

**CITY OF ANNA MARIA
REGULAR COMMISSION MEETING
SEPTEMBER 28, 2006
7:00 P.M.**

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL: Mayor SueLynn, Commissioner Christine Tollette, Commissioner Dale Woodland, Commission Chair John Quam, Deputy Commission Chair Linda Cramer,
Absent with excuse: Commissioner Duke Miller

Also present: City Planner Alan Garrett, City Attorney Edward Conrad, City Clerk Alice Baird

Press: Sun, Islander

1. **CONSENT AGENDA**

- a. **Approval of Regular City Commission Mtg. 8/24/06; First Budget Hearing 9/7/06**
- b. **Special Event: Privateer Christmas Parade 12/9/06, 10:00 a.m. - 1:00 p.m.**
- c. **Special Event: Christmas Walk (Roser Church) 12/16/06, 6:30 p.m. - 8:30 p.m.**
- d. **Proclamation – Lights on After School October 12, 2006 (Anna Maria Island Community Center will be present to accept.)**
Mayor SueLynn read the Proclamation aloud. The proclamation was accepted by the program director and several of the children who participate in Lights After School. The Mayor presented an award to each of the children.
- e. **Mayor Appointment of 2006 Election Canvassing Board: John Quam, Deputy Mayor; Commissioner Christine Tollette & Alice Baird, City Clerk**
- f. **Resolution 06-621 – Approving the Interlocal Agreement for the Re-designation of the Sarasota / Manatee Metropolitan Planning Organization (MPO), Authorizing the Island Transportation Planning Organization (ITPO) Chairman to Sign the Agreement on Behalf of the City of Anna Maria**

MOTION: Commissioner Linda Cramer moved to approve the Consent Agenda, seconded by Commissioner John Quam.

Vote: All Ayes. Motion carried.

2. **REPORTS AND UPDATES**

Commissioner Dale Woodland announced the Annual Clean-Up would be taking place on Saturday, October 7th, 2006. He invited fellow Commissioners to participate. Commissioner Woodland said the event would begin at 9:00 a.m. at

Bayfront Park, and run until 11:00 a.m. He informed those present that this Clean-Up is affiliated with the national program and noted that there is also a state-wide program.

Commissioner Woodland reminded everyone that Anna Maria's annual Bayfest would be held on October 21st.

Commissioner Christine Tollette reported that the Community Center held their fifth annual Oyster Bar Golf Tournament at the Palm Aire Country Club the day of this evening's meeting. She noted that the office trailer had arrived and was now being used as building continued; and that holding classes at St. Bernard's, an alternate facility, was going well.

Commissioner Linda Cramer reported that she had attended the Historical Society's grand opening, and had been very impressed. She commended the Administrator and all those who had worked on the exhibits and the event. Commissioner Cramer encouraged everyone to visit the interior of the museum, as well as Belle Haven Cottage.

Mayor's Report

Mayor SueLynn brought to everyone's recollection the mess that had been left when the Villa Rosa sales was repossessed. She said the City wished to assure everyone that staff acted as quickly as possible, although not as quickly as they would have liked. The Mayor said that City staff was bound by Code not to enter the site to clean it up, since they could have been accused of trespassing. She indicated that a letter had been sent to the owners, giving them 20 days to clean the site up, or after 20 days, the City could clean it up and bill them for cost, and that a remedy for nonpayment would be putting a lien on property.

The Mayor reported that she had attended a Metropolitan Planning Organization (MPO) meeting a week earlier and wanted to share some points from a discussion that took place there. She said that the state Secretary of Transportation conducted a question and answer session, during which the counties lambasted him regarding the State's failure to provide the necessary funds to improve and repair roads. Mayor SueLynn said that she experiences frustration whenever she attends these meetings, because the cost of maintaining roads was so enormous, and the State did not have the money necessary to do what was needed. Underscoring the enormity of the task, she noted that projects planned in Manatee County would take over 50 years to complete, while Sarasota County's planned projects will take 90 years.

The Mayor noted that alternative methods were being discussed for raising the money that will be needed to maintain and improve roads concurrent with growth. She indicated that refraining from approving further development in the eastern portion of the county had also been discussed. She said that the Secretary of

Transportation had informed those present at the meeting that 90 percent of all roads completed in the last few years are now toll roads.

