



# CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216 Phone (941) 708-6130 Fax (941) 708-6134

## AGENDA

### AMENDED

MARCH 9, 2017 – 6:00 P.M.

### CITY COMMISSION SPECIAL MEETING

**Pledge of Conduct: We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.**

**CALL TO ORDER**

**PLEDGE TO THE FLAG**

**ROLL CALL**

### SPECIAL MEETING

General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Commission's intent is that General Public comment is to be used for the public to inform the Commission of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.

1. General Public Comment
2. [Ordinance 17-828 Special Event Permit](#) – Second Reading – Vose
3. [Gift Policy Revision](#) – Draft - Vose
4. Bert Harris – Vose
5. [Resolution 17-723 Preemption](#) - Vose
6. City Pier RFP Update - Mayor
7. City Clerk/Treasurer -Mayor
8. Lobbyist Report
9. Mayor's Comments
10. Commissioners Comments
11. City Attorney Comments
12. Staff Comments
  
13. **CONSENT AGENDA:** The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.
  - a. Approve Minutes: [Regular Meeting 2/23/2017](#)

**Press Comment**

**Adjournment**

**Convene to Worksession - Role of Code Enforcement and Sign Ordinance Changes**

### WORKSESSION

Worksessions provide the Commission with an opportunity to informally discuss topics of common concern and interest and to exchange ideas with staff. In order to make efficient use of time, public comments and questions generally are not entertained during worksessions. Public Comment is taken at meetings such as Regular Meetings and Special Meetings where action items are officially voted on.

**Adjournment**

 (FSS 286.26) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING (941) 708-6130. SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS BE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.



**ORDINANCE NO. 17- 828**

**AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA,  
AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF  
THE CITY OF ANNA MARIA ENTITLED AMUSEMENTS AND  
SPECIAL EVENTS TO PERMIT LIMITING PARTICIPATION IN  
SPECIAL EVENTS WITH EXCEPTION; PROVIDING FOR  
CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE CITY OF ANNA MARIA THAT:**

**SECTION 1.** Section 10-53(b)(6) in Article III entitled “Special Events,” in Chapter 10, entitled “Amusements and Special Events” is amended to read as follows:

(6) A special event permit may be approved for no more than three (3) days. The applicant may choose to designate a rain date in the application which may be approved in conjunction with the preferred date of the special event. The Applicant may limit participation in the special event authorized by the permit unless the limitation adversely impacts a class of persons based on race, color, religion or creed, sexual orientation, national origin or ancestry, sex, age, physical or mental disability, veteran status, or citizenship, or any protected class under federal or state law.

**SECTION 2. CONFLICTS.** All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

**SECTION 3. CODIFICATION.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

**SECTION 4. SEVERABILITY.** In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance, is contrary to law, or against public policy, or shall for any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this ordinance, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Ordinance, which shall remain in full force and effect. This ordinance shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this ordinance as expressed herein.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED AND ADOPTED**, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this \_\_\_\_ day of \_\_\_\_\_, 2017.

Doug Copeland, Commissioner  
Nancy Yetter, Commissioner  
Bryan Seymour, Commissioner  
Carol Carter, Commissioner  
Dale Woodland, Commissioner

\_\_\_\_\_  
Doug Copeland, Chairman

I hereby approve this Ordinance:

\_\_\_\_\_  
Dan Murphy, Mayor

\_\_\_\_\_, 2017

ATTEST:

Approved as to form and legality for  
the use and reliance of the City of  
Anna Maria only

\_\_\_\_\_  
LeAnne Addy, City Clerk

\_\_\_\_\_  
Gretchen R. H. "Becky" Vose  
City Attorney

# BRADENTON HERALD

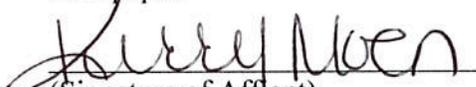
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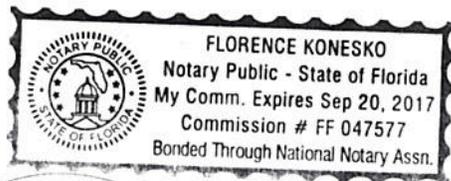
STATE OF FLORIDA  
COUNTY OF MANATEE

