



CITY OF ANNA MARIA

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MINUTES CITY COMMISSION SPECIAL MEETING JULY 14, 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

Chair Copeland called the meeting to order at 6:00 p.m.

PLEDGE TO THE FLAG

ROLL CALL

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

Excused: Commissioner Chuck Webb.

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

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

Mayor Murphy thanked Commissioner Copeland, City Clerk Percycoe, Deputy Clerk II/Finance Haynes, and Public Works for their assistance with the new pictures hung in the Commission Room and hallway. Chair Copeland framed all the artwork that came from the Historical Society. Ms. Percycoe and Ms. Haynes laid out the format as to where each picture should go. Public Works hung the pictures earlier that day.

Chair Copeland said having time to look at the pictures during their framing really shows the development and historical perspective of the Island.

2. Approval of Stormwater Project for Gladiolus/N Shore/Alamanda – \$88,000 – Contingency Fund – *Mayor Murphy/Engineer Lynn Burnett*

City Engineer Burnett addressed the stormwater work for Gladiolus Drive. Noting they had struggled in the past to make an attempt to fix some of the areas, they had encountered an extreme high – perched water table. With those elevations being lower, there is no good way to get the water from point A to point B.

An approach has now been established that will go in alongside the road and stalls the infiltration trench, then every 50 to 100-ft. will go deeper to reestablish a better connection. Doing so will require working around existing utilities, driveways, etc. A Phase I approach has been provided to the Commission to handle the approach from Gladiolus Drive from North Shore to Poinsettia, with additional Phases that can be continued in the future.

The Commissioners are being asked to approve the request for work to be completed by Woodruff & Sons to work on that section of the project. Once approved, construction will commence mid-August - with completion by September 30, 2016.

Mayor Murphy requested Commission approval to take \$88,000 from the Contingency Fund for the project. The Contingency Fund currently has a \$140,000 balance.

Engineer Burnett explained the City is wrapping up the last portion of work (on Archer Way and southern end of City) for this Fiscal Year. The next fiscal year and grant cycle will cover more of the City. It is hoped the City can

move forward and then present those invoices to SWFWMD next fiscal year for 50% of those funds to come back to the City.

Update relating to the infiltration systems and paving were presented by Mayor Murphy and Engineer Burnett.

Public Comment

Jeff Nash, 705 Gladiolus, stated he is happy the stormwater issues will be addressed in his area.

Motion: Move to approve utilizing \$88,000 from the Contingency Fund for the purpose of completing the Stormwater Project for Gladiolus, North Shore, and Alamanda.

Action: Approved. Moved by Commissioner Carol Carter, Seconded by Commissioner Dale Woodland. On Roll Call Vote, motion carried unanimously.

3. **Ordinance #16-814 – Public Hearing and Final Reading – Misleading Advertising – *City Attorney Vose***
City Attorney Vose read the Ordinance title.

Chair Copeland opened the Public Hearing.

Hearing no public comment, Chair Copeland closed the Public Hearing.

Motion: Move that Ordinance 16-814 be approved for Second Reading and Adoption.

Action: Approved. Moved by Vice-Chair Nancy Yetter, Seconded by Commissioner Carol Carter. On Roll Call Vote, motion carried unanimously.

Mayor Murphy informed letters will be mailed to all vacation rental units in the City. The letter will include information on the Ordinance, and the maximum number of people that can be advertised for. Letters will go out the upcoming week, with enforcement to begin in approximately 20 to 30 days.

4. **Ordinance #16-815 – Public Hearing and Final Reading – Citation Process – *City Attorney Vose***
City Attorney Vose read the Ordinance title.

It was questioned if the Ordinance also applies to parking citations, and that a warning must first be issued.

City Attorney Vose stated she did not change anything relating to the warning issue and will need to check on any special code provision relating to parking.

Action on this item was postponed to allow time for the City Attorney to research the Code.

