

A regular meeting of the City of Madeira Beach Board of Commissioners was held at 6:00 p.m. on April 10, 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  
Terry Lister, Commissioner District 1  
Nancy Hodges, Commissioner District 2  
Nancy Oakley, Commissioner District 3  
John Douthirt, Vice-Mayor/Commissioner District 4  
Deby Weinstein, Commissioner District 1

**CITY STAFF PRESENT:** Jonathan, Evans, City Manager  
Ralf Brookes, City Attorney  
Clara VanBlargan, City Clerk

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

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

#### **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Commissioner Lister gave the Invocation and led the Pledge of Allegiance.

#### **3. ROLL CALL**

The City Clerk called the roll and all Commission members were present.

#### **4. PUBLIC COMMENT**

Mayor Black opened public comment and asked people to speak into the microphone and to be respectful and courteous.

Steven Kochick, 15301 2<sup>nd</sup> Street East, thanked Commissioner Lister for the years of service to the City. He enjoyed the way Commissioner Lister approached the job and he never put his personal interest before the public's interest. He commented that he is looking forward to knowing what the board's direction and vision for the City.

Robert Preston, 425 S. Bay Shore, thanked Commissioner Lister for his service. He said the Governor signed into law a beach privacy act which will restrict tourists from accessing dry sand. They can still access wet sand, but dry sand is considered private. The Gulf Beach communities need to put a stop to this as it will hurt the economy. It is important to leave the beaches open, so the public can use them.

#### **5. APPROVAL OF THE MINUTES**

- **February 13, 2018, Regular Meeting**
- **February 27, 2018, Workshop Meeting**
- **March 7, 2018, Workshop Agenda Setting Meeting**
- **March 16, 2018, Special Meeting-Official Election Results**
- **March 16, 2018, Special Meeting**

Commissioner Lister motioned to approve the minutes. Commissioner Hodges seconded the motion.

Commissioner Oakley directed the Commission to the February 27, 2018 meeting minutes, p. 3 and asked if they put out a bid for The Communicator.

City Manager Jonathan Evans responded that he had a conversation with the gentleman that provides that type of publication and as part of the discussion they would like to have the Board discuss a more broad-based marketing and communication strategy. Print media is expensive but would add some value to the community. They wanted to put out a request for qualifications, so they can select the person best to provide the services they are looking for.

Commissioner Oakley said the February 27, 2018 minutes needed to have her comment that the art contest is going to be revisited in July or August.

Vice-Mayor Douthirt said the address of some of the people that spoke at the podium is not in the minutes and that might be because it was not that clear.

**ROLL CALL VOTE:**

Commissioner Lister	“YES”
Commissioner Hodges	“YES”
Vice-Mayor Douthirt	“YES”
Commissioner Oakley	“YES”
Mayor Black	“YES”

The motion carried 5-0.

**6. AWARDING OF PLAQUE TO TERRY LISTER**

City Manager Jonathan Evans presented Terry Lister with the plaque with a key to the city for his ten years of service on the Commission and for making the community a better place to live.

Terry Lister thanked the citizens for supporting him and said the reason he served was to make the City a better place and said Deby will also work to make the City a better place. He said he could not have done it by himself, thanked the people that campaigned for him in the past, and congratulated his wife Kathy for being his rock for the past ten years. He thanked God and stated, “God bless Madeira Beach.”

## **7. INSTALLATION OF ELECTED OFFICIALS**

City Clerk Clara VanBlargan administered the Oath of Office to Deby Weinstein, Commissioner District 1, and Nancy Hodges, Commissioner District 2.

Mayor Black congratulated them.

## **8. ROLL CALL OF NEW COMMISSION**

The City Clerk called the roll of the new Commission.

## **9. APPOINTMENT OF VICE-MAYOR**

Mayor Black recommended that the Commission continue the rotation of the Vice-Mayor by district and appoint Commissioner District 1 to be Vice-Mayor.

