

**CITY OF ANNA MARIA  
REGULAR CITY COMMISSION MEETING MINUTES  
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
THURSDAY, JULY 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 Commissioner Chuck Webb (7:16 p.m.).

**Absent:** Deputy Chair Christine Tollette (out of town).

**Staff Present:** City Clerk Alice Baird, Finance Director/Deputy City Clerk Diane Percycoe, City Attorney Jim Dye, Public Works Director George McKay, Building Official Bob Welch, City Planner Alan Garrett, and Minutes Clerk Stacey Johnston.

**Press present:** Sun and Islander.

1. **Approve Minutes of:  
City Commission Regular Meeting held June 25, 2009.  
Special City Commission Meeting held July 9, 2009.**

**MOTION:** Commissioner Mattick moved that the Regular City Commission Meeting Minutes held June 25, 2009, and the Special City Commission Meeting Minutes held July 9, 2009 be approved as written. Commissioner Webb seconded the motion.  
**Motion carried – All Aye.**

2. **Commissioner Reports – None.**

3. **Mayor's Report  
Commission Group Photo**

The Mayor/City Commission's group photo will be taken on September 10, 2009.

**Emergency Management Team Update**

The City's Emergency Management Team met with Lori Fagan, EOC, in preparation of this year storms. Commissioner Quam serves as the first person into EOC and Commissioner Mattick serves as the second.

**BIEO Meeting Update**

The BIEO met on July 15, 2009. The Sierra Club made a presentation on the Fertilizer Ordinance and SBA Advanced Wireless Network LLC presented their cell tower projects. Chair Quam and Commissioner Tollette attended the meeting.

**ITPO Meeting Update**

The ITPO meeting was held on July 20, 2009 in Holmes Beach. Chair Quam represented Anna Maria and had reported that there is no operational funding available for the Trolley.

**JAG Meeting Update**

Mayor Barford and Director of Finance Percycocoe attended an allocation meeting at the Manatee County Center for Justice Assistance Grant (JAG) Monies. The City requested \$5,000 for an ATV and \$17,000 for a small vessel. The \$5,000 ATV replacement was granted to the City pending final approval by the Manatee County Commission. The City's current ATV is inoperable and unable to be repaired.

**Manatee County Economic Development Council Meeting Update**

Mayor Barford met with Eric Basinger, Executive Director of Manatee County Economic Development Council for the Manatee County Chamber, on July 21, 2009. The meeting included discussion relating to the Manatee County Economic Development's 5-yr strategic plan.

**Moss Lane**

*Mayor Barford* announced that the alley between Cedar and Willow has officially been named Moss Lane in honor of Gene and Elizabeth Moss. The Historical Society held an official dedication the previous month for Gene and Elizabeth Moss's dwelling. Mayor Barford encouraged the Commission to contact Elizabeth Moss and let her know they had an opportunity to see the newly named alley.

*Chair Quam announced that the agenda items would be moved around that evening. Items # 7, # 8, and # 5 would be moved to the beginning of the agenda.*

**4. City Pier Structural Inspection Contract with M. T. Causley.**

*Commissioner Woodland* asked for clarification relating to the Terms and Conditions – 20% of evaluation services total due upon execution of proposal. He suggested the language be removed.

*Building Official Welch* explained that the State of FL has a regulation for payment. The term and condition related to a canned proposal used by M. T. Causley who also performs services for private entities. M. T. Causley expects to get paid by public entities as allowed by State Law.

*City Attorney Dye* informed that there is a statutory language in place regulating how local governments pay their invoices. He suggested that the language in question be replaced with the following language:

Invoices will be paid in accordance with the Local Government Prompt Payment Act.

The recommended change will be sent to M. T. Causley for their approval.

**MOTION:** Commissioner Mattick moved to approve the contract with M. T. Causley for the City Pier Structural Inspection in the amount of \$5,200 - as amended. Commissioner Woodland seconded the motion.  
Motion carried – All Aye.

**5. Amendment to MT Causley Agreement for Building Services.**

*Mayor Barford* stated that Anna Maria has a good relationship with M. T. Causley and was recommending that the contract be approved for three years as the City's does with all other consultants. Compensation would be negotiated on an annual basis. The proposed contract would expire July 2012.

*Chair Quam* questioned if a three-year contract was necessary since the Commission would consider the compensation annually.

*Director of Finance Percycoe* explained that the only time the Commission would review the contract in the three-year period would be if M. T. Causley or the City wished to renegotiate the compensation. There would be no increase in compensation or COLA increase for the upcoming year. All other portions of the contract would remain in place over the three-year period.

*Chair Quam* gave the example of the City having a reduction in Building Permit fees.

*Ms. Percycoe* confirmed that the City would have the option of renegotiating the contract.

*Building Official Welch* and *City Attorney Dye* acknowledged that the termination clause of sixty days would still carry forward.

*Commissioner Woodland* pointed out that the Commission was seeing the contract for the first time that evening and he was opposed to taking action prior to discussing the issue at a prior work session. He also asked if the contract had been revised.

*Mayor Barford* informed that the new contract would begin on July 23, 2009. *Mayor Barford* explained that the contract distributed in the meeting packets had only been reformatted at the request of the City Attorney.

In answer to the *Chair Quam's* question relating to the requirement of a Certified Plans Examiner, *Building Official Welch* confirmed he had seven State Licenses. In addition, the services of the M. T. Causley home office and also the Plans Examiners or Inspectors in the area were available at no additional charge.

**MOTION:** Commissioner Woodland moved to approve the three-year agreement for the Building Official and related services as submitted. Commissioner Mattick seconded the motion.  
**Motion carried – All Aye.**

*Commissioner Webb was noted arriving at 7:16 p.m. after action was taken on Agenda item # 5.*

**6. Proclamation – Children’s Summit Day – August 8, 2009.**

The Proclamation was read and presented to Tameka Moore by *Mayor Barford*.

