

The regular workshop meeting of the City of Madeira Beach Board of Commissioners was held at 3:30 p.m. on August 28, 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

**MEMBERS ABSENT:** John Douthirt, Commissioner District 4

**CITY STAFF PRESENT:** Jonathan Evans, City Manager  
Clara VanBlargan, City Clerk  
Andrew Dickman, Esq., AICP, Dickman Law Firm

## 1. CALL TO ORDER

Mayor Black called the meeting to order at 3:30 p.m.

## 2. ROLL CALL

City Clerk Clara VanBlargan called the roll.

The City Clerk read an email at the request of Mayor Black from the business owner of Colett's Fashions & Swimwear on Madeira Way in Madeira Beach explaining how the Wednesday's market increased their business income revenue. The City Manager said the item will be on the September 4<sup>th</sup> agenda.

## 3. PUBLIC COMMENT

Rees Noran, 363 Medallion Boulevard, commented how the street and sidewalk on Madeira Way was closed for an event to be held by a new bar on Madeira Way and that the same happened many times for other events. He was asked to pay to use the sidewalk and that is a public sidewalk.

Robert Preston, 425 S. Bayshore Drive, commented on how the City needed to advertise more to encourage more visitors to visit the City. He suggested that a billboard placed at the entrances of the City would help do that.

## 4. TOPICS FOR DISCUSSION

### A. 911 Memorial Update - *Dave Marsicano, Public Works/ Marina Director*

[Begin staff memo]

### Background

With the anniversary of 9-11 quickly approaching staff would like to update the commission on the 911 Memorial. Every year Public Works schedules pressure washing and painting of the Memorial with the Fire Department prior to the ceremony. The annual cleaning and painting are scheduled for August 30<sup>th</sup> and 31<sup>st</sup> to ensure that the memorial is ready for the ceremony. Within the last year Public Works and the committee volunteers have installed the Heroes Garden graph, planted flowers to complete the garden, installed plants around the Memorial sign, installed a water line from the street to the sign and garden along with a soaker hose, designed a 911 brochure that explains the memorial photographed by Mike Ramos and designed by Ken Donofrio, replaced and installed new light fixtures on the flight panels, replaced lights on the wall of life, installed ventilation, and have also had the plaque designed and completed in Italy to explain the meaning of the graph in the Heros Garden and plan to mount the plaque before the ceremony. A guest registration book has been placed at the memorial and has gotten a lot of traffic from all over the world. The committee volunteers consist of Dee Leigh, Guy Critelli, Steve Kochick, and John and Susan Haywood.

Donations:

\$1200 – Forging of Heroes’ Garden plaque – friend of Guy Critelli  
\$1000 – Plants, designer and labor from All Seasons Landscape  
\$100 – Lowe’s for Plants  
\$200 – donation from Veteran’s Boat Parade  
Ken Donofrio -- Hours designing 9/11 Memorial brochure – no charge  
Ken Donofrio – designing 9/11 stationery and 9/11 T-shirt emblem – no charge  
Mike Ramos – two days photographic work of 9/11 memorial for brochure – no charge

Fiscal Impact

Informational

Recommendation

Informational

[End staff memo]

Public Works/Marina Director Dave Marsicano gave an update on the public work’s activities taken place to maintain the 911 Memorial site. He added that a guest registration book had been placed at the memorial and it shows there has been a lot of visitor traffic there from all over the world.

Dee Leigh, one of the 911 Memorial Committee volunteers, introduced the committee members and gave an activity report. She said they are selling 9-11 t-shirts as a promotion and fundraising for the garden.

**B. Proposed Public Private Agreement for Development of Johns Pass Resort – Linda Portal, Planning & Zoning Director**

[Begin staff memo]

### **Background**

Property owners for the several vacant lots currently serving as commercial parking lots in Johns Pass Village have proposed a private/public partnership to facilitate the development of a mixed-use resort with publicly shared parking. The subject lots are bordered generally by Boardwalk Place, 129<sup>th</sup> Avenue, East End Lane (1<sup>st</sup> Avenue E) and the extension of Village Boulevard. The proposed development would include the use of the property currently designated as public right-of-way and known as Fisherman's Alley.