Commissioner Oakley motioned to appoint Deby Weinstein, Commissioner District 1, as Vice-Mayor. Commissioner Douthirt seconded the motion.

### **ROLL CALL VOTE:**

Commissioner Oakley	“YES”
Commissioner Douthirt	“YES”
Commissioner Hodges	“YES”
Vice-Mayor Weinstein	“YES”
Mayor Black	“YES”

The motion carried 5-0.

## **10. MAYOR**

No items.

## **11. APPROVAL OF THE AGENDA**

Commissioner Hodges motioned to approve the agenda. Commissioner Oakley seconded the motion.

### **ROLL CALL VOTE:**

Commissioner Hodges	“YES”
Commissioner Oakley	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Douthirt	“YES”

Mayor Black "YES"

The motion carried 5-0.

#### **A. PRESENTATIONS/PROCLAMATIONS**

##### **i. Proclamation: Donate Life Month; April 2018**

City Clerk VanBlargan read the proclamation proclaiming April 2018 as "Donate Life Month."

##### **ii. Swearing in of New Employees: Tom McClave, Firefighter/Paramedic; Jared Shenofsky, Firefighter/Paramedic – Derryl O'Neal, Fire Chief**

Fire Chief Derryl O'Neal introduced Jared Shenofsky as the new firefighter and paramedic and said Mr. Shenofsky has five years' experience and previously worked for the City of Pinellas Park and Sun Star Ambulance Services. He served in the Israel Defense Forces for three years as a sergeant, paratrooper, airborne infantry and machine gunner. He also speaks fluent Hebrew.

Mr. O'Neal introduced Tom McClave as the new fire fighter and said Mr. McClave has 25 years of experience and previously worked for the City of Seminole. He has served as a hazmat technician, marine operations operator, and acting district chief. He also works as an instructor for the St. Pete Fire College.

Chief. O'Neal administered the Oath of Office to Jared Schenofsky and Tom McClave and gave them a pin.

Chief O'Neal introduced George Hill and provided to him a five-year service pin.

##### **iii. Madeira Beach Fire Rescue New Hire – Clover, Fire Station Puppy – Derryl O'Neal, Fire Chief**

Chief O'Neal introduced the foster parents of Clover, the new fire station puppy, Carey and Rick Chaboudy of the Sun Coast Animal League. He said this is the first time they have had a fire department mascot. They got Clover from the Sun Coast Animal League, a no kill, no time limit pet service organization. Clover was involved in a structure fire in the past and has some burns. A fire station badge was given to Clover.

Carey said Sun Coast Animal League is proud of being a part of the Madeira Beach Fire Department family.

Mr. Evans asked the Board, new fire fighters and Clover to come together for a picture. Photos were then taken.

Mayor Black recessed for ten minutes to allow for more photos.

**iv. Penny for Pinellas Update – information Purposes – Dave Marsicano, Public Works/Marina Director, Walter Pierce, Finance Director**

Mr. Evans said David Marsicano, Public Works/Marina Director will communicate to the Commission where the \$1.3 million from Penny for Pinellas will be spent.

Mr. Marsicano introduced Steve Tart with CPWG Engineering who gave an update on what they have done so far with the Penny for Pinellas.

Mr. Evans stated that this item is for information purposes.

Mayor Black said at the Big C meeting they were asked to give extra money to other cities with large projects. They would eventually get these funds back.

Vice-Mayor Weinstein said they are trying to broaden the focus other than just Gulf Boulevard.

Mr. Tart commented that this will be associated with the next round.

Mr. Evans commented that they would be one of the cities that will use extra money from other communities. If they can continue with the resources already employed it will make construction cheaper.

Commissioner Oakley asked how the money gets back to the appropriating city and Mr. Evans explained.

**B. DAIS LOG REVIEW**

**12. UNFINISHED BUSINESS**

**A. Ordinance 2018-02, Fence Ordinance Modification – 2<sup>nd</sup> Reading & Public Hearing – Linda Portal, Planning Director**

City Clerk VanBlargan read Ordinance 2018-02 by title only.