Before the undersigned authority personally appeared Kerry Moen, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Public Hearing, City of Anna Maria** was published in said newspaper in the issue(s) **2/27/17**.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this  
27 Day of Feb, 2017



SEAL & Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

## LEGAL NOTICE

CITY OF ANNA MARIA,  
FLORIDA  
NOTICE OF PUBLIC HEARING BE-  
FORE THE  
CITY OF ANNA MARIA CITY COM-  
MISSION

NOTICE IS HEREBY GIVEN that the City of Anna Maria City Commission will hold a public hearing on **March 9, 2017 at 6:00 P.M.**, or as soon thereafter as may be heard. The hearing will be at City Hall of the City of Anna Maria, 10005 Gulf Drive, Anna Maria, Florida 34216, to consider the following proposed ordinance:

ORDINANCE NO. 17- 828

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF ANNA MARIA ENTITLED AMUSEMENTS AND SPECIAL EVENTS TO PERMIT LIMITING PARTICIPATION IN SPECIAL EVENTS WITH EXCEPTION; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

All interested parties may appear at the meeting and be heard regarding the adoption of the Ordinance. Copies of the proposed Ordinance are on file at the City of Anna Maria City Hall at 10005 Gulf Drive, Anna Maria, FL 34216 and may be reviewed by the public between the hours of 8:00 A.M. to 4:00 P.M., Monday through Friday, exclusive of holidays.

If any person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING AT (941) 708-6130.

CITY OF ANNA MARIA  
LeAnne Addy  
City Clerk  
2/27/17



**RESOLUTION NO. 2017-722****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA, REPEALING RESOLUTION NO. R15-710 REGARDING GIFT RECEIVING POLICY AND REPLACING IT WITH A NEW GIFT RECEIVING POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, donations of every type are offered to the City of Anna Maria (“City”) for general or specific purposes and donors often seek acknowledgment for their gifts or seek involvement in the allocation of the donated goods or funds; and

**WHEREAS**, the City Commission finds it in the best interest of the City of Anna Maria and its citizens to amend its official policy relating to the acceptance of gifts and donations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA, AS FOLLOWS:**

**SECTION 1.** Resolution No. R15-710 is hereby repealed.

**SECTION 2.** A new “Gift Receiving Policy” of the City of Anna Maria is hereby adopted to read as follows:

1. Donations do not become the property of the City until accepted in accordance with this policy, and the City has no obligation to accept an offered donation.
2. Donations with no limitations being placed on its use with a value of \$2500.00 or less, other than donations of real property, may be accepted by the Mayor without consultation with the City Commission.
3. Donations with limitations being placed on its use, or with a value of over \$2500.00, or donations of real property, may be accepted only after an affirmative vote by a majority of the City Commission.
4. The City shall not provide legal, accounting, tax or other advice to persons offering or giving donations to the City.
5. The Mayor shall work with the City Clerk to determine the appropriate accounting for any donation.
6. Donations of real property shall not be accepted until appropriate investigation of such real property shall have been conducted, including, but not limited to a title search, environmental investigation, and inspection of land and improvements, if any. The City Attorney shall be consulted to ensure proper transfer of real property.

**SECTION 3.** This Ordinance shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Anna Maria.

**PASSED AND ADOPTED**, by the City Commission of the City of Anna Maria, Florida,  
in regular session assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Doug Copeland, Commissioner  
Nancy Yetter, Commissioner  
Brian Seymour, Commissioner  
Carol Carter, Commissioner  
Dale Woodland, Commissioner

\_\_\_\_\_  
Doug Copeland, Chairman

I hereby approve this Resolution:

\_\_\_\_\_  
Dan Murphy, Mayor

\_\_\_\_\_, 2017

ATTEST:

Approved as to form and legality for  
the use and reliance of the City of  
Anna Maria only

\_\_\_\_\_  
LeAnne Addy, City Clerk

\_\_\_\_\_  
Gretchen R. H. "Becky" Vose  
City Attorney

**RESOLUTION NO. 2017-723**

**A RESOLUTION OF THE CITY OF ANNA MARIA URGING MEMBERS OF THE FLORIDA LEGISLATURE, AND PARTICULARLY THE LEGISLATIVE DELEGATION OF MANATEE COUNTY, TO OPPOSE HB 17 AND SB 1158 WHICH PREEMPT HOME RULE POWER AND PREVENT CITY ELECTED OFFICIALS FROM TAKING ACTIONS IN THE BEST INTEREST OF THE RESIDENTS OF THE CITY UNLESS EXPRESSLY AUTHORIZED BY THE LEGISLATURE; AUTHORIZES TRANSMISSION OF THE RESOLUTION TO THE MONROE COUNTY LEGISLATIVE DELEGATION, THE FLORIDA LEAGUE OF CITIES, AND OTHER INTERESTED PARTIES.**