Since the city is precluded by the charter from conveying any property without a referendum, a partnership in the development is required. An agreement would specify the public/private share of revenue and access to the proposed parking garage. The project would be designed to leave the area over the alley open for access on the ground and on each level of the development. Any portion of the alley not included in the development area would remain in current use. Improvements to utilities in the alley would be required which would facilitate bringing such utilities into compliance with current standards.

Although no specifics have been negotiated, the developer has stated the intent to provide a minimum of 100-parking space for public use. This would have the advantage of alleviating parking pressures in the area and of bringing the use of the property into compliance with City Code. The manner in which those spaces are managed will be a subject of negotiation and included in the associated contract.

The developer is requesting the City Attorney prepare the needed contract language for review by the Board of Commissioners and asks that such proposed agreement be placed on the Board of Commissioners agenda at the earliest available date. The developer has submitted an application for a Planned Development Zoning Change and would like to schedule the neighborhood meeting to begin the formal planning process. However, as a participant in the development process, the agreement to proceed is essential to the application and review process.

A representative of the development interest will make a presentation of the proposed project.

### **Fiscal Impact**

No public contribution is requested for the development activity. Revenue generated by the public parking in the garage is estimated as providing up to \$90,000 in annual income to the City.

### **Recommendation**

Staff recommends the Board hear the presentation and discuss the proposed development and associated issues and provide input to the Attorney preparation of an agreement for.

[End staff memo]

Planning & Zoning Director Linda Portal gave an overview of Agenda Item 4.B. She said the purpose of the item is to see if the Commission would be interested in getting involved with a development project in John's Pass Village. They have an application submitted for a PD zoning change and the City cannot process that without knowing if the City will be involved in the project

because it involves City property, Fisherman's Alley that runs through the proposed project, and what type of involvement it should be. If interested, the Board will need to give direction to the City Attorney to bring back information on what type of instrument would be created to provide for that such as some type of shared ownership arrangement in the development.

Commissioner Hodges commented that the project is a great idea. She read the material and saw the plan.

Jack Bodziak, architect for the project and representing the owners of the property, gave an overview explaining the details of the proposed project. He said they have not determined the final dollar amount since the plans are being finalized. After conversations with the Board members they modified the plans from an eight-story project to a six-story project. The project would be a joint use agreement as to the alley since they will not be building on the property, it will only be a connection between the two parcels. There will be 297 parking spaces and half of which are required for building purposes. He said they would like to begin the process of going to the Planning Commission next month, so they can begin the process of evaluating what will go to the Commission.

Mayor Black asked if they are limiting the neighborhood meeting to those with 200 feet of the proposed development or if they will include the whole City. Mr. Bodziak explained that it will be limited to those within 200 feet. Commissioner Oakley stressed concern to limiting it to only those within the 200 feet and explained how the project will affect the whole City.

City Manager Jonathan Evans said it will be a public meeting, so anyone is welcome to attend. Staff will put out information consistent with the Board's desire to inform more people about the meeting.

Vice-Mayor Weinstein asked Mr. Bodziak if he is asking the Board to vacate the alleyway. Mr. Bodziak replied no, they are asking to create a way that they can traverse over the alley to better connect the two parcels of land they are wanting to develop on. They are not asking for control of the alley.

Vice-Mayor Weinstein commented that she was excited about something happening in this area, but she is not in favor of joint plans where the City does not have control. Prior to signing an agreement, she would like there to be a community meeting that would inform the residents of what would happen. Mr. Bodziak explained they are having a neighborhood meeting, and if they need to expand that to a community meeting they would be fine with that. He clarified that the City is not being asked to give up control of the alley.