Vice-Mayor Weinstein requested that the item be put back to a workshop meeting, so she can become familiar with the ordinance prior to a vote.

The City Attorney said they can make a motion and if she gets a second, they can vote.

Vice-Mayor Weinstein motioned that Ordinance 2018-02 be tabled to allow the Commission to discuss it in an upcoming workshop meeting. Commissioner Oakley seconded the motion.

Ms. Portal said there are people wanting the commercial fencing portion of the ordinance approved to allow them to work on site plans.

Mr. Evans asked if it is appropriate to provide legislative intent from the Board on sections they have comfort with until they bring back the residential component which seems to be the sticking point.

Mr. Brookes clarified that no permits can be issued until the Code is adopted. He suggested that they adopt the commercial part of the Code tonight and not the residential portion. The new ordinance will need to come back in a new ordinance or they can set a date that it will be heard in a workshop and for adoption.

Ms. Portal commented that there are two sections that deal with commercial.

The City Attorney said they could add the word “commercial” in rear yards and following discussion, Vice-Mayor Weinstein rescinded her original motion and requested that the change be made to add the word “commercial” in rear yards as so stated by the attorney.

Commissioner Oakley accepted the amendment to the motion.

#### **OPENED PUBLIC HEARING**

Dick Lewis, 561 Crystal Drive, said he has submitted comments on this subject via email. He said the solution tonight is a good one, he has no issues with the commercial aspects of the proposed Code amendments, and the regulations regarding six-foot fences in rear yards on water front is not a good idea.

Jason Delacruz, 215 Boardwalk Place, thanked the commission for making the adjustment so they can move forward.

#### **CLOSED PUBLIC HEARING**

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

Vice-Mayor Weinstein	“YES”
Commissioner Oakley	“YES”
Commissioner Douthirt	“YES”
Commissioner Hodges	“YES”
Mayor Black	“YES”

The motion carried 5-0.

#### **B. Recall – Reimbursement Fees and Costs – City Attorney Ralf Brookes**

The City Attorney said he is appearing before the Commission tonight as the attorney for Commissioner Douthirt as he prevailed in his challenge to the recall for the special election. This election will not occur. No appeal has been filed. Commissioner Douthirt has incurred expenses of half of \$13,094.39 which is a total of \$6,547.20. He is requesting to be reimbursed.

Commissioner Douthirt was a seated Commissioner and took the advice from the former City Attorney to hire a budget director and this was not in violation of the Charter or malfeasance. There has not been an appeal. He requested a motion and a second to pay the legal fees of \$6,547.20 and said Commissioner Douthirt would be filing Form 8B and will not vote on this motion.

Commissioner Oakley motioned to pay the legal fees of \$6,547.20 for Commissioner Douthirt. Vice-Mayor Weinstein seconded the motion.

ROLL CALL VOTE:

Commissioner Oakley	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Douthirt	“RECUSED”
Commissioner Hodges	“YES”
Mayor Black	“YES”

The motion carried 4-0.

Mayor Black opened public comment.

Steve Miller, 15329 Harbor Drive, asked if the issue has been resolved. He indicated that there were other motions at the time to find the petition insufficient and to find damages if they are appropriate. He asked if they are going to let this slide. The judge did not rule on this.

Mr. Brookes responded that the judge has found and enjoined the special recall election finding that the grounds alleged in the petition were legally insufficient and did not constitute malfeasance.

Commissioner Hodges commented that she does not understand because it is a temporary injunction.

Mr. Brookes explained that under the law the Commission can pay temporary payments as they come up. The case does not have to be completely finished. He mentioned another case where the City paid the legal costs for one Commissioner. He mentioned that the public purpose is that many people would not run for office if they had to pay legal fees.

Vice-Mayor Weinstein asked if they will get something that says it's a closed file and Mr. Brookes said they may or may not depending on if the other side pursues the case.