WHEREAS, in 1968, Florida voters amended the state constitution conferring broad Home Rule powers to counties and municipalities, authorizing local officials to pass local ordinances and exercise all powers not specifically prohibited by law; and

WHEREAS, HB 17 prohibits counties and municipalities from adopting or imposing new regulations on a business, profession, or occupation; requires the repeal of existing regulations; and establishes a preemption of the City Commission of the City of Anna Maria's ability to act on local problems and opportunities; and

WHEREAS, SB 1158 preempts to the Florida Legislature the City of Anna Maria's authority to adopt and enforce certain ordinances or regulations relating to commerce, trade, or labor unless expressly authorized by law; and

WHEREAS, SB 1158 and HB 17 thwart the ability of the City of Anna Maria to respond in a timely matter to matters of local importance as expressed by local citizens and shifts local matters to the Florida Legislature, a 160 member body that is constitutionally focused on matters of State-wide importance which meets only once a year for 60 days and is located outside the geographic limits of Manatee County, making it difficult for local citizens to effectively petition the Florida Legislature for change; and

WHEREAS, the City Commission of the City of Anna Maria believes opposing HB 17 and SB 1158 is in the best interests of City residents and businesses.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The City Commission of the City of Anna Maria requests the members of the Florida Legislature to oppose HB17 and SB 1158, and directs the Mayor of Anna Maria to transmit a certified copy of this Resolution to the Manatee County Legislative Delegation, the Florida League of Cities, and other interested parties.

**SECTION 2.** This Resolution shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Anna Maria.

**PASSED AND ADOPTED,** by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Doug Copeland, Commissioner  
Nancy Yetter, Commissioner  
Brian Seymour, Commissioner  
Carol Carter, Commissioner  
Dale Woodland, Commissioner

\_\_\_\_\_  
Doug Copeland, Chairman

I hereby approve this Resolution:

\_\_\_\_\_  
Dan Murphy, Mayor

\_\_\_\_\_, 2017

ATTEST:

Approved as to form and legality for  
the use and reliance of the City of  
Anna Maria only

\_\_\_\_\_  
LeAnne Addy, City Clerk

\_\_\_\_\_  
Gretchen R. H. "Becky" Vose  
City Attorney

**PIER RFP FACT FINDING MEETING - TUESDAY MARCH 7, 2017 10AM**

Dan Murphy-Mayor

Brian Rheault-WGI Jeffery Bergmann-WGI

Thomas Pierro-CBI Michelle Pfeiffer-CBI

Murphy outlined the city's expected deliverables from WGI prior to establishing formal negotiation sessions and proposal development for the city commission:

**I. TIME & COST DELIVERABLES**

- A PERT or Gantt chart showing the time and deliverables of producing the required engineering works and having the necessary permits issued.
- An additional set of charts showing each step of the construction process and their estimate of any time required to close the pier due to construction.
- Documents associated with the 2 time steps above stipulating the detailed costs associated their engineering, planning and permitting; another with their estimate of the final construction costs.
- A plan based upon and clearly addressing any time overruns, to include penalties for missed deadlines. Also, a stipulation with the understanding that the city cannot absorb any cost/time overruns such which occurred with the Bradenton Beach groin project.

**II. SCOPE CLARIFICATION**

The scope of the deliverables for the next meeting must include rough work plans, time frames and cost estimates for the following:

- Engineering plans for the refurbishment /construction of the pier base.
- Identify and address all utility issues serving the pier, such as: Gas, water, sewer and electric
- Identify and address plans to deal with any environmental issues associated with sea grass, turtle nesting, dredging, etc.
- Identify and address plans for any necessary refurbishment / reconstruction of the restaurant, bait shop and bathroom facilities
- Include a water taxi landing platform plan capable of berthing a 100'x 35' high speed water taxi with 6' draught
- Divide the work above into phases with clearly defined timeframes, cost estimates and impact on the pier being operational and open to the public

WGI and CBI will provide informal updates of their progress in the meantime. They requested copies of the lease between the pier tenant and the city, as well as copies of any submerged land lease from the State of Florida, Department of Natural Resources.

