



# CITY OF ANNA MARIA

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## MINUTES CITY COMMISSION WORKSESSION/SPECIAL MEETING JUNE 9, 2016 – 6:00 P.M.

**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

The meeting was called to order by Chair Copeland at 6:00 p.m.

### PLEDGE TO THE FLAG

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

**Absent with excuse:** Commissioner Chuck Webb.

**Also Present:** City Clerk Diane Percycoe, Deputy Clerk II/Finance Debbie Haynes, City Attorney Becky Vose, and City Planner Bruce McLaughlin.

**Press:** Sun and Islander.

### 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.

#### 1. Discussion: Ordinance #14-773 – Special Events

Sections of the proposed Ordinance were discussed as follows:

- Beach weddings and beach wedding receptions – Chair Copeland stated he was unaware receptions were allowed.
- Weddings at the home of the bride's family may be processed as an Administrative Special Event – Chair Copeland pointed out “Administrative Special Event” was not defined.
- Notice of the applicant and location of site – The proposed Ordinance requires signed and notarized approval from the property owner when not the owner of the wedding site. If owned or controlled by the City, approval must also be obtained.  
Chair Copeland pointed out that any wedding held in the City, or Special Event taking place on City-owned or controlled property, has to be a non-profit – thus, eliminating all weddings.
- All applications must be received by Public Works within a certain time-period – Chair Copeland reminded the Commission had discussed requiring a minimum application period of six weeks in advance. The Ordinance, however, makes reference to a three-week notice.
- Who actually controls the beach – Chair Copeland stated there was an agreement between the City, State, and County relating to the re-nourished land, where certain property rights were given up in exchange for the renourishment. He felt it would be difficult to determine the owner – so, therefore, difficult to obtain written approval.

Chair Copeland felt the proposed Ordinance needs rewritten. He suggested the Commission determine what they want – and then how those things would be controlled. He noted after recent Commission discussion on this issue, an increase of applications for weddings are being submitted. City Attorney Vose has suggested a moratorium could be implemented on Special Events until such time as a review of the Ordinance can be completed.

Mayor Murphy recommended the Commissioners forward an email to him before the end of the week that includes up to five bullet points on what each Commissioner would like to see in the Ordinance. All suggestions would then be forwarded to City Attorney Vose for drafting an Ordinance for the next meeting. A draft Moratorium Ordinance would also be prepared for consideration in the event the Commission choose to adopt.

Chair Copeland asked that staff research who owns the re-nourished areas.

*City Attorney Vose* informed the City has an over-riding control of the re-nourished lands since it is part of the City - and may want to apply that concept during approval of any wedding requests. However, use of privately-owned property would require the applicant obtaining permission from the property owner.

City Attorney Vose recommended the Moratorium Ordinance be adopted as an Emergency Ordinance in order to become effective immediately after its execution. The Special Events Ordinance can require two readings.

*Commissioner Woodland* informed the Beach Renourishment agreement was primarily with the County, and became effective 1992 through 2042. Explanation followed.

*Commissioner Carter* pointed out the wedding requests involve wedding planners who are conducting a business without having to pay for a venue such as the Sandbar or Beach House.

**Action: Commissioners will email Mayor Murphy with a list of bullet points they would like seen in the final Ordinance. All suggestions will be forwarded to City Attorney Vose for placing into an Ordinance. A draft Moratorium Ordinance will also be written by City Attorney Vose – all for review an upcoming Commission meeting.**

*Chair Copeland* closed the Worksession at 6:16 p.m.

### 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.

*Chair Copeland* called the Special Meeting to order at 6:16 p.m.

#### 1. General Public Comment

*Alex Wagner*, Anna Maria, discussed parking along Pine Avenue. He noted vehicle tires will many times be on the sidewalk - and other times just off the pavement. He reminded when cars are parked on the sidewalk, it will not allow wheelchairs, etc. to get through, and regular users are impaired from utilizing the sidewalk.

