

**CITY OF ANNA MARIA
REGULAR CITY COMMISSION MEETING MINUTES
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, DECEMBER 6, 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 Dale Woodland, Chair John Quam, and Deputy Chair Christine Tollette.

Absent w/excuse: Commissioner Jo Ann Mattick and Commissioner Duke Miller.

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

Press present: Sun and Island.

Representative Bill Galvano addressed the Commission to provide an update of this year's Special Legislative Sessions. Representative Galvano thanked the Commission for serving in their positions and input provided to him from the local governments.

Representative Galvano provided a recap of the Tax Reform and Insurance issues. He informed that a referendum would appear on the January 29, 2008 ballot that provides for portability of a \$500,000 level. Also, the homestead exemption has been increased and a cap has been placed on non-homestead property of 10%. In reference to the Insurance issues, he informed there were nineteen new insurance companies that have come into the State of Florida.

Representative Galvano informed that he chaired the recently organized Bay Area Delegation that included eight counties. The primary goal of creating a transportation authority is to supplement and be innovative to what the communities currently have. It has been administratively and totally funded by the FDOT. A budget request will be submitted this year to insure the continuance for the entity.

Financially the county had a good year with \$80 million coming back to the area. He informed that though this was a very tight budget year, Red Tide was not removed from the budget. He said when approaching budget cuts, he took the approach that the programs should be looked at on a program-by-program basis and to try not to put mandates back onto local governments.

Representative Galvano informed that the State of Florida remains very strong. There is a lot of focus moving forward on Economic Development to make sure the economy stays strong.

Representative Galvano can be reached anytime on his cell at **941-812-5563**.

Mayor Barford informed that Anna Maria had also tightened the budget this year and anticipates an even tighter budget in 2008. She said she appreciated the Legislature

acknowledging the local governments needs and was excited to hear FDOT's funding of the transportation entity.

Commissioner Woodland asked Representative Galvano to respond to the proposal to eliminate the property tax to implement sales tax. Representative Galvano responded.

Discussion followed relating to the new insurance companies coming to Florida. It was noted there is only one insurance company that currently writes Homeowners Policies for the coastal properties. Representative Galvano stated he had questioned how the Insurance had been designated and their inequities here on the Island versus the other communities. It is hoped that the mitigation programs will continue to make it less of a risk on the Island.

1. **CONSENT AGENDA**

- a. **Minutes – Organizational Meeting – November 11, 2007
– City Commission Meeting – November 15, 2007**
- b. **Special Event – Ginny & Jane E's Flea Market
January 1, 2008 – 9 a.m. – 4 p.m.**
- c. **eMaint Contract for Public Works Projects**
- d. **Environmental Safety Consultants – Mold Contract**

Mayor Barford asked that item #d be pulled from the Consent Agenda and considered separately.

Chair Quam asked that item #c be pulled and *Commissioner Woodland* asked that item #b be pulled from the Consent Agenda.

**MOTION: Commissioner Woodland moved to approve Consent Agenda item a. Commissioner Tollette seconded the motion.
Motion carried – All Aye.**

- b. **Special Event: Ginny & Jane E's Flea Market – January 1, 2008 – 9:00 a.m. – 4 p.m.**

Commissioner Woodland voided concern relating to the intersection at Gulf Dr. and Magnolia and questioned whether or not traffic control should be considered. He also pointed out that due to the frequency of the proposed Flea Markets, the Commission should be prepared for other applicants requesting similar ongoing events.

Mayor Barford said that no complaints had been received, there were no traffic issues or other concerns as a result of the November Flea Market sponsored by Ginny & Jane E's.

Commissioner Tollette said as a Commissioner and as a resident living on Magnolia she felt it was important to allow the events in support of the businesses and for benefiting the restaurants in the area, residents, and visitors in Anna Maria.

Chair Quam pointed out that the Special Events program was reviewed last year and the Commission may want to review it again.

Mayor Barford informed the Special Events was also reviewed and tightened up at the administrative level. She suggested if the permit becomes cumbersome for the City the Commission could revisit it at that time. The Special Events fees will be part of the fees to be reviewed at the January meeting.

**MOTION: Commissioner Woodland moved to approve Consent Agenda item b. Commissioner Tollette seconded the motion.
Motion carried – All Aye.**

c. eMaint Contract for Public Works Projects.