The next fact-finding meeting is scheduled for the week of March 20<sup>th</sup> with formal negotiations scheduled to begin the first week of April.





# CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216 Phone (941) 708-6130 Fax (941) 708-6134

## AGENDA FEBRUARY 23, 2017 – 6:00 P.M. CITY COMMISSION REGULAR MEETING

**Pledge of Conduct:** We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.

**CALL TO ORDER**

**PLEDGE TO THE FLAG**

**ROLL CALL**

**Present:** Mayor Dan Murphy, Commissioner Carol Carter, Commissioner Brian Seymour, Chair Doug Copeland, Commissioner Dale Woodland, and Commissioner Nancy Yetter.

**Others Present:** City Clerk LeAnne Addy, Deputy City Clerk Debbie Haynes, City Attorney Becky Vose, Islander, and Sun.

### REGULAR MEETING

**General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Commission's intent is that General Public comment is to be used for the public to inform the Commission of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.**

1. General Public Comment

None.

2. City Planner Contract – Authorization for the Mayor to Sign – Mayor

*Mayor Murphy* interviewed five candidates for the City Planner position. Mr. Meyer was chosen with a rate of \$50.00/hr and with a minimum of 36 hours per week. Mayor Murphy is asking for his authorization to sign the agreement.

**Motion: Approve the authorization of Mayor Murphy to sign the City Planner Agreement with Mr. Meyer.**

**Action: Motion by Commissioner Woodland, seconded by Commissioner Seymour.**

**On roll call vote, the motion passed unanimously.**

3. Resolution 17-720 Relating to the Parking – Vose

*Attorney Vose* read the title of Resolution 17-720. Commissioner Seymour asked the Commissioners to consider adding a cross walk on Tarpon. Attorney Vose re-read the title including the cross walk on Tarpon.

**Motion: Approved Resolution 17-720 Relating to Parking.**

**Action: Motion by Commissioner Woodland, seconded by Commissioner Carter.**

**On roll call vote, the motion passed unanimously.**

4. Ordinance 17-827 Formula Retailing – Second Reading – Vose

*Attorney Vose* read the title of Ordinance 17-827 Formula Retailing. This has been advertised correctly and brought forth to the Planning and Zoning Board. No comments.

**Motion: Approved Resolution 17-827 Formula Retailing.**

**Action: Motion by Commissioner Carter, seconded by Commissioner Yetter.**

**On roll call vote, the motion passed unanimously.**

5. Resolution 17-721 SB 188 – Vose

*Attorney Vose* read the title of Resolution 17-721.

**Motion: Approve Resolution 17-721 SB 188.**

**Action: Motion by Commissioner Carter, seconded by Commissioner Woodland.**

**On roll call vote, the motion passed unanimously.**

6. Ordinance 17-828 Special Event Permit – First Reading – Vose

*Attorney Vose* read the title of Ordinance 17-828.

The second reading will be on March 9, 2017 City Commission agenda.

7. Bert Harris – Vose

*Attorney Vose* had nine Bert Harris Claim recommendations to be approved, except for the one on 9802 Gulf Drive LLC.

**Motion: Approve the recommendations for the Bert Harris Claims with exception for the one on 9802 Gulf Drive, LLC as presented by the City Attorney.**

**Action: Motion by Commissioner Seymour, seconded by Commissioner Woodland.**

**On roll call vote, the motion passed 4-1. Commissioner Nancy Yetter, opposed.**

8. City Pier RFP Update – Mayor

*Mayor Murphy* stated that he had closed the RFP for the City Pier. He stated that we received three proposals from WGI Engineering, McLauren Engineering, and Taylor Engineering. He discussed with the Commissioner's the criteria that was used to grade the contracts.

*Mayor Murphy* stated that WGI came in with the best proposal with a grade of 70. The other two companies came in 10-15 points under WGI.

He then asked the City Clerk and the new City Planner to score them. The City Clerk who has great experience with RFPs came in similar to his and the new City Planner also graded them and his came out exactly to his.

