

**CITY OF ANNA MARIA
REGULAR CITY COMMISSION MEETING MINUTES
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
1005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, JULY 26, 2007
7:00 P.M.**

CALL TO ORDER

Commission Chair John 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, Deputy Chair Christine Tollette, and Commissioner Duke Miller.

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

Press present: Sun.

Chair Quam read the Pledge of Conduct.

1. CONSENT AGENDA

- a. ***Minutes* – Regular City Commission Mtg – June 28, 2007
– Special City Commission Mtg – June 20, 2007**
- b. **Approve Proclamation: Women’s Equity Day – August 26, 2007**
- c. ***Special Event:* Bayfest AMI Chamber of Commerce,
October 20 – 10AM – 7PM**
- d. **Reappoint to Planning Board: Sandy Mattick and Frank Pytel
(Terms to July 2010)**
- e. **Approve Resolution R07-626 –
Citizen Recognition Committee Makeup**
- f. **Appointment of Transportation Enhancement Grant Committee
Members**

**Motion: The Consent Agenda was approved on motion
made by Commissioner Tollette and seconded by
Commissioner Miller.
Motion carried – All Aye.**

2. REPORTS AND UPDATES.

- a. **Commissioners.**

SWFWMD Meeting Update

Commissioner Woodland announced that on July 25 the Manasota Basin Board approved the City’s grant request for Phase II that will be effective in 2008.

- b. **Sheriff’s Report (Written).**
- c. **Building Department Report (Written).**
- d. **Public Works Department Report (Written).**

- e. **Code Enforcement Report (Written).**
- f. **City Pier Report (Written).**
- g. **Ordinance Update (Written).**
- h. **Financial Report (Written).**
- i. **Line of Credit Report (Written).**

- j. **Mayor's Report.**

Olesen Lawsuit Update

Mayor Barford said she and City Attorney Dye were in mediation all day regarding the Olesen lawsuit. A Shade Meeting will be set for the following week to update the City Commission.

ITPO Meeting Update

Mayor Barford informed she attended the July 16 ITPO meeting. MCAT Director Kessler requested the Island cities include new signage at Trolley stops that include international symbols. She explained the changes would include adding the route information at the top of the 7-foot poles with the times of arrival at the bottom of the poles. The height design is favored for pedestrians and bicyclists using the sidewalk. The county will provide the new signs for the cities to erect.

Commissioner Miller suggested that if the new signs will have the schedules listed on them that the schedules be removed from the bench backs.

ACTION: It was the consensus of the Commission that Mayor Barford proceed with working with the County to get the new signs in place.

Turtle Watch Group

Mayor Barford informed that the Turtle Watch Group provided her with six of the ten informational signs produced by them. A sample of the sign was shown to the Commission.

Mayor Barford said she asked the EEEEC Committee to review the quality of the sign and its viability for holding up in the elements.

Letter of Interest – City Health Insurance

Mayor Barford received Commission clarification that they did want her to move forward on sending out a Letter of Interest regarding the City's Health Insurance.

City's Record Retention

Mayor Barford stated she had appointed a staff member to work with an expert relating to record retention as it relates to e-mail. A policy will be established and presented to the City Commission for their consideration.

Citizen's Recognition Committee

Mayor Barford announced the Citizen's Recognition Committee would be presenting an award in October 2007. She encouraged the Commission to submit the names of individuals or groups they felt were worthy of being considered.

Mediation Scheduled

Mayor Barford informed mediation was set for September 12, 2007 regarding the roof issue and mold and asbestos and remediation of City Hall.

Transportation Enhancement Grant Committee

The Transportation Enhancement Grant Committee will hold their first meeting on August 14, 2007, 5:00 p.m.

3. Second Reading and Public Hearing of Ordinance No. 07-680 - Amending the Site Plan Procedure.

City Clerk Baird read the Ordinance by title.

City Planner Garrett reminded that the Commission had agreed on the procedure for the Site Plan review and had discussed leaving in the deviation criteria, however, providing standards that have to be reviewed in order to approve or deny the deviation. The Commission had discussed having the P&Z Board to look at the criteria.

Planner Garrett informed that he and City Attorney Dye met to review the proposed Ordinance. During the review, it was agreed that language should be added relating to the requirement that all property owners within 500 feet of the subject-zoned partial must be notified of the hearing. No provision had been set out in the Ordinance and the felt it imperative to add language spelling out that criteria.

Proposed language would include that "All property owners within 500 feet of the subject partial. Such hearing shall be noticed per section 114-76, except that mailed notice shall be given to all property owners within 500 feet."

Planner Garrett explained the Commission should consider the two options available;

- 1) Approve Ordinance No. 07-680 as is and adopt the notification provision.
- 2) Continue Ordinance No. 07-680 until the August 23 meeting after review by the P&Z Board and of the Planner and City Attorney's final changes.

