

**CITY OF ANNA MARIA
REGULAR CITY COMMISSION MEETING MINUTES
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, NOVEMBER 20, 2008
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, Deputy Chair Christine Tollette, and Commissioner Chuck Webb.

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

Press present: Sun and Islander.

1. **Approve Minutes of:**
City Commission Regular Meeting held October 23, 2008.
Special City Commission Meeting held October 23, 2008.
Special City Commission Meeting held October 31, 2008.

MOTION: Commissioner Woodland moved that the Regular City Commission Meeting Minutes held October 23, 2008, the October 23, 2008 Special City Commission Meeting Minutes, and the October 31, 2008 Special City Commission Meeting Minutes be approved as written. Commissioner Tollette seconded the motion.
Motion carried – All Aye.

2. **Commissioner Reports**
Community Center Board Meeting Update

Commissioner Tollette attended the recent Community Center Board meeting where they handed out the auction list for their fundraiser to be held February 23, 2009.

Commissioner Tollette presented each Commissioner with a survey to complete. The survey was being distributed to the community leaders to complete even if they did not use the Community Center. Completed surveys can be faxed back to the Community Center, hand-delivered, or returned to Commissioner Tollette.

Staff and Volunteer Appreciation Event

Commissioner Woodland asked that the Staff and Volunteer Appreciation Event be discussed. Commission discussed this item under Comments by the Public.

3. Mayor's Report**Tourist Development Council Charrette Group Meeting**

Mayor Barford said she and Commissioners Mattick and Tollette attended the November 13, 2008 Tourist Development Charrette group meeting held at the Longboat Key Hilton. There were approximately one hundred in attendance. Discussion was held relating to the Beach renourishment program.

There was also the consensus that the Bed Tax be raised from \$.04 to \$.05. All recommendations will be forwarded to the Tourist Development Council for final action.

Meeting with Manatee County Commission

There will be a Sunshine Meeting with the Manatee County Commission on Tuesday, December 2, 2008, 8:30 a.m. to 11:30 a.m. at the Anna Maria Island Community Center. All Commissioners are asked to be in attendance for discussion of the beach renourishment funding for Anna Maria. A tour will be conducted of the eroded areas and then a presentation will follow back at the Community Center by the Manatee County. The Manatee County Commission will be looking for more State and Federal funding for the beach renourishment for the Gulf side of Anna Maria.

Report - Anna Maria Bridge Repairs

Both bridges in Anna Maria have been repaired and opened for traffic. Approximately 3,000 lbs. of materials were injected into the approaches of both bridges. There are already reports of bumping on the bridges so the City is anxious to get the stop signs installed on the approaches of the bridges (Ref. Agenda Item # 8).

Report - SWFWMD Project Update/City Hall Parking Lot

The Stormwater Project is progressing well. The City Hall parking lot is near completion.

Erosion Meeting

An erosion meeting will be held with the residents on the Bay side at 10:00 a.m. Monday, November 24, 2008, City Hall. Public Works Director McKay, Building Official Welch, and Mayor Barford will conduct the meeting. A District may be developed similar to one created in Longboat Key. The City Attorney will be involved if the creation of a District is agreed upon.

4. Phase 1 – Stormwater Project Update.

City Engineer Wilcox informed that the City Hall parking lot is the only project left of the Phase I – Stormwater Project.

City Engineer Wilcox reviewed the "Balance Sheet for Phase I Drainage Improvements" in detail. He explained that the costs would be less than anticipated. One-half of the remaining funds will be returned to SWFWMD and the remaining one-half retained by the City.

In answer to *Commissioner Mattick's* question, City Engineer Wilcox informed that an insurance claim will be submitted as a result of the Verizon invoice received relating to one of their lines cut.

Commissioner Mattick stated she was very impressed with the contractor and their finished product.

City Engineer Wilcox said he too was very pleased.

5. **Request for Variance to Section 90-3(k)(3) for three parking spaces on a parcel located at 503 Pine Avenue, Lots 13, 14, and 15. Variance requested by Pine Avenue Restoration, LLC.
--Continue Hearing on Preliminary/Final Site Plan to date certain (Resolution No. R08-649)**

City Clerk Baird officially swore-in all persons wishing to speak.

Chair Quam officially declared the Public Hearing open.

Applicant Presentation

Pine Restoration, LLC applicant ***Micheal Coleman***, Pine Ave., addressed the Commission. Mr. Coleman confirmed that the P&Z Board had approved his request for a variance for relief of three parking spaces. The basis for the variance request is due to the preservation of the original historical house on the property. The house sets 10-feet off the property line and concludes the five parking spaces that would normally go in front of that parcel.

