

**CITY OF ANNA MARIA
REGULAR CITY COMMISSION MEETING MINUTES
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, FEBRUARY 26, 2009
7:00 P.M.**

CALL TO ORDER

Commission Chair Quam called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

ROLL CALL: Mayor Fran Barford, Commissioner Jo Ann Mattick, Commissioner Dale Woodland, Chair John Quam, Deputy Chair Christine Tollette, and Commissioner Chuck Webb.

Staff present: City Clerk Alice Baird, Finance Director/Deputy City Clerk Diane Percycoe, City Attorney Jim Dye, Building Official Bob Welch, City Planner Alan Garrett, and Minutes Clerk Stacey Johnston.

Press present: Sun and Islander.

1. **Approve Minutes of:
City Commission Regular Meeting held January 22, 2009.
Special City Commission Meeting held February 12, 2009.**

MOTION: Commissioner Tollette moved that the Regular Meeting Minutes held January 22, 2009, and the February 12, 2009 Special City Commission Meeting Minutes be approved as written. Commissioner Woodland seconded the motion. Motion carried – All Aye.

2. **Commissioner Reports.
Chamber of Commerce Update**

Commissioner Tollette attended the February 11, 2009 Chamber meeting. It was announced that the March issue of *Southern Living* would feature an article on Anna Maria Island.

The Chamber recently sponsored a very successful Wedding Festival taking in over \$12,000. Approximately 300 brides participated.

Community Center Update

Commissioner Tollette informed that the Board of the Community Center has asked her to inquire if the Commissioners would be interested in participating in a joint meeting with the Community Center Chair and Director. They would like to discuss the City's relationship with the Community Center and also report on the survey they sent out. The Commission is in support of the joint meeting. Mayor Barford will follow-up with the Community Center for setting the meeting date.

Anna Maria Island Historical Society

Commissioner Mattick attended the annual AMI Historical Society luncheon. Historical recognition and plaques are continuing to be awarded for those homes of over 50 years of age. There has been a great demand for the program.

The Annual Festival will be held on the Historical Society grounds on Saturday, March 7, 2009 – 10:00 a.m. to 4:00 p.m.

3. **Mayor's Report**

MPO Board - Economic Recovery Stimulus

Mayor Barford reported that the MPO Board for Economic Recovery Stimulus Prioritization met on February 12, 2009 to review and prioritize projects submitted by MPO jurisdictions for funding consideration for FDOT by the local stimulus project list.

The Committee unanimously recommended to the MPO Board that a special meeting be held on March 2, 2009 for Manatee County projects including the City of Anna Maria.

The County is expected to receive \$9 to \$11 million dollars. The projects for Anna Maria include:

- Sidewalk and bike paths @ \$100,000
- Resurfacing of Gulf Dr. and Pine Ave. @ \$120,000
- Eight Trolley shelters @ \$64,000
- Crescent Bridge and N. Shore Bridge structural improvements @ \$650,000

Staff has been working with FDOT. Additional information will be provided after the March 2, 2009 meeting.

Economic Stimulus – Stormwater Project

SWFMUD has recommended that the City of Anna Maria proceed with the Stormwater Phase II project in June 2009 and not request an extension unless absolutely necessary.

Economic Stimulus – Manatee County Bridge

Manatee County has an urgent request to be sent in on Friday, February 26, 2009 relating to the support for the Manatee County Bridge replacement. *Mayor Barford* asked for a consensus allowing her to send a letter in support of the bridge replacement - that would not commit to any specific design – only that the use of the stimulus dollars should be used for that purpose. Public hearings, etc. would be required later.

Commissioner Webb said he would be in support, however, would not be in favor of anything other than a drawbridge design.

It was the consensus of the Commission that the Mayor sends a letter in support.

Erosion Control

The City of Anna Maria is working with Congressman Buchanan and meeting with residents on the Bay side of the Island relating to erosion problems that had occurred over the years. Congressman Buchanan met with the Corp of Engineers regarding the issues in the City. Surveys and studies will be conducted.