Chair Quam asked how the City would benefit from the eMaint software.

Public Works Director *George McKay* informed eMaint web-based software program was the most practical he had reviewed. The City of Longboat Key also uses the program. He said he is very impressed with the software program that will serve as a tracking system, provide reports, and establish a maintenance schedule for signs, sidewalks, bridges, routine maintenance, etc. for Anna Maria. After the initial purchase and configuration and setup fees, an annual fee of \$480 will be required and will include all updates to the software.

Public Works Director McKay said he would be inputting the required data into the program with the hopes of completion within the next year. The \$1,400 cost would be taken out of the Education Fund, which currently has a line item amount of \$3,000.

MOTION: Chair Quam moved to approve Consent Agenda item c. Commissioner Woodland seconded the motion.

Public Comment

Jim Conoly, N. Shore Dr., asked if the City currently had the appropriate computer equipment and experience to run the eMaint software.

Public Works Director McKay said they did and pointed out that the main server is located off-site.

ACTION: Motion carried – All Aye.

d. Environmental Safety Consultants – Mold Contract.

Mayor Barford informed that the City had received another proposal from Apollo Environmental, Inc. who had also previously worked with the City. After reviewing the bid provided by Apollo, she recommended awarding the bid to them feeling their bid for quality control of the building and insuring there will be no mold was exactly what the City needed for the quality air in the City Hall Building.

MOTION: Commissioner Tollette moved to approve the City entering into a contract with Apollo Environmental for the Mold Contract in the total amount of \$975. Commissioner Woodland seconded the motion.
Motion carried – All Aye.

2. REPORTS AND UPDATES.**a. Commissioners -****Community Center Update**

Commissioner Tollette stated she attended the Community Center Board meeting on November 14 and reported on the Center's audit report received.

Graffiti Removal – Bean Point

Commissioner Tollette thanked Public Works McKay for removing the graffiti on the beach walkover at Bean Point. She stated he spent a lot of his personal time to clean up the walkover and she truly appreciated it.

- 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.**League of Cities**

Mayor Barford met with the Manasota League of Cities. A Property Tax Referendum Amendment will appear on the January 29, 2008 ballot and it is important everyone be informed. An explanation of the tax reform will be held at the USF Manasota campus on January 17, 2008 from 8 a.m. to 10 a.m. The information will be placed on the City's website for reference.

Council of Governments

Mayor Barford stated the Council of Governments would be meeting on December 19, 2007 at the Emergency Operations Center, 4:00 p.m. Elected Officials are encouraged to attend.

Speed Signs & Buoys – Bean Point

Mayor Barford expressed her disappointment of the Manatee County Commission's decision relating to the review of the speed zone at the north end of the Island/channel.

She further informed that she and Public Works Director McKay had been working with the County relating to getting buoys and was disappointed they had not yet been received. She hopes to receive information from the County relating to the buoys within the next two weeks.

SBA Account

Mayor Barford stated Anna Maria had over \$600,000 in the State's SBA Account and had met with the City's Accountant that day to provide a plan of action.

Deputy City Clerk Percycoe updated the Commission relating to the SBA (State Board of Administration) Investment Pool account and the recent freeze on the account.

Ms. Percycoe informed that the freeze was lifted on the SBA accounts the previous Tuesday. SBA engaged BlackRock to come up with a plan and temporarily manage the assets in the fund.

She informed that two pools were created - Local Government Investment Fund A and Local Government Investment Fund B. She stated that 86% of Anna Maria's assets are in Pool A and all new deposits would go into that pool. Pool B will contain all securities from the current pool that has had problems. Therefore, 14% of Anna Maria's funds will go into Pool B.

There have been temporary restrictions placed on Pool A and the City is not affected by the restrictions of Pool A – 15% or \$2 million can be pulled out of that account.

Pool B, however, could affect the City's funds. The funds will need to be held until maturity and are not subject to redemption at this time.

Ms. Percycoe requests that the SBA Account information be placed on the December 20 agenda in order for the City to bring forth available options. The Commission will be asked to make a decision at that time on how to handle the funds.

Mayor Barford said a meeting will be held with the City's bankers the following week and that a decision on how to handle the funds would be needed prior to the end of the year.

Update - City Hall Roof Litigation

Mayor Barford announced as a result of the City Hall roof litigation, the City has received \$70,000 from Roof USA. A balance of \$5,000 is still due from Water Cure.