Mr. Coleman said he had performed a survey along Pine Ave. relating to parking. He stated there are 108 parking spaces allocated for residential parking and he only observed a maximum of 40 spaces being utilized at any one time.

There has been concern from the neighbors on Spring Ave. that parking in the back would adversely impact their environments. Therefore, all commercial will be facing forward toward Pine Ave., and all residential will be located in the rear of the property with no parking in the rear.

Public Comment

P&Z Board member ***Randall Stover***, 815 N. Shore Dr., informed that he was one of the board members who voted against the variance request. It was Mr. Stover's opinion that the project should be rearranged to meet the code requirements. He saw no hardship, as a reason to grant the variance so therefore the project, in his opinion, would not meet the eight criteria for granting a variance.

P&Z Board member ***Jim Conoly***, N. Shore Dr., said he voted in favor of the variance, however, after giving it further consideration felt he should have voted against the request. He felt that the applicant overcrowding the available real estate was creating the hardship.

Carol Ann Migill, 403 Spring Ave., spoke on behalf of two of her friends on Tarpon St.

Ms. Migill said when the project first began she was reassured that the applicants for the Pine Ave. restoration project would take the Comprehensive Plan into consideration and that there would be no residential impact. She said she was informed that there would be no off-site parking requests.

Explanation followed relating to a letter Ms. Migill read entered into the City's read file from Robin Wall. It was noted there would be five retail establishments, and three residential units on three lots.

Ms. Migill felt if the Commission was to approve the variance that the only hardship would be to the residents. She was also concerned precedence would be set.

Micheal Coleman responded feeling they had a good partnership for the project and had done everything necessary to comply with the City's codes. He stated that the neighbors are a big part of the project and all concerns had been addressed. One of the primary concerns of the neighbors related to not wanting parking in the back of the property.

Mr. Coleman stated that the additional three parking spaces would not be necessary for the operation of the project.

City Planner Alan Garrett informed that after review the request should actually be the relief of four parking spaces rather than three. Retail requires eighteen parking spaces and the residential requires six. The advertising states the section rather than the number of parking spaces so there would be no situation with having to re-advertise.

City Attorney Dye confirmed re-advertising would not be required.

City Clerk Baird officially swore-in Sissy Quinn who was not in attendance at the beginning of the meeting.

Sissy Quinn, Anna Maria Historical Society Administrator, said she loved what the Pine Restoration LLC would be providing on Pine Ave., and felt it kept with the character of the Island as well as saving important buildings. She said she had been working with Pine Restoration LLC in an effort to keep and preserve the original historic homes. She said she would like to see the City more positive towards the project.

Chair Quam officially closed the Public portion of the Hearing.

Commission Discussion

Planner Garrett confirmed that the Code allows for parking in the rear of the property, however it must be 5-feet off the property line. The most logical area to

place parking in the back would be the area under the stairs. He mentioned that tandem parking could also be a consideration.

Commissioner Mattick said she agreed with Ms. Quinn and appreciated maintaining the existing historical buildings. She noted that the building on the proposed site is over 100 years old and was built by one of Anna Maria's founding fathers, thus serving as a major incentive to work the project around the structure.

Commissioner Mattick said as part of the Transportation and Enhancement grant a tour was conducted of the City. During the tour, a 50' X 110' deep right-of-way for Tarpon that had never been used in the street and could be set aside for public parking, was identified. She felt that area should be utilized for public parking and gave the example of the Waterfront Restaurant being provided lots for parking near the City Pier.

Commissioner Mattick said she would support the variance request.

Commissioner Woodland did not feel the issue was the saving of the historical buildings. He felt the amount of retail space in the setback area was already an incentive and benefit to the applicant and had no reflection on meeting the codes.

It was Commissioner Woodland's opinion that the eight criteria would not be met due to:

- Criteria #1) Parking situation was created by the applicant overpopulating the property and therefore there would be no existing hardship.
- Criteria #2) Would not meet the uniqueness criteria due to numerous residential or commercial establishments all along Pine Ave. that have a similar setback situation.
- Criteria #7) Felt there were alternatives that would allow the Code to be met.

Explanation followed relating to Sec. 90, Parking of the Code.

In answer to *Commissioner Webb's* question, *Planner Garrett* informed that Anna Maria generally allows more retail space per parking due to accepting bicycle and Trolley traffic as a means of transportation in the City.

Commissioner Webb said he did not see a hardship and asked if Mr. Coleman would be willing to continue the hearing so that he could go over the request in better detail.

Chair Quam officially re-opened the Public portion of the Hearing.

