure Island and Madeira Beach Chamber of Commerce, commented in favor of the Dive Bar's request for a 4COP Alcoholic Beverage License.

Deby Weinstein, 441 129<sup>th</sup> Avenue, asked if the questions made by Lorrain Whitaker were relevant and should be answered by City staff.

Planning & Zoning Director Linda Portal addressed the questions and concerns. She said the Dive Bar is not obligated to serve food. They are allowed to serve food under their license but do not. The City had not approved them serving food because they do not have the kitchen facility to do so. The parking there is encouraged to be shared and the City will look into that to make sure that is being done. There are an adequate number of parking spaces there to meeting the City's standards and the design of that will be looked at again to make sure it is functioning properly. One of challenges in the older parking lot spaces is finding the correct place to put the handicapped spot because it is much longer and wider. Alterations have been made for adequate parking. The Dive Bar has not been approved to be using tables outside there, but they do have a small break area outside for employees to smoke, take their lunch, and breaks. There is no requirement preventing them from having a picnic table back there so long as it does not interfere with any traffic circulation. All the rest of the design and layout has been documented and the site plan approved.

#### CLOSED PUBLIC COMMENT

Commission Lister made a motion that the Commission pass the 4COP alcoholic beverage permit application to allow consumption of alcohol on the premises of the Mad Beach Dive Bar. The motion was seconded by Commissioner Oakley.

#### ROLL CALL VOTE:

Commissioner Lister	"YES"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Commissioner Hodges	"YES"
Mayor Black	"YES"

The motion carried 5-0.

#### **B. Old Salt Fishing Foundation Proposed 5-Year Contract - "Spring King of the Beach" Fishing Tournament & "Fall King of the Beach" Fishing Tournament – *Jonathan Evans, City Manager***

Mayor Black said she did not recommend a five-year contract. More data should be received before going forward with that long of a contract. She recommended approval of the event going forward in April and use the same five-year contract language for that event which is to charge them no fee for the rental of the fields, but they would be responsible for paying any hard costs of any repair of the fields that might be needed. Once that event is over and we receive documentation that we requested for the event, we can evaluate it and come to a better conclusion as to how long the contract should be and the language that should be in it.

The City Manager said if it is the pleasure of the Board to make any changes or modifications as it relates to the agreement that is being prospected by staff, direction is needed. If there are specific provisions in the agreement that the Board would like to discuss, go through, and make any tweaks staff can do that. The intent behind the agreement that staff put together was to be able to enter into a long-term contract which would effectively secure the Old Salt King of the Beach Fishing Tournament here in Madeira Beach.

Because of the Mayor's comments he would like to walk through the provisions because there are some components in there that are valuable from the agency perspective but to also have any conversation or dialogue the Board may have on these items in the contract and if it is the term, we can certainly dive into more dialogue when we get to that section. Pursuant to the conversation that occurred at the regular BOC meeting on February 27<sup>th</sup> staff was instructed to go back and put together a contract for consideration. In his conversations and discussions with the City Attorney and Parks and Recreation Director the agreement was looked at from a multifaceted approach. One, we wanted to make sure Madeira Beach is the home location of this tournament because we understand the economic value and the tourism that it generates to the region. The City Manager read and explained each provision of the contract. One of the things we put in the contract is that if we do not receive the financial information after 60 days following the event, they have 45 days to pay the City back the monies associated with the rental fee. The City Attorney reviewed and approved the agreement, the Parks and Recreation Department reviewed the agreement and worked with Old Salt who has executed the agreement. It was discussed about changes and modifications to Provision 7 and if it is the Board's pleasure staff is prepared to discuss that item in more detail.

The Mayor said she is fine with all the provisions of the contract but if we change Provision 7 to say that the Spring Festival will be reviewed after we receive the data. Then we can try coming up with a contract that is amenable to everybody.

