

**CITY OF ANNA MARIA  
CITY COMMISSION WORK SESSION  
MEETING HELD AT ANNA MARIA COUNCIL CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
THURSDAY, APRIL 10, 2008  
7:00 P.M.**

**CALL TO ORDER**

Chair Quam called the Work Session to order at 7:22 p.m.

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

**Absent w/excuse:** Deputy Chair Christine Tollette. Commissioner Duke Miller

**Staff present:** City Clerk Alice Baird, Deputy City Clerk/Director of Finance Diane Percycoe, Public Works Director George McKay, City Attorney Jim Dye, Building Official Tom Welch, City Engineer Tom Wilcox, and Minutes Clerk Stacey Johnston.

**Press present:** Sun, Islander.

1. **Stormwater Utility – Discuss Proposed Budget and Fee to Charge Per Unit.**  
*City Engineer Tom Wilcox* stated he had been asked to come up with an ESU study for setting the basis for the stormwater utility assessment. The completed study showed 1,749 equivalent stormwater units in the City. The City can now start to put together a work plan and an assessment.

Mr. Wilcox referenced an adjusted spreadsheet he prepared as an annual budget including amortizing the capital equipment. The new total, based on his adjustments, is \$103,000 and includes the State required 5% set-aside. Expenses of billing and county tax collection of a total of 3% are also included. Each phase (Gladiolus/North Shore, Phase I, Phase II, and All Other(not yet designed)) have been set up separately.

According to Mr. Wilcox's calculations, the proposed Assessment per ESU were as follows:

- Phase A – Assessment per ESU of \$9.38
- Phase I – \$20.93
- Phase II - \$13.02
- All Other - \$15.60 (includes assessment to cover costs to maintain it if those costs are spread out over a 10-year program).

Potential Assessment Scenarios were discussed by Mr. Wilcox as follows:

- Phase A + All Other - \$24.99 ESU for Generated Revenue of \$43,702.85
- Phase A + Phase I - \$30.32 ESU for Generated Revenue of \$53,024.76
- Phase A + Phase I + ½ All Other - \$38.12 ESU for Generated Revenue of \$66,670.88
- Phase A + Phase I + All Other - \$45.92 ESU for Generated Revenue of \$80,317.01
- Phase A + Phase I + All Other + Phase II - \$58.94 ESU for General Revenue of \$103,096.64

Mr. Wilcox said based on the Manatee County database there are 1,618 parcels in the City of Anna Maria that have been assigned an ESU. He said he had forwarded the County Assessor a copy of all data. Once an assessment rate is set, that rate will need to be certified to the County Assessor.

**Commissioner Mattick** asked how the estimated budget costs previously supplied by Public Works Director McKay could now be so drastically reduced as presented by Mr. Wilcox that evening.

Referencing his spreadsheet, Mr. Wilcox explained that the key reduction involved the frequency in maintenance. Also reducing the amount were replacement of catch basins, maintenance check valves, piping replacement, and amortization of equipment. Discussion and explanation followed.

**Finance Director Percycoe** stated that Mr. McKay's estimates for mowing and trimming also included the benefits and taxes for the City's employees.

**Public Works Director McKay** explained that the mowing and maintenance was all based on the rainfall. His figures are estimated at \$30 per hour. After re-adjusting his estimates, he said he now shows a final estimate of approximately \$162,000. City staff is used except that the maintenance of vortex separators will be outsourced.

Explanation followed relating to the catch basin filters and replacement of clips.

**Commissioner Woodland** suggested that based on the information obtained, the initial fee be set at \$50. Doing so will give time for providing a history and will allow the Commission to make any necessary adjustments the following year. He asked that the Finance Director assist in providing accurate numbers to the Commission. Reasonable maintenance records should also be kept.

**Chair Quam** said he would agree to \$45 to \$50 as the initial fee.

#### **Public Comment**

**Georgia VanCleave**, Magnolia Ave, asked if the Public Works department will be able to provide the "flushing reinforce concrete pipe RCP piping annually" or will an outside source be required to maintain it. She asked where it would be flushed to.