After discussion, it was agreed that the Commission adopt Ordinance No. 07-680 with the addition of the notification provision and forward the deviation criteria to the P&Z for consideration at their August meeting.

PUBLIC COMMENT –

Tom Turner, 850 N. Shore Dr., said he was unsure of the proposed changes and felt the Ordinance should be postponed and the sections should be re-numbered.

MOTION: Commissioner Miller moved to adopt Ordinance No. 07-680, including the amendment to Section F.1 P&Z procedure, and Section G.1 City Commission procedure, as submitted. Commissioner Woodland seconded the motion. On Roll Call Vote – Motion carried – All Aye.

4. Second Reading and Public Hearing of Ordinance No. 07-681 - Amending Section 114-133 and 114-134, Alterations and Repair of a Non-Conforming Structure.

City Clerk Baird read the Ordinance by title.

City Planner Garrett explained that the P&Z Board had recommended deleting “or volume of space” and replaced it with “total habitable floor”.

Commissioner Miller pointed out that the title mentions “volume” in two locations and asked for clarification.

City Attorney Dye informed that the title has to reflect what is being accomplished in the Ordinance. He explained that what’s being eliminated is the expansion of volume space as a prohibited act – that the expansion of volume is allowed just not expand the area - and that the title was correct.

Public Comment – None.

MOTION: Commissioner Woodland moved to adopt Ordinance No. 07-681 with the amendments as discussed in Section 114-133.(d) and Section 114-134.(f). Commissioner Tollette seconded the motion. On Roll Call Vote the motion carried unanimously.

5. Community Center – Authorize Execution of an Easement to Manatee County for Installation of Utility Lines Serving the Anna Maria Island Community Center.

City Attorney Dye provided the Commission with background relating to this issue. He explained it involves running utilities to the Community Center’s remodeled property.

One of the requirements of the Manatee County Utility Services is that when they run the utility service to a building an easement is required on the property it is serving. Since the City owns the property under a long-term lease with the

Community Center, the City is being asked to execute an easement. Both he and Attorney Scott Rudacille have been working on this issue and trying to determine why an easement is required. They have both been informed it had always been in place.

City Attorney Dye suggested executing the easement. However, the County has required a title search of the property in which his office has ordered though not yet received. He said he was unable to issue a letter on the title until the title search has been received and reviewed by him.

City Attorney Dye recommended that rather than waiting until the title search is received, the Commission goes ahead and authorizes entering into an easement agreement with the County to allow the hook-up of the utilities for the Community Center and authorize the Mayor to execute the documents when they are in place.

Public Comment – None.

**MOTION: Motion was made by Commissioner Miller and seconded by Commissioner Woodland to authorize execution of an easement agreement with Manatee County's Utility Department and authorize the Mayor and City Attorney to execute the necessary documents for the Community Center property.
Motion carried – All Aye**

6. Proposed Stormwater Utility Fee – Decision to Authorize Mayor to Enter Into an Agreement with an Engineering Firm to Calculate a Rate Structure to Determine the Basis for a ERU (Equivalent Residential Unit).

Mayor Barford reminded that this issue was discussed at the Budget Work Session and the Commission had authorized increasing the line item from \$10,000 to \$15,000 for the ERU Feasibility Study.

Mayor Barford confirmed that the Study would be bid out to the City's Engineering firm and the firm used by Bradenton Beach and Holmes Beach.

Attorney Dye clarified that the ERU Feasibility Study will provide the City with the averaged single-family home (ERU) and a way to apply that to other single-family homes in the City.

Public Comment – None.

MOTION: Commissioner Woodland moved to authorize the Mayor to enter into an agreement with an engineering firm for the purpose of calculating a rate structure to determine the basis for an ERU (Equivalent Residential Unit) in the City of Anna Maria in an amount not to exceed \$15,000. Commissioner Tollette seconded the motion.
Motion carried – All Aye.

7. Approve Superior Asphalt Paving Bid – Magnolia @ Crescent (Scheduled to be funded by Line of Credit, but delayed by construction). \$28,306.00

Mayor Barford explained this item was originally pulled from the Line of Credit and was scheduled to be completed, however, due to the construction at the Community Center the upgrade of Magnolia was postponed.

Public Works Director McKay presented and provided the Commission with an explanation of a revised July 26, 2007 proposal from Superior Asphalt, Inc. of \$48,352.65 – Magnolia, Crescent, and Palm and the proposal of \$15,840.50 – Magnolia, from South Bay to Gulf Dr. If the Commission chose to complete the entire project, the total cost would be \$64,193.15 that would include a \$5,000 cost for Owner's Contingency in the event additional work would be required. He noted that except for Maxine, all of the other streets were a portion of the Line of Credit.

Public Works Director McKay explained that the original bid of \$28,306 was only for the horseshoe area around the Community Center – Magnolia @ Crescent.

