

**CITY OF ANNA MARIA
REGULAR CITY COMMISSION MEETING MINUTES
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, APRIL 23, 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, and Deputy Chair Christine Tollette.

Absent: Commissioner Chuck Webb.

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

Press present: Sun and Islander.

1. Approve Minutes of Special City Commission Meeting held April 9, 2009.

MOTION: Chair Quam moved that the Special Commission Meeting Minutes held April 9, 2009, be approved as written. Commissioner Woodland seconded the motion.

Motion carried – All Aye.

City Commission Regular Meeting held March 26, 2009.

Commissioner Woodland addressed the comments section relating to the Proposed Electronic Mail Policy Agenda item (last sentence, page 9). It was agreed that Commissioner Woodland's comments relating to that issue would be reviewed on the meeting tape and the minutes would be reconsidered at the May 2009 meeting.

2. Commissioner Reports.

Commissioner Tollette

Commissioner Tollette reported that she attended the April 20, 2009 Community Center meeting. A Sarasota Community Foundation Fundraiser Forum will be held on July 10, 2009 – 9:30 a.m. to 3:30 p.m. at the Community Center.

The June 14 and 15, 2009 Blood Drive will be held at St. Bernard's Church. The Community Center is a recipient for every donation. A presentation will be made before the City Commission at the May 14, 2009 Work Session.

Commissioner Tollette attended the April Chamber Board Meeting. She announced that on April 25, 2009, Fox on Your Block, Channel 13 Fox News, will be on Bridge Street beginning at 5:00 a.m.

St. Bernard's Church will soon be celebrating their 60th Anniversary.

The next Wedding Festival is scheduled for Sunday, February 28, 2010.

3. Mayor's Report**Federal Stimulus Dollars – Ref: R09-652**

Mayor Barford informed that the City Commission would be asked to adopt a Resolution between FDOT and the City of Anna Maria regarding the Federal Stimulus Dollars targeted for the City (Agenda item # 8). The stimulus package includes sidewalk construction at four locations, resurfacing Pine Ave. and Gulf Dr., Bay Blvd. and Gulf Dr. between Pine and Willow, and structural repairs to the Crescent Ave. and North Bay Blvd. bridges. Projects will begin soon.

New Meals on Wheels Program – Senior Wheels

Mayor Barford informed that she chaired the Transportation Disadvantage Coordinating Board for the MPO on April 15, 2009. A presentation was made by Meals on Wheels – Senior Wheels – providing transportation services for senior citizens who need assistance or are no longer able to drive.

Council of Governments Meeting Update

Mayor Barford attended the Council of Governments meeting on April 15, 2009. An announcement and presentation was presented by FDOT at that meeting relating to the replacement of the Manatee Bridge.

Florida League of Cities Update

On April 16, 2009 Mayor Barford represented the City of Anna Maria at the Manasota League of Cities meeting held in Sarasota. The Florida League of Cities presented the Legislative Update.

The Florida League also presented a new health insurance opportunity for municipalities. Anna Maria staff has already met with the Florida League relating to the benefits of the new program.

Island Cities, County, Elected Officials, and State Coalition Meeting Update

A Coalition of the Island Cities, County staff, Elected Officials, and State Representatives met the previous week. The meeting will serve as the first bi-monthly meeting to be held for discussing issues such as renourishment issues.

The City, with the assistance of Congressman Buchanan and Representative Galvano, has made progress to work with the Corp of Engineers and FDEP relating to the wave action from Tamp Bay. The changing wave action is affecting the North Bay side of Anna Maria and is eroding the land. Progress is being made and the Commission will be kept posted.

ITPO Meeting

Mayor Barford attended the ITPO meeting held in Holmes Beach on April 20, 2009.

City Pier Meeting Update

Mayor Barford also attended a meeting with the tenant of the City Pier. The contract is up for renegotiation and will be finalized in December 2010. The tenant is asking that certain changes be made.

Centennial Committee

The Centennial Committee has been meeting and planning for the upcoming Centennial Celebration to be held in 2011.

Arbor Day Celebration

Mayor Barford announced that the Arbor Day Celebration would be held on April 24, 2009, 11:00 a.m. at City Hall.

Waste Management Holiday Schedule

Waste Management has announced that effective May 25, 2009 (Memorial Day Holiday), there will no longer be Saturday trash pickup prior to a Holiday.

Sergeant Kenney Retirement Open House

An Open House will be held in honor of Sergeant Kenney's upcoming retirement on May 20, 2009 – 2:00 p.m. to 4:00 p.m. The Commission and public are encouraged to attend.

4. Proclamation – Municipal Clerks Week – May 3 thru May 9, 2009

Mayor Barford announced that City Clerk Alice Baird, Deputy City Clerk/Finance Director Diane Percycoe, and Minutes Clerk Stacey Johnston were all accredited City Clerk's.

Mayor Barford presented City Clerk Baird and Deputy City Clerk Percycoe with a token of her appreciation.

MOTION: Chair Quam moved to adopt the Proclamation designating the May 3 thru May 9, 2009 as "Municipal Clerks Week". Commissioner Tollette seconded the motion.
Motion carried – All Aye.

