



# CITY OF ANNA MARIA

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## MINUTES CITY COMMISSION REGULAR MEETING FEBRUARY 25, 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, Commissioner Chuck Webb, Commissioner Doug Copeland, and Commissioner Carol Carter (via phone conference).

**Also present:** City Clerk Diane Percycoe and City Attorney Becky Vose.

**Press:** Sun and Islander.

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

#### Introduction of Anna Maria's new Sergeant

*Sgt. Davis* introduced his replacement – Sgt. Russell Schnering, who has been with the Sheriff's Office for the past six years.

*Sgt. Schnering* addressed the Commission stating he was looking forward to working in Anna Maria.

*Chair Copeland* welcomed Sgt. Schnering and also thanked Sgt. Davis for his service to the City.

#### Request from Manasota Move to Amend

*Ruth Rouck*, 600 N. Shore Drive, representing Manasota Move to Amend, asked the Commission to adopt a Resolution in support of a constitutional amendment declaring that only living persons – not corporations – are entitled to free speech and other protections under the Constitution. A sample Resolution was presented with Ms. Rouck noting the City of Sarasota adopted a similar Resolution the previous week.

Ms. Rouck presented an explanation as to the purpose of her request stating it is up to we, the people, to safeguard our democracy, communities, and natural environment. She noted the reason Manasota Move to Amend was asking the Commission to adopt the Resolution is that effects are being felt locally. Examples included opposition to the Manatee County Local Sales Tax in 2013 and that developers have sought to overturn or weaken laws intended to protect the environment.

Ms. Rouck asked the City to join with 600 other communities in 17 states that have gone on record to support the reform.

*Diane Canniff*, 327 Tarpon, spoke in support of the proposed Resolution presented by Ms. Rouck. She encouraged the Resolution to be placed on a future agenda for further discussion. She felt Anna Maria was affected - stating one developer has hired undocumented immigrants to work for him, has allowed people to occupy a building not yet receiving a Certification of Occupancy, and is now putting the City and taxpayers in a position of potentially going to Federal Court.

Ms. Canniff stated she supports the Resolution, and many other municipalities have also supported it. The move to amend the Constitution is also supported by Common Cause and Public Citizen – both of which she belong to.

*Chair Copeland* asked that the proposed Resolution be placed on the next meeting agenda for Commission discussion.

**2. Ordinance 16-811 - Final Hearing – Repeal Moratorium – City Attorney Vose**

*Chair Copeland* announced City Attorney Vose brought to his attention she has questions and was not completely comfortable with some of the wording in Ordinance 16-811. Due to City Attorney Vose being in the process of preparing for two separate cases, she had not had the opportunity to review the Ordinance in detail. She has asked for the Ordinance to be delayed until a date and time certain after April 1.

**Public Comment – None.**

**Motion: Move that the Second Reading and Public Hearing for Ordinance 16-811 be continued to the time and date certain of Thursday, April 14, 2016, 6:00 p.m.**

**Action: Approved. Moved by Commissioner Chuck Webb, Seconded by Commissioner Dale Woodland.**

**Motion carried – All Aye.**

**3. City Pier Study – Mayor Murphy**

*Chair Copeland* announced a letter was received from John Ritz asking it be read into the public record. However, each Commissioner had received the letter and it is also in the read file available for public review. Mr. Ritz is in favor of building a new Pier.

*Mayor Murphy* informed he had met with each Commissioner separately to review the following options for the Pier:

- Do nothing - and the Pier will last an additional five years.
- Entirely rebuild the Pier – providing a life expectancy up to 50 years. The downside of this option is its doubtful permits to include a bait shop or restaurant could be obtained.
- Refurbish the Pier – providing a life expectancy up to 25-30 years.

*Mayor Murphy* recommended the Pier be refurbished. He pointed out the character and ambiance of the City Pier includes a restaurant and bait shop area. To lose them would be a significant loss to the City, County, and State – due to it being a historical destination.