*Mayor Murphy* stated that he will need to negotiate the time, price, and scope of the project. If he fails to be able to negotiate with these people, then he would have to go to the number two ranked company which was Taylor Engineering and then 3<sup>rd</sup> being McLauren Engineering. He is asking the Commissioners to authorize him to negotiate with the firm.

*Mayor Murphy* stated that he will keep the Commissioners updated with the negotiations that are taking place. The survey that was done, Phase I will stay in place. The study was done a little bit less than a year ago, but WGI is associated with the company that did the study.

*Attorney Vose* explained to the Commissioners that the CCNA has been enforced for many years and all cities will have to use it when they are hiring a firm as like this one. She did state that there is a threshold of \$35,000.

**Motion: Approve Mayor Murphy to negotiate with WGI as the top ranked engineering firm.**

**Action: Motion by Commissioner Carter, seconded by Commissioner Yetter.**

**On roll call vote, the motion passed unanimously.**

9. City Clerk/Treasurer – Mayor

*Mayor Murphy* stated that we had reorganized the staff to streamline a quicker process and he has eliminated some layers of staff. He stated that the City Finance Director position was looked at and we do not need that position if we combine the City Clerk and the Treasurer. He feels that the current City Clerk, LeAnne Addy is very capable of doing both positions. We would eliminate a full-time position with a savings of approximately \$70,000 on an annual basis.

The City Clerk will be off probation on March 4, 2017. She has made several changes with contracts and etc. He would like to address her salary to go with the title. He stated that he will come back to Commissioners in two weeks with the salary changes. He stated that LeAnne Addy, City Clerk has saved the city approximately \$125,000 of recurring savings per year, which is a lot of money that they can use on other items. No public comments.

## 10. Lobbyist Report

*Mayor Murphy* has had several conversations with the lobbyist. This week and last week he met with Senator Mayfield, Joe Gruters, and Senator Aaron Bean. These are key people on the committees. He stated that we added these three names and their contact information on the website. He asked everyone to please send letters to these members. Mayor Murphy stated that Senator Stuebe is not here for Florida he is here to help the out of state people.

Several people are working on the same lines here in the City of Anna Maria.

*Commissioner Yetter* had a list of over 100 cities and Ruth Uecker very willingly stated that she will help her make the calls. Several people they called have hired their own lobbyists and some of the cities feel that they can never pass this bill.

*Ruth Uecker* who resides at 223 Periwinkle. She offered to help Nancy as it is a very overwhelming task. She spent last week doing this and she enjoyed doing this. She spoke to about 15 out of about 30. A brief overview, there were four that have hired a lobbyist.

Several cities were not aware about SB188 and thanked her for notifying them. It is because they don't have a lot of vacation rentals.

When Ms. Uecker spoke to the Mayor of Madeira Beach he was on his way to Tallahassee.

When she contacted New Port Richey, he was fairly new and has been on the job for a short time and was not aware to any bill or how it would impact his city. He was going to take the information to his City Manager.

Home Away has about 10 lobbyists that are on Senator Stuebe's side and they carry a lot of weight. She stated that we need to keep it up and not give up.

She contacted the Bradenton Herald to see if they could do an article and interview. Amy and Ruth will be interviewed by the Bradenton Herald.

*Mayor Murphy* stated to her "Good Job".

*Amy Tripp* who resides at 750 North Shore Drive had talked to Senator Stuebe. He has a lot of support on the island is what Stuebe stated. She has 287 signatures and comments and would like to send them out. He dug in his heels. The equal property rights are why he is doing this. She believes that we have to keep this up.

*Mayor Murphy* had the conversations with the lobbyist about sending people to go to Tallahassee. He didn't think it was the time right now but he thought that we should be talking to the people who are for it. He feels in the near future we may have to send some people to Tallahassee. The lobbyist looked at who registered for and against this. At that time, it was just him and the lobbyist for the Florida League of Cities.

*Attorney Vose* stated that it would be great to have the names of the other cities lobbyists to give to our lobbyist.

*Ms. Uecker* stated that Holmes Beach had mentioned a name of a lobbyist from Manatee County. She has not heard anything since.

*Chair Copeland* stated that he appreciates what Nancy, Ruth, and Amy are doing.

## 11. Mayor's Comments

*Mayor Murphy* stated that we are currently looking at changing the color of the City Hall to make it a little more professional in appearance.

