

**CITY OF ANNA MARIA  
REGULAR CITY COMMISSION MEETING MINUTES  
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
THURSDAY, SEPTEMBER 25, 2008  
7:00 P.M.**

**CALL TO ORDER**

Commission Chair Quam called the Meeting to order at 7:02 p.m.

**PLEDGE TO THE FLAG**

**ROLL CALL:** Mayor Barford, Commissioner Jo Ann Mattick, Commissioner Dale Woodland, and Chair John Quam.

**Absent w/excuse:** Deputy Chair Tollette and Commissioner Duke Miller.

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

**Press present:** Sun and Islander.

1. **Approve Minutes of  
City Commission Regular Meeting held August 28, 2008, and  
City Commission First Public Hearing – Budget held September 10, 2008**

**MOTION:** Commissioner Woodland moved that the August 28, 2008 City Commission Meeting Minutes and the September 10, 2008 City Commission First Public Hearing – Budget Minutes be approved as written. Commissioner Mattick seconded the motion.

**Motion carried – All Aye.**

2. **Commission Reports.**

*Commissioner Mattick* informed that there had been a lot of progress on the Environmental Enhancement Grant. At the committee's last meeting, the FDOT pointed out they would like to have preliminary proposal ideas for the State to work on.

There will be two committee meetings in October – October 13, 6:00 p.m. to discuss the major project, Tim Eiseler to bring preliminary drawings, and October 27, 2008 for presenting the preliminary plans. The Committee would then like to bring the proposals before the City Commission and residents for their input. It was agreed to place the item on the November 20, 2008 Commission Meeting agenda.

3. **Mayor's Report  
Percycoe – Finalist for 2008 Financial Official of the Year**

*Mayor Barford* reported that she received a fax earlier that day announcing that Director of Finance Diane Percycoe was one of the five finalist in the 2008 Financial Official of the Year category of the Cities of Excellence of Award Program.

**Manatee County Bridge Closure**

*Mayor Barford* reminded that the Manatee County Bridge closure would begin Sunday night, September 28, 2008.

**Gulf Drive Project Update**

The County still has one leak to address on Gulf Drive. Once resolved, paving will be completed. The sidewalks have already been installed.

**Phase I Stormwater Project Update**

Phase I is over one-half completed and the City has received many great comments from the public.

**Joint County/City Commission Beach Renourishment Meeting Scheduled**

*Mayor Barford* announced that a joint County/City Commission Beach Renourishment Meeting was scheduled for Tuesday, December 2, 2008, 8:30 a.m. – 11:30 a.m. in Anna Maria. All current Commissioner's and potential Commission candidates will receive notice of the meeting.

**Humpback Bridge Closure**

The Humpback Bridge will be closed for repairs and also one of the exit points off the bridge needs addressed. *Mayor Barford* said she would keep the Commission posted.

**Other**

*Mayor Barford* thanked Chair Quam for attending recent meetings on her behalf during her recent vacation.

**Comprehensive Plan Update**

*Mayor Barford* asked that the Commission review the Comprehensive Plan received from Tony Arrant. Though there are a few typographical errors, she felt all concepts were in place.

**4. Continued – Second Reading and Public hearing of Ordinance No. 08-690 - Amendments to the Site Plan Procedures.**

*Finance Director/Deputy City Clerk Percycoe* read the Ordinance by title.

*City Attorney Dye* informed that all comments provided at the last meeting have been incorporated into the Ordinance. It was noted that “proving” will be changed to “providing” in the Ordinance title.

*Chair Quam* officially opened the Public Hearing for the purpose of hearing any comments relating to the adoption on Ordinance No. 08-690.

*Hearing no Public Comment, Chair Quam* officially closed the public comments portion of the meeting.

**MOTION:** Commissioner Woodland moved to approve Ordinance No. 08-690, to include correcting, “proving” to “providing” in the title. Commissioner Mattick seconded the motion.

*Commissioner Woodland* stated that it is very likely that this Ordinance will be changed several times in the future.

