

**CITY OF ANNA MARIA  
CITY COMMISSION WORK SESSION  
MEETING HELD AT ANNA MARIA COUNCIL CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
THURSDAY, MARCH 10, 2011**

**IMMEDIATELY FOLLOWING THE SPECIAL MEETING THAT WAS HELD AT 6:00 P.M.**

**CALL TO ORDER**

Chair Webb called the Work Session to order at 7:07 p.m.

**PRESENT:** Mayor Michael Selby, Vice-Chair Jo Ann Mattick, Commissioner Dale Woodland, Chair Chuck Webb, Commissioner John Quam, and Commissioner Eugene Aubry.

**Staff Present:** City Clerk Alice Baird, City Attorney Jim Dye, Building Official Bob Welch, Public Works Director George McKay, and Minutes Clerk Stacey Johnston.

**Press:** Sun and Islander.

**1. Permit Fee Refund Policy Discussion.**

*Building Official Welch* informed that Commissioner Woodland had previously asked there be a discussion relating to the refund of permit fees. As a result, a Development Permit Refund Policy was drafted by Building Official Welch for the Commission's review. He explained that the intent of the policy is that it only applies to the Development Permits including certain Public Works fees as determined by the Public Works Director on a case-by-case basis - as determined by site conditions and damages to the right-of-way. Also, the Planning fees would be non-refundable due to those fees already being spent for the planning services.

Review of the proposed policy followed relating to:

1. Full refunds of overcharges – when City made an error.
2. Partial refunds and reasons for a partial refund.
3. The conditions when refunds would not be issued.

Questioned by *Commissioner Woodland*, it was agreed that the word "overcharges" should be removed.

Building Official Welch provided various scenarios that have occurred. He informed he had reviewed a number of refund policies when putting the document together. He noted that the proposed policy mirrors Manatee County's refund policy.

*Chair Webb* said he was opposed to issuing any refunds unless there was fault by the City.

*Building Official Welch* informed that a number of Cities – including the City of Holmes Beach – have no refund policies. Discussion followed.

*Commissioner Mattick* suggested removing the 25% language in Section II – Partial Refunds and only stating "The refund may not exceed the value of review fees accrued."

**ACTION:** After discussion it was consensus that unless it was the fault of the City that there would be no refunds made. The Policy would be drafted to only include the reasons whenever full refunds would be issued by the City. The Policy will be adopted by Resolution when making the changes to the Fee Schedule.

**2. Development Permit Renewal Policy Discussion.**

*Building Official Welch* informed that the City has approximately 60 to 70 permits that have currently expired without inspections. Though the City will follow-up on expired permits as time allows by contacting the contractor, a draft Development Permit

Renewal Policy was presented by Building Official Welch for the Commission's consideration.

*Chair Webb* said he agreed with the Policy as presented with the caveat that when the permit is renewed it needs to be clear to the permit holder that they have to meet all new Code provisions that may have taken effect.

*City Attorney Dye* addressed the caveat suggested by Chair Webb. He did not feel that requiring the applicant to fall under any new Code provisions was a rule for an existing permit.

It was agreed that if the permit expired the applicant would still be bound by the Codes in place when the permit was pulled. Building Official Welch explained that most contractors are respectful of closing out the permit knowing they could be turned in to DBPR for not following the FL Building Code.

*Building Official Welch* informed that the administrative portion of the FL Building Code leaves out a number of tools that the Building Official traditionally had. He said he would be bringing some of those tools that had previously been taken out of the code in 2004 back to the Commission for their consideration. It was his belief that the City's previous Building Official had planned to bring the new portions of the Chapter to the Commission for approval, however, it never occurred.

In response to *Commissioner Mattick's* question, *Building Official Welch* informed that the City had purchased the module for giving the contractor's the ability to access the building permit status, etc. online – similar to Manatee County's program. However, the City has been unable to implement the program due to the web provider not wanting to put the application that allows a pass-thru type of transaction to occur on their web server. They felt it would be not be secure.

*Commissioner Mattick* suggested that the City may need to look for a new web provider that would allow the module to be utilized. She felt that when originally contracting with the current web provider, she had felt that the services should have been bid.

