

**CITY OF ANNA MARIA
SPECIAL CITY COMMISSION MEETING MINUTES
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
THURSDAY, DECEMBER 20, 2007
5:00 P.M.**

CALL TO ORDER

Chair Quam called the Special City Commission Meeting to order at 5:00 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 Duke Miller.

Staff present: City Clerk Alice Baird, Deputy City Clerk/Director of Finance Diane Percycoe, Public Works Director George McKay, City Engineer Tom Wilcox, City Attorney Jim Dye, and Minutes Clerk Stacey Johnston

Press: Sun and Islander.

Chair Quam read the Pledge of Conduct.

1. **Authorize the Mayor to Sign the Construction Agreement between the Contractor and the City of Anna Maria for the Phase I Drainage Improvements (BMPs) Project, Bid No. 07-04, and contingent on Review by the City Attorney.**

City Engineer Tom Wilcox, HDR Engineering, summarized the results of the December 14, 2007 bid opening informing that he did not see any errors on any of the bids.

In referencing the bid tabulation, Engineer Wilcox informed that Adkins Construction's bid was 70% below the Engineer's Estimate. Engineer Wilcox said he contacted Dean Adkins to inform he had left approximately \$55,000 to \$60,000 out of the bid for the check values. Mr. Adkins answered that he realized he only bid the installation cost and not the purchase cost, however, he verified he would stand by his quote.

City Engineer Wilcox stated that upon contacting Mr. Adkins' references, he received very high recommendations and no negative comments.

The budgeted amount of \$539,000 versus the over \$600,000 for the total costs was then reviewed by Engineer Wilcox. He pointed out that postponing the work around City Hall would save the City approximately \$89,000 and postponing installation of the Vortex Separators would result in a savings of \$76,000.

City Engineer Wilcox discussed the funding options suggested by Denise Tenuto of SMFWMD.

- 1) Accept bid as is and pay total cost of the bid.
- 2) Apply for out-of-cycle funding grant – February 13, 2008.
- 3) Apply for 2009 funding cycle grant.
- 4) Apply for 2010 funding cycle grant.

He informed that Ms. Tenuto was very uncomfortable with deleting anything having to do with water quality improvements and did not want to see the Vortex Separators removed altogether. However, delaying their installation until Fall 2008 would be okay.

Commissioner Tollette asked for clarification relating to the bid differences received for Maintenance of Traffic, Rubbing, Offsite Disposal, \$1.00 bid by Adkins for the 12" thick Reinforced Concrete Equipment Pads, Ultra Urban Filter, and Adkins' bid for the 15" 'Nyloplast' Drain Basis w/Cast Iron Beehive Style Grate. She also asked for clarification on how the Vortex Separators operate.

Engineer Wilcox explained that the Adkins bid for Maintenance of Traffic primarily was for the maintenance of traffic for Gulf Drive. He further explained that certain areas of the bids might be padded to allow for overhead costs, mobilization costs, etc. Many companies will place the higher bids into the mobilization costs in order to bill the City those amounts early in the contract. Adkins, on the other hand, placed their additional costs in items that will be billed later. The amount bid by Mr. Adkins for the Offsite Disposal is the total amount he felt it would cost. Engineer Wilcox stated that Mr. Adkins informed that the \$1.00 bid for the Reinforced Concrete Equipment Pads was a typographical error and should have been bid as \$10.00. Explanation followed relating to how the Vortex Separators purify the water and alternatives that could be used in order to save additional dollars.

Commissioner Woodland explained that the reason the Vortex Separators were chosen as an item for delay was due to being the last items to be installed. It was hoped that delaying the work around City Hall would allow the City time to pay back the Line of Credit. If additional grants/funding is not received, the City will be required to absorb the remaining costs. He felt from a financial standpoint, both items should be delayed at this time.

Commissioner Mattick asked if the Vortex Separators could possibly lower in cost. Engineer Wilcox responded that the costs have basically stabilized but the competition they have may force the price to lower. Discussion followed relating to work proposed around City Hall being a key component of the project and the effect if delayed.

Commissioner Mattick asked for clarification on paying the engineering fees.

Engineer Wilcox explained the City would be paying HDR monthly and that the City would not be reimbursed for any engineering fees that were not in the grant. Discussion followed relating to how and when the grant proceeds would be reimbursed to the City.

MOTION: Commissioner Mattick moved to accept the bid from Adkins Contracting, Inc., in the total amount of \$599,983.50 and authorize the Mayor to sign the Construction Agreement between the City of Anna Maria and Adkins Contracting, Inc. for the Phase I Drainage Improvements (BMPs) Project, Bid No. 07-04, contingent on review by the City Attorney and including the delaying of the installation of the Vortex Separators and the work around the Pine Ave. side of City Hall. Commissioner Woodland seconded the motion.

Public Comment

Richard Defrank voiced his concern about approving the contract that evening after making major changes to the contract – delaying the installation of the Vortex Separators and the work around City Hall. He pointed out there had been numerous neighborhood meetings relating to the drainage improvement issue. It was his opinion that if the parking lot were not completed at this time there would be no need for completing Alley B. He felt the City should bite the bullet and complete the project as bid and borrow the additional funds if required.

Engineer Wilcox informed that Alley B was planned and designed prior to the area around City Hall being added into the project.

Commissioner Woodland said he and Deputy City Clerk/Director of Finance Percycoe could meet to work out an amortization relating to the Line of Credit.

Ms. Percycoe informed that the current percentage rate was 4.5%. If additional funding was not granted by SWFWMD it was hoped that the loan could be paid down and then the City could borrow back up to the \$1 million if necessary.

Engineer Wilcox informed that Adkins would be given a limited number of days to proceed with construction. The time for construction is 180 days. It is hoped to complete construction by May 2008, prior to the rainy season and the temporary closing of the Anna Maria Bridge.

ACTION: Motion carried – All Aye.

MOTION: Commissioner Woodland moved to authorize the Mayor to sign an Out-of-Cycle Funding request with SWFWMD. Commissioner Miller seconded the motion.
Motion carried – All Aye.

MOTION: Commissioner Woodland moved to authorize the Mayor to apply for the 2009 Cooperative Funding Initiative Grant. Commissioner Mattick seconded the motion.
Motion carried – All Aye.

2. Approve 12/11/07 Special Mtg Minutes (Comp Plan Ordinance 07-