**ACTION:** On roll call vote, the motion carried unanimously.

**5. Second Reading and Public Hearing – Ordinance No. 08-692.  
Request to Vacate a Platted 8-Foot Wide Drainage Easement on the Easterly Side of Lot “B”, Bimini Bay Estates, and Re-establish an 8-Foot Drainage Easement on the Northwesterly Side.**

*Finance Director/Deputy City Clerk Percycoe* read the Ordinance by title.

*Public Works Director McKay* reported that there had been no changes since the last meeting relating to the vacation and easement request.

In answer to *Commissioner Woodland’s* question, *City Attorney Dye* informed that the vacation does not become effective until the replacement easement gets recorded.

*Chair Quam* officially opened the Public Hearing for the purpose of hearing any comments relating to the adoption on Ordinance No. 08-692.

**Dolores Dunn**, owner of Lot 34, stated she owned the property located just behind the request, had reviewed all documents, and had no objection to their approval.

*Hearing no further Public Comment, Chair Quam* officially closed the public comments portion of the meeting.

**MOTION:** Commissioner Mattick moved to approve Ordinance No. 08-692 for Second Reading. Commissioner Woodland seconded the motion. On roll call vote, the motion carried unanimously.

**6. First Reading – Ordinance No. 08-695 -  
Exempt Low Income Property Owners from the Stormwater Utility Fee.**

*Finance Director/Deputy City Clerk Percycoe* read the Ordinance by title.

*City Attorney Dye* informed that the Ordinance came in earlier that afternoon, however, only the title was available that evening. The Ordinance states that if a person is qualified for the additional Homestead Exemption, they would also be except from the Stormwater Utility Fee. The Administration is authorized to set up regulations to effectuate the program.

In answer to *Commissioner Woodland's* question, City Attorney Dye informed that the semicolon listed after "exemption" in the Ordinance title should be removed.

*Finance Director/Deputy City Clerk Percycoe* confirmed that the program would be monitored annually for eligibility. The Property Appraiser will be implementing the program manually this first year. There are fourteen eligible for the exemption this first year.

### **Public Comment**

**Mr. Hoffmann**, 602 Gladiolus, asked for clarification on the qualifications for the program.

*City Attorney Dye* stated if a person was over 65 years of age and already receives the over 65 additional homestead exemption, they would then be exempt from the Stormwater Utility Fee. He confirmed that the exemption is based on income.

Mr. Hoffmann stated that the majority of property owners on the Island have lawn services. He questioned why the City needed to maintain the six-foot easement in front of all the streets in Anna Maria and suggested the property owner be responsible for that area. Doing so would lighten up the workload and manpower to address the stormwater maintenance, etc. For persons who did not maintain the easement, the City would mow and bill them for the services. He further suggested that the Stormwater Utility Fees be placed in a reserve account.

**Jim Conoly**, N. Shore Dr., informed that the subject of having the residents mow the right-of-way on their own lots have been brought up more than once. He agreed everyone should take care of their own right-of-way and those who do not would be billed. It was his opinion that the City spends too much time providing services for persons who should be doing it on their own.

Mr. Conoly said it was his understanding that the City was still maintaining the parking lot at the Rod & Reel Pier and felt that the restaurant should be assuming the responsibility for its maintenance.

He also stated that the City was spending too much time cleaning up after the County in regard to the Gulf Drive project.

It was Mr. Conoly's opinion that the City should reconsider the type of filters used in the drainage system due to the excessive amount of time it takes to clean them.

**Margaret Jenkins**, Chilson Ave., said she previously lived in Sarasota where it was required to maintain the easement in front of the street. She agreed that the Anna Maria residents should maintain their own property rather than the City.

**Michael Coleman**, Pine Ave., received confirmation there was fourteen persons that would qualify for exemption this year.

He felt if the City stopped mowing the right-of-ways in front of a resident's property, the property owner would automatically begin mowing it on their own.

***Ordinance No. 08-695 will be considered for Second Reading at the October 23, 2008 meeting.***

**7. Florida Government Finance Program – Update on Line of Credit.  
Stormwater Utility**

*Finance Director/Deputy City Clerk Percycoe* said in continuation of the update relating to this issue that was provided to the Commission at the Final Budget Hearing, she received another call from Elizabeth Newberry, Local Government Finance Program. Ms. Newberry informed that the markets had not stabilized and that they were not issuing any new loans. Explanation followed.