After Commissioners comments, *City Attorney Vose* informed there was reference in the Florida Statutes for non-moving violations. They would therefore be exempt. The following motion was then made:

Motion: Move that Ordinance 16-815 be approved for Second Reading and adoption.

Action: Approved. Moved by Commissioner Carol Carter, Seconded by Vice-Chair Nancy Yetter. On Roll Call Vote, the motion carried unanimously.

5. **Ordinance #16-817 - First Reading – Special Events Ordinance – *City Attorney Vose***
City Attorney Vose read the Ordinance title.

Commissioner Woodland said after reading the Ordinance, he was unsure what issues the Commission was wanting to resolve. He felt the main concern related to commercial Wedding Planners holding weddings on the beach.

City Attorney Vose noted the purpose did relate to the commercial weddings being held on the beach. She drafted the Ordinance so the entire Special Events Ordinance would be clearer.

Mayor Murphy reminded weddings on the beach had to be declined due to not being tax exempt and having to show that status. Ordinance 16-817 also addresses that concern.

Commissioner Woodland felt the Ordinance could be more simply written. He felt the problem being addressed related to commercial use of the public beach. He suggested there be a section in the Ordinance stating commercial weddings on the beach are not allowed.

City Attorney Vose noted there was also additional Commission discussion. An example included the family reunion request that had to be denied due to no tax exemption, etc.

Mayor Murphy pointed out the Commission was only trying to regulate the weddings – not prohibit them. Prohibiting them would be impossible to enforce.

Commissioner Carter questioned if fireworks on the beach would be required to have a Special Events Permit.

Commissioner Yetter suggested a summarized handout, that explains the Ordinance, be made available to the public when applying for a Special Events Permit.

Mayor Murphy and City Attorney Vose will review prior to the Second Reading scheduled for August 11.

Public Comment – None.

6. Emergency Ordinance #16-818 – Moratorium – Formula Retail Permitting - *City Attorney Vose*
City Attorney Vose read the Ordinance title.

Commissioner Woodland felt the City needs assistance from the beginning from the Chamber, Real Estate companies, etc. who would be affected by the Ordinance.

City Attorney Vose informed the Emergency Ordinance will only be good for 60-days. Within that 60-days, an additional moratorium will then need to be approved through the normal Ordinance process.

Mayor Murphy felt it was best to structure the Formula Retail Ordinance similar to the other Island Cities.

Commissioner Yetter questioned the number of 11 as referred to under the definition of Formula Retail Businesses and the amount that can be allowed. She suggested the number be reduced to three (3).

Commission discussion followed. It was noted a couple of businesses that started in Anna Maria have now become franchises.

After discussion, it was agreed the number be changed to three (3).

Chair Copeland opened the public comment portion of the Hearing.
Hearing no public comment, he closed the Public Hearing.

Motion: Move that Emergency Ordinance #16-818 be adopted to include the amendment to change the number of Formula Businesses that will be allowed from 11 to 3.

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

On Roll Call Vote, the motion carried unanimously.

7. Approve Renewal of M.T. Causley Contract for Building Services - *Mayor Murphy*

Mayor Murphy asked for approval of the renewal contract, noting there would be no cost of living increase. All rates remain the same for the upcoming year.

Public Comment – None.

Motion: Move to authorize the Mayor to execute the renewal contract between the City of Anna Maria and MT. Causley for Building Services.

Action: Approved. Moved by Commissioner Dale Woodland, Seconded by Commissioner Carol Carter. On Roll Call Vote, the motion carried unanimously.

8. Update regarding Budget Process and Millage Rate – FY 2016-2017 – Mayor Murphy

Mayor Murphy announced the Commission will be asked to establish the millage rate for FY 2016-2017 at the next meeting. The City's millage is currently 2.05. Keeping the same 2.05 millage rate will result in the increase in value of homes that will net the City an additional \$191,000. He explained that:

- A millage increase to 2.756 will require a unanimous vote of the Commission. Doing so would be an approximate \$100,000 additional amount for the City.
- Millage increase to 2.0687 requires a super-majority vote of the Commission and would net an additional \$9,000 for Anna Maria.