Commissioner Oakley suggested holding off until the survey is completed for the entire Pass and she was unsure of the timeline on that. The survey will show who owns what in the Pass. They have had a lot of issues with it in the past. She stressed concern with traffic. There are other projects happening in Madeira Beach and she would like to know the effects of all that together.

The City Manager suggested bringing information back to the Board after the community meeting, so the Board can make a more informed decision. He said although the developer has put in an application, the Board does not have to accept the proposal at this time. He suggested leaving the community meeting as previously scheduled for September 6<sup>th</sup> and said the City will utilize different communication methods to make more people aware of the meeting. That will allow members of the community to come and share insight, gain information, and share opinions a second time.

Mr. Bodziak said the meeting will be video recorded as well. He said there will be differing opinions, but they are not trying to go beyond the scope of what can be developed there. The developers would really like the chance to move forward with the public, the Commission, and Planning Board.

Mayor Black said the ordinance needed to be changed to allow more people to be notified. The City Manager said staff would look at other wording options with the help of the City Attorney to be sure it is within the scope of the Law and bring those ideas back to the Board. He asked if there was a consensus from the Board in moving forward with a neighborhood meeting and bringing the findings back to this Board. The Board consented.

Mayor Black opened to public comment.

Robert Preston, 425 S. Bay Shore Drive, said he did not feel changes needed to be made to the policy since it can be deemed necessary in certain situations to inform more than the required 200 feet. Mailing a notice to the whole City is asking too much. He said any additional parking in Johns Pass would be a plus. The parking garage would be a benefit to the City.

John Hendriks, 569 Normandy Road, said one of the biggest issues is parking and said the development will not add to the traffic issue. The traffic from other cities could cause the problem.

The City Manager said the attorney needed to leave at 5:00 p.m.

Rees Noran, 363 Medallion Boulevard, said the developer had to meet the legal requirements in notifying the public.

### **C. Outflow Maintenance – Dave Marsicano, Public Works/ Marina Director**

[Begin staff memo]

#### **Background**

The intent of this memo is to further explain in detail our Stormwater Management Program, which includes the outflow maintenance. The past 8-years the City has contracted out for the cleaning of all of our stormwater pipes and also our stormwater basins. The City of Madeira Beach is responsible for making sure all these pipes are in good condition, clean and flowing properly. The City contracted out in 2013 to have all pipes in the entire city cleaned, jetted, and inspected by a stormwater camera. Since then we have continued a steady cleaning of the outfalls and cleaning

the inlets on a much more frequent basis. The City staff is recommending in the 2019 budget to purchase a jetter and camera so that we may control our own destiny and cost. This will also allow us to properly clean the pipes. Currently City staff have to go in the water with a shovel to clean the barnacles off the outflow which works but is not the proper or most time efficient way to clean stormwater pipes. The City will also be doing all the work we will know the conditions or be able to jet past a potential non-problem such as just a clogged pipe at the moment of the incident. The City has to schedule all cleanings and camera use presently with a private company which could take several days. The Army Corp of Engineers is also requiring permitting of all stormwater outfalls in the state of Florida. This is another project we will start in the 2019 fiscal year to further bring the city into compliance with the Clean Water Act.

**Fiscal Impact**

Reflected in FY 2019 Budget

**Recommendation**

Informational update

[End staff memo]

Public Works/Marina Director Dave Marsicano gave an update on outflow maintenance in the City. He said keeping the outfalls cleaned out allow for the best drainage which helps to avoid flooding due to hightide and rain.

Director Marsicano gave an update on the overall storm water maintenance strategy and some of the tools that they need to address the challenges they are having. He said according to the MPDES they are required to have employees with storm water certification and currently they have two. They are also required to keep storm water records and to write an education program about fertilizer and pesticide usage. The City has adopted the county landscaping ordinance to help address that. The City is required to follow MPDES to strengthen legal authority, perform inspections, etc.