Mayor SueLynn observed that State Representative Bill Galvano was in the process of organizing a Transportation Authority, which will include representatives from all the counties in his constituency. She expressed the hope that this newly formed body intended to develop private partnerships instead of taking funds away from entities already in existence.

The Mayor reported that there was a longstanding shortage in road building materials and that the State was currently dealing with international suppliers of aggregate material. In summary, she said there was today a great shortage of funds, materials and manpower to support the amount of construction needed to bring Florida's road system up to an acceptable standard. The Mayor said she felt this was something that citizens should seriously consider.

Chair John Quam introduced Edward Conrad, sitting at this meeting as City Attorney in the absence of Jim Dye.

3. Adopt Floodplain Management Plan – Resolution R06-620

Commissioner John Quam asked City Planner Alan Garrett to take the floor.

The City Planner explained that the document before the Commission at this evening's meeting was a requirement of the FEMA Community Rating System for earning flood insurance points. He noted that the Resolution allowed City staff to take the next step and offer the Commission recommended amendments to Ordinances.

City Planner Garrett said he thought some of these minor changes would make a drastic improvement to flood plain management. He noted that the mailing of questionnaires at the beginning of the process had a response rate roughly triple the average. Mr. Garrett observed that this was an indication of how concerned local citizens are about flood plain management, and their city, and noted that even those residents who had no flooding problems had taken the time to fill in the questionnaires and return them to City Hall.

The City Planner reported that the flood management plan had examined reduction of impervious coverage, and various methods of reducing flood damage from storm runoff. He said the flood mitigation committee would be bringing a stormwater plan before the Commission that would require single-family and duplex homeowners to provide a plan for attenuation of stormwater for development of their site. City Planner Garrett noted that minor issues, such as driveways, gutters and downspouts that discharge stormwater directly onto the street, can create major problems for homeowners and their neighbors. He indicated that in these cases, it was unreasonable for these same residents to expect the City and the State to correct the resulting damage. The City Planner

informed the Commissioners that these plans would come before them in Ordinance form and the changes would be properly advertised.

**MOTION: Commissioner Linda Cramer moved to adopt Resolution R06-620, seconded by Commissioner Dale Woodland.
Vote: All Ayes. Motion carried.**

Public Comment

None offered.

Mayor SueLynn noted that at the Comprehensive Plan EAR Work Session, there had been discussion about strengthening the Code with regard to stormwater runoff on private property. The Mayor expressed the belief that the Floodplane Management Plan was a significant step toward carrying that out.

4. Second Reading and Public Hearing on Ordinance No. 06-669 - Extending the Moratorium on the Subdivision of Property Seaward of the Coastal Construction Control Line.

Commissioner Linda Cramer read the Ordinance by title. Commissioner John Quam noted that this Ordinance would extend the moratorium until March 1st, 2007.

MOTION: Commissioner Dale Woodland moved to adopt Ordinance 06-669, seconded by Commissioner Christine Tollette.

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

5. Second Reading and Public Hearing on Ordinance No. 06-661 - Amending Sec. 114-194, Official Zoning Map.

Commissioner Linda Cramer read the Ordinance by title.

Commissioner Dale Woodland asked City Clerk Alice Baird to describe the process by which the “City Clerk shall make or cause to be made all authorized alterations”. City Clerk Baird responded that she was not familiar with the process, and that the City Attorney had suggested this language. She said she believed that changes to the map would be made through the [Commission-approved] recommendation of the Planning & Zoning Board.

Commissioner Woodland indicated that he would like to see some sort of written protocol, or a checklist, relating to alteration of the map, to make sure nothing ‘falls through the cracks’. City Clerk Alice Baird said that she assumed that a procedure would be developed with the aid of City Attorney Dye, once the Ordinance had been adopted.

MOTION: Commissioner Linda Cramer moved to adopt Ordinance 06-661, seconded by Commissioner Dale Woodland.

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

Public Comment

Tom Turner of 850 North Shore Drive expressed the opinion that it was inordinately time consuming and work intensive to be required to send the zoning map to Tallahassee for approval every time there is a small change, such as a lot split.