Mr. Brookes said Commissioner Oakley is requesting the same reimbursement for \$6,547.20 for the same reasons. She will be filing Form 8B and will not be voting on this.

Mayor Black asked for public comment and there were no comments made by the public.

Commissioner Douthirt motioned to pay Ms. Oakley's legal fees of \$6,547.20. Vice-Mayor Weinstein seconded the motion.

ROLL CALL VOTE:

Commissioner Douthirt	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Oakley	“RECUSED”
Commissioner Hodges	“YES”
Mayor Black	“YES”

The motion carried 4-0.

**C. “Jim Black Volunteer of the Year” – Volunteer of the Year – City Manager**

Mr. Evans reviewed this item and said he would like direction from the Board on how they wanted to proceed with the volunteer of the year award and submission. He said staff has put together a time line and a sequence of events that would occur as it relates to this award. The submission would be open from March 1<sup>st</sup> to April 1<sup>st</sup>. They are asking people that are nominating someone to use 350 words or less as to why they are nominating someone. The submissions will come to the Board in their first meeting in May. The Board will then select. They are recommending a public recognition at the City’s advisory board’s appreciation dinner. They plan to do this annually. They have put together an email that people would send their submissions to. They will discuss the process to follow in the policy manual. Staff is recommending consideration and direction from the board.

Commissioner Douthirt asked who is considered a volunteer and Mr. Evans explained that the award would be for someone that has exceptional volunteer service. They will document the things they do and the hours of volunteer time with the City. Also, someone that volunteers with another organization can be eligible as well. They can spin this off to a citizen of the year award.

Commissioner Douthirt asked if anyone out there could submit someone, and Mr. Evans responded yes.

Vice-Mayor Weinstein said the volunteer of the year is good and likes the idea of them getting recognized at an awards dinner. She said there should be an employee of the year as well. In the City Manager’s memo and policy handbook there was some conflict in wording in Article 2.

Mayor Black opened to public comment and there was no comment made by the public.

**D. Resolution 2018-02, Board of Commissioners Policy Handbook**

Mayor Black said she has five items that needed to be updated in the handbook.

City Clerk Clara VanBlargan read Resolution 2018-02 by title only.



Mayor Black suggested adding a confirmation of direction on p. 12 and a second order of business in addition to the regular order of business. It is not clear on the order of the meeting following an election. She indicated that the way Commissioner mail is handled needed to be in the handbook and it should be discussed if the invocation should be part of the meeting order.

Mayor Black opened public comment and there were no comments made by the public.

Mr. Evans suggested that they reach out to the local pastoral community and invite them to provide the invocation. The Pledge of Allegiance can be led by the Board or they could reach out to the Boys and Girls Club and local area schools. They can provide the children shirts stating that they led the Pledge of Allegiance at Madeira Beach.

Vice-Mayor Weinstein suggested that they have a moment of silence to give everyone an opportunity to pray in their own way.

Commissioner Hodges said she likes the invocation because they all need God in their lives.

Commissioner Douthirt said they can invite someone from different churches and religions to come in. This will get the community more involved. Commissioner Hodges said she is in favor of that.

Vice-Mayor Weinstein commented that they tried this in the past and a lot of people would not come in.

Mayor Black asked if there is anyone wanting to provide the invocation. Commissioner Hodges said she is willing to do it.

Mr. Brookes said due to the first amendment it is better to mix up who provides the invocation. Religious leaders tend to come together as a human family. If they use one person, then that person should make effort to not say a prayer that promotes one faith.

Mr. Evans said the supreme court has ruled on this and they can attend but they cannot force people to participate.

Mr. Brookes said it would not be good to bring a case to court where they have been doing the same prayer every time.

The Commission said they were good allowing Commissioner Hodges to give the prayer.

Commissioner Hodges suggested that they put down Channel 640 in the manual because a lot of people don't know where the government access is. She recommended that they hold two regular Commission meetings each month. Many residents have requested that the meetings be changed from 6:00 p.m. to 7:00 p.m. Mayor Black responded that they should discuss this at a work shop.