The City Manager said there is a big push for local governments to effectively manage pollutant and storm water discharge. They will eventually see more strict policies in the future to the point where water may even have to be treated before it is discharged. When they bring purchase orders to the Board they will provide background as well as policies that may support product purchasing.

Mayor Black opened public comment.

Mr. Loy, 708 Pruitt Drive, said he lives in an area that is identified as higher risk of flooding from the street, and asked when the plugs would be put into use. Director Marsicano said soon as they are received. Mr. Loy said the problem is not only from the canals but from the rain.

Robert Preston, 425 S. Bay Shore Drive, said the City should make the residents responsible for their waste, garbage, lawns, etc. Information should be sent out informing them on how to do that.

**D. City Manager's Evaluation Matrix Discussion - Jonathan Evans, City Manager**

[Begin staff memo]

**Background**

This agenda item is intended to provide the criteria by which the assessment of the City Manager's performance evaluation will be structured. On February 26, 2018, the City of Madeira Beach and the city manager, Jonathan Evans entered into an agreement.

The city manager has proffered example performance evaluations that are attached to this agenda item. Attached, you will find (2) evaluation forms that have been proffered by the Florida City/County Management Association (FCCMA), of which Mr. Evans is a member, and is the professional association that some professional administrators within the state of Florida belong to. Furthermore, the evaluation forms provided were developed by the communications committee, of which Mr. Evans was a co-chair of, as a member of the Board of Directors of this Association. The two forms offered are: a top-level dimension evaluation form, a narrative evaluation form, and a performance dimension. The evaluations rate on a Likert scale from 1- unsatisfactory, to 5- excellent; topics are broken into sections applicable to city operations. The categories are as follows: professional skills and expertise, council/commission relations, citizen and public relations, policy execution, intergovernmental relations, staff and management, fiscal management, planning and organizational development, leadership and decision-making, and, lastly, individual characteristics. Based on scores in each of these individual sections, a total score is derived, divided by the total number of points available in each section and an average is computed thus, ranking the city manager's performance.

This particular item is intended to adopt a standard in which the city manager will be evaluated, as well as, when the manager's evaluation should occur.

**Fiscal Impact**

N/A – At time

**Recommendation**

It is recommended that the evaluation of the administrator occur 30 days prior to or 30 days after the anniversary of the manager's start date. Furthermore, this item is to be placed on the agenda in the appropriate section, and to ensure that the public is notified in accordance with existing organizational policies and applicable state statutes.

At this time, staff recommends that the Board of Commissioners approve the performance evaluation matrix, as well as set a date for the evaluation of the City Manager.

[End staff memo]

City Manager Jonathan Evans explained the two evaluation matrixes provided to the Board that he recommended selecting from to utilize in doing his performance evaluation and asked the Board to set a date for conducting his evaluation. He said once the Board performs the evaluation and gives them to HR, he will not see them until becoming a part of the public record.

Commissioner Oakley asked for more time to look at the options. The City Manager suggested selecting from the two evaluation forms at the regular meeting in September and to choose an evaluation date later. Commissioner Oakley suggested doing the evaluation in January and said the Commission that will be evaluating the City Manager would be the one that worked with him all year. The City Manager commented he has often seen the evaluation done 30 days before an election or 30 days before the anniversary date of the city manager.

#### **E. City Clerk Compensation Discussion - Jonathan Evans, City Manager**

[Begin staff memo]

##### **Background**

Pursuant to the direction provided by the Board of Commissioners (“BOC”), staff was directed to provide information concerning the wages and compensation, for example, the fringe benefits, of the City Clerk, for which a charter officially exists and serves at the pleasure of the BOC, such as the City Attorney, and the City Manager. The evaluation of the City Clerk was presented to the BOC on April 24, 2018. The City Clerk’s overall performance was between “exceeds standards” and “meets standards,” with mostly “exceeds standards.” The BOC directed staff to bring forward an item whereby the BOC could provide direction to Staff as to how the BOC wishes to proceed concerning the six-month evaluation of the City Clerk.