*Building Official Welch* agreed the online services should be implemented.

**ACTION:** It was consensus that the Draft Development Permit Renewal Policy as presented was acceptable.

### 3. Revised Permit Fee Schedule Discussion.

*Building Official Welch* presented the revised Permit Fee Schedule by clarifying and addressing the following:

- Ref: General - # 5 - The State had changed the Building Permit Surcharge Fee from an aggregate 1 cent per square foot for any new work – to 3% of the fees collected for enforcement of the State mandated FL Building Code. That language would still need to be changed on the revised Permit Fee Schedule.
- Ref: General - # 11 – Rather than making reference to Section 114-608 of the City Code that requires a person to refer back to that section for the details, Building Official Welch will change the language to reflect that the Security (Performance) Bond is required for work in the City right-of-way.
- To clarify Miscellaneous Fee - # 17 relating to Inspections during Off-Duty Hours to insure that the City recoups all costs.
- Miscellaneous - # 16 – Filming Permit. *Commissioner Woodland* suggested the County collect the permit fees and then forwards the amount to the City.

*City Attorney Dye* informed that the City's Film Permit was modeled off of and went above and beyond that used by Miami. He stated that the City's Film Permit language is currently too complex for the County to administer.

*Finance Director Percycoe* pointed out that the application states \$100 versus the Fee Schedule indicating a \$250 amount.

*Building Official Welch* will adjust the fee on the Fee Schedule to correspond with the Ordinance in place at this time.

- Miscellaneous – a. Stormwater Best Management Practices – Erosion Control (silt control fence, etc.) was clarified by *Building Official Welch*.

#### 4. **Stop Signs at Humpback Bridge and New Stop Sign Requests.**

*Commissioner Quam* informed that Public Works Director McKay has asked that the stop sign be moved to the west side of Lakeview Dr. *Public Works Director McKay* explained.

*Commissioner Mattick* suggested that the entire section relating to the stop signs be reviewed. She suggested implementing a pedestrian friendly zone by reducing the speed limit to 15 M.P.H. from Magnolia down Gulf to Pine, then down Pine – rather than having to place stop signs. She also suggested placing a stop sign at the curve at Rose & Jacaranda as previously recommended and to follow through with moving the stop sign across from the City Pier from the 120-ft from the intersection to the 30-ft to allow for additional parking.

*Commissioner Woodland* voiced concern about reducing the speed limit on Pine Ave. feeling that the locals would be utilizing the residential streets in order to avoid Pine Ave.

*Public Works Director McKay* recommended removing Section 5 – Establishment of One-Way Streets when adopting a new Ordinance since there are no one-way streets in Anna Maria. He also pointed out that the Crescent Drive Bridge stop signs have been removed and its reference could be removed from the Code.

*City Attorney Dye* informed that the City's Charter regulations require that any violation that results in a fine has to be set by Ordinance.

Discussion followed relating to the downfalls of removing the stop signs at the Humpback Bridge. *Commissioner Quam* noted that if the stop signs are removed, it will give the cars the ability to pick up more speed. He voiced concern that the vehicles will cross the bridge too fast with the crosswalk at that location.

*Mayor Selby* suggested eliminating the stop signs and then implementing a 15 M.P.H. speed zone and place a speed bump on the top of the bridge.

**ACTION:** It was the consensus that the Mayor request that staff work with City Attorney Dye to make the appropriate changes in an Ordinance form and bring back to the City Commission for their review.  
Commissioner Quam also agreed to work with staff.

#### 5. **Discussion Regarding Additional Items to be Included in the Solid Waste/Recycling RFP.**

*Public Works Director McKay* referred to the suggestions he had provided to the Commission for inclusion in the RFP.

*Commissioner Woodland* suggested starting with either Holmes Beach's or Bradenton Beach's RFP rather than only presenting a listing of suggested items to be included.

It was noted that the City only negotiates for the residential pickup.

**6. Discussion of BIS Digital Audio Recording System Purchase.**

*Finance Director Percycocoe* stated that after a lot of staff research to locate the best digital recording system, BIS Digital had provided a system used by numerous Cities including Longboat Key and the City of Palmetto - and was also the lowest written proposal.