*Commissioner Webb* agreed informing the DEP and Army Corp of Engineers will not allow piers like the Anna Maria City Pier to be constructed again like it currently sits – to include the bait shop and restaurant.

*Commissioner Yetter* disagreed feeling the renovations would not last that long – and the City would be paying as much money to repair it twice as they would to replace it now. She suggested it be rebuilt with an area at the end where people could sit and gather. She felt repairing it would only be a band aid approach.

*Commissioner Woodland* looks at refurbishing the Pier from the historical perspective which he feels is very important since it serves as a landmark.

**Public Comment**

*Diane Canniff*, 327 Tarpon, questioned what would be included with the refurbishing.

*Mayor Murphy* explained only modern materials would be utilized, decking would be replaced in some areas with new up-to-date materials, and the restaurant would be brought up to code to most likely include the roof and sub-portions underneath.

*Ms. Canniff* asked if the cost - versus the alternative of rebuilding the Pier - had been amortized over the 30-years, and if the footprint would be the same.

*Mayor Murphy* informed he will be meeting with the Pier tenant on March 18 to begin discussions relating to the financial aspect and how it will get paid for. A planned approach for the funding should be determined and presented to the Commission by the end of March. He hopes to find other places for obtaining the funds and plans to begin with the tenants, County and State, seeking Federal grants, etc. since it serves as a historical location.

Mayor Murphy felt refurbishing the Pier would last as long as replacing it – therefore, less expensive to refurbish it.

*Margaret Jenkins*, Chilson Avenue, spoke in favor of refurbishing the Pier because of its historic purposes, and also having the ability for the restaurant to be retained - which brings income to the City.

*Mary Merkel* spoke relating to replacement of the Pier.

*Commissioner Carter* stated she was in favor of refurbishing the Pier.

*Mayor Murphy* noted he would need to determine the costs for addressing the Pier repairs. He ask the Commission to give him direction on which of the three options they wished to pursue. The financial aspect would be brought back to the Commission after details have been determined.

**Motion: Move to refurbish the Anna Maria City Pier and authorize the Mayor to move forward.**

**Action: Approved. Moved by Commissioner Chuck Webb, seconded by Commissioner Dale Woodland.**

**Motion carried on a roll-call vote of 4 to 1 with Vice-Chair Nancy Yetter voting No.**

- 4. Authorization for Mayor to Sign an Agreement with M.T. Causley for Planner Services – *Mayor Murphy***  
*Mayor Murphy* introduced the name of Bruce McLaughlin who he recommends as the candidate to fill the City Planner vacancy due to the recent resignation of Alan Garrett. Mr. McLaughlin currently serves under contract with M.T. Causley at a rate of \$65 per hour for City Planner services and would work in Anna Maria 16 hours and up to 24 hours per week. It was noted, however, the contract would not limit Mr. McLaughlin to only 24 hours per week. Also, some of Mr. McLaughlin’s work can be done at his home in Indian Rocks.

The current workload will be evaluated next week. Mayor Murphy informed Mr. Garrett has agreed he would still be accessible either by phone or in-person, if needed.

**Public Comment – None.**

**Motion: Move to authorize the Mayor to execute a contract with M.T. Causley for Planner Services.**

**Action: Approved. Moved by Commissioner Dale Woodland, Seconded by Commissioner Chuck Webb.**

**Motion carried – All Aye.**

**5. Agenda Priority Lists**

*Commissioner Woodland* reminded on April 8, 2014 he had submitted a proposal on one of the items on the list he sent out just last month – Right-of-way Parking. He said as of this date, the right-of-way parking has not been addressed by the Commission.

Commissioner Woodland felt there are numerous items the Commissioners feel need addressed, and an Agenda Priority List would assist in prioritizing and documenting the different issues. He further suggested one or two of the items on the priority list be added onto each Agenda that could also be addressed during meetings if time permits.