Micheal Coleman said he had no objection to the hearing being continued. He pointed out that even if the building sizes were reduced there is still limited space for the frontage parking spaces on Pine and Tarpon.

Mr. Coleman reiterated that the hardship was wanting to maintain the existing building though the best possible solution and the largest financial reward would be to tear it down and build three three-story homes on the property.

Mr. Coleman clarified for *Commissioner Tollette* that the neighbors did not want parking in the back and that the P&Z Board had voted 5 to 2 in favor of the variance request. He said the backyard area would not support more than one or two cars and four would not fit. It was Mr. Coleman's opinion that a precedent needed to be set on Pine Ave. He said if they were unable to meet the requirements then no one else will be able to either.

Mr. Coleman pointed out that part of the Code is the allowance for variances and that several other projects had already received parking relief with zero impact.

Jim Conoly said he was not against the concept of the project and would support Mr. Coleman the same as any person coming into the community that would utilize the existing Codes in the City. He said he did object to it being named Pine Ave. Restoration project and felt it was more of a development project.

Randall Stover said he, too, was not against the project and also agreed it was a development project rather than a restoration project. He felt that changing the plan slightly would allow for the four parking spaces required by the Code.

Carol Ann Migill stated she was not opposed to the project as long as it was being done according to the Code.

She pointed out there would be a fence along the back of the property so the neighbors would not see the cars if parked in the back. She stated that Anna Maria was basically a residential community and it should be taken into consideration that businesses are located within the residential.

Ms. Migill encouraged the Commission to review the eight criteria for approving variances very closely.

Norm Camp, 506 Spring, said he did not support parking of cars in the back of the buildings.

Chair Quam officially closed the Public portion of the Hearing.

Explanation followed relating to the commercial parking required. *Commissioner Mattick* provided an alternative for rearranging the parking. *City Planner Garrett* stated that tandem parking could be restricted to either residents only or for employees only. However, he did not recommend it for general parking purposes.

It was *Chair Quam's* opinion that variances should be very difficult to get. He did not agree there was a hardship and that the applicant did have options that could be pursued. He also did not believe there was a unique circumstance.

Commissioner Woodland said it bothered him that the implication was if there was any opposition to a portion of a Pine Ave. project then that individual would be opposed to the entire project. He said he was not opposed to the project but did want to see that the Codes were met.

Commissioner Woodland pointed out that all Pine Ave. projects were adjacent to residential and felt that proper buffering should be required. He noted that the alley was also a benefit.

Micheal Coleman confirmed that a 6-foot fence is required and is shown on the Site Plan.

Discussion followed relating to the granting of a continuance. *Planner Garrett* explained that the hearing could be continued for the purpose of the applicant providing more justification for the hardship that can be presented to each Commissioner or information more positive for reducing the number of parking spaces.

Chair Quam re-opened the Public Hearing.

Micheal Coleman requested that the variance request be continued for the purpose of allowing him to broaden their argument and provide additional justification for the hardship.

Randall Stover asked how the applicant would effectively reapply.

Micheal Coleman responded that he was not suggesting that a new plan be submitted; only that justification is made clearer.

Chair Quam officially closed the Public Hearing.

MOTION: Commissioner Webb moved that the Request for Variance to Section 90-3(k)(3) for four parking spaces on a parcel located at 503 Pine Avenue, Lots 13, 14, and 15 be continued until the date and time certain of Thursday, December 18, 2008, 7:00 p.m., Anna Maria City Hall Council Chambers. Commissioner Mattick seconded the motion.

Planner Garrett clarified that the hearing will not require re-noticing or re-advertising.

ACTION: Motion carried on a vote of 4 to 1 with Chair Quam voting No.

6. Building Department Report on Updated Technology.

Building Official Bob Welch explained that \$20,000 was allowed for upgrading or converting the Building Department permitting software. After researching

available software it was determined that the City's existing software was sufficient, it just needed additional modules added to it to allow the ability to provide an application number, issue receipts, track inspections, break-down permits, etc. It will also allow for contractors to track their approvals, verify inspections, plans review, etc. on the City's website by the end of November. Purchasing the additional modules would allow for upgrading the software at half the cost of purchasing all new software. The upgraded system should be up and running by the end of 2008.

Additional upgrading of the City's computer system involved the installation of a central server and software at a cost of \$5,000. All funds remaining out of the \$20,000 will be placed in reserves. The future goal is to scan all documents and strive towards a paperless environment.

7. Request approval of Resolution R08-648 – Designating Certain City Structures as Local Historic Landmarks.

City Clerk Baird read the Resolution by title.