Finance Director Percycocoe noted that staff had recently attended a presentation provided by BIS Digital that was held at the Holmes Beach City Hall. An explanation of how the audio/video recording system works followed. She stated that the system would serve as a convenience for those citizens who could not attend the meetings by having the ability for them to listen to the meeting on the City's website, would solve the issue of the cassette recorders and tapes becoming obsolete, can easily be copied to CD, great for records management purposes, the system is portable, etc. She stated that the future goal would be to place the meeting packet and all backup materials on the City's website that can be opened and printed by citizens prior to the meeting.

Ms. Percycocoe recommended the cost for the system be taken from the General Contingency Fund.

*Commissioner Woodland* asked that a quote be obtained for the live-streaming and video features of the system that would allow a citizen to watch the meeting from home. *Commissioner Quam* said he would not be in favor of the video feature at this time.

*Chair Webb* felt that the system was a luxury and that the City did not need the product. *Commissioner Mattick* felt it would serve as a tremendous advantage for the purpose of reaching out to the residents.

**ACTION: City Clerk Baird will obtain a quote for the live-streaming and video feature for the BIS Digital Audio System and the item will be placed on the March 24, 2011 meeting agenda for Commission consideration.**

**7. Potential Pier Centennial Extra Costs.**

*Mayor Selby* announced that the Anna Maria Pier Centennial event will be held on May 13 through May 14, 2011. A parade will be held on May 13 from the CrossPointe Fellowship Church to the Pier, followed by the Pier marker dedication, flag dedication, etc. On Saturday, May 14, several events will take place including the *Food and Wine on Pine*.

Mayor Selby informed that the Pier Centennial event was being underwritten by the Chiles Group, City Pier, Islander Newspaper, and the Anna Maria Preservation Trust. Though it is hoped that all costs are covered, Mayor Selby noted there may be additional costs the City may need to cover that could amount to approximately \$2,000 at the most.

Mayor Selby noted that the County has requested a rental fee for the use of Bayfront Park so it has been decided that the festivities will be moved from the Park to the south side of the Humpback Bridge. It was noted that certain streets will need to be barricaded and police protection will be required. He pointed out that the City did not have a line item to cover the additional costs that may occur.

**ACTION: The Commission asked Mayor Selby to obtain a more accurate amount, determine if a Resolution or only Commission action would be required, and to present the findings to the Commission at the next City Commission meeting.**

### **Public Comment on Agenda Items Only**

#### **Stop Signs at Humpback Bridge**

**Carl Hoffman**, 602 Gladiolus, suggested that the Commission allow public comment on each of the agenda items as they are discussed versus the public being required to stay through the entire agenda.

Mr. Hoffman stated that when the Humpback Bridge was repaired two years ago, an engineering report was received recommending stop signs to avoid the 18-wheel trucks from damaging the bridge. As a result, the City placed stop signs on both sides of the bridge. He said he did, however, understand the safety issue relating to the crosswalks at that location.

Mr. Hoffman noted that every car was being required to stop on either side of the bridge even though the Engineers never stated that those type vehicles were doing the damage – but rather the heavy 18-wheeled trucks. He pointed out that at the price of gas it was very expensive for a car to have to stop and start up again. He stated that if the bridge has to ever be replaced, it may be difficult to obtain State or Federal assistance to pay for its replacement.

Mr. Hoffman recommended that a letter be sent to the companies having trucks that utilize the bridge informing them that as of a specific date vehicles over a certain weight limit are prohibited from using the bridge. He suggested that the large truck traffic could be diverted around N. Shore Dr. to the Rod and Reel Pier. He pointed out that a petition with 100 signatures was presented to former Mayor Fran Barford requesting the stop signs be removed from the Crescent Bridge. The stop signs were removed so therefore reference to stop signs at the Crescent Bridge should be removed from the Code.

**Press Comment on Agenda Items Only – None.**

### **Adjournment**

The meeting was adjourned at 8:42 p.m. on motion made by Commissioner Woodland and seconded by Commissioner Mattick. Motion carried – All Aye.

The next Regular Commission Meeting is scheduled for Thursday, March 24, 2011.

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**Alice Baird, CMC, City Clerk**