## 12. Commissioners Comments

Next work session – Chair Copeland would like to discuss on the next worksession the Role of Code Enforcement and

Commissioner Seymour would like to see the discussion of the Sign Ordinance.

Commissioner Woodland stated that he followed up with Sergeant Schnering and apologized for how the noise discussion went at the last meeting. He wanted to thank Sergeant Schnering. He doesn't feel that there is anything we can do at this time on behalf of the city. He feels that the vacation rental places need to do a better job with informing. The deputies are doing a great job. He feels that we don't need to follow-up on this.

Commissioner Carter stated that Heritage Day is March 4, 2017. Chair Copeland stated that it is a good opportunity to see the property that the Public Works department cleaned up.

Commissioner Yetter asked Sergeant Schnering if they had any construction issues on Monday, which was a holiday.

13. City Attorney Comments

None.

14. Staff Comments

Debbie Haynes, stated that there is the movie in the park. March 16, 2017 at 6:30 p.m. Free popcorn.

**15. CONSENT AGENDA: The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.**

- a. Approve Minutes: Special Meeting 2/9/16
- b. Special Event Permit – Tour of Homes – March 18, 2017 from 10:00 a.m. to 4 p.m. - Waive Fee
- c. Special Event Permit – Home Sweet Home – March 19, 2017 from 1:00 p.m. to 3:00 p.m. – Waive Fee
- d. Special Event Permit – The Vintage Flea at Ginny & JaneE's - March 14, 2017 from 8:00 a.m. to 4:00 p.m.

Chair Copeland would like to pull D and Commissioner Yetter would like to pull B from the consent agenda.

Commissioner Yetter stated that she feels that they can afford the fee. The Commissioners' stated that they are nonprofit.

Chair Copeland stated that he pulled item D because at the last event, they didn't have the barricades and for all future special events for the flea market have all the stipulations as discussed to eliminate people from crossing at the middle of the road.

Item D will have the stipulations in place as what was in place during the January, 2017 event.

**Motion: Approve the consent agenda items and to have stipulations in place for The Vintage Flea at Ginny & JaneE's.**

**Action: Motion by Commissioner Carter, seconded by Commissioner Yetter.**

**On roll call vote, the motion passed unanimously.**

**16. CITY DEPARTMENT REPORTS AND UPDATES:**

- a. Sheriff's
- b. Building
- c. Public Works
- d. Code Enforcement/City Pier
- e. City Clerk/Ordinance Update
- f. Finance

**Press Comment**

**Adjournment**

**Motion by Commissioner Carter to adjourn the meeting at 7:35 p.m.**

---

LeAnne Addy, City Clerk

Minutes approved: \_\_\_\_\_

**Ordinance 14-765**

**CITY OF ANNA MARIA**

**AN ORDINANCE OF THE CITY OF ANNA MARIA AMENDING CHAPTER 98, SIGNS, OF THE CODE OF ORDINANCES OF THE CITY OF ANNA MARIA; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO SECTION 98-61, SIGNS, GENERALLY; PROVIDING FOR AMENDMENT TO SECTION 98-62, ON-SITE BUSINESS SIGNS; PROVIDING FOR AMENDMENT TO SECTION 98-7, PROHIBITED SIGNS, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Anna Maria is authorized to regulate the use of land within its corporate boundaries pursuant to the Florida Constitution, Florida Statutes, and the City of Anna Maria Charter; and

**WHEREAS**, the City of Anna Maria recognizes that regulation of speech is subject to the first amendment of the United States Constitution; and

**WHEREAS**, the City of Anna Maria recognizes that signs are important to the general welfare of the City; and

**WHEREAS**, abuse of and proliferation of signage can create unsightliness and have a negative impact upon the aesthetic views and nature of the City; and

**WHEREAS**, the City of Anna Maria does not desire to prohibit or restrict protected speech in violation of the federal or state constitutions but instead desires to provide protection of the residential and small town nature of the City while respecting the protected speech of its residents and visitors; and

**WHEREAS**, the City Commission finds that certain properties should be exempt from permitting requirements when no more than one sign meeting size requirements is posted per property; and

**WHEREAS**, a person desiring to use a their property for speech has numerous alternative methods of speech and is not limited to the use of a single sign on a selected property; and

**WHEREAS**, the City Commission has held workshops and hearings on this matter and finds that these amendments are in the best interest of the City, its residents, visitors and property owners.