*Director of Public Works McKay* informed that the flushing goes into the catch basin and then out to the canal or bay. The county or an outside source is used.

**Margaret Jenkins**, Chilson Ave., made reference to the \$11,500 for purchase of a lawn mower and asked if bids were required.

*Mr. McKay* explained it would all be part of the State contract, that they approve all vendors and items purchased.

**Jim Conoly**, North Shore Dr., said he had reservations about the dollar amounts

heard that evening.

Mr. Conoly pointed out that water will be standing in nearly every culvert for more than 24 hours after a rain. He did not feel waiting to clean the filter until receiving a 2" rain made any sense. He also commented on the pot holes being filled with filter mix.

Mr. Conoly asked if the width of the swales was taken into consideration when estimating the mowing and trimming cost of the swales. He also did not feel repair of ditch blocks and sods was clear.

Mr. McKay invited Mr. Conoly to meet with him in order to explain how his figures were projected.

**Georgia VanCleave**, Magnolia Ave., said there were four major off-flows that go into the bay or gulf and asked for clarification.

*Engineer Wilcox* explained that the filters are catching the filter mix that washes into the system. The vortex separators in Phase II will catch more gravel, oils, and all types of contaminates. Explanation followed.

He stated that pollutants will not be going into the canal. Any contaminants found when flushing the pipes will go to the landfill as solid waste. It was noted that that the City would be going through the county for the flushing.

**John Cagnino**, Anna Maria, made reference to his nine lots that currently accumulates water. He asked if the property would drain at a faster rate after then new system is installed.

*Mr. Wilcox* said he would need to look at his property in relation to the system. He informed that computerized modeling would be required. Mr. Wilcox informed that water in swales need to disappear within 72 hours. Detailed explanation followed.

**ACTION:** The ESU will be considered at the April 24, 2008 Commission meeting. The final assessment amount will need to be certified to the County Assessor by July 2008.

**2. Review Proposed Increased/Added Schedule of Fees:**

- **Planning and Land Use fees**
- **Gas, Plumbing, Mechanical, and Electrical Permit Fees**
- **Code Enforcement Fees/Fines**
- **Residential-Single Family Buildings Permit Fees**
- **Commercial Buildings Permit Fees**

- **Administrative Fees**
- **Zoning Permitting and Fees**
- **Public Works Permit Fees**

**Building Official Bob Welch** informed he, Mayor Barford, City Clerk Baird, and Finance Director Percycoe all met with Auditor Ed Leonard. Mr. Leonard agreed with the process the City was taking relating to the increased schedule of fees. Any excess fees would be rolled over into the next year as reflected in State law.

Mr. Welch said if the Commission agreed, the fees could be placed into a Resolution and Ordinance for their consideration. He would also be drafting procedures for using the fee schedule so there is no confusion on how they are figured.

Work without a permit had been left out of the permit fees and Mr. Welch would bring back the fee recommendation to include an incentive for it not to happen.

Mr. Welch stated the City would like to use the new fees for one year. A mid-point evaluation would occur in October and then re-evaluated at the one-year period. Adjustments to the fees up or down could then be made.

**Commissioner Mattick** asked what the rationale was that the commercial fees should be higher than residential. She said she would like to see more uniformity between the two categories and gave examples feeling it should not take any more time or effort for the Building Official. She did not feel there was any logic on how the fees were determined.

*Mr. Welch* explained there are more inspections and work involved in commercial jobs. Examples followed. He further pointed out that former Building Official Steve Gilbert originally prepared the proposed fee schedule. He stated if the Commission felt some of the fees were too high he could come back with some justifications.

Mr. Welch explained that the fees currently being collected did not cover the full cost to offset the administrative cost of the building department and have in the past been subsidized by Ad Valorem taxes. The users of the services had not been paying anywhere near full cost.