Commissioner said on p. 4 it states that the newsletter will go out four times a year and Mayor Black asked if they are going to do a newsletter four times a year.

Mr. Evans commented that they are going to put out a manager's report every month and will utilize constant contact. He would like the Board to look at marketing and communication from a holistic stand point and insure that people are getting information from several sources. The way people get information is from social media. The City needs a robust social media presence.

Commissioner Douthirt said under the Jim Black Award it says that nominations are made at large by the Commissioners. The Commission does not make nominations but select from the nominations made.

Mr. Evans said he will change it to say that the Board will select a citizen, volunteer and employee of the year from the nominations.

Commissioner Douthirt commented that on p. 11 under meetings its says 6:00 from time to time on the second Tuesday of each month or as otherwise determined by the city manager.

Mr. Evans responded that it gives the manager the flexibility to set the meetings. He interprets this that he can consult with the Board and change a meeting time. He feels that the board should establish this by resolution and keep the meeting times consistent for the public.

Commissioner Douthirt said the manual says that the public will provide a name, location and the organization that they represent. He noted that they do not provide this now.

Vice-Mayor Weinstein said this was used before to allow one person to speak for a large organization.

Mr. Evans said they could have people fill out comment cards. The rules of engagement can be written on the cards. They can have folks put their names on the card to allow the designated person to speak for them. Instead of each person speaking for three minutes, one person can speak for ten minutes. The people must be present to give their time. It allows the meeting to flow more efficiently.

Commissioner Hodges said in the past they had cards on the back table that members of the public would have to fill out. Then the Clerk would call them up to speak. The cards had their names and addresses on it.

Mr. Evans said the comment card is valuable because it allows staff to contact the public if they provide a phone number. He indicated that he would also like the board to consider allowing the manager to call a special meeting with appropriate notice. This will be few and far between, but there are a few items over the next couple of months that are very complicated and would allow them to focus on that one topic.

Vice-Mayor Weinstein said this is a great suggestion to give the manager the ability to call a special meeting. She referred to p. 4 regarding official forms of media and suggested that the manager be the official representative to respond to the different projects going on in the City. Sometimes the information is not being delivered to the newspaper accurately. She indicated that the newsletter be produced twice a year to cover a lot of things and then on the city website they could have an abbreviated newsletter with all the highlights. She said on p. 6 it says that the Commissioners all have responsibilities. On p. 7 under number 2 of Legal Issues it says that they shall use a designated spokesperson on controversial issues. She said candidates should not use the City's logo on in their campaign material.

Mr. Evans indicated that there is state statute that prohibits the use of the city logo unless expressed by the government entity. They do not want people to mislead the public with the city logo.

Vice-Mayor Weinstein moved to p. 11 regarding regular meetings and said most people she has talked to like 6:00 p.m. An agenda setting meeting is to begin at 5:45 p.m. for purposes of setting the workshop agenda to be held the 4<sup>th</sup> Tuesday of each month. She asked if they wanted to consider having the agenda setting meeting after the regular meeting ended so they can place items that were brought up during the regular meeting on the agenda for the workshop. She then continued to p. 12 under item K of Order of Business and said they needed to add the Sheriff's Department to speak at least once a month. They should also have the public works director, planning commission chair, civil service commission chair, library trustee and the newly formed ad hoc committees to make a presentation on a quarterly basis.

Mr. Evans said he would like to have added a section for staff reports to the agenda. This will allow him to bring in things regarding current events, like the Penny for Pinellas discussion. They can add any department needed to hear from. He asked the Clerk if she would like this ratified in the meeting or would she like to come back in the future. The City Clerk said she would like it ratified at this meeting and to consider her recommendation on the mail.

Mr. Evans commented that his only concern is that they will miss something if ratified tonight. They can come back with the highlights on the 24<sup>th</sup> and then bring it back in May. Ms. VanBlargan agreed and said she will have it ready for the workshop and adoption on the first Tuesday in May.