Mr. Wagner also stated there will be trucks and cars parked within inches away from the Post Office. He felt the same will gradually happen all along Pine Avenue, stating there is not a sightline - thus causing a person to have to ease out onto the road to avoid oncoming traffic.

*Chair Copeland* announced that persons parking with their wheels on the sidewalk are being ticketed.

#### 2. Historic Preservation Update – *Jack Brennan* (via teleconference)

*Mayor Murphy* reminded one of the primary recommendations of the ULI Study was Historic Preservation in Anna Maria for homes, bungalows, and various sites. After discussions with the other two Island Mayors, areas were divided up to research. Mayor Murphy appointed Jack Brennan as the point lead for the entire Island. Mr. Brennan has met with the other Island Mayors to provide updates.

The model being worked on by Mr. Brennan is the concept of preservation of property – versus a home's complete tear-down. The idea is to provide for benefits for restoring the home through preservation efforts. Mr. Brennan has worked hard through other agencies.

*Jack Brennan*, 119 Oak Avenue, emphasized that the Anna Maria Island Historic Preservation group is working through Mayor Murphy on behalf of all three Cities on Anna Maria Island. Along with the AMI Historic Preservation group, David Cheshire is representing Holmes Beach, and Janie Robertson represents Bradenton Beach.

Mr. Brennan informed resident Maureen McCormick provided him a copy of the Anna Maria Preservation Ordinance. Details followed. He noted a presentation was made to all three Island Mayors this past March. Over the past approximate five months, Mr. Brennan has since spoke to many others such as the County, State Preservation, Resource Directors, etc.

Mr. Brennan noted the City has no volunteer to the Historic Preservation Board that reports to the Historic Preservation Commission to write and administer the Historic Preservation program. Pursuant to the Ordinance, the Anna Maria City Commission can create the Anna Maria Local Registry and Historical Register. Explanation continued. He noted a Certified Local Government Program would allow for Federal Funds - versus matching funds. A survey of all potentially historical sites can be conducted at an approximate \$100 per site.

Mr. Brennan stated he was not personally in favor of Federal grants, but is in favor of the Historic Preservation Program put together by the Federal government. The three Historic Registers include: National Historic Register, State of Florida, and the local Historic Register. The preservation power falls with the local government - versus the Federal or State.

Mayor Murphy and Planner McLaughlin are in the process of getting the Historic Preservation language adopted into the Comprehensive Plan.

Mr. Brennan asked for either Anna Maria residents or business owners to serve as volunteers for the Anna Maria Island Historic Preservation Board. Those persons with specialized professions would serve as ideal volunteers. He would like to create a template for sharing with Holmes Beach and Bradenton Beach, and felt they were at the point of having the City's Ordinance rewritten to fulfill that change.

Explanation followed relating to differences between Federal and local Historical registries. Forming an Anna Maria Local Government Certification allows templates to be created for use by Holmes Beach and Bradenton Beach to follow if desired. Mr. Brennan announced Anna Maria would be hosting a presentation by Michael Zimny, Historic Specialist from the Florida Department of State, Division of Historical Resources, relating to the Certified Local Government program. The presentation will be held in the Anna Maria Chambers on Wednesday, June 22, 2016, 2:00 p.m. – 3:00 p.m. The public is welcome to attend.

Mr. Brennan informed he had sent Anna Maria's Ordinance to the State for their review, who in turn returned the Ordinance with some minor recommended changes. Further explanation and details followed relating to the creation of the board – and about potential changes to Anna Maria's Ordinance.

**3. Ordinance #16-813 – Final Public Hearing – Misleading Advertising – City Attorney Vose**  
*City Attorney Vose* read the Ordinance title. A review of the final changes followed.

*Mayor Murphy* announced the City would be sending a letter to all Vacation Rental owners. A copy of the Ordinance and references will be placed on the City's website.

*City Attorney Vose* stated in order for something to be ruled as a nuisance would require going through the court system. The proposed Ordinance will address any chronic violators.