Ms. Newberry informed Ms. Percycoe that the interest rates will be rising and will then be passed on to the communities. Ms. Newberry hopes the ban on issuing any new loans will be temporary and that she will contact the City once the market settles. There is no guarantee for the loan the City was to receive on October 9, 2008.

Ms. Percycoe said Anna Maria should be receiving a 50% reimbursement of \$101,000. One invoice has been received from Atkins, which was paid out of the General Fund. The \$101,000 reimbursement amount will then be used for reimbursing the General Fund. She asked for direction on where the Commission wished to take funds from when the next invoice was received.

Ms. Percycoe said she had looked into other loan options and informed she e-mailed Ken at Wachovia Bank. She was informed that the City could receive either a \$500,000 or \$1 million loan from their Bank.

- \$500,000 loan – 5-yr. payback - 4.75% to 4.85% fixed rate - \$9,400 monthly payment / \$112,000 annual.
- \$1.M Loan – 5-yr. payback – 4.45% to 4.60% fixed rate - \$18,688 monthly payment / \$224,000 annual.

Ms. Percycoe reminded that the City will be paying on their existing loan for another 2 ½ years.

*Commissioner Woodland* reminded that when the City increased the line-of-credit to the \$1 million amount, the City was being conservative and borrowing the additional amount as a safety measure. He said it was important to remember that the City may not even need the additional funds.

Commissioner Woodland recommended that the City look at using the General Reserve Fund to fund the projects, if necessary, due to being on a short-term basis. He did not feel it was a good use of the City's time to research other loan options at this point.

It was noted that City Engineer Wilcox was looking into the status of the additional grant applied for by the City.

**ACTION:** Lengthy discussion followed. It was the consensus of the Commission that no additional loan is taken out at this time. If necessary, the City will utilize funds from the General Reserve Fund. Finance Director Percycoe will update "Exhibit A".

#### **Public Comment**

*Michael Coleman*, Pine Ave., questioned if it was likely that the City would need any additional financing.

*Finance Director Percycoe* stated that with the anticipated costs and the receipt of grants, she did not feel additional financing would be necessary. The only concern would be reducing the reserves funds in the event of an emergency.

*Mr. Coleman* felt if the City had any indication that additional funds would be required, they should consider taking out the Wachovia loan at the good 4% rate before the interest rates increased.

*Commissioner Woodland* said he was more inclined to use the General Reserve Funds rather than applying for an additional loan. If necessary, the implementation of Phase II could be postponed for an additional year.

*Ms. Percycoe* informed that she, Mayor Barford, and Public Works Director McKay had discussed the postponement of Phase II but would proceed with the project to the point just prior to going out for bid before making a recommendation.

*Mayor Barford* informed that the City's Control Team would be meeting soon to review the Stormwater Phase II project.

#### **8. Requested Endorsement – A Resolution of the Florida League of Cities – Supporting an Amendment to Florida's Constitution to Require the Legislature to Operate Under the Florida Sunshine Laws.**

*Commissioner Woodland* said he 100% supported the proposed Resolution. He explained that the State Legislature originally placed all municipalities throughout Florida under the Sunshine Law; however, the State Legislature was exempted from operating under the Sunshine Law.

*Mayor Barford* informed this was the first time that the Florida League of Cities was formally moving this endorsement forwarded.

**ACTION:** It was the consensus of the Commission to authorize Mayor Barford to draft a letter endorsing the Resolution of the Florida League of Cities for supporting an amendment to Florida's Constitution to require the Legislature to operate under the Florida Sunshine Laws.

#### **9. Appoint Citizen Recognition Committee Members.**

*Mayor Barford* informed that it was time again to appoint a Citizen Recognition Committee for the purpose of selecting the Anna Maria Citizen of the Year. The committee consists of the Mayor and one appointed member from the Mayor and each of the Commissioners. She asked that the Commissioners each contact Administrative Assistant Ann Marie Thorpe as soon as possible with their recommendation. Mayor Barford will contact Commissioner Miller and Commissioner Tollette.

Mayor Barford recommended the appointment of Betty Yanger.

**10. Mayor to Appoint Canvassing Board for City Election.**

Two members are to be appointed.