Mayor Black opened public comment and there were no comments made by the public.

Commissioner Douthirt motioned to table the manual, have it updated and then discuss it at the next workshop. Commissioner Oakley seconded the motion.

**ROLL CALL VOTE:**

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

The motion carried 5-0.

### **13. CONTRACTS/AGREEMENTS**

#### **A. 4<sup>th</sup> of July Fireworks Show – Derryl O’Neal, Fire Chief**

Fire Chief O’Neal reviewed the item and it is a joint venture between himself and Mr. Marsicano. They have a five-year contract and are in the 4<sup>th</sup> year now. They are seeking approval of the contract now.

Commissioner Oakley said they should pay in full and get the extra product at no additional cost.

Commissioner Douthirt said they needed to be approaching the main businesses that are affected by this. They should ask them for donations for this to increase the amount of time. Their businesses do well during this event. Next year they need to work with the businesses on helping with the show.

Mr. Evans said during his tenure with the City of Largo he was responsible for soliciting donations from businesses. The City did not budget for it. In some cases, they raised over \$50,000. It costs about \$5,000 per minute. Vice-Mayor Weinstein agreed that this was a good idea.

Vice-Mayor Weinstein said on p. 30 of the contract the mayor’s name needed to be changed.

Mayor Black opened public comment and there were no comments by the public.

Commissioner Hodges motioned to enter into an agreement with Fireworks Display, LLC for the 2018 Fourth of July fireworks show. Commissioner Oakley seconded the motion.

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

Commissioner Hodges	“YES”
Commissioner Oakley	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Douthirt	“YES”
Mayor Black	“YES”

The motion carried 5-0.

#### **B. Temporary Parking Variance to allow for the Madeira Beach, LLC/Sam Lewis to lease the 134<sup>th</sup> Avenue E. Parking Lot – Jonathan Evans, City Manager**

Mr. Evans reviewed the item and said it came before the Board at the March 16, 2018 meeting. During the conversation it was communicated that the parking lot on 133<sup>rd</sup> Avenue was not available for the use because of the impact it would have on an existing business. Staff spoke with

the owner and found that there was an arrangement for the use of that site. Planning and Zoning is doing cursory views to see if there is documentation that memorializes this arrangement. It is staff's opinion that there was some type of discussion in the past for the property to be utilized for parking. They then went over to the parking lot on 134<sup>th</sup> Avenue, which is a Shell lot with eight spaces. The City currently leases this lot for about \$300 a month. The operator of Mad Beach Fish House believes that this lot can accommodate the demands of their restaurant. In addition, the operator would like the lot on the same side of the road that their business is on to mitigate any potential conflicts in crossing Gulf Boulevard. Other City lots were substantially more expensive because they were on the water side. Staff is requesting granting a temporary parking variance to allow Sam Lewis to lease the 134 parking lot and to allow the City Manager and attorney to execute a mutual contract. It will be in place until they bring forward a long-term agreement to accommodate the construction timeframe. Staff will bring back a full contract at the next meeting which will spell out items that the board communicated at the March 16<sup>th</sup> meeting.

Mr. Evans indicated that when they look at parking holistically they need to understand that the Code does not allow for the City to lease parking. They felt that it was prudent in this situation to accommodate the demand, so they did not hurt the business during the construction period. Staff is recommending approval of the temporary parking agreement.

Commissioner Douthirt asked if they are going to pay for the use of the spaces. Mr. Evans stated that they are paying for the spaces.

Mayor Black asked if they are renting it to them for \$300 per month. Mr. Evans clarified that this is what the City pays for using the spaces for public purposes. The City collects approximately \$5,000 annually. At a minimum they want to recoup these costs. The property owners are gracious enough to allow them to utilize the space.

Vice-Mayor Weinstein said they should move forward with this because no one is using it. She then motioned to authorize the city attorney and manager to execute the contract for the use of the parking lot. The temporary use will only serve 45 days and the final agreement will be brought back to the commission for \$5,000 annually. Commissioner Oakley seconded the motion.