*Tameka Moore* thanked the Mayor and City Commission on behalf of the Children’s Summit and invited them to attend on August 8, 2009.

**7. Resolution R09-656 – Bay Side Erosion/Renourishment.**

*City Clerk Baird* read the Resolution by title.

*Mayor Barford* informed that the Resolution relates to the Bay side in which renourishment at that location has never received. The area includes the Rod and Reel Pier north to Bean Point. There has been a change in designation from DEP – from critical inlet shorelines to critical shoreline. As a result, the change will open up funding for Anna Maria to someday apply for the monies that will become available. The Resolution is to allow Mayor Barford support when addressing and asking the Manatee County Commission to perform the design and engineering to assist the City.

*Mayor Barford* agreed that the Rod and Reel Pier managers would be kept informed during the process.

*Commissioner Mattick* thanked Mayor Barford for pursuing the Bay side erosion project.

*Mayor Barford* acknowledged that Congressman Buchanan and Representative Galvano were actively involved in the process.

**MOTION:** Commissioner Woodland moved that Resolution R09-656 be adopted. Commissioner Webb seconded the motion.  
**On Roll Call Vote, the motion carried unanimously.**

**8. DR 420 – Establishing a Date, Time, and Place for the First Public Budget Hearing FY 2009/2010 and Set Tentative Millage Rate.**

*Finance Director Percycoe* explained that she had performed additional work on the budget since the last work session. Recognizing that the Reserve Calculations were 39%, she began working with them to see how much could be

drawn out yet still maintain the Reserves at 30% to 35%. The millage rate has also been dropped to the current rate of 1.7882.

Ms. Percycoc presented four scenarios for the Commission's consideration. She reminded that the CIAC had presented a Capital Improvement Plan that could be put into place. She spread out the originally proposed four-year plan to five-years. The JAG grant for the ATV has also been included in Ms. Percycoc's proposals and scenarios.

Ms. Percycoc explained that the proposed scenarios would be discussed at the next budget work session. The proposed millage rate, however, needed set that evening. She recommended that the proposed rate be set at the higher rate of 1.9450 with the goal of setting the final rate at 1.7882. She informed that property values have dropped by 10% and that amount has been taken into consideration.

Discussion followed relating to the proposed contingency fund of \$20,000 versus the amount of reserves adopted in the 2008/2009 budget.

*Commissioner Woodland* felt the contingency fund should have 5% rather than only 1%. He was in favor of utilizing a portion of the reserves due to the "emergency" of the current economic conditions. He further voiced his concern relating to setting the proposed millage at the higher rate. He said he was in favor of the lower millage rate and for using the reserves in order to get to that point.

**MOTION:** **Commissioner Mattick moved that the First Public Budget Hearing for the FY 2009/2010 Budget be held on Wednesday, September 9, 2009 at 6:30 p.m. at the City of Anna Maria City Commission Chambers, 10005 Gulf Drive, Anna Maria, FL and that the Tentative Millage Rate be set at 1.9450. Commissioner Webb seconded the motion.**

#### **Public Comment**

**Jim Conoly**, N. Shore Dr., felt there would be no public complaints relating to the proposed budget.

Mr. Conoly asked for clarification relating to comments made by Commissioner Webb that had appeared in an Island newspaper relating to even if there was an increase in the City's millage rate, the homeowner's taxes would not increase. He also asked for clarification relating to the news that the Property Appraiser would be increasing the value of homestead properties by 3%.

*Commissioner Webb* and *City Attorney Dye* explained the Recapture Cap program that is limited to homestead properties. It was noted that the City has no control over the millage rates set by the County and School District. Mr. Conoly was encouraged to contact the Property Appraiser and ask how the homesteaded value was being calculated this year.

**Margaret Jenkins**, Chilson Ave., encouraged the Commission to maintain the millage 1.7882.

**ACTION: Motion carried on a vote of 3 to 1 with Commissioner Woodland voting No.**

**9. CONSENT AGENDA.**

- a. **Proclamation – Women’s Equity Day – August 26, 2009.**
- b. **Appointment of City Canvassing Board:  
City Clerk, Commissioner Mattick, and Commissioner Webb.**
- c. **Appointment of Citizen Recognition Committee Members.**  
*Commissioner Woodland* asked that item # c. be pulled from the Consent Agenda and considered separately.

**MOTION: Commissioner Webb moved that Consent Agenda items a. and b. be approved. Commissioner Woodland seconded the motion.  
Motion carried – All Aye.**

- c. **Appointment of Citizen Recognition Committee Members.**  
*Commissioner Woodland* submitted the tentative name of Chris Collins as his appointment choice for the Citizen Recognition Committee.

*Mayor Barford* will contact Mr. Collins to inform him of the meeting time and dates. Linda Scott will also be contacted as Commissioner Webb’s recommendation. The Citizen Recognition Committee Members will include:

Margaret Jenkins, Betty Yanger, Jane Coleman, Sandy Mattick, Chris Collins, and Linda Scott.

**MOTION: Commissioner Mattick moved to accept the appointment of the Citizen Recognition Committee Members as presented by Mayor Barford. Chair Quam seconded the motion.  
Motion carried – All aye.**

**12. 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**

**Public & Press Comment – None.**

**Adjournment.**

**On motion made by Commissioner Webb and seconded by Commissioner Woodland, the meeting was adjourned at 7:47 p.m. Motion carried unanimously.**

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**Alice Baird, CMC, City Clerk**

**Minutes approved: \_\_\_\_\_**