

**CITY OF ANNA MARIA
CITY COMMISSION REGULAR MEETING
MEETING HELD AT ANNA MARIA COUNCIL CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, MAY 26, 2011
6:00 P.M.**

CALL TO ORDER

Chair Webb called the Regular Meeting to order.

PLEDGE TO THE FLAG

ROLL CALL: Mayor Michael Selby, Chair Chuck Webb, Commissioner Dale Woodland, Commissioner John Quam, and Commissioner Eugene Aubry.

Absent: Vice-Chair Jo Ann Mattick.

Staff Present: City Clerk Alice Baird, City Attorney Jim Dye, Building Official Bob Welch, and Minutes Clerk Stacey Johnston.

Press: Sun and Islander.

1. Discussion Relating to the Center for Municipal Solutions (CMS) Agreement based on the Presentation made at the May 12, 2011 City Commission Work Session.

City Attorney Dye informed that Mayor Selby asked that he review the presented contract. He noted he had made some changes.

Commissioner Quam commented he was unaware that a new Cell Tower Ordinance would be pursued (as noted in the agreement). Noting that the contract states that five hours will be devoted towards drafting and delivering a new Ordinance to the City, Commissioner Quam said he was hesitant on proceeding with a new Ordinance until other avenues have been pursued. He questioned if Verizon had been contacted by residents that were having issues with their cell service.

Commissioner Woodland also voiced concern that a new Ordinance would be pursued. He further suggested a copy of Bradenton Beach's new Ordinance be obtained for reference.

Commissioner Woodland said he had no objection to the proposed contract and noted he saw no language of it being an exclusive contract. He further suggested it be made clear as to the City's true financial obligations. Noting that the contract was just received, he stated he wanted to pursue the opportunity but wanted time to review the contract language.

City Attorney Dye pointed out the contract has a three-year term and if the Commission wanted it to be exclusive then the contract language should be changed to state so.

Discussion followed. At the suggestion of *Chair Webb*, it was the consensus that Mr. Monroe is contacted to present the changes he recommends be made to the City's Ordinance - and the cost for making those changes. A small contract could be approved and the process started as soon as possible. A copy of Bradenton Beach's new Ordinance will be requested.

Commissioner Woodland presented two options Mr. Monroe suggested that would assist with receiving better cell phone coverage in the interim.

2. Request for Consent of Use Approval Regarding Topazfish, LLC and Nutfish, LLC for Permission to Install Private Underground Electric Cable in the Right-of-Way.

City Attorney Dye explained that two properties on Pine Ave. owned by separate but related LLC's are sharing a private electrical generation grid. The two properties are separated by Tarpon and the owners have asked to run the electric line joining the two properties under Tarpon. However, the City's codes have no language to address the request. As a result, *City Attorney Dye* had prepared the Consent of Use for using the City's right-of-way as property owner.

The electric cable will be placed underground and the property owners acknowledge it is a public right-of-way and that there will be other facilities within the right-of-way. The owners will install and maintain monuments on either side of Tarpon in order to give notice on either side of the public right-of-way that the underground electrical lines are present.

Chair Webb suggested a provision be added to the Consent of Use for the ending of the Consent.

Engineer Lynn Townsend-Burnett explained the type of line that would be utilized and stated they would be agreeable to a six-month termination of the Consent of Use.

City Attorney Dye agreed to add to the agreement that a six-month notice would be given by the City if requesting that the cable be pulled.

**MOTION: Commissioner Quam moved to approve the Consent of Use agreement with Topazfish, LLC and Nutfish, LLC as amended. Commissioner Woodland seconded the motion.
Motion carried – All Aye.**

3. Mayor's Report.

Governor's Hurricane Conference

Mayor Selby attended the recent Governor's Hurricane Conference in Ft. Lauderdale and will be working with staff relating to certain issues.

Pier Centennial & Angler's Inn

Mayor Selby thanked certain individuals, committees, organizations, news media, and City staff for their involvement with the successful Pier Centennial Celebration. He also thanked Sissy Quinn for her negotiations and assistance with the moving of Angler's Inn and Lizzie Thrasher for making that commitment to the City.

EOC

Mayor Selby suggested that an alternate Commissioner be appointed to serve on the EOC in the event Commissioner Quam was unable to participate. He asked to be contacted if any Commissioner were interested.

4. City Commission Reports.

Chair Webb reported on a county-adopted Fertilizer Ordinance and that the provision linking the sale of fertilizer in the summer had been left out. The Ordinance applies county-wide unless the City opts out.

Chair Webb suggested that the City either adopt the County Ordinance or opt out.

5. Consent Agenda

- a. **Approve Minutes of:
City Commission Regular Meeting – April 28, 2011
City Commission Shade Meeting – April 28, 2011**
- b. **Approve ITPO Agreement and Rules of Procedure.**
- c. **Proclamation – *Neurofibromatosis (NF) Awareness Month* – May 2011**

**MOTION: Commissioner Woodland moved to approve the Consent Agenda as presented. Commissioner Quam seconded the motion.
Motion carried – All Aye.**

10. Written Reports and Updates:

- 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/Line of Credit Report.**

Commission Comments –

Adopted Parking Plan Ordinance

Chair Webb informed that the final Parking Plan Ordinance only needs to be signed.

Angler's Inn

Commissioner Aubry thanked the Trasher's for their preservation of the City's historical buildings and for recent moving of the Angler's Inn.

Public & Press Comment – None.

Adjournment

On motion made by Commissioner Quam and seconded by Chair Webb, the meeting was adjourned at 6:33 p.m.

Alice Baird, CMC, City Clerk

MINUTES APPROVED: _____