Mayor Black opened public comment and there were no comments by the public.

**ROLL CALL VOTE:**

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

The motion carried 5-0.

**14. NEW BUSINESS**

**A. Appointment to Budget Review Committee – City Clerk Clara VanBlargan**

City Clerk VanBlargan said J. Roger Pryor applied for appointment. There are two vacancies on the board and one expires on September 30, 2018 and the other will expire on September 30, 2019. The Budget Review Committee recommended that alternate Doreen Moore be appointed to be a regular member with the term ending on September 30, 2019. The Board can appoint alternate member John Hendricks to serve in the other regular seat expiring on September 30, 2018 or appoint J. Roger Pryor to serve in that seat instead.

Vice-Mayor Weinstein said on the application submitted by Roget Pryor he marked Planning and Zoning Commission and asked if that choice had changed. Ms. VanBlargan explained that he applied to serve on both boards.

Commissioner Douthirt motioned to appoint Roger Pryor to serve as a regular member on the Budget Review Committee for a term expiring on September 30, 2018 and to appoint Doreen Moore to serve as the regular member on the Budget Review Committee for a term expiring on September 30, 2019. Commissioner Oakley seconded the motion.

Mayor Black opened public comment and there were no comments by the public.

**ROLL CALL VOTE:**

Commissioner Douthirt	“YES”
Commissioner Oakley	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Hodges	“YES”
Mayor Black	“YES”

The motion carried 5-0.

**B. Appointment to Charter Review Committee – City Clerk Clara VanBlargan**

Ms. VanBlargan said there is one vacancy on the Charter Review Committee and Grace Critelli applied to fill that vacancy. There is not a term limit because it is project based.

Vice-Mayor Weinstein said Grace would do a good job and would fit this position.

Mayor Black opened public comment and there were no comments by the public.

Commissioner Oakley motioned to appoint Grace Critelli to the Charter Review Committee. Commissioner Douthirt seconded the motion.

**ROLL CALL VOTE:**

Commissioner Oakley	“YES”
Commissioner Douthirt	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Hodges	“YES”
Mayor Black	“YES”

The motion carried 5-0.

### C. Appointment to Civil Service Commission – City Clerk Clara VanBlargan

Ms. VanBlargan said there are two vacancies on the Civil Service Commission and Grace Critelli has applied to fill one of those vacancies. One vacancy expires on July 15, 2020 and the other on July 15, 2018.

Commissioner Douthirt motioned to appoint Grace Critelli to serve on the Civil Service Commission for a term expiring on July 15, 2020. Vice-Mayor Weinstein seconded the motion.

Mayor Black opened public comment and there were no comments by the public.

#### ROLL CALL VOTE:

Commissioner Douthirt	“YES”
Vice-Mayor Weinstein	“YES”
Commissioner Oakley	“YES”
Commissioner Hodges	“YES”
Mayor Black	“YES”

The motion carried 5-0.

Commissioner Douthirt thanked Grace and Roger for putting their applications in.

### 15. CONFIRMATION OF DIRECTION

Ms. VanBlargan said she will be bringing back the BOC Policy and Procedures manual to the April 24<sup>th</sup> workshop meeting and on the May 8<sup>th</sup> regular meeting for adoption.

Mr. Evans said they will bring back the awards for volunteer, citizen and employee of the year and how the submission will be handled. They will see if there are communities that will allow them to utilize funds for the undergrounding project. The residential fence ordinance will be brought back for further discussion.

### 16. REPORTS/CORRESPONDENCE

- **City Commission**

Vice-Mayor Weinstein said she will listen to the public by hosting a listening session monthly with the first one being at John's Pass Park from 11:00 a.m. to 1:00 p.m. on April 29<sup>th</sup>. She would like to hear from people that do not typically come to Commission meetings.

Commissioner Hodges thanked Mr. Evans for putting the classes together last Thursday and Friday as they were very informative. She felt that the Commission came together.