**Public Comment** – None.

**Motion:** Move that Ordinance 16-813 be approved for Second Reading and adoption.

**Action:** Approved. Moved by Commissioner Dale Woodland, Seconded by Commissioner Carol Carter.

**On Roll Call Vote, the Motion carried unanimously – All Aye.**

**4. Resolution #R16-718 – Building Permit Fees Revision – Planner McLaughlin**

*Planner McLaughlin* informed staff has been revisiting the fees collected by the Building Department. A new Resolution will address when the fees are due and will require a pre-application payment. A review of the proposed Resolution continued.

The final draft Resolution will be placed on the next meeting agenda for further discussion.

**Public Comment** – None.

**5. Consider Renewal of Interlocal Agreement with Manatee County – CDBG/HOME Cooperation Agreement – Mayor Murphy**

*Mayor Murphy* stated this agreement with Manatee County was originally executed by the City in 2001. The purpose is to qualify for Community Development Block Grants - grants from the Federal Government for impoverished areas. The agreement is with the County in order to include the population of Anna Maria so the County will qualify for the Community Development Block Grants. Grants can be utilized for home renourishment, street improvements, remodeling of homes, or development of affordable housing.

While the CDBG grant will have no benefit in Anna Maria, the County has asked the City to renew it so the City's population can be included.

*Chair Copeland* felt the City will actually benefit from the program as a result of the county benefiting from it.

*Commissioner Woodland* voiced his opposition stating he did not trust the Federal Government or the HUD – and does not want to enable HUD and the Federal Government who could dictate how to populate the City. In his opinion, it would make Anna Maria more vulnerable.

*Commissioner Yetter* agreed and saw no need to renew the agreement. She noted the City has done things to benefit the County, but see no benefits in return.

*Commissioner Carter* said in her opinion, no one would be applying for grants in Anna Maria. She agreed there was no reason to renew the agreement.

**Public Comment**

*Alex Wagner* encouraged the Commission to think through the implications of how it looks – when most on the Island is doing fine economically, and the grant resources would go towards the poorest neighborhoods in the County at no cost to the City.

As a citizen, Mr. Wagner felt the City had a responsibility to renew the agreement.

**Motion: Move to deny renewing the CDBG/Home Interlocal Cooperation Agreement between Manatee County and the City of Anna Maria.**

**Action: Moved by Vice-Chair Nancy Yetter, Seconded by Commissioner Dale Woodland.**

**On Roll Call Vote of 3 to 1, the motion to not renew the Interlocal Agreement passed.**

**Yes – to deny renewal – Vice-Chair Yetter, Commissioner Dale Woodland, and Commissioner Carol Carter.**

**No – Chair Doug Copeland.**

**6. Mayor's Comments**

Theft in Anna Maria

*Mayor Murphy* pointed out there had been a high degree of theft of household items in Anna Maria over the past year. However, Anna Maria's Sergeant has cracked the burglary ring and as much as stopped the thefts. Mayor Murphy asked Sgt. Schnering to explain.

*MCSO Sgt. Schnering* stated the Sheriff's Department came across several items of stolen property the end of May – most that weren't even reported yet. The incident is still being investigated. Seven of the eight items have been returned to the property owner.

Sgt. Schnering said after coming to Anna Maria three months ago, he had noticed the comparison in stats from the previous year. Returning the stolen property was very satisfying to him. He complimented the attributes of the Deputies on staff.

Sgt. Schnering asked that anything found to be suspicious should be reported immediately.

7. **Commissioners Comments** – None.
8. **Attorney's Comments** – None.
9. **Staff Comments** – None.

**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.

*Chair Copeland* asked that all Consent Agenda items be considered on an individual basis.

**10. Special Event: Ferriell – Lorenz Wedding – June 16, 2016 – 3:00 pm – 6:45 pm**

*Chair Copeland* informed the address location was listed as Spring Avenue/Spring Lane. He noted the application did not include approval from the property owner. He stressed the importance of knowing where the wedding would be taking place.

*Commissioner Carter* noted though a somewhat simple wedding, they were allowing for just over three hours.