The City Attorney suggested language for a six-month agreement. Commission Lister suggested a 10-year agreement. He said the contract is a win for the City and they are bending over backwards to please the City. Advertising is huge and for people to know that they are in Madeira Beach is a big deal. Old Salt brings people from the world and not just Florida. These are big dollar players. Every year we get to look at it and see the results of it. They are paying for everything except for the \$9,000 on the fields and the one video will blow that out. He recommended making the term of the contract up to 20 years to make sure Old Salt stays in Madeira Beach.

The Mayor said if we have the same agreement and review it in six months then maybe we can say 10 or 20 years, but we haven't had all the data that we need to truly go that far out. Commissioner Lister disagreed. For Old Salt to try figuring out where they would be having their next tournament in six months is tying their hands. They should be getting from Madeira Beach is a solid promise that they do not have to go anywhere for at least five years. Old Salt needs to be able to print their literature and invitations for next year. To tie their hands for six months stops them. Instead of stopping things in Madeira Beach we need to keep building. Five years is too short of time when this is so good for the City.

Commissioner Hodges asked the fee cost for the upcoming up event. The City Manager said it would be the \$9,000 rental fee for that one specific event. It is \$18,000 for the two events.

The Mayor said she does not feel they are tying their hands, they are compromising for the best thing for the City and for Old Salt.

Commissioner Oakley recommended doing one event to start with and then evaluate to see how they would like to do it and entertain the multi-year contracts.

#### **OPEN PUBLIC COMMENT**

The following people commented in favor of the Old Salt events

- Tammy Vasquez, 12020 5<sup>th</sup> East, Treasure Island
- Sue Patschak, 520 S. Bayshore Drive, Madeira Beach
- Gay Prince, Marguerite Drive, Madeira Beach
- Mitchell [? Last name], Treasure Island
- Robert Preston, 425 S. Bayshore Drive, Madeira Beach

- John Hendricks, 569 Normandy Road, Madeira Beach
- Cliff [? Last name], 15450 2<sup>nd</sup> Street E, Madeira Beach
- Missy Hahn, Treasure Island and Madeira Beach Chamber of Commerce
- Deborah [? Last name], 17117 Gulf Blvd., Madeira Beach
- Paige Karns, on behalf of R.O.C., Madeira Beach
- Bobby Vaughn, Seminole FL
- Michelle [? Last name], 280 E. Madeira Avenue, Madeira Beach
- Warren [? Last name], 510 Crystal Drive, Madeira Beach
- Kim Dyer, 8458 108<sup>th</sup> Street, Seminole FL
- Fletcher Dunn, 15405 2<sup>nd</sup> Street, Madeira Beach

The City Manager addressed Fletcher Dunn's question regarding hard costs regarding EMS, Policemen, etc. volunteering their services at an event. He said the Fair Labor Standards Act does not allow for people to donate time to do their job which they are already compensated for.

- Deby Weinstein, 441 129<sup>th</sup> Avenue, Madeira Beach
- Andy [? Last name], 5310 Seminole Blvd, Seminole FL
- A representative of the Old Salt Fishing Foundation
- Dr. Heidi Goldberg, Redington Shores
- Juan Diaz, 413 Tierra Verde, Madeira Beach

#### **CLOSED PUBLIC COMMENT**

Commissioner Lister said the contract is well written by the new City Manager and if the contract is not passed it shows a lack of confidence in him. This event makes the City of Madeira Beach a better place to live.

Commissioner Lister made a motion that the Old Salt Foundation contract be passed. Commissioner Hodges seconded the motion.

Commissioner Douthirt said he agreed with the five-year contract but it needs to be subject to any possible tweaks to the contract.

The Mayor said she personally would like the Old Salt to stay. She was only trying to make a compromise because other people feel differently and if that is not a good compromise then it is not a good compromise. The contract is a good contract.

Commissioner Hodges said Old Salt has been here 47 years and shouldn't be questioning it now, which is an insult.

