

**CITY OF ANNA MARIA  
REGULAR COMMISSION MEETING  
APRIL 27, 2006  
7:00 P.M.**

**CALL TO ORDER (7: 00 p.m.)**

**PLEDGE TO THE FLAG**

**ROLL CALL:** Mayor SueLynn, Commissioner Dale Woodland, Commission Chair John Quam, Deputy Commission Chair Linda Cramer

**Absent with excuse:** Commissioner Christine Tollette, Commissioner Duke Miller

**Also present:** City Attorney Jim Dye, Minutes Clerk Sylvie Reichmann

**Press:** Sun, Islander

1. **CONSENT AGENDA**

a. **Approval of Minutes: Special Commission Meeting 3/16/06; Regular Commission Meeting 3/23/06**

b. **Special Event – Historical Society – Escape from City Hall, May 27, 2006 (10:00 a.m. – 4:00 p.m.)**

Commissioner John Quam indicated that the Commission would not be acting on this item until the May 27<sup>th</sup>, 2006 Regular Commission Meeting.

c. **Appointment of EEEC Member – Mary Shelby (2 year term)**

d. **Appointment of Planning & Zoning Member – Sandra Mattick (Term to expire 7 / 07)**

e. **Proclamation: Arbor Day, April 28, 2006**

Chair John Quam welcomed Ingrid McLellan, of Keep Manatee Beautiful, who was present to accept the Proclamation, signed by Mayor SueLynn. She thanked the Mayor and the Commission for supporting her organization.

Mayor SueLynn announced that the Arbor Day Ceremony would take place at the vacant lot next to the Historical Society, on April 28<sup>th</sup>, 2006 at 11:00 a.m., and invited everyone to attend.

f. **Proclamation: Memorial Day, May 29, 2006**

g. **Proclamation: Stop Red Light Running, April 27, 2006**

**MOTION: Commissioner Linda Cramer moved to approve Consent Agenda Items a., c., d., e., f., and g., seconded by Commissioner Dale Woodland.**

**Vote: All Ayes. Motion carried.**

**h. Roadrunners Club of America 5K Run, May 7<sup>th</sup>, 2006**

Commissioner John Quam noted that this Consent Agenda Item had been added at the last minute because the organizers had not submitted their paperwork on time.

**MOTION: Commissioner John Quam moved to approve this Special Event, subject to the completion of all documentation prior to May 7<sup>th</sup>, 2006. Mayor SueLynn indicated that the person responsible for the Roadrunners Club of America 5K Run was new to the process, and would be very grateful on behalf of her organization.**

**MOTION: Commissioner Linda Cramer moved to approve Consent Agenda Items a., c., d., e., f., and g., seconded by Commissioner Dale Woodland.**

**Vote: All Ayes. Motion carried.**

**2. REPORTS AND UPDATES**

None offered.

**Mayor's Report**

Mayor SueLynn indicated that she had attended several meetings during the past month, but would only be covering some of them this evening.

The Mayor reported that she and City staff attended an all day Emergency Management Summit at the Manatee Convention Center on April 12<sup>th</sup>, 2006, where all the municipalities in the county were present. She said that one of the most impressive messages learned that day was that each city needed to be prepared to survive on its own for seven (7) days, instead of 72 hours, as formerly expected. Mayor SueLynn noted that this also meant that individuals could not expect to rely on their city, county or state to help them survive in an emergency for same period of time, i.e., seven (7) days.

Mayor SueLynn noted that John Burns, a pathologist for the Manatee County Health Department, was the guest speaker at the April 19<sup>th</sup>, 2006 Barrier Island Elected Officials Meeting, and gave a presentation on Bird [Avian] Flu. She said that the speaker's definition of a 'pandemic' as a worldwide event, occurring locally, and stressed that fighting a contagion begins at the household level, with individuals. Mayor SueLynn said that the City, as well as households would need to prepare to survive six (6) weeks when the flu arrives. The Mayor said that in the event of verification of an identified case of this flu, the affected person would need to be isolated, and the household quarantined. She noted that there has not yet been an identified case of avian flu in domestic fowl in the United States.

The Mayor reported that she attended a Metropolitan Planning Organization (MPO) Meeting on April 24<sup>th</sup>, 2006, noting that vast road widening improvements were discussed for parts of I-75, however discussion centered around the lack of

funding for the projects. She said that some needed projects are not going to begin until 2010 or 2020.

Mayor SueLynn noted that some elected officials are just beginning to recognize that they are in office during war time, and are now dealing with the drying up of the funds 'trickling down' from the federal and state governments. She said that Mike Howe would be looking into the possibility of grants to support local business, noting however that during discussion it was apparent that the grants to individuals were meant for those who had low to moderate incomes.

