

**CITY OF ANNA MARIA  
CITY COMMISSION REGULAR MEETING  
MEETING HELD AT ANNA MARIA COUNCIL CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
THURSDAY, OCTOBER 22, 2009  
7:00 P.M.**

**CALL TO ORDER**

Chair Quam called the Regular 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, Christine Tollette, and Commissioner Chuck Webb.

**Staff Present:** Finance Director/Deputy City Clerk Diane Percycoe, City Attorney Jim Dye, Building Official Bob Welch, and Minutes Clerk Stacey Johnston.

**Press:** Sun and Islander.

- 1. Approve Minutes of:  
City Commission Second Budget Hearing Meeting held September 22, 2009, and  
City Commission Regular Meeting held September 24, 2009.**

**MOTION:** Commissioner Webb moved that the Minutes of the Second Budget Hearing Meeting held September 22, 2009, the City Commission Regular Meeting Minutes held September 24, 2009 be approved as written. Commissioner Woodland seconded the motion.  
**Motion carried – All Aye.**

- 2. Commissioner Reports.**

**Commissioner Tollette**

*Commissioner Tollette* attended the recent Community Center and Chamber meetings. She announced that the Community Center is looking for potential new board members.

A citizen's complaint was received relating to the access to the Post Office being blocked during Bayfest.

*Mayor Barford* will follow-up on the complaint received.

**Commissioner Woodland**

Announced he would be out of town on vacation beginning October 24 through November 1, 2009.

- 3. Mayor's Report.**

**FDOT Stimulus Town Meeting**

The rescheduled Stimulus Program Town Meeting has been canceled by FDOT. The stimulus awards for all Island cities were to be discussed. No new date has been set.

*Commissioner Tollette* informed that a resident on North Bay had concerns about one of the sidewalks that is part of the stimulus program.

*Mayor Barford* asked that any concerns be brought to the City for follow-up.

**Election Canvassing Board**

Representatives from the City of Anna Maria have been selected for the November 2009 election as follows: City Clerk Alice Baird, Sherry Oehler, and Public Works Director George McKay.

**ATV Received**

The ATV awarded through the grant money has been received, along with one Jet Ski.

### **Island Boat Theft Warning**

Sheriff Turner has recommended that residents secure their boats on the boatlifts – preferably turn the electric off to them when not in use – and to lock all windows and doors to residences. This warning is a result of recent boat thefts on the Island.

### **Meeting - Wireless Presentation**

Mayor Barford attended a Wireless Presentation meeting held in Longboat Key. *Mayor Barford* informed that the procedures vary widely between the communities. She advised at the meeting that Anna Maria currently has an Ordinance in place.

### **Bayfest**

Sheriff Turner recently reported that no major law enforcement issues occurred during the recent Bayfest event.

### **Tourist Development Council Meeting Update**

Mayor Barford attended the October 19, 2009 Tourist Development Council Meeting for an update on the demolition and reconstruction of the Manatee County Pier in Holmes Beach and for the possible funding of the Anna Maria City Pier. Mayor Barford was asked by the County to attend the TDC meeting. TDC will provide no more than \$1 million for a Manatee extended pier.

### **ITPO Meeting Update**

Mayor Barford attended the October 19, 2009 ITPO meeting. Manatee County's position on informational signs was presented to the Board. The recommendation by FDOT is the same type informational sign structure used on the interstate. The structures are proposed for Coquina and Holmes Beach. It was the consensus of the ITPO Board to not have the proposed informational signs installed on the Island.

Mayor Barford informed that the informational signs placed on the roadways when the bridge was closed are to be removed due to safety concerns.

### **BIEO Meeting Update**

Mayor Barford and Commissioner Webb attended the October 21, 2009 BIEO meeting in Holmes Beach. Discussion was held at that meeting relating to each Island City joining in a unified effort with Longboat Key by adopting a Resolution in opposition to the offshore oil drilling and transportation. Manatee County's position is they will not support any offshore drilling in State waters.

Explanation followed by Commissioner Webb. It was the consensus of the Commission that a Resolution be drafted for the Commission's adoption opposing any offshore oil drilling and transportation.

### **Island Joint Developmental Planning Representative**

Bradenton Beach Mayor Pierce was appointed by the BIEO to serve as the Island Joint Developmental Planning Representative.

### **Happy Birthday to Tom Turner**

Resident Tom Turner will be celebrating his 86<sup>th</sup> birthday on October 25. *Mayor Barford* wished him a Happy Birthday.

### **Pier Centennial Committee Meeting Update**

The Pier Centennial Committee met the previous Tuesday. Seed money in the amount of \$2,000 was received from the Historical Society.

**4. Proclamation by City of Anna Maria Recognizing November as *Pancreatic Cancer Awareness Month*.**

*Mayor Barford* announced that November has been designated as Pancreatic Cancer Awareness Month in Anna Maria.

**5. Proclamation by the City of Anna Maria Recognizing the Week of November 9 to 21 as *Farm City Week*.**

*Mayor Barford* read and presented the Proclamation designating November 9 to November 21, 2009 as Farm City Week in Anna Maria.