6. First Reading of Ordinance No. 06-670 - Creating a Process for Installation of Fences in Public Utility Easements.

Commissioner Linda Cramer read the Ordinance by title.

Commissioner Dale Woodland commented to the effect that the Public Works Director was not customarily the issuer of permits. Relative to paragraph 4, Commissioner Woodland drew attention to the need to follow through with a formal fee schedule.

Mayor SueLynn emphasized, for the sake of clarity, that this Ordinance pertains only to fences on utility easements. Commissioner John Quam recommended making this purpose more clear in the Ordinance language. The Mayor suggested that it might be clearer to state what cannot be done relative to fences in public utility easements.

Commissioner John Quam announced that the Second Reading and Public Hearing on Ordinance 06-670 would take place at the next regular meeting of the Commission on October 19th, 2006.

7. Line Item Transfers 05/06 FY

Commissioner Quam referred the Commissioners to Deputy City Clerk Diane Percycocoe's memo, dated September 28, 2006 relative to payment of outstanding invoices that exceeded the amount budgeted for the current fiscal year.

Mayor SueLynn noted that this evening's meeting was the last Regular Commission Meeting for fiscal year 2005 / 2006, and that it was not unusual for the administration to come before the Commission with line item transfers. The Mayor said that these had been expected to be minimal, however, the City had recently received several unexpected bills from the City Engineers, the firm Baskerville-Donovan, Inc. (BDI).

The Mayor drew the Commissioners' attention to Attachment #7a of this evening's meeting packet, consisting of a letter of apology from the firm's Executive Vice-President, Gerry Norona for oversights in billing. Mayor SueLynn confirmed that the invoices were verified to be legitimate expenses.

Commissioner John Quam reviewed the amounts required, totaling \$31,406.62 and confirmed the line items from where they were to come. Mayor SueLynn stated that the Deputy City Clerk had created a City Engineer line item, funded with \$4,500 to cover any additional costs, since the invoices for September had not yet been received.

MOTION: Commissioner Linda Cramer moved to approve the budget line item transfers identified on the form titled Line Item Transfers FY 2005 / 2006, dated September 28, 2006. Commissioner Christine Tollette seconded the motion.

Vote: All Ayes. Motion carried.

Public Comment

Tom Turner of 850 North Shore Drive voiced dissatisfaction with the lack of detail provided on BDI's invoices. Commissioner Quam confirmed with Mayor SueLynn that City Engineer Tom Wilcox had verified the back-up and signed off on it.

8. Resolution No. R06-619 – Wachovia Bank Authorization to Open Line of Credit Account.

Commissioner John Quam read the title of the Resolution. Mayor SueLynn indicated that there was little elaboration required after the descriptive heading was read. The Mayor informed the Commissioners that the money was expected to be in the City's account the day after this evening's meeting.

MOTION: Commissioner Dale Woodland moved to adopt Resolution R06-619, seconded by Commissioner Linda Cramer.

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

Mayor SueLynn explained to Commissioner Cramer that although the City's purchase order had been received, it would take up to 120 days for the re-surfacing contractor, Superior Asphalt, to begin work, due to their current commitments. She noted that if this Resolution had been adopted prior to the end of the fiscal year, the contractor would have been able to begin within a week, however, many municipalities already had their monies in place and were able to reserve the contractor before Anna Maria could commit the funds. The Mayor said that the Florida Highway Products contract should be finalized within the

next week or so, and indicated that the City would also be waiting for notification of the date work could begin.

9. Approval of 06/07 Sheriff Contract

City Clerk Alice Baird confirmed to Commissioner John Quam that this contract was the same as the draft, and was ready for the Mayor's execution. Mayor SueLynn noted that the amount of the contract was \$614,418.79, compared to Holmes Beach's contract, which came in at \$1.8 million.

MOTION: Commissioner Linda Cramer moved to approve the 06 / 07 Sheriff's Contract, seconded by Commissioner Dale Woodland.

Vote: All Ayes. Motion carried.

Public Comment

None offered.