For the edification of the BOC, included in the proposed FY 2019 Budget is a 4% increase for all non-represented employee(s). The premise behind this recommendation is to remain consistent with our peers, who have proffered on average a 3.75% increase in wages for all of their non-represented employees. In the coming weeks staff will present to the BOC some alternative benefit modifications designed to negate the fiscal impact of the proposed increase on the City.

Currently, the City Clerk’s salary is \$75,000 per annum, with the salary range being \$66,560-\$83,200. The average range is \$64,784.80-\$97,008.80, with the midpoint of the range being \$80,896.40. The Cities surveyed for the salary ranges were as follows:

- City of Clearwater
- City of Largo
- Town of Indian Shores
- St. Pete Beach
- City of Madeira Beach \*Existing salary ranges used.

Also, note that neither certifications nor experience were part of this inquiry. In addition, nor were actual salaries obtained, a merely cursory review was conducted by City staff.



**Fiscal Impact**

If the Board chooses to provide the City Clerk with a 4% increase, the fiscal impact on the salary for a year will be approximately \$3,000.00. However, this does not account for the \$270.00 increase in retirement contributions paid by the employer. In the event that the salary adjustment is retroactive to April 24, 2018, the fiscal impact would be approximately 45% less than the projected amount of \$3,000, with the full increase being experienced in FY 2019.

**Recommendation**

Staff is seeking direction from the BOC as to how the Board wishes to proceed:

- Questions for the BOC – Does the BOC wish to provide for additional salary or benefits for the completion of a six-month probationary evaluation? If so, will the salary or benefits be effective on April 24, 2018? And will the City Clerk be entitled to an additional percent on October 1, 2018?
- Or does the BOC wish to provide a 4% increase effective October 1, 2018, or any other percentage as desired by the BOC?

[End staff memo]

City Manager Jonathan Evans said the item was requested by a member of the Board, and that the Board previously did a performance review on the City Clerk where she met and exceeded standards. When last discussed by the Board a four percent increase was recommended to be included in the FY 2019 budget. Staff is asking direction from the Board on that and whether to provide any additional money to the City Clerk.

Commissioner Oakley said she thought it was a done deal during the budget meeting.

Commissioner Hodges commented that the City Clerk has worked hard and did not receive any compensation for that in April when the performance evaluation was due and suggested giving the City Clerk an additional \$1,500 along with the four percent increase in October.

Mayor Black said the City Clerk's contract said the six-month review was to see if she would stay with the City and not for her to receive a raise. The City Clerk has worked hard, as well as others, and she should not be compensated for that.

Vice-Mayor Weinstein said she compared other cities to Madeira Beach and she did not feel the need in making additional changes to the four percent to be given on October 1<sup>st</sup>.

Mayor Black added that it looks like her wages are within range of all the other city clerks.

Commissioner Hodges commented that the City Clerk works late hours on weekdays and on weekends and should be compensated for that. She is well qualified with degrees and experience and it is only fair to compensate for the work she has done.

The City Manager said he has worked with many city clerks and Ms. VanBlargan is not afraid to work hard and stay long hours. He feels she is an asset to the City and has been one of the best city clerks he has worked with.

Mayor Black opened to public comment.

Robert Preston, 425 S. Bay Shore Drive, said during his involvement with the recall he had the pleasure of working with Ms. VanBlargan and she was always very professional. He feels the \$1,500 bonus is a very minor thank you for the hard work that she has done.

Mr. Loy, 708 Pruitt Drive, said he did not know the City Clerk well but from his work experience he has learned there is a market value to a position. He added that currently it is an applicant's market and he felt it would be best to hold on to this employee and not try to go out looking for a new employee.

John Hendricks, 569 Normandy Road, said he was not in favor of getting rid of the last City Manager and City Clerk, however, Ms. VanBlargan and Mr. Evans have done an exemplary job and Madeira Beach is very lucky to have them and should do all they can to retain them.