Deputy City Clerk/Director of Finance Percycoe pointed out if the entire area was approved, only one mobilization cost would be required. Discussion and explanation followed.

Mayor Barford explained she had asked the Public Works Director to look at all of Magnolia, which at one time was part of the Line of Credit.

Commissioner Tollette pointed out she lived on Magnolia and that it was full of potholes and was in great need of repair.

Discussion followed relating to the costs required for mobilization, flaggers, and traffic control.

Commissioner Woodland said he was not comfortable moving forward on the total project until clarification could be made relating to the Line of Credit. He pointed out that the Resolution approving the Line of Credit has a specific attachment listing exactly what it would cover. He felt the Resolution would need to be modified first.

The following action was taken during the time period Deputy City Clerk/Finance Director Percycoe researched Commissioner Woodland's concerns:

SET SHADE MEETING DATE

The Commission agreed to set Tuesday, July 31, 2007 at 5:30 p.m. as the date for the Shade Meeting relating to the Olesen Lawsuit.

8. **DR420 – Establishing a Date, Time & Place for the First Public 2007-2008 Budget Hearing & Set Tentative Millage Rate.**

Public Comment – None.

MOTION: Motion was made by Commissioner Tollette and seconded by Commissioner Woodland that the First Public 2007-2008 Budget Hearing would be held on Thursday, September 6, 2007 at 6:30 p.m. at the City of Anna Maria City Hall Chambers, 10005 Gulf Drive, Anna Maria, Florida, and that the tentative millage rate be set at 1.7882 mills.
Motion carried – All Aye.

7. **Approve Superior Asphalt Paving Bid – Continued.**

Commissioner Woodland reiterated the need to confirm Exhibit A to the Resolution containing the list approved by the Commission relating to the Line of Credit.

ACTION: After discussion, it was agreed that this item be placed on the August 23, 2007 City Commission agenda for consideration.

PUBLIC COMMENT

Update on Manatee County Budget Meeting

Manatee County Commissioner Carol Whitmore addressed the City Commission and informed that Manatee County had reduced their budget \$20 mil from last year. She stated that the new County Administrator informed that all departments in the county would be effected and asked each to come up with how they would accomplish their required budget cuts.

Commissioner Whitmore informed the City Commission that one of the budget cuts involved the Transit System. She advised that 1.4 mil people rode the Transit last year and 400,000 road the Anna Maria Trolley.

The County Commission has asked the Transit System to determine how they will reduce their budget and come up with a revenue stream. In response, the Transit Department will be increasing their fees throughout their system and have spoke to her about charging \$.50 per person to ride the trolley. The suggestion of charging \$1.00 per day per person was also discussed due to 60% of those who ride the Trolley do so for job related purposes. She pointed out that the Trolley was a State project beginning in 2002 that was guaranteed for free for three years.

Commissioner Whitmore stated she did not feel she had enough County Commissioner support for the Trolley to remain free of charge. It is her hope to arrive at an affordable and reasonable compromise for the County to make up the revenue stream. She will be suggesting to the County Administrator to allow for advertising on the inside of the Trolley. In the event a charge will be required, she suggested the motels, rental, and real estate companies assist in offering that service to their customers.

Chair Quam asked if there were any proposed cuts for new roads or new developments in the County.

Commissioner Whitmore explained that impact fees pay for the new roads and new developments. She explained the process utilized by Lakewood Ranch.

Commissioner Whitmore informed that Library hours have been cut four hours per week and the Library Staff are responsible for determining the new hours.

PRESS COMMENT - None

On motion made by John Quam and seconded by Commissioner Miller, the meeting was adjourned at 8:10 p.m. Motion carried unanimously.

Mr. Joe Campoamor asked to be heard under Public Comment. The meeting was re-opened by John Quam.

ADDITIONAL PUBLIC COMMENTS –

Joe Campoamor, 209 Oak, said he lives on the canal between Periwinkle and Oak. He said he wanted to bring to the City Commission's attention and awareness that the canal has degraded and he was hoping to see it get dredged. He pointed out that the City of Holmes Beach recently dredged all their canals.

Mayor Barford asked Mr. Campoamor to meet with her after the meeting so she could get more specific information to address his issue. She pointed out that the City is currently looking at implementing a Stormwater Utility Fee that may help offset some of the dredging costs.

Mr. Campoamor complimented the City Commission on doing a great job for Anna Maria. He stated he enjoyed the meeting and found it very educational.

ADJOURNMENT.

On motion made by John Quam and seconded by Commissioner Miller, the meeting was officially adjourned at 8:13 p.m. Motion carried unanimously.

The next regular Work Session is scheduled for Thursday, August 9, 2007 and the next regular meeting is scheduled for Thursday, August 23, 2007.

Alice Baird, CMC, City Clerk

Minutes approved: _____