**ACTION:** Chair Quam and Commissioner Woodland both volunteered to serve on the Canvassing Board for the City Election.

**11. CONSENT AGENDA.**

1. Reappoint William Iseman to the Code Enforcement Board – Term to October 2011
2. Reports and Updates:
  - a. Sheriff's Report (Written)
  - b. Building Department Report (Written)
  - c. Public Works Department Report (Written)
  - d. Code Enforcement Report (Written)
  - e. City Pier Report (Written)
  - f. Ordinance Update (Written)
  - g. Resolution Update (Written)
  - h. Financial Report (Written)
  - i. Line of Credit Report (Written)

**MOTION:** Chair Quam moved to approve the Consent Agenda. Commissioner Mattick seconded the motion.

**Motion carried – All Aye.**

**Public Comment**

*Joan Dickinson* addressed the Commission requesting assistance to legislate for beach renourishment from the east side of Bean Point down to Bay Front Park since that area did not qualify. She said she had contacted her neighbors and Charlie Hunsicker relating to this issue.

*Mayor Barford* acknowledged she had been in contact with Ms. Dickinson. She explained that the State had indicated that no renourishment funding would be designated for that specific area since it was not considered sea worthy. She explained that in order to change that designation it would involve a legislative

change. A process on how they would go about lobbying was needed in order to get the laws changed.

Mayor Barford announced that a meeting will be held on December 2, 2008 from 8:30 a.m. to 11:30 a.m. at the Community Center relating to the renourishment of the Gulf side. She expressed how important it was for Ms. Dickinson and her neighbors to be available at that meeting. A tour of the areas needing renourishment will be conducted and Mayor Barford informed that the Bay area side could be included even though the County would not fund it.

*Commissioner Mattick* suggested that the issue be discussed at the December 2 meeting and that the County may be able to give direction and support for addressing the issue.

*Ms. Dickinson* said after speaking to Charlie Hunsicker, he did not feel the definition would ever get changed due to involving so many other communities. However, her neighbors are interested in lobbying and contributing into a fund. She said she was just unsure what the questions were that need to be asked.

*Mayor Barford* said the City understood the situation and would be willing to work with them from the City's perspective, such as a permitting basis. She asked that Ms. Dickinson contact her the following week.

*Public Works Director McKay* discussed the requirements for dredging. He suggested that public or private funding may be required.

*Finance Director Percycoe* suggested that a web search be conducted to see if there were any other communities who were in the process of lobbying. She also suggested contacting FDEP or the Florida Beach & Shore Association to see if they were aware of any other communities going through the same process.

Discussion followed relating to the incoming tide along the Bay side – south of the Pier up to Bean Point - and the damage that has occurred.

**Press Comment – None**

#### **Adjournment.**

**On motion made by Chair Quam and seconded by Commissioner Mattick, the meeting was adjourned at 8:07 p.m. Motion carried unanimously.**

**At 8:09 p.m. Chair Quam reopened the Regular Meeting for the purpose of hearing additional Public Comment.**

**Additional Public Comment**

**Mark Alonzo** addressed the Commission and discussed the following:

- In response to previous comments made by Chair Quam, Mr. Alonzo stated there was no problem with the Humpback Bridge and Crescent Bridge in regard to the Trolley being able to travel in that area.
- Mr. Alonzo then responded to previous comments made by Commissioner relating to no restrooms located around N. Shore Dr. accessible to a Trolley rider. Mr. Alonzo commented the only issue was that there were no sidewalks along N. Shore Dr. He stated that N. Shore Dr. was actually a highway and a main artery to the Island.
- When addressing Commissioner Mattick, she replied that there had been many discussions relating to the Trolley traveling along N. Shore Dr. She did recognize that he felt strongly about the issue but did not feel there was enough interest in order for it to be brought up again by the Commission.

Mr. Alonzo ended by stating the Commission was taking a conspiracy against the Trolley at the time of war.

**Final Adjournment.**

**Chair Quam adjourned the meeting at 8:12 p.m.**

**The next regular meeting is scheduled for Thursday October 25, 2008 at 7:00 p.m.**

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**Alice Baird, CMC, City Clerk**

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