#### **ROLL CALL VOTE:**

Commissioner Lister	"YES"
Commissioner Hodges	"YES"
Commissioner Oakley	"YES"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 5-0.

The Mayor recessed for five minutes.

**C. First Amendment – Term Extension to the Interlocal Agreement between the City of Madeira Beach and Pinellas County for advanced Traffic Management System/Intelligent Transportation Systems (ATMS/ITS) and Roadway Transfer Agreement to Transfer Traffic Control Authority – Dave Marsicano, Public Works/Marina Director**

Dave Marsicano, Public Works/Marina Director, reviewed Agenda Item 4.C and answered questions by the Commission.

Commissioner Lister inquired about a light that was still on the list that needed to come off. Mr. Marsicano said he would get Ken Jacobs changes that.

The City Manager recommended that the Commission approve the extension of the agreement to include the change that Commissioner Lister said needed to come off the list so that it is memorialized in the action, so it can be provided to the County. A copy of that will be put in the public record and furnished to the County as well.

**OPENED PUBLIC COMMENT**

Robert Preston 425 S. Bayshore Drive, said he was curious as to who decides where the big silver metal box goes.

Mr. Marsicano said he believes it was FDOT, but he will check into that.

**CLOSED PUBLIC COMMENT**

Commissioner Oakley made a motion to accept the Interlocal Service Agreement for traffic control signals and related devices with the change made to the list of lights. Commissioner Lister seconded the motion.

**ROLL CALL VOTE:**

Commissioner Oakley	"YES"
Commissioner Lister	"YES"
Vice-Mayor Douthirt	"YES"
Commissioner Hodges	"YES"
Mayor Black	"YES"

The motion carried 5-0.

**D. One Year Parking Lot Lease Agreement between the City of Madeira Beach and Madeira Beach Marina LLC/Sam Lewis, 133 Avenue East City Parking Lot – Walter Pierce, Finance Director**

Finance Director Walt Pierce reviewed Agenda Item 4.D. and answered questions by the Commission.

**OPENED PUBLIC COMMENT**

Deby Weinstein, 441 129<sup>th</sup> Avenue, said when that lot was first leased to Keystone it was her understanding that they were going to landscape the parking lot, etc. and it looks terrible. She asked that someone look at it.

Gay Prince, Marguerite Drive, said if it is a precedent setting thing she would not agree with doing it and as far as selling the land there is probably a lot of other things that can be done other than that.

Dr. Heidi Goldberg, Redington Shores, asked if there was a way to only allow them to use it when the workers are doing the construction work and why can't the City use it at night and on the weekends.

**CLOSED PUBLIC COMMENT**

Commissioner Oakley said the boaters use the parking lot at night.

Commissioner Lister was concerned about the trailers parking there. He would like something in the agreement preventing that.

The City Manager said we want it to be complimentary of what the business operation is and not necessarily be the overflow for construction vehicles or equipment etc.

**OPENED PUBLIC COMMENT**

Robert Preston, 425 S. Bayshore Drive, said he had an opportunity to talk to Lisa with Lisa's Café and she said she still has not recovered from before by not having the use of that parking lot for her restaurant.

**CLOSED PUBLIC COMMENT**

There were a lot of concerns by the Commission and many changes needed to be made to the agreement as presented and it hurt her business a lot.

The more the Commission discussed the more changes they realized needed to be made to the agreement.

Commissioner Lister made a motion to table the agreement. Commissioner Hodges seconded the motion.

**ROLL CALL VOTE:**

Commissioner Lister	"YES"
Commissioner Hodges	"YES"
Commissioner Oakley	"NO"
Vice-Mayor Douthirt	"YES"
Mayor Black	"YES"

The motion carried 4-1.

The Mayor adjourned the workshop meeting at approximately 8:18 p.m.

  
Maggi Black, Mayor

ATTEST:

  
Clara VanBlargan, MMC, MSM, City Clerk