Mayor Barford announced she had accepted a plaque from the Anna Maria Historical Society on behalf of the City designating the City Pier as a Local Historic Landmark City, contingent upon the Commission's approval of Resolution R08-648. The City Pier is a structure on the Island over one hundred years old.

Sissy Quinn, Anna Maria Historical Society Administrator, 301 N. Bay Blvd, said she had already submitted fourteen properties, fifty years of age or over, as Local Historic Landmarks.

A background followed relating to the historical aspects of the Bayfront Park and The Island Playhouse. Both properties became ownership to the City in exchange for taxes owed.

MOTION: Commissioner Woodland moved that Resolution R08-648 be approved. Commissioner Tollette seconded the motion.

On Roll Call Vote, the motion carried unanimously.

Sissy Quinn presented Mayor Barford with an official Certificate.

8. Second Reading and Public Hearing of Ordinance No. 08-696. Ordinance to Install Stop Signs at North Bay Bridge No. 135000, and at Crescent Drive Bridge, No. 135001.

City Clerk Baird read the Ordinance by title.

The Commission pointed out various typographical changes.

Public Comment

Mark Alonzo, 406 N. Shore, felt it was a good idea for installing stop signs on the bridge approaches. He asked what the weight limits were on the bridges and did not feel there was any reason for loaded trucks to use either of the bridges when N. Shore Dr. should be utilized.

MOTION: Commissioner Mattick moved that Ordinance No. 08-696 be approved for adoption. Commissioner Woodland seconded the motion.
On Roll Call Vote, the motion carried unanimously.

9. Continued Second Reading and Public Hearing of Ordinance No. 08-694. Amendment to Sign Ordinance, Sec. 98-6/98-41.

City Clerk Baird read the Ordinance by title.

City Attorney Dye informed that "DELETING MOUNTING" should be corrected to read "AMENDING MOUNTING" in the Ordinance title. The Commission addressed additional typographical changes.

Discussion followed relating to temporary banners in Sec. 98-41. Exempt Signs. (18). It was agreed that the section should be removed since it is already covered elsewhere in the Code.

Commissioner Webb was updated on the purpose for the Ordinance. It was noted that the election signs are what triggered the changes to the Code.

MOTION: Commissioner Woodland moved to adopt Ordinance No. 08-694. Commissioner Mattick seconded the motion.
On Roll Call vote, the Motion carried unanimously.

10. CONSENT AGENDA.

- a. Special Event: *Roser Church Bethlehem Walk* – December 13, 2008 – 6:30 p.m. to 8:00 p.m.
- b. Special Event: *Privateers Parade* December 13, 2008 – 8:00 a.m. – 11:00 a.m.
- c. Special Event: *Island Run* May 3, 2008 – 6:00 a.m. – 12:00 p.m.

MOTION: Commissioner Webb moved to approve the Consent Agenda. Commissioner Woodland seconded the motion.
Motion carried – All Aye.

11. **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. **Resolution Update**
 - h. **Financial Report**
 - i. **Line of Credit Report**

Public Comment

Pine Restoration Project

Micheal Coleman, Pine Ave., said he apologized if he had given the impression that if one of the Commissioner’s were not in favor of an aspect of the Pine Restoration Project then they were opposed to the entire project.

Bicycle Path in Anna Maria

Mark Alonzo, 406 N. Shore Dr., asked that the Commission consider appointing a committee to re-consider the installation of a bike path in Anna Maria. He said it was important to the City and to North Shore Dr., which serves as Anna Maria’s main highway.

Staff and Volunteer Appreciation Event

Commissioner Woodland asked that a date be set for the second Staff and Volunteer Appreciation Event. He felt the Staff and its volunteers are deserving of the event.

After discussion, it was agreed that Commissioner Woodland would chair this year’s event to be held Wednesday, December 17, 2008 – 6:00 p.m. to 8:00 p.m. The Commission will each make donations to be used towards the purchase of the food and decorations.

Certain Commission Agenda Materials to be Duplexed

Commissioner Tollette asked that the Special Events and Ordinance tracking documents be duplexed when copied for the agenda packets in order to save on paper.

Anna Maria 100th Anniversary – Historical Committee

Commissioner Tollette suggested that a Historical Committee be formed for the purpose of the 2011 Anna Maria 100th Anniversary.

Mayor Barford asked that she and each Commissioner recommend one individual to serve on a 100th Anniversary Historical Committee. One Commissioner will serve as Liaison. The City Commission at their January 2009 meeting will appoint the Committee.

Press Comment – None

Adjournment.

On motion made by Commissioner Woodland and seconded by Commissioner Tollette, the meeting was adjourned at 8:58 p.m. Motion carried unanimously.

Alice Baird, CMC, City Clerk

Minutes approved: _____