The Mayor announced Spring Cleanup for Saturday, April 30<sup>th</sup>, 2006, from 8:00 a.m., to 3:00 p.m., near the City Pier. She said that appliances would be accepted, however, hazardous materials would not.

Mayor SueLynn said that the Gladiolus / North Shore drainage project would most likely begin in two weeks from this evening's meeting, and that notices would be sent out to notify all the residents affected. She said that the contractor had up to sixteen (16) weeks to complete, however, it could possibly take much less time.

The Mayor noted that surveyors had been throughout the city, for the process of the City Engineer's putting together of a design for an RFP for the repair of the City's streets. Mayor SueLynn said that the design and the RFP would be reviewed by the City Attorney and the Capital Improvements Advisory Committee (CIAC). She said that it would be August or September before the City would know who the contractor was. Mayor SueLynn noted that the County has had a problem recently getting responses to bids, and that the City would most likely only get few bidders, if any.

The Mayor indicated that the bridge sealing project was moving ahead, and that contract, currently under negotiation, would be ready shortly to be reviewed by the City Attorney.

Mayor SueLynn noted that the roof project had received only one official bid on the day that it had been due, and that it had been re-bid, with the pre-bid conference now scheduled for May 3<sup>rd</sup>, 2006. She reported that in Dade County contractors must put their names on a list in order to receive roofing materials, which are in short supply.

The Mayor announced that exotic tree removal would begin in the alleyway between Gulf Front Park and Gulf Drive, and at Palmetto and move toward Cedar and Mangrove. She said that the exotic tree removal project had less funding than in the previous year, and that the project would continue as long as funds allowed.

**3. Proposed Lot Split – 204 Archer Way – Pursuant to Section 114-426**

Commission Chair John Quam declared the Public Hearing open on the proposed lot split. He noted the receipt of a letter from the legal firm of Kirk Pinkerton (representing the Applicant) dated April 24<sup>th</sup>, 2006.

Chair Quam gave the floor to Scott Rousseau, P.A., of the legal firm Kirk Pinkerton, P.A., who requested a continuance to a date certain.

**MOTION: Commissioner Linda Cramer moved to continue the public hearing on the proposed Lot Split at 204 Archer Way to a Special Meeting prior to the Regular Commission Meeting scheduled for May 25<sup>th</sup>, 2006, seconded by Commissioner Dale Woodland.**

**Vote: All Ayes. Motion carried.**

**Public Comment**

None offered.

**4. Request for a Continuance to the Preliminary Site Plan – Weld, Inc. d/b/a Sandbar Restaurant**

Sandbar Restaurant owner Ed Chiles took the floor for the Applicant, Weld, Inc. and requested a continuance in order to meet the necessary requirements.

Commissioner John Quam recommended continuing the hearing month by month.

**MOTION: Commissioner Linda Cramer moved to continue the hearing on the Preliminary Site Plan to May 25<sup>th</sup>, 2006, seconded by Commissioner Dale Woodland.**

**Vote: All Ayes. Motion carried.**

Mayor SueLynn noted that Public Works and City staff would be contacting Mr. Chiles to discuss a maintenance plan for the project.

**Public Comment**

None offered.

**6. SECOND READING AND PUBLIC HEARING OF ORDINANCE No. 06-656 – Amending 2005 / 2006 Budget to Include Revenue from Line of Credit Draw and Expenditures for Road / Drainage Projects.**

Commissioner Linda Cramer read the Ordinance by title.

**MOTION: Commissioner Linda Cramer moved to adopt Ordinance 656 -- Amending 2005 / 2006 Budget to Include Revenue from Line of Credit Draw and Expenditures for Road / Drainage Projects, seconded by Commissioner Dale Woodland.**

**Roll Call Vote: Commissioner Woodland: Aye; Commissioner Quam: Aye; Commissioner Cramer: Aye. Motion carried unanimously.**

7. **FIRST READING OF ORDINANCE NO. 06-657 – Official Dispute Resolution Procedure for all City Contracts**

Commissioner Linda Cramer read the Ordinance by title.

Chair Quam asked the City Attorney to take the floor to provide clarification. City Attorney Jim Dye explained that in most form contracts there is a clause providing for arbitration in the event of a dispute. He said that the Florida Prompt Payment Act provided for cities to adopt their own contract dispute resolution procedures prior to entering into contracts, thus avoiding the expense to both parties of an arbitration process. The City Attorney indicated that the provision of an opportunity for parties in a dispute to sit down and work problems out on their own generally is more effective.