City Attorney Dye informed that as a part of the settlement agreement \$5,000 is due from Water Cure. Since the Attorneys had circulated the signing of the settlement agreement and the various documents for review, Water Cure has not met their obligation. Water Cure's Attorney has informed that the Water Cure principal has been ill and unresponsive.

City Attorney Dye recommends that the Commission provide authorization to wind down the lawsuit with Roof USA and reserve the City's remedies against Water Cure seeking the \$5,000 in a Small Claims lawsuit. Attorney Mark Nelson has prepared the Small Claims lawsuit forms and e-mailed the forms to Water Cure's Attorney with a request that the Attorney review them with his client in an effort to settle.

MOTION: Commissioner Tollette moved to authorize the winding down of the lawsuit with Roof USA and to further pursue the City's remedies against Water Cure. Commissioner Woodland seconded the motion.

Motion carried – All Aye.

3. Adoption of Resolution R07-630 – Authorizing Tax Collector to Collect ERU Funds for City.

Deputy City Clerk Percycoe read the Resolution by title.

Chair Quam informed R07-630 had been noticed four times in the Bradenton Herald as required.

Commissioner Woodland said he supported this item on the standpoint of having a dedicated funding source. He looks at any type of utility fees as an additional tax and wants to look at ways to offset the revenue side. Commissioner Woodland asked that his concerns be mentioned to the auditors for their recommendation.

MOTION: Commissioner Woodland moved to approve Resolution R07-630 for adoption. Commissioner Tollette seconded the motion.

**On Roll Call Vote the motion carried unanimously.
Motion carried – All Aye.**

4. Old/New Business**Oversee of City-owned Buildings**

Commissioner Tollette stated she would like to see a committee formed to oversee the maintenance of the City-owned buildings.

Mayor Barford responded pointing out there are City Commission liaisons appointed for each public entity. Each liaison has the opportunity to discuss through the entities Board of Directors any concerns relating to maintenance and construction.

After discussion, it was agreed that the liaison would be responsible to provide quarterly reports and all information would be provided in writing for the City's file. *Commissioner Tollette* stated she would like to see the usage of the same work orders used for the City Pier for all City-owned buildings as part of the City's official records.

Energy Study Work Shop w/FPL

Commissioner Woodland informed this item would be placed on the February 2008 Work Session agenda.

PUBLIC COMMENT**SBA Accounts**

Dennis Hendrickson, Gladiolus, addressed the Commission in reference to the SBA Accounts and asked for clarification relating to the frequency the City can remove the funds from the accounts, the time frame the City would need to take action, and why the City would not want to take immediate action. He voiced his concerns about which investments Pool A may be placed in.

After *Deputy City Clerk Percycoe* responded to his questions, Mr. Hendrickson strongly encouraged the City to address the issue quickly.

Almeda Property Update

Tom Turner, N. Shore Ave., asked for a status on the Almeda property case.

City Attorney Dye informed that the City turned down the request presented by Mr. Almeda and is trying to schedule a meeting with Mr. Almeda and his Attorney, however, has been informed that Mr. Almeda has been ill.

Dump Truck Bids

Tom Turner, N. Shore Ave., asked for a status relating to the dump truck bids.

Public Works Director McKay reported the request for bids had not yet been submitted to the City Commission to proceed upon.

Permitting Responsibility for Boat Docks & Similar Structures

Michael Coleman, 311 Pine Ave., asked for clarification relating to Old Business item "Review Proposed Interlocal Agreement With Manatee County Regarding Future Permitting Responsibility for Boat Docks and Similar Structures" (Mr. Dye Memo of October 9, 2007).

City Attorney Dye explained that relating to the city limits stopped at the water edge it was unclear whether the permitting authority was the City or the County, therefore, there is a need for clarification.

Mr. Coleman said he would hate to subject the citizens of Anna Maria to the County's Permitting Policy.

PRESS COMMENT - None

ADJOURNMENT

On motion made by Chair Quam and seconded by Commissioner Woodland, the meeting was adjourned at 8:17 p.m. Motion carried unanimously.

The next regular Work Session is scheduled for Thursday, January 10, 2008 and the next Regular Meeting is scheduled for Thursday, January 24, 2008.

Alice Baird, CMC, City Clerk

Minutes approved: _____