5. A Variance to Section 110-96 – Design Standards for Residential Docking Facilities, Subsection (3) for a Walkway Exceeding 10 Feet in Length and Subsection (4) for Mooring Pilings to be placed more than 20 Feet from the Waterway Boundary for a Proposed Residential Docking Facility Located at 517 Blue Heron Drive, Lot 12, Bay Harbor, Anna Maria, Florida.

City Attorney Dye informed that a problem had been discovered relating to the notice requirements involving the variance application and will need to be re-noticed. He recommended that the variance be continued until the May 28, 2009 meeting.

MOTION: Chair Quam moved that the Variance Request for a Proposed Residential Docking Facility Located at 517 Blue Heron Drive, Lot 12, Bay Harbor, Anna Maria, Florida be continued until the May 28, 2009 City Commission Meeting. Commissioner Tollette seconded the motion.
Motion carried – All Aye.

6. Second Reading and Public Hearing – Ordinance No. 09-700 - Continued Section 114-262, C-1, Amending Lot, Yard, Bulk Regulations, and Section 114-420, Amending Planting Regulations and Creating Landscaping Regulations.

City Clerk Baird read the Ordinance by title.

Chair Quam reported the EEEEC Committee met and reviewed the Ordinance.

EEEC Committee Chair **Tim Eiseler** announced that the committee had reviewed the proposed Ordinance and did not recommend any further changes. He said the committee supported the revisions as written.

City Planner Garrett informed that the Ordinance would bring the City into compliance with the Comprehensive Plan policy.

Chair Quam officially declared the Public Hearing open.

Commission Comments

Commissioner Mattick stated that the Ordinance's impact on a property would be minor.

Commissioner Mattick asked for clarification relating to Section Three (e) Vegetation buffer requirements, Subsection (2). **Mr. Eiseler** responded.

Commissioner Mattick said one of the items discussed with the Transportation Enhancement Grant was providing specifics on Pine Ave. for the benefit of the residents – such as pedestrian safety, sidewalks, and streetscape. She suggested that language be added that would require any new businesses or residences converted to businesses to put at least a four-foot paver sidewalk to be installed in front of the vehicles rather than behind. She also asked that every business be required to install one bike rack, a bench for a resting spot, and a camouflaged waste receptacle at each new business.

Planner Garrett suggested the ROR Zone District be amended to include Commissioner Mattick's suggestions. He pointed out that all new Site Plans are currently required to include a bicycle rack.

Commissioner Tollette discussed requiring a sliding scale for the number of trees and shrubs, based on the lot size. She suggested that rather than an approved list of trees and shrubs being included, only the prohibited list is attached.

Commissioner Tollette questioned if plantings in large containers would serve as one of the required plantings. She further suggested residents be discouraged from planting additional grass due to the water restrictions. She felt the City should encourage the use of rain barrels, and asked where and when the depth is measured relating to the 5-foot deep vegetation buffer.

Commissioner Tollette asked how all required vegetation should be protected from vehicular encroachment and what would the City require (Ref. Sec. (f) (3)). She also questioned how any native or exotic tree, with a four inches or greater

caliper measurement taken at 4.5 feet above ground level, would be removed (Ref. Sec. (g)).

Commissioner Tollette suggested the City encourage, rather than mandate, automatic irrigation systems to include a rain sensor device. (Ref: (i) Irrigation)

Commissioner Woodland reiterated that the Ordinance standards were very minimal. He said he supported the Ordinance as written.

Chair Quam also voiced his support of the Ordinance as written.

Public Comment

Tim Eiseler, Tarpon St., informed that the EEEEC Committee had discussed a sliding scale as suggested by Commissioner Tollette. However, they agreed upon the most minimal requirements.

The EEEEC Committee also encourages the use of rain barrels, but agreed it not be a requirement of the Code.

Micheal Coleman, Pine Ave., provided the examples of the Sandbar parking lot, City Hall, Museum, Ed Chiles Studio, and PAR property on Pine Ave. as being the most heavily planted native landscaping in the City. It was his opinion that “the more you regulate, the less you get to create.”

Mr. Coleman discussed the 5-foot buffering requirements and suggested each property be considered on a case-by-case basis during the Site Plan process.

According to Mr. Coleman, the water table is currently 2.4-feet below ground on Pine Ave.

Tom Turner, N. Shore Dr., said he was in support of the Ordinance but felt it was overkill. He provided the example of the extreme growth of certain types of trees and felt the number of trees and type of vegetation should be reconsidered.

Jeff Murray, 321 Hardin Ave., felt the number of required tree plantings was too excessive. He stated that prior to being granted the Certificate of Occupancy, a person would need to determine how big certain trees would grow prior to installing a pool.

Jean Murray, 321 Hardin Ave., did not agree with the listing of trees and shrubs as recommended by the EEEEC Committee. She suggested that the list of trees and shrubs that a resident could choose from be obtained from the State or County. Ms. Murray was opposed to being required to plant specific trees or shrubs.