Chair Quam indicated that the second reading and public hearing for this Ordinance would be scheduled for May 25<sup>th</sup>, 2006.

8. **Permit Fee Schedule Amendment – Resolution - R06-616**

Commissioner Quam read the Resolution aloud, and noted that it placed a cap on the total cost of building permit fees at \$20,000. Commissioner Woodland asked for an explanation of the rationale for placing the cap at \$20,000. The Mayor explained that the Building Official had brought to her attention the fact that the total cost of the permit to build the Community Center project would be \$56,000, and that in view of the not-for-profit, service nature of the Applicant, this amount would cause a hardship. Chair Quam noted that legally, these fees, which the City is also obligated to pay for its construction projects, could not be completely waived for anyone. Commissioner Woodland asked if the permit cap could extend to any not-for-profit organization, and City Attorney Dye said he would need to research this to be sure that it did not violate discrimination rules – adding that the correct classification would be one for charitable entities. The Commissioner suggested another possibility, instead, of charging the Community Center the full \$56,000 cost of the permits and then putting an additional \$36,000 into the Community Center line item in next year's City budget. Mayor SueLynn said Building Official Donohue would need to provide input as to how this approach would affect the amounts the City could charge for fees next year. Commissioner Cramer suggested changing the wording in Number 3 to read that it applied to charitable entities. Commissioner Quam noted that if the Resolution were passed as it currently read this evening, another Resolution could be passed at the next meeting of the Commission, if necessary.

**MOTION: Commissioner Dale Woodland moved to approve Resolution R06-616, with one amendment, consisting of the striking of the sentence beginning with "PASSED AND ADOPTED" on the last page of Exhibit A, and to approve the amended permit fee schedule as presented at this evening's meeting, seconded by Commissioner Linda Cramer.**

**Roll Call Vote: Commissioner Woodland: Aye; Commissioner Quam: Aye; Commissioner Cramer: Aye. Motion carried unanimously.**

**Public Comment**

Carol Ann Magill of 403 Spring Avenue asked that Item 3) in the Resolution be revisited quickly, since the Commission had not decided to amend the language in it to pertain only to charitable entities. She expressed concern that private individuals building mansions in the city could also benefit from this reduction in fees, and cause the City to lose a significant amount of revenue. Ms. Magill urged the Commission to put this topic on the next possible Work Session agenda so that the regular permit fees could be reinstated, without a cap.

**9. Garbage / Recycle / Yard Waste Contract Expires March 31, 2007 – Should we go out to bid?**

Mayor SueLynn indicated that she had spoken with Mr. Lorenzo, Public Works Director of the City of Longboat Key, whose contract also expires next year, and he had informed her of the results of his search for alternative waste removal contractors. The Mayor reported his findings were that in this area, there are no other providers of these services. She said she had also inquired of the City Engineer (Baskerville-Donovan, Inc. (BDI)) the cost for writing and RFP for waste collection, and was told that it could take anywhere from \$5,000 to \$10,000. She noted that any waste contractor other than Waste Management would need to make a special trip to Anna Maria, and said she believed that since this City would be their only client on the Island, it could be possible that no one would respond to the RFP.

Mayor SueLynn noted that the City of Bradenton Beach had its own waste collection, and that she had approached Mayor John Chappie, who had said he would put a proposal to extend waste collection services to the City of Anna Maria before his Commission, however, she had not heard back from him on the outcome. The Mayor noted that this would most likely not be a viable activity for the City of Bradenton Beach, since it would need to purchase another truck and add staff to serve the City of Anna Maria. She also noted that the Waste Management contract also included perquisites, such as the annual rebate and clean-up dates, that the City of Bradenton Beach or other contractors could probably not provide for the same contract price as Waste Management's.

**MOTION: Commissioner Linda Cramer moved not to go out for bid on the Garbage / Recycle / Yard Waste Contract, seconded by Commissioner John Quam.**

**Vote: All Ayes. Motion carried.**

**PUBLIC COMMENT**

Tom Turner of 850 North Shore noted that he receives two Waste Management bills for his duplex, and that one was slightly more expensive than the other, something for which he would like to have an explanation. He noted that over a year ago the Commission had discussed that it was not fair for duplex owners to pay two bills and said he hoped that this subject would not be forgotten when the time comes to renegotiate the contract.

**PRESS COMMENT**

None offered.

**ADJOURNMENT**

**MOTION: Commissioner Linda Cramer moved to adjourn the meeting, seconded by Commissioner Quam.**

**Vote: All Ayes. Motion carried.**

Commissioner John Quam adjourned the meeting at 7:55 p.m.

Respectfully submitted,

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City Clerk Alice Baird

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Date