LAP (Local Agency Programming) Transportation Enhancement Grant

Mayor Barford voiced appreciation for Commissioner Mattick attending the recent County Commission meeting to discuss the City's grant project. The City is pursuing piggybacking with the County in an Interlocal Agreement for LAP assistance for moving the project forward.

Fireworks Taskforce

The Fireworks Taskforce met the previous Monday with law enforcement and fire district representatives from Anna Maria and Longboat Key. This year's focus will be for educational opportunities, utilizing municipality websites, public service announcements, signboards, and the Chamber's support for disseminating information on the laws regarding fireworks to the rentals on the Island and on Longboat Key. A follow-up meeting will be held in May 2009. There will be no enforcement or confiscation of fireworks this year.

Cultural Connections Meeting Update

Mayor Barford and Commissioner Mattick attended the Cultural Connections meeting with the Island Mayors. Mayor Barford distributed information to the Commission relating to the group.

4. City Audit Report 2007/2008 – Ed Leonard.

Auditor Ed Leonard, CSL, thanked the Mayor, staff, and City Commission. He presented the audit report, balance sheets, notes to the financial statements, and management letter in detail. Mr. Leonard informed that the City is in a good financial position.

Commissioner Woodland complimented Mr. Leonard on how the written report was represented.

Chair Quam thanked Mayor Barford, Finance Director Percycoe, and the City staff on an excellent job.

**5. Request authorization for Chairman and Mayor's Signature on Plat of Cherry Fish Subdivision on North Shore Drive.
(Approved as Administrative Review)**

Planner Garrett explained that the request is to take two platted lots and making it into a single lot. There is an existing house that straddles both the metes and bounds portion and the platted portion. This request is to help correct that issue. No intensity or density will be increased.

City Attorney Dye stated he was not aware of any legal issues relating to this property.

Planner Garrett confirmed that both the surveyor's for the applicant and for the City had reviewed all information prior to the signing of the Plat.

MOTION: Commissioner Woodland moved to authorize the Chair's signature on the Certificate of Approval on behalf of the City of Anna Maria, along with the Chair and Mayor's signature on the Mylar Plat for the Plat of Cherry Fish Subdivision. Commissioner Webb seconded the motion. Motion carried – All aye.

6. **Request authorization for Chairman's Signature on Final Site Plan for 303 Pine Avenue (Hunt Property). Resolution R-09-651 – Approving Administrative Changes & Extension of Filing Building Permit to April 1, 2010.**

City Clerk Baird read the Resolution by title.

Planner Garrett explained that the final plat was approved on October 25, 2007. At that time, the City Commission granted an extension for having to file a Building Permit until April 1, 2010. Being a valid Site Plan, there was a minor administrative amendment that increased parking by three spaces and relocated the bicycle facility. In order to codify the issue, staff is asking that the Chairman be authorized to sign the new Resolution that allows for the minor changes.

MOTION: Motion was made by Commissioner Woodland and seconded by Commissioner Tollette to authorize the Chair's signature on the Resolution codifying the administrative changes to an approved Final Site Plan at 303 Pine Avenue. Motion carried – All Aye.

7. **Request authorization for Chairman and Mayor's Signature on Plat of Banyan Tree Estates Subdivision on Beach Avenue. (Approved as an Administrative Review)**

Planner Garrett informed that the request relates to the Walker property that has correct frontage on both Beach and Park. By having both sides on both sides of the property, a lot split is allowed down the center. The Gulf side is the mean high water line and the extent of the property. Both the client and City's surveyors have reviewed it. He informed that the property did not go beyond the mean high water line.

Commissioner Webb asked for verification and felt that the erosion control line should be determined on the property.

City Attorney Dye explained an erosion control line must be established prior to any beach renourishment with Federal funds. Since there had been beach renourishment at that location in the past, then there must be an erosion control line. He stated that when established, the erosion control line takes the place of the mean high water line – therefore, the day the erosion control line is established, it is identical to the mean high water line.

The Plat, however, is showing the mean high water line as the property boundary and there is a technical question as to whether the Plat should state mean high line or erosion control line. *City Attorney Dye* suggested approving the authorization of the signatures subject to confirming that the Plat is finalized in accordance with the technical standards.