**Public Comment** – None.

**Motion:** Move to deny the Special Event Permit request relating to the Ferriell - Lorenz Wedding of June 16, 2016 – 3:00 pm to 6:45 pm.

**Action:** Approved Denial. Moved by Vice-Chair Nancy Yetter, Seconded by Commissioner Carol Carter.

**Roll Call Vote - All Aye.**

**11. Special Event: Tsambiras Wedding – June 17, 2016 – 3:00 pm – 8:15 pm**

*Chair Copeland* pointed out there was no written permission from the property owner – therefore, feeling the application is incomplete.

*Commissioner Carter* voiced concern about the wedding duration being over five hours and 50 people.

**Public Comment** – None.

**Motion:** Move to deny the Special Event Permit request relating to the Tsambiras Wedding of June 17, 2016 – 3:00 pm to 8:15 pm.

**Action:** Approved Denial. Moved by Commissioner Dale Woodland, Seconded by Commissioner Carol Carter.

**Roll Call Vote - All Aye.**

**12. Special Event: Rumi – Hedgepeth Wedding – July 31, 2016 – 4:00 pm – 8:30 pm**

*Chair Copeland* announced the wedding location was listed as Spring Avenue/Spring Lane with no property owner permission. As a result, the application is incomplete.

**Public Comment** – None.

**Motion:** Move to deny the Special Event Permit request relating to the Rumi - Hedgepeth Wedding of July 31, 2016 – 4:00 pm to 8:30 pm.

**Action:** Approved Denial. Moved by Commissioner Dale Woodland, Seconded by Commissioner Carol Carter.

**Roll Call Vote - All Aye.**

**13. Special Event: Weaver – Devleeschower Wedding – July 31, 2016 – 4:00 pm - 8:30 pm**

*Chair Copeland* stated the application was incomplete.

**Public Comment** – None.

**Motion:** Move to table the Special Event Permit request relating to the Devleeschower Wedding of July 31, 2016 – 4:00 pm to 8:30 pm.

**Action:** Approved to Table Request. Moved by Commissioner Carol Carter, Seconded by Commissioner Dale Woodland.

**Roll Call Vote** - All Aye.

**14. Special Event: Lieberman – Wagner Wedding – October 8, 2016 – 2:30 pm – 7:15 pm**

Noting the application states a location of Gladiolus and North Shore, *Chair Copeland* said the location was not specific. Therefore, the application was not complete.

**Public Comment** – None.

**Motion:** Move to table the Special Event Permit request relating to the Lieberman – Wagner Wedding of October 8, 2016 – 2:30 pm to 7:15 pm

**Action:** Approved to Table Request. Moved by Vice-Chair Nancy Yetter, Seconded by Commissioner Carol Carter.

**Roll Call Vote** - All Aye.

**15. Special Event: 50<sup>th</sup> Anniversary Vows Renewal – December 1, 2017 – 3:00 pm – 6:00 pm.**

**Public Comment**

*Special Event Applicants* addressed the Commission to answer any questions the Commission may have.

*Chair Copeland* informed at the last meeting, the Commission had discussed either tabling or denying the request.

*Mayor Murphy* stated there was no tax exempt status as required by the current Ordinance.

**Motion:** Move to table the Special Event Permit request relating to the 50<sup>th</sup> Anniversary Vows Renewal scheduled for December 1, 2016 – 3:00 pm to 6:00 pm.

**Action:** Approved to Table Request. Moved by Commissioner Carol Carter, Seconded by Vice-Chair Nancy Yetter.

**Roll Call Vote** - All Aye.

*Mayor Murphy* stated he had conversations with the Wedding Planner and informed the weddings would likely be denied due to the lack of information. The Wedding Planner has been handling weddings for over a year without any permits.

**Press Comment** – None.

**Adjournment**

The meeting was adjourned by Chair Copeland at 7:20 p.m.



Diana L. Percycoc, CMC, City Clerk

Minutes approved: 9/22/16