Rees Noran, 363 Medallion Boulevard, said he has learned with good employees you either reward them or you lose them. He also feels if her boss recommended it, it should be done.

Mayor Black closed to public comment.

The City Manager asked Commissioner Hodges if the \$1,500 would be a one-time lump sum or in addition to the four percent. Commissioner Hodges said it would be the \$1,500 plus the four percent raise she would receive in October. She clarified the \$1,500 would not be considered a bonus. They are not allowed to give bonuses, but this would be compensation that should have been given to her in April.

The City Manager clarified that it is a retro pay for the six-month period.

Commissioner Oakley said the four percent is sufficient.

Vice-Mayor Weinstein commented they had many extraordinary employees and even though she might be the best one, they should stay with just the four percent increase in October.

Mayor Black said if the City Clerk is getting the \$1,500 then the City Manager should too. Vice-Mayor Weinstein said others should too. She has seen a lot of dedication from a lot of employees.

Mayor Black said Ms. VanBlargan has done a great job, but she does not want to do an injustice to others that work hard and may deserve the same thing.

Mayor Black asked if they had a consensus. Vice-Mayor Weinstein and Commissioner Oakley agreed they did.

The City Manager said he will move forward as originally discussed.

**F. General Election Ballot Community Plan – Curt Preisser, Public Information Specialist**

[Begin staff memo]

**Background**

The 2018 General Election is scheduled for Tuesday, November 6<sup>th</sup>. Voters in the City of Madeira Beach will be asked to decide the direction of their local government by choosing to accept or reject 10 suggested changes to the City's Charter. The last time the Charter was amended was in 2008.

On July 11, 2017, the Board established the Charter Review Committee by Resolution 2017-04. At a BOC Workshop Meeting on May 22, 2018, the Board gave direction to the Charter Review Committee to work through the Charter and choose questions to go on the November Election ballot.

At a BOC Special Workshop Meeting on July 30, 2018, the Board of Commissioners reviewed the proposed Charter amendments recommended by the Charter Review Committee and selected ten charter amendments to be placed on the November 6, 2018 General Election Ballot.

At a BOC Special Meeting on August 20, 2018, the Board of Commissioners adopted after second reading and public hearing Ordinance 2018-09, charter amendment ordinance placing the ten proposed charter amendments on the November 6th ballot. To provide the electorate with information about the proposed amendments to the Charter, the Public Information Specialist, will develop a Communications Plan which will:

- Ensure all registered city voters are aware of the Charter Amendments
- Ensure all voters have access to information about their choices
- Increase awareness by city residents of the importance of voting
- Increase voter turnout

**Fiscal Impact**

N/A

**Recommendation**

Staff recommendation is for the Board of Commissioners to approve the implantation of the Communications Plan.

[End staff memo]

City Manager Jonathan Evans introduced Agenda item 4.F. and Public Information Specialist Curt Preisser reported on the item.

There was a discussion on how to encourage more people to get out and vote on the Charter Amendments on November 6<sup>th</sup>. Mr. Preisser said he would notice it through media releases, an editorial as well as possibly door hangers and direct mailing.

The City Manager said he would like to provide a letter with a sample ballot to be mailed by mid-September to all the registered voters, so they will get the information before the actual election occurs. The City will use every opportunity they can to inform people and will track everything they do to see if it effects voter turnout, so they can use the most effective ways of communication in the future.

Mayor Black opened to public comment.

Robert Preston, 425 S. Bay Shore Drive said people should have been informed months ago, so they could have had a say on the Charter Amendments they will be voting on. He also wanted to know if the door hangers would be going to be written by someone who is unbiased. The City Manager replied that the door hanger will just say to go out and vote.

Rees Noran, 363 Medallion Boulevard, said information should have been put out earlier, and that he has difficulty navigating on the website to get information. He hopes the City can make changes to improve it.

#### A. ADJOURNMENT

Mayor Black adjourned the meeting at 6:16 p. m.

  
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Maggi Black, Mayor

ATTEST:

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