*Commissioner Webb* presented the following items he would like on upcoming Work Sessions:

- Stated during the last election, issues arose concerning candidacy. After reviewing the City’s code, along with the FL Constitution, and FL Election Statutes, he felt the City’s codes need addressed. Noting the County handles the canvassing board on the even years, he said there is nothing in the City’s codes that reflect the City-required canvassing board on the odd years. He suggested City Attorney Vose’s legal partner, who is an expert on elections, be asked to review the code to determine what changes are needed.
- An area addressing fences in the code needs reviewed and possibly amended.
- Felt the Commission need to review how the preservation of historical structures should be addressed.
- In addition, clarification is needed as to what should occur prior to the issuance of a Certificate of Occupancy.

*Commissioner Yetter* suggested the following issues:

- As a #1 priority, she suggested addressing when there are several construction projects occurring at the same time in the same location which creates traffic and congestion concerns. She suggested some type of staging be enforced where multiple construction activities occur in the same area.
- Re-address the parking issue – especially on beach access streets.

*Commissioner Carter* presented her suggestions.

*Chair Copeland* asked each Commissioner, Mayor, and all departments to each submit a list of their suggested priorities. The Commission will then review all suggestions at an upcoming Work Session to establish the priorities.

*Commissioner Woodland* recommended addressing Vacation Rentals in the ROR District.

*Chair Copeland* informed he had made a request of City Attorney Vose earlier that day to draft an Ordinance addressing occupancy in the ROR District. The draft will be reviewed by the Commission at the next meeting.

**6. Request for Shade Meeting for Civil Action Suit – *City Attorney Vose***

*City Attorney Vose* requested a Shade Meeting to be held one hour prior to the next Commission meeting.

**Motion: Move that a Shade Meeting be held on Thursday, March 10, 2016 at 5:00 p.m.**

**Action: Approved. Moved by Commissioner Chuck Webb, Seconded by Vice-Chair Nancy Yetter.**

**Motion carried – All Aye.**

**7. Mayor's Comments**

Vacation Rental Application Update

The City is beginning to receive Vacation Rental Applications. *Mayor Murphy* commented it appears many may be holding off to submit their applications for the April 1 deadline.

City Pier Park Comfort Station Update

The City Pier Park Comfort Station is near completion.

City Finances

Mayor Murphy will be making a presentation on changes being made in regard to the City's finances for optimizing and maximizing benefits to the City.

Website Update

The new Website went live this week. Staff has the ability to make changes, additions, etc.

**8. Commissioners Comments**

Agenda Priority List

*Chair Copeland* asked the Commissioners to provide their list of Agenda priority items to City Clerk Percycoe as soon as possible so they can be provided to the Commissioners prior to the next meeting.

**9. 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.**

- Approve Minutes: 1/14/16 Special Meeting; 1/28/16 Regular Meeting**
- Special Event: AMICC Tour of Homes – 3/19/16 - 10a.m. – 4p.m.**
- BP#16-000049 – CrossPointe Fellowship, Inc. – Request to waive building permit fees - \$981.18**

**Motion: Move that the Consent Agenda be approved as presented.**

**Action: Approved. Moved by Commissioner Chuck Webb, Seconded by Commissioner Dale Woodland.**

**Public Comment:**

*Diane Canniff*, 327 Tarpon, said though she was unaware item c. BP#16-000049 would be on the Consent Agenda, she questioned why the Building Permit fees were asked to be waived.

*Mayor Murphy* explained CrossPointe Fellowship is a not-for-profit operation.

*Commissioner Webb* informed the City has traditionally waived Building Permit fees for non-profit organizations - which include the churches.

*Ms. Canniff* noted the church does not pay any real estate tax, sales tax, or taxes on investment income. She felt waiving the Building Permit fees would be an additional subsidy provided by the City.

**Motion carried – All Aye.**

**10. 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**

The press asked for clarification on contracting with the City Planner. *Mayor Murphy* responded.

**Adjournment**

The meeting was adjourned at 6:53 p.m.

  
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Diana L. Percycoe, CMC, City Clerk

Minutes approved: March 24, 2016