Commissioner Woodland stated the reason for even considering a millage increase is a result of the Bert Harris claims. However, he did not feel it would be worth increasing the millage to the maximum.

Public Comment – None.

9. Mayor's Comments – None.

10. Commissioners Comments

ManaSota League of Cities

Commissioner Carter announced the ManaSota League of Cities is sponsoring a candidate forum for the District 23 Senate race on Tuesday, July 19 – 8:30 a.m. to 2:00 p.m. – City of Sarasota City Hall. There are seven candidates including Senator Steube. Breakfast and lunch will be served. Questions will be asked that were received from the various Cities, including questions presented by Anna Maria.

The candidate forum has been noticed by City Clerk Percycoc in the event more than one Anna Maria Commissioner will be in attendance.

Ethics Training

Elected Officials are all required to have ethics training on an annual basis. Training can be completed online. The training will also be available during the Florida League of Cities Conference in August.

New Historical Society Boardmember Introduced

As liaison to the Historical Society, *Commissioner Carter* introduced new Historical Society Boardmember Barbara Murphy.

Tiki Hut Suggestion

Chair Copeland presented the suggestion of incorporating Tiki Huts at the City Pier Park and for Trolley Stops. He felt they would give the City a unique look and asked the Commission to consider. Construction of the Tiki Huts can be accomplished within a ten-day time period. Chair Copeland noted there are 13 Trolley Stops. He noted the Tiki Huts are exempt from all Florida Building Codes and FEMA requirements.

➤ City Pier Park

Chair Copeland noted the City had an offer from an outside party several months ago to build a gazebo on the City-owned six lots (City Pier Park). The estimated cost was \$45,000.

Chair Copeland informed he met with Alex from the Seminole Tiki Hut Corporation the previous day. Chair Copeland presented written information to the Commission explaining the proposed structure that the company would build. The Tiki Hut cost is \$5,760, and deck at \$3,300, for a total cost of \$8,160 - as opposed to \$45,000 for a gazebo. Explanation followed relating to the 10-ft round umbrella stands with tables built around them, priced at \$2,000 each.

➤ Trolley Stop Shelters

Chair Copeland stated he had asked for Trolley Stop Shelters in the last budget that had not yet been built. As a result, he received an estimate from the Seminole Tiki Hut Corporation for a two-pole Tiki with a 6-ft. x 9-ft. shelter. Total cost would be \$2,800 each, with a thatch life expectancy of eight to ten years. Cost to rethatch is between 25% and 30%. There is a five-year guarantee against any leaking.

Mayor Murphy informed Trolley Stops were not part of the City's budget. The County provides the Trolley Stops and they had went out for bids. However, no bids were received. An additional RFP has been put out that is still pending.

Chair Copeland suggested the County be asked to cover the cost for the Tiki Hut idea.

Weddings on the Beach

In response to *Commissioner Yetter*, *Mayor Murphy* informed all recent applications for weddings on the beach were either tabled or rejected.

Commissioner Yetter suggested the application request for December 2017 be reconsidered for approval.

Discussion followed. City Attorney Voss informed the Moratorium Ordinance allows the City Commission to consider exceptions to the Moratorium.

It was agreed all Special Use Permit applications, recently tabled by the Commission, would be placed on the next meeting agenda for reconsideration.

Federal Complaint

Chair Copeland thanked City Attorney Vose for action taken by her relating to the Federal Complaints. Details followed.

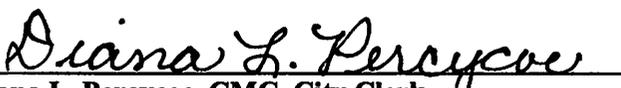
11. **Attorney's Comments** – None.

12. **Staff Comments** – None.

Press Comment – None.

Adjournment

Chair Copeland adjourned the meeting at 7:07 p.m.


Diana L. Percycoe, CMC, City Clerk

Minutes approved: July 21, 2016