EEEC Committee member **Robin Wall**, 112 Palmetto, said she strongly supported the Ordinance as proposed. She pointed out that the Comp Plan states that the City shall implement a Local Tree Ordinance and also requires that all new development provide a minimum of 25% native vegetation onsite,

along with adequate buffering. She encouraged the Commission to adopt the Ordinance as written.

EEEC Committee member **Marie Selby**, N. Shore Dr., felt it was important to educate the residents.

Hearing no further public comments, Chair Quam officially closed the Public Hearing.

Commissioner Mattick pointed out that Section Three (e) Vegetation buffer requirements, Subsection (2) should read:

(2) Vegetative buffers shall be a least 5 feet in depth and in addition to the landscaping material the buffer shall contain a 6 foot *high* wood fence separating the use from the residential use.

Commissioner Mattick questioned how (f) (3) – All required vegetation shall be protected from vehicular encroachment – would be enforced.

Planner Garrett explained that when looking at the Site Plan review, it would be determined at that time whether a bumper stop or curb should be required. Further explanation followed. *Commissioner Mattick* felt determination should be on a case-by-case basis.

MOTION: Commissioner Mattick moved to approve Ordinance 09-700, as amended - reference adding the word high in Section Three (e), Subsection (2). Commissioner Woodland seconded the motion. Motion carried on a Roll Call Vote of 3 to 1 with Commissioner Tollette voting No.

7. Authorize Mayor to Request P&Z Board to Determine a Definition for Motels/Hotels and What Type of Rental Unit Will be Allowed.

Commissioner Mattick felt a large hotel/motel on N. Bay Blvd. did not fit the character of the City. She did, however, believe the issue should be addressed by the Commission in order to establish a clear definition for a Bed and Breakfast.

Planner Garrett explained that a Bed and Breakfast can operate as long as the number of persons do not exceed the definition of family,

Mayor Barford said she was hesitant to send the request on to the P&Z Board because the issue is no longer being pursued in the City of Anna Maria.

MOTION: Chair Quam moved that the Commission deny the request to Authorize the Mayor to Request the P&Z Board to Determine a Definition for Motels/Hotels and What Type of Rental Unit Will be Allowed. Commissioner Woodland seconded the motion.

Public Comment

Robin Wall, 112 Palmetto Ave., asked for clarification relating to Commissioner Mattick's request to define a Bed and Breakfast.

Micheal Coleman, Pine Ave., agreed that the issue should not be forwarded to the P&Z Board.

ACTION: On Roll Call Vote, the motion carried unanimously.

8. Adopt Resolution R09-652 – Authorizing the Mayor or Designee to Execute Agreements Between the Florida Department of Transportation and the City of Anna Maria Regarding Various Federal Stimulus Projects.

City Clerk Baird read the Resolution by title.

Commissioner Woodland said he did not support the stimulus plan nor the previous administration's stimulus plan. Therefore, he could not support the Resolution.

Mayor Barford stated that if the \$1,400,000 stimulus dollars were not accepted by Anna Maria, the funding would go to the other Island cities. She was encouraged that the Federal Stimulus dollars would go towards the long-term infrastructure projects in Anna Maria.

MOTION: Commissioner Mattick moved that Resolution R09-652 be approved for adoption. Commissioner Tollette seconded the motion.

Public Comment

Tom Turner, N. Shore Dr., asked if a bicycle and pedestrian path would be included in the project.

Mayor Barford said she would look into Mr. Turner's question.

ACTION: Motion carried on a Roll Call Vote of 3 to 1 with Commissioner Woodland voting No.

9. CONSENT AGENDA.

a. **Proclamation – National Arbor Day – April 24, 2009.**

MOTION: Chair Quam moved that the Consent Agenda be approved. Commissioner Woodland 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. **Financial Report**
- h. **Line of Credit Report**

Commission & Public Comments

N. Bay Blvd Bridge Concerns

Commissioner Mattick referred to the letter received stating that trucks are still driving too fast and not stopping at the Humpback Bridge. She suggested that weight limit requirements be included, along with the Stop Signs.

Mayor Barford explained that Law Enforcement has no ability to weigh the trucks and their loads. She had advised Sgt. Kenney of the concerns in order for the bridge to be better patrolled. She will speak to him again about Commissioner Mattick’s suggestion. Mayor Barford pointed out that tour buses, school buses, and Waste Management trucks also go over the bridge.

Margaret Jenkins, Chilson Ave., felt the trucks should take an alternative route in order to maintain the life of the bridge.

Commissioner Mattick stated that in the future when the N. Bay Blvd. Bridge needs replaced, the City does not have the necessary easements on the west side of the bridge. She suggested that prior to building on the lot at that location, the City should discuss obtaining an easement from the owners.

Boyd Hoskins suggested certain trucks not be allowed to go over the bridge.

Press Comment – None

Adjournment.

On motion made by Chair Quam and seconded by Commissioner Tollette, the meeting was adjourned at 8:08 p.m. Motion carried unanimously.

Alice Baird, CMC, City Clerk

Minutes approved: _____