Commissioner Woodland asked if an applicant could continue to get administrative approvals on a piece of property in order to increase the number of lots on the property.

City Attorney Dye and *Planner Garrett* responded. *Planner Garrett* will review the language in reference to the Plat process.

MOTION: **Commissioner Webb moved to authorize the Chair's signature on the Certificate of Approval of the City of Anna Maria for the Plat of Banyan Tree Estates, subject to verification of the erosion control line. Commissioner Woodland seconded the motion.**

Public Comment

Tom Turner, N. Shore Dr., suggested that since the R-2 District will be merged into the R-1 District, that the Plat approval for Banyan Tree Estates be approved under the R-1 District.

Planner Garrett explained that even though no public hearings had been held to convert the R-2 into the R-1 District, the City still mandates six units to the acre. The existing zoning at this time is the R-2 zoning.

ACTION: **Motion carried – All Aye.**

8. Status of Zoning Map vs. Future Land Use Map.

Building Official Welch stated that in several meetings, it was discussed that the Zoning Map should reflect the same boundary lines as the Future Land Use Map. Once Commission consensus has been received, *Building Official Welch* will proceed with commissioning a formal zoning map being completed.

Planner Garrett explained that in order to fully comply with the Comprehensive Plan, approximately twelve lots would be rezoned from C-1 to ROR. Also, once the approval for the combining of the R-1 and R-2 Districts has occurred, the R-2 properties will also be rezoned to either R-1 or as R.

In answer to *Commissioner Mattick's* question, Planner Garrett informed that the City would proceed with a blanket rezoning for the approximate twelve properties from the C-1 to the ROR District. Though the rezoning is an obligation of the code, after the blanket rezoning, it would not preclude a property owner from applying for a development amendment – amending the Comprehensive Plan. There is an approximate Comprehensive Plan Amendment filing fee of \$6,000 and a super-majority vote of the Commission is required for it to pass.

Discussion followed relating to if there would be any notifications sent to the property owners of the rezoning. Though no individual notification is required, it was agreed that all property owners affected would be notified and that Planner Garrett will research the most economical approach.

Public Comment

Jim Conoly, N. Shore Dr., asked where the twelve lots that had been mentioned were located.

City Planner Garrett responded. He further informed that the properties are currently zoned C-1 on the Zoning Map and are designated ROR on the Future Land Use Map.

9. Fee Schedule Amendment – Resolution No. R09-650.

City Clerk Baird read the Resolution by title.

Building Official Welch presented the proposed Fee Schedule. He explained that the proposal is an attempt to make it more compatible with the computer software - as was reported on the audit report. He explained the various changes that had been made.

Building Official Welch said he had been asked by a citizen to ask that the “Drives and Walkways on private property” be allowed incentives that would lower the cost. Discussion and explanation relating to incentives for the use of pavers followed. It was noted that once the economy picks up, incentives could be established for use of the “green systems.”

Commissioner Mattick suggested an incentive be established for those persons on Pine Ave. who place their sidewalks up close to their buildings.

Commissioner Webb voiced concern relating to the variance and vacation request fees. He pointed out that the established fees should be based on the City's costs and suggested that a complete feasibility study be conducted.

Building Official Welch informed that in discussions with Code Enforcement Officer Rathvon relating to the confiscation of signs, it was more costly to get rid of the signs than for someone to come in and pick them up (currently at \$50 each). The proposed new fee has been lowered from \$50 to \$20.

Upon review of the fee required for advertising (Zoning table), *Commissioner Webb* pointed out that both Bradenton Beach and Holmes Beach require the applicant to pay for and handle their own advertising.

After discussion, it was agreed that the following amendments would be made to the proposed Exhibit A – Fee Schedules:

- 1) Planning/Zoning and Land Use Fees – 11. Miscellaneous – Drives and Walkways on private property. An incentive will be established for the use of pavers for those persons who will be replacing an existing driveway or walkway on private property.
- 2) “After-the-fact fees are assessed at double the normal fee plus original fee” will be included in the Exhibit A Development Permit Fee Schedule notes as Note 6.
- 3) That “At the time of initial submission of application package for standalone sub-trades permits: An application fee of \$50.00 is due” will be stricken from each of the various headings. The software vendor is currently working on correcting the software to reflect this fee. When the software is updated, the fee can then be added back in.