*Finance Director Percycoe* informed that in the past indirect administrative costs had never been charged to the building department. The building department is not a stand-alone department and depends on the administration department for payroll, utilities, etc. Once a departmental budget is implemented, the true costs of the department will be generated.

**Mayor Barford** acknowledged that the current fees are not adequate and compared to the other Island cities are not even comparable. The proposed fees will be the same as Bradenton Beach once theirs have been updated. She

encouraged the Commission to meet with Mr. Welch relating to the fee schedule on an individual basis.

**ACTION: It was agreed that the proposed Schedule of Fees would be placed into Resolution and Ordinance form.**

*Tim Eisler*, Tarpon St., informed that trash was being left out on the wrong days. He suggested a significant fine be established and added into the fee schedule to include an escalating fine for repeat violations.

*Mayor Barford* stated she would see that it was placed into the Ordinance.

**3. First Reading – Ordinance 08-686 – One Million Dollar Loan for Phase I & II.**  
*City Clerk Baird* read the Ordinance by title.

*Finance Director Percycocoe* said the purpose of the Ordinance was a formality that was sent to the City by the bank. Explanation followed relating to the process and purpose for the Ordinance formality.

*Commissioner Woodland* pointed out that the Commission approved a Resolution in February 2008 relating to this loan.

**ACTION: The 2<sup>nd</sup> Reading of Ordinance 08-686 will be held on April 24, 2008.**

**4. Continued Discussion – Ordinance 08-685 – Community Center Definition.**  
*City Clerk Baird* handed out a revised Ordinance 08-685.

*City Attorney Dye* explained the differences in the newly revised Ordinance. He explained that the notification language previously in the definition was moved into the operative portion of the Ordinance as discussed at the last meeting. The language requires that the Community Center notifies the City in writing if they are expecting 200 and over attendees on the property and/or if they would be having an event where alcoholic beverages would be served.

*Attorney Dye* said the most recent Ordinance variation follows a discussion he had with Attorney Scott Rudacille from the Community Center. Attorney Rudacille questioned if notification had to be one week or could it be more than one week in advance and could it be in an e-mail format. Attorney Dye then revised the language that states notification in writing shall be no less than one week in advance of the event. Based on Attorney Rudacille's discussion with the Community Center, they are in agreement with the wording of the revised Ordinance.

*Commissioner Woodland* said the purpose of the Ordinance was to eliminate the need for the Community Center to obtain a Special Event Permit but for the City

to still have some type of oversight in the event it didn't work. It places the responsibility on the Community Center to notify the City when those type events occur. He pointed out there is no penalty if they do not notify the City.

*Chair Quam* asked if Section 3 of the Ordinance would repeal the Special Events Permit.

Attorney Dye said it would not and noted that certain events are authorized in the Community Center's zoning district and therefore a Special Events Permit would not be required.

*Mayor Barford* said City staff wants to get away from the Community Center being required to obtain a Special Events Permit. She felt their events are allowed in the Community Centers zoning use and City staff did not feel there was a real problem there.

Mayor Barford read into the record an e-mail received from Commissioner Miller. He asked that after reading the title of the Ordinance would it be appropriate to also include verbiage requiring the City to be indemnified regardless of the activity – this would then make it law as opposed to a handshake agreement.

Attorney Dye said that type of language should not be placed in an Ordinance and would be more of a contractual obligation.

*Commissioner Tollette* asked City Attorney Dye if he had discussed having the language placed into the lease with Attorney Rudacille instead of the Ordinance.

Attorney Dye said he and Attorney Rudacille both feel the language is more of a lease-type language. The problem is that to amend the lease due to Charter requirements, it would require an Ordinance to make the change..

**ACTION: Ordinance 08-685 will be considered for Second Reading at the April 24, 2008 regular meeting.**

**Public Comments on agenda items only – None.**

**Press Comment – None.**

### **ADJOURNMENT**

**The meeting was adjourned at 8:44 p.m. on motion made by Chair Quam and seconded by Commissioner Tollette. All Ayes.**