

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

MEMBERS ABSENT: None.

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

1. CALL TO ORDER

Mayor Black called the meeting to order at 6:00 p.m. She thanked the Charter Review Committee for their hard work on the City Charter.

2. ROLL CALL

City Clerk Clara VanBlargan called the roll.

3. PUBLIC COMMENT

There was no public comment.

4. BUDGET REVIEW COMMITTEE REPORT

June Mohns, member of Budget Review Committee, explained that the Budget Review Committee recommended that the City's retirement system be changed to allow employees to not only be fully vested in five years but to be 50% vested in three years and 75% vested in four years. City employees are a valuable asset to the City so if they knew they could be at least 50% vested in three years that will encourage them to stay at least that long. Employees are contributing to the community and people respect and appreciate that. Ms. Mohns said the Committee also recommended that the City look for assistance from a lobbyist through the Big C or some beach community because for a small town like Madeira Beach with 4,200 people, \$48,000 is too much to pay for a lobbyist, especially when there is no guarantee of receiving anything. The Committee recommended that the City Manager talk to other cities about it to see if there are ways in pooling resources for projects that all can benefit from. Ms. Mohns answered questions from the Board.

5. RESOLUTION 2018-12, ESTABLISHING THE MAXIMUM MILLAGE RATE & PUBLIC HEARING DATES

[Begin staff memo]

Background

Per Florida State Statute F.S., 200.065(2)(b) a governing agency must submit by a certain date, in this case August 3, 2018 notify the Property Appraiser of proposed millage rate, and public hearing dates.

Attached, is Resolution 2018-12 which establishes the Fiscal Year 2019 maximum millage rate; scheduling public hearing dates for fiscal year millage rate and budget adoption.

Fiscal Impact

None

Recommendation

The recommendation is to approve the proposed Fiscal Year 2019 millage rate for the City of Madeira Beach which shall not exceed 2.2000 mills. Further to approve Public hearings relating to the Fiscal Year 2019 millage rate and budget adoption process are hereby scheduled for 6:00 p.m., Tuesday, September 4, 2018 and 6:00 p.m. Tuesday, September 18, 2018 at 300 Municipal Drive.

[End staff memo]

City Clerk Clara VanBlargan read Resolution 2018-12 by title only:

RESOLUTION 2018-12

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, ESTABLISHING THE FISCAL YEAR 2019 MAXIMUM MILLAGE RATE; SCHEDULING PUBLIC HEARING DATES FOR FISCAL YEAR MILLAGE RATE AND BUDGET ADOPTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Walter Pierce reviewed Agenda Item 5.

Commissioner Oakley asked about having a budget meeting before the September 18th meeting and the Board scheduled a budget workshop meeting at 2:30 p.m., on Tuesday, August 7, 2018.

Mayor Black opened to public comment and there were no comments.

Commissioner Douthirt made a motion to approve Resolution 2018-12, the proposed Fiscal Year 2019 millage rate for the City of Madeira Beach which shall not exceed 2.2000 mills; and to approve the public hearings relating to Fiscal Year 2019 millage rate and budget adoption process scheduled for 6:00 p.m., Tuesday, September 4, 2018 and 6:00 p.m., Tuesday, September 18, 2018 at 300 Municipal Drive. Commissioner Oakley seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

6. ORDINANCE 2018-09, CHARTER AMENDMENTS – 1ST READING

[Begin staff memo]

Background

The Charter Review Committee reviewed the City of Madeira Beach City Charter and recommended several amendments to the Charter. At a workshop meeting on July 30, 2018, the Commission discussed the amendments and determined that it is in the best interest of the residents of the City to allow voters the opportunity to vote at referendum on whether to amend the Charter. Ten (10) of the proposed amendments were chosen to be placed on the November 6, 2018 General Elections ballot and others to be placed on the March 2019 ballot for the voters to decide on. Ordinance 2018-09 was prepared for that purpose.

If Ordinance 2018-09 is approved on first reading, the ordinance will be advertised for a seconded reading and public hearing on Monday, August 20, 2018 at 6:00 p.m.

Fiscal Impact

The estimated cost of placing the ten (10) proposed charter amendments on the November 6, 2018 General Election ballot and the Supervisor of Elections assistance in that election is \$3,350.74.

Recommendation

The recommendation is for the Board of Commissioners to approve after first reading Ordinance 2018-09.

[End staff memo]

City Clerk Clara VanBlargan read Ordinance 2018-09 by title only:

CITY OF MADEIRA BEACH ORDINANCE 2018-09

AN ORDINANCE OF THE CITY OF MADEIRA BEACH FLORIDA PROVIDING FOR BALLOT TITLES, BALLOT QUESTIONS AND TEXT FOR PROPOSED REFERENDUM QUESTIONS TO BE PLACED ON NOVEMBER 6, 2018 ELECTION BALLOT; PROVIDING FOR AMENDMENTS TO THE CHARTER TO CORRECT AND STREAMLINE GRAMMAR AND GENDER NEUTRALITY; PROVIDING FOR SUPERMAJORITY VOTE FOR PLANNED DEVELOPMENT REZONING AND