MOTION: Commissioner Tollette moved to adopt Resolution 09-650 as amended. Commissioner Webb seconded the motion.
On Roll Call Vote – the motion carried unanimously.

10. CONSENT AGENDA.

- a. **Special Event: AMI Historical Society Heritage Day**
March 7, 2009 - 10:00 a.m. to 4:00 p.m.
- b. **Special Event: AMI Community Center Tour of Homes**
March 21, 2009 – 10:00 a.m. to 4:00 p.m.
- c. **Approve Appointment of Pier Centennial Committee Members:**
Sissy Quinn-Chair; SueLynn; Betty Yanger; Mady Iseman; Joan Voyles; Richard Thomas; and City Liaisons Mayor Barford and Commissioner Mattick.

MOTION: Commissioner Woodland moved that the Consent Agenda be approved. Commissioner Webb seconded the motion.
Motion carried – All Aye.

11. REPORTS AND UPDATES – All Written Reports

- a. **Sheriff’s Report**
- b. **Building Department Report**
- c. **Public Works’ Department Report**
- d. **Code Enforcement Report**
- e. **City Pier Report**
- f. **Ordinance Update**

- g. Resolution Update**
- h. Financial Report**
- i. Line of Credit Report**

Mayor Barford confirmed that though each written report was listed on the agenda, unless there were any updates, no written report would be submitted to the Commission for their review.

City Pier Report

Mayor Barford reported that the City Pier Lessee has requested a reduction in the contract amount. A meeting will be held with the Lessee in March.

Building Department Report

Commissioner Tollette asked if the Commission would be receiving a report listing the number of Building Permits issued and what projects the Building Department had been working on.

Building Official Welch said a new report would be provided to the Commissioners the following week.

Commission Comment

City Employee Recognition

Commissioner Tollette complimented Administrative Assistant Ann Marie Thorpe in the handling of an angry customer earlier that day that was in the office relating to a parking ticket he received. She stated that Ms. Thorpe had wonderful people skills and did a great job in handling the public.

City Pier Repair Schedule Discussion

Chair Quam asked if there was any schedule for repairing the City Pier. He suggested that a program be established for replacing the planks from one end to the other.

Mayor Barford informed that she, Finance Director Percycocoe, and Public Works Director McKay all serve on a committee relating to the maintenance issues. She explained that "band-aid" repairs had been made and noted that two pilings were recently replaced.

Finance Director Percycocoe said a cost for the replacement of the planks could be pursued. She pointed out that the Public Works Department performs inspections of the Pier and that additional professional inspections are conducted quarterly.

City Attorney Dye informed that it was the tenant's responsibility for all maintenance on the Pier. He pointed out that the tenant's monthly fee was low, however, in turn they were responsible for all the maintenance.

Finance Director Percycocoe asked that City Attorney Dye provide a written opinion relating to the maintenance responsibilities. City Attorney Dye said he had provided a written opinion approximately five years ago and would provide the City with another copy.

It was agreed that City Attorney Dye would attend the meeting to be held with the Lessee and the revisiting of the lease.

Discussion followed relating to the Rod & Reel personalizing and selling the planks that were replaced on that Pier.

Commissioner Mattick agreed that the planks could be sold as a fundraiser and that the Pier Centennial Committee could also conduct fundraising activities for that purpose. She noted that the new Boardwalk that will be constructed, along with the new development on Pine Ave., the City Pier will be seeing a lot more activity. She suggested that the City renegotiate with the tenant for a flat fee and a percentage of their profits.

Margaret Jenkins, Chilson Ave., said it was her understanding the Lessee was responsible for all repairs. However, precedence was set when the previous Mayor decided that the City would share in the costs. She felt the tenant should be required to perform all required repairs.

Public Comment – None

Press Comment – None

Adjournment.

On motion made by Chair Quam and seconded by Commissioner Woodland, the meeting was adjourned at 8:27 p.m.

Motion carried unanimously.

Alice Baird, CMC, City Clerk

Minutes approved: _____