**NOW, THEREFORE**, be it Ordained by the City Commission of the City of Anna Maria, the following:

**Section One. Findings of Fact**

The above “whereas” clauses are deemed findings of fact.

**Section Two. Section 98-61 Signs, General**

Section 98-61, Signs, general of the Code of Ordinances of the City of Anna Maria is hereby amended by adding all language shown as underscored and deleting all language shown as strikethrough, so as to read in its entirety as follows:

**Sec. 98-61. Signs, generally.**

Unless otherwise allowed in this chapter, the following criteria shall govern the placement and size of signs in general:

(1) No more than one sign shall be placed upon a property or premises. Balloons, streamers, flags, ~~riders, tubes~~ or similar ~~attention attracting~~ items may not be attached to the sign with the exception for an open house event per subsection 98-7(7)c.

(2) The maximum size of a sign shall be four square feet (single surface) and the sign body shall be oriented parallel to the street and located no further than ten feet from the main structure on the lot or parcel. The maximum height of the sign shall be three feet from the surrounding grade. Fixed attachments or information boxes are not allowed ~~but such attachments or information boxes are prohibited part of the square feet size.~~ Persons desiring to install signs in excess of four square feet as provided in this section may apply for sign permits pursuant to section may apply for sign permits pursuant to section 98-62.

(3) The sign shall be non-moving free-standing, and either securely anchored into the ground with a metal frame or ~~securely attached to a maximum of two four inch by four inch support posts, painted white, with the top of the supporting arm, also painted white.~~ Signs shall not exceed ~~a maximum of five feet from the ground.~~

(4) Colors shall not be florescent day glow or neon type;

(5) All signs in the residential district shall comply with the provisions of Section 98-61 by March 1<sup>st</sup>, 2014.

**Section Three. Section 98-62 On-site business signs**

Section 98-62, On-site business signs of the Code of Ordinances of the City of Anna Maria is hereby amended by adding all language shown as underscored and deleting all language shown as strikethrough, so as to read in its entirety as follows:

**Sec. 98-62. On-site business signs.**

The following specifications shall apply to on-premises signs or on-site signs relating to business operations conducted on the same premises where the signs are located, including without limitation signs erected in C-1 and ROR zoned premises relating to the homes, apartments, cooperative units, condominium units, motel accommodations or other such similar residential uses:

(5) ~~Each separate legal commercial use is allowed one A-frame sandwich board. Such board shall be not exceed 24 inches in width × 36 inches in height, including the A-frame, shall not impede pedestrian traffic or vehicular site distances, shall be allowed during business hours only and shall be removed during inclement weather. In lieu of an A-frame sandwich board, one A menu board may be erected at or near the main entrance and shall not exceed four square feet in size. may erected by the main entrance or if~~ If the menu board is a free standing sign, the sign shall not exceed five feet in height above the surrounding grade.

**Section Four. Section 98-7 Prohibited signs**

Section 98-7, Prohibited signs of the Code of Ordinances of the City of Anna Maria is hereby amended by adding all language shown as underscored so as to read in its entirety as follows:

Sec. 98-7. Prohibited signs.

The following types of signs are expressly prohibited, except as otherwise provided by this chapter:

(17) A-frame sandwich boards.

**Section Five. Repeal of Ordinances in Conflict.** All Ordinances of the City of Anna Maria in direct conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section Six. Severability.** Should any portion of this Ordinance be found by a court of competent jurisdiction to be illegal or unconstitutional, then such portion shall be severed and the remaining portions of the Ordinance shall be unaffected thereby.

**Section Seven. Effective Date.** This Ordinance shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Anna Maria.

**PASSED AND ADOPTED**, by the City Commission of the City of Anna Maria, Florida, in regular session

assembled, this 9<sup>th</sup> day of January, 2014.

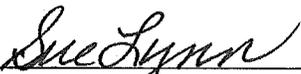
Carol Carter, Commissioner  
Doug Copeland, Commissioner  
Charles Webb, Commissioner  
Dale Woodland, Commissioner  
Nancy Yetter, Commissioner



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Charles Webb, Chairman

I hereby approve this Ordinance:



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Sue Lynn, Mayor

ATTEST



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Alice Baird, City Clerk