PUBLIC COMMENT

Joan Dickinson of 865 North Shore Drive came forward and read aloud an E-mail she had written to the Mayor and the Commissioners earlier in the day of this evening's meeting. The subject matter was the drainage problem at 865 North Shore Beach Access. Ms. Dickinson also handed in for the record this evening a letter from Freida Williams. Joan Dickinson said that she would like to see a time line for alleviating this serious problem, with an action plan designating who, what, where, and when, and added that she would like to be a part of it. During the discussion that followed between herself and Commissioner Cramer, Joan Dickinson expressed anxiety about the severity of the problem after a recent twenty-minute downpour.

Jim Conoly, also a resident of North Shore Drive, recalled that when the drains were built at Ms. Dickinson's house, a sewer pipe was encountered that ran under the road and forced the construction to work around it. He said that now the grate designed to accept runoff was higher than Ms. Dickinson's driveway. Mr. Conoly said that the pipe under the road was only 8 inches in diameter, and when the duckbill is under sand, it cannot open for lack of pressure to clear it out. Jim Conoly said that therefore, all the water from the street that comes from North Bay flows into the manhole, and comes out of the top of it into her driveway. He recommended calling the engineering firm back, and explaining exactly what the problem is. Mr. Conoly noted there were dangerous culverts in the city that had high grass growing on them that hid the holes, and expressed concern that people could get seriously injured from stepping into these holes. Jim Conoly wondered how many people in the city were currently doing their own repairs to the swale system to make it work. He recommended communicating with the people that did the work to find some solutions to the remaining problems.

Sanchia Adye of 864 North Shore Drive described the drainage problem in the area, which becomes destructive even after a short rainfall.

Tom Turner of North Shore Drive recommended installing a cattle gate with a larger pipe at a problem site on his street. Commissioner Linda Cramer suggested that Mr. Turner could perhaps do a diagram of his idea for the City Engineer to review. She further recommended that Tom Wilcox be invited to speak with the neighbors to determine solutions.

Commissioner Christine Tollette asked for a report regarding the problems on North Shore Drive before the next Commission meeting. Mayor SueLynn indicated that she would like to arrive at a solution before she leaves office.

Fran Barford expressed concern relative to the Commission's approval of a line item for the City Engineer.

Mayor SueLynn noted that the City was now caught in a transition period, since Tom Wilcox had left BDI, Inc. for another firm. The Mayor recognized that Mr. Wilcox had all the specific knowledge about the city's drainage problems, and said that she was in contact with BDI, as well as Mr. Wilcox, every day.

Commissioner Dale Woodland offered his assistance in developing a plan for the area.

Commissioner John Quam suggested withholding the line item transfer money until the problems are solved. The Mayor pointed out that the line item transfer funds dealt with the Gladiouls / North Shore Basin project, and it could be considered arbitrary to withhold funds from that project. Commissioner Woodland noted that numerous difficulties had been encountered on North Shore, where drawings had shown the location of existing pipes incorrectly.

Commissioner Linda Cramer confirmed, in preparation for the October 3rd, 2006 meetings, that the Comprehensive Plan voting meeting would precede the Sign Ordinance meeting. Commissioner Quam indicated that the Commission would only need to vote on five or six policy items that had been discussed at the all-day EAR workshop.

Commissioner Dale Woodland noted that the local planning agency (LPA) [Anna Maria Planning & Zoning Board] had submitted to the Commission a complete revised draft of the Comprehensive Plan and confirmed that they had reviewed all the Elements. Commissioner Woodland explained that the goal of the October 3rd, 2006 meeting would be to complete the Commission's revised draft, and would not necessarily be limited to five or six items. He said that if the process was completed by the end of the October 3rd meeting, the City would proceed to advertise public hearings.

Commissioner Quam clarified for Jim Conoly that the next step regarding the North Shore drainage problem was that the administration would be coming back to the Commission within a month with their report.

Commissioner Tollette requested a report regarding the City Pier for review at the next Commission Work Session.

PRESS COMMENT

None offered.

ADJOURNMENT

MOTION: Commissioner Linda Cramer moved to adjourn the meeting, seconded by Commissioner Dale Woodland.

Vote: All Ayes. Motion carried.

The meeting adjourned at 8:23 p.m.

Respectfully submitted,

City Clerk Alice Baird

Date