- **City Attorney**

Mr. Brookes suggested that the City Manager announce other classes that are coming up.

- **City Manager**

Mr. Evans said a training session will occur on April 16<sup>th</sup> to look at city charters and the requirements that the statute provides for ethics, sunshine law and public records training. They are working with Marilyn Crotty, Scott Paine and Lynn Tipton for parliamentary procedures and they are inviting everyone that serves on advisory boards to attend the session. It will be available online.

Commissioner Douthirt asked if they are inviting other cities to attend.

Mr. Evans said they are not going to do this on the 16<sup>th</sup> because the meeting is specifically about the city charter. He indicated that they released a community values survey and have already received 320 responses. This will be a tool that can be shared with policy makers. There is a strong sense of community pride.

Mr. Evans said he sent the Commission information about the Senate Bill regarding beach access and the impact it will have on their community. The concerns they have could impact tourism regarding access to the beaches. He will be requesting authorization to draft a resolution that will be sent to the State regarding their concerns. They then can share this resolution with other beach communities.

Commissioner Douthirt asked if they are asking the county to be involved as well. Mr. Evans said it is hope that all communities will adopt their own resolutions as well. There is a lot of concern they are seeing from beach goers and citizens.

- **City Clerk**

No comments.

## **17. ADJOURNMENT**

Mayor Black adjourned the meeting at 8:32 p.m.



  
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Maggi Black, Mayor

ATTEST:

  
\_\_\_\_\_  
Clara VanBlargan, MMC, MSM, City Clerk





**THE CITY OF MADEIRA BEACH, FLORIDA**

**OATH OF OFFICE**

I, Deby Weinstein, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida, the City Charter, City Codes, and Policies and Procedures of the City of Madeira Beach; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

**COMMISSIONER DISTRICT 1**

in which I am about to enter, so help me God.

*Deby Weinstein*

Deby Weinstein, Commissioner District 1

*April 10, 2018*

DATE

**STATE OF FLORIDA  
COUNTY OF PINELLAS**

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of April 2018.

*Clara VanBlargan*

Clara VanBlargan, City Clerk



THE CITY OF MADEIRA BEACH, FLORIDA

OATH OF OFFICE

I, Nancy Hodges, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida, the City Charter, City Codes, and Policies and Procedures of the City of Madeira Beach; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

COMMISSIONER DISTRICT 2

in which I am about to enter, so help me God.

Nancy Hodges  
Nancy Hodges, Commissioner District 2

April 10 2018  
DATE

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of April 2018.

Clara VanBlargan  
Clara VanBlargan, City Clerk

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Douthett John Edgar</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>COMMISSIONER 4</i>
MAILING ADDRESS <i>401 150TH Ave # 271</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <i>MADEIRA BEACH FL Pinellas</i>	NAME OF POLITICAL SUBDIVISION: <i>MADEIRA BEACH</i>
DATE ON WHICH VOTE OCCURRED <i>4/10/2018</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, John Edgar Douthard, hereby disclose that on 10 APRIL, 2018:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

APPROVAL of Reimbursement  
FOR legal fees & cost AND SPECIAL  
RECALL ELECTION COURT CASE seeking  
Declaratory And injunctive Relief

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/10/2018  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>OAKLEY, Nancy T</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>COMMISSIONER, DISTRICT 3</b>
MAILING ADDRESS <b>14085 E PARSLEY DR</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <b>MADEIRA BEACH PINELLAS</b>	NAME OF POLITICAL SUBDIVISION: <b>MADEIRA BEACH</b>
DATE ON WHICH VOTE OCCURRED <b>7/10/2018</b>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I NANCY T OAKLEY, hereby disclose that on APRIL 10, 2018:

(a) A measure came or will come before my agency which (check one or more):

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

**APPROVAL OF REIMBURSEMENT FOR LEGAL FEES & COST \* SPECIAL RECALL ELECTION DECLARATORY INJUNCTIVE RELIEF**

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/10/18  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.