SPECIAL AREA PLANS; APPOINTING THE PINELLAS COUNTY CANVASSING BOARD; PROVIDING FOR NEPOTISM DEFINITION OF RELATIVE; PROVIDING FOR CITY MANAGER POWERS, DUTIES, QUALIFICATIONS, RESIDENCY, REMOVAL PROCEDURES, AND ACTING CITY MANAGER; PROVIDING FOR CITY CLERK QUALIFICATIONS; PROVIDING FOR LIMITATIONS ON CITY ATTORNEY AND LEGAL REPRESENTATION OF ELECTED OFFICIALS; PROVIDING FOR TAXING AUTHORITY NOT IN CONFLICT WITH GENERAL LAW; DELETING REFERENCES TO PUBLICITY EXPENDITURES; PROVIDING FOR FIVE YEAR CAPITAL IMPROVEMENTS PLAN; PROVIDING FOR ELECTION DATE; PROVIDING FOR COORDINATION WITH SUPERVISOR OF ELECTIONS; PROVIDING EFFECTIVE DATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT.

Mayor Black said there is an additional “as the” in the wording in Ballot Question 13. The City Attorney said he will correct that.

Commissioner Oakley suggested choosing only three of the ten proposed questions to be placed on the November ballot because of voter fatigue. Vice-Mayor Weinstein suggested placing all ten proposed questions on the November ballot so amending the Charter does not get dragged out.

Doreen Moore, Chair of the Charter Review Committee, pointed out the gender “his/her” wording that needed to be changed in Charter Amendment #19, and #20. The City Attorney said the wording he will use to make the changes.

Ms. Moore said about the acting city manager on p. 7, Section 5.3 of the Ordinance, the city manager can designate and appoint someone in his temporary absence. There is a procedure in place if the city manager is suspended, how that process works, what the BOC does, and how they can deal with that, but there is no language as to who has the authority to appoint an acting city manager if the city manager is suspended. The language should be made clear that the BOC can step in and appoint someone to temporarily serve during that time. The City Attorney said he could add, “The BOC can appoint an acting city manager within 48 hours of suspension.” He said 48 hours will allow enough time to notice the meeting.

Commissioner Douthirt asked if something with the charter amendments will go out to all the voters. The City Manager said the intent is to provide a sample ballot and notification to the residents with a layperson’s definition of what the City is requesting of the voters and what it means if they vote yes and what it means if they vote no. He would also like to have public meetings to walk through those items with the voters prior to the election educating them on that. Educating the voters will be provided through various means.

Commissioner Douthirt said if an amendment is voted down then maybe it can be reworded for the next election. The City Attorney said there may be another way to address it, but that would not be known until feedback is received from the voters.

The City Manager said the Charter Amendments passed by the voters in November will immediately take effect.

Gerri Clyatt, member to the Charter Review Committee, said when the Charter Review Committee talked about the supermajority vote that it would be for planned development, rezoning or special area plan. The City Attorney explained said they did not want it for all rezoning and that it was only for planned development rezoning.

The City Attorney said for the ballot question about the city manager and the replacement, he is going to break it up into two sentences to make it clearer. He will make it that if the immediate suspension is in the best interest of the City that will be the Board of Commissioners' determination and the Board would appoint an acting city manager. If the immediate suspension is not in the best interest of the City, the City Manager may continue to serve until the public hearing.

Vice-Mayor Weinstein made a motion to approve first reading of Ordinance 2018-09, with the changes discussed on August 1, 2018 and the second reading to be on August 20, 2018. Commissioner Douthirt seconded the motion.

ROLL CALL:

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

The motion carried 4-1.

Commissioner Douthirt referenced an email that was sent to the Board about the public comment part of the agenda being only for what is not listed on the agenda. The person had asked if that could be said on the agenda making everyone aware of it.

Vice-Mayor Weinstein thanked the Charter Review Committee for their work on the Charter.

Commissioner Douthirt asked if the Charter Review Committee would be willing to help in educating the voters. Doreen Moore, Chair of the Charter Review Committee, commented that it had to be done properly, it had to be promoted, and the City had to take the lead. The City has the electronic means to make things available to the public and to make printed copies for distribution in various places. Members of the Committee would be happy to be at the meetings to answer questions and to help distribute information as needed.

Bill Mohns, 13321 Boca Ciega Avenue, said he recognizes that the City and the Board of Commissioners must be impartial, but it needed to be communicated to the people that each of the changes are there for a reason, and that they are trying to fix something broken or laying the ground work for the City to move forward. It helps the voters to know why this is being done. The City Manager agreed and said the governmental agency can only communicate the facts. If the changes will have an adverse impact, or benefit or hurt the City and we can prove that, the City can communicate that. Both sides of the argument will be communicated, what the amendment will do and what it will not do.

Ms. Moore said as a committee member, in those public forums, they would be educating and not putting forth an opinion, but citizen to citizen outside the rim of the public forum, they can give an opinion. The City Attorney confirmed.

A. ADJOURNMENT

Mayor Black adjourned the meeting at 6:54 p.m.



Maggi Black, Mayor

ATTEST:



Clara VanBlargan, MMC, MSM, City Clerk