**6. Resolution No. R 09-661 – Adopting Manatee County Local Emergency Plan (CEMP).**

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

*Building Official Welch* informed that every few years the Manatee Board of County Commission is mandated by the State to review the CEMP and LMS for disaster preparedness. The plan is currently at the State level but soon will be adopted by the County.

Building Official Welch recommended that the City adopt the plan in perpetuity.

**MOTION: Commissioner Tollette moved that Resolution R 09-61 be approved as amended. Commissioner Webb seconded the motion.  
Motion carried – All Aye.**

**7. Resolution No. R 09-662 – Adopting Manatee County Local Mitigation Strategy (LMS).**

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

*Building Official Welch* stated that the LMS was presently under review at the State level. In order to keep current with the CRS requirements, Building Official Welch recommended the Commission approve the Resolution. Upon County adoption of the LMS, Anna Maria would automatically adopt it.

**MOTION: Commissioner Woodland moved that Resolution R 09-62 be approved. Commissioner Webb seconded the motion.  
Motion carried – All Aye.**

**8. Resolution No. R 09-663 - Adopting Elected Official's Class Membership with the Division of Retirement.**

*City Attorney Dye* said he looked into the program after the Commission showed interest in participating. The Statute allows the Commission by Resolution to take part in the program. However, the Anna Maria Charter has a restriction against the Commission voting on their own compensation. It would therefore prevent the Commission from voting on any contribution the City made towards the program due to increasing the current Commission's benefit package. Also, the Charter requires that all compensation be dealt with by Ordinance. He noted that the window for participation by the City would close on December 31, 2009. A delayed entry into the program would not be accepted by the State.

According to City Attorney Dye, the Ordinance would need to be drafted so that those Commissioners voting on the Ordinance would not be able to take the benefit on the increased compensation until they had gone through an election.

*Commissioner Webb* referred to a Statute stating that Commissioners that were elected officials after July 1, 1990 were already in the Elected Official's Class membership. He felt the newly proposed program may refer to any new Commission or new City's just coming into the program. Commissioner Webb asked that City Attorney Dye review the Statute language. He felt according to the Statute, a Commissioner automatically is in the Elected Official's Class unless they opted out.

City Attorney Dye said the only benefit the Statutory language would have is if acts as a preemption of the City's Charter.

*Commissioner Woodland* said he would have no objection to City Attorney Dye and Commissioner Webb researching the issue and bringing back a recommendation so long as there was no cost to the City.

It was noted by Director of Finance Percycocoe that there would be a charge to process and print the Ordinance if one was needed.

After discussion, it is the consensus of the Commission that City Attorney Dye and Commissioner Webb research the statutory information presented.

#### 9. Consent Agenda

- a. **Special Event: Ginny's & Jane E's – Flea Market @ 9806 Gulf Drive – November 1, 2009 – 8:00 a.m. to 5:00 p.m.**
- b. **Special Event: Roser Church Bethlehem Walk – (Waive Permit Fee \$100) December 12, 2009 – 6:30 p.m. to 8:30 pm.**
- c. **Request to Waive Building Permit Fees – Roser Church – Roof Replacement at 511 Pine (\$191) and 512 Pine (\$129) for a total of \$320.**

**MOTION:** Commissioner Tollette moved that the Consent Agenda be approved. Commissioner Webb seconded the motion.  
**Motion carried – All Aye.**

#### 13. 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.**
- h. **Line of Credit Report.**

**Public Comment –**

**Tom Turner**, N. Shore Dr., thanked the Mayor and Commission for recognizing his upcoming 86<sup>th</sup> birthday. He said he hoped to stand before the Commission again in four years for his 90<sup>th</sup> birthday.

**Special Event – Ginny’s & Jane E’s**

**Jim Conoly**, N. Shore Dr., asked for clarification relating to Agenda Item 9.a. and who was responsible for holding the Ginny’s & Jane E’s Flea Market event now that the business has been sold.

Applicant **Michelle Brunone**, 2303 Hickory Ave., Sarasota, addressed the Commission. Ms. Brunone said she had been a vendor, participated in the Flea Markets, and has worked with Ginny and Jane E’s since they opened. The business recently sold and she has been asked by the new owners to take over the responsibility of the Flea Market.

Ms. Brunone confirmed she had received written permission from the property owner and insurance has been purchased.

*Mayor Barford* informed that for safety purposes, the Sheriff is monitoring the Flea Markets based on the traffic impact that varies season to season. In the event additional law enforcement would be required, Ms. Brunone would be notified.

*City Attorney Dye* informed there was no requirement that the owner of the property be the operator of the event. The Ordinance has a provision that if the operator is not the property owner, permission from the owner is required.

**Harry Stoltzfus**, 411 Poinsettia, asked if the number and placement of bathrooms should have been shown on the diagram.

*Building Official Welch* said historically a Special Event did call for sanitation requirements – certain number of Port-a-Johns based on the number of attendees. Discussion followed relating to the requirements. It was noted that Ginny and Jane E’s indoor restroom facilities were utilized during the event.

**Press Comment** – None.

**Adjournment**

**On motion made by Chair Quam and seconded by Commissioner Tollette, the meeting was adjourned at 7:41 p.m.**

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**Alice Baird, CMC, City Clerk**

**MINUTES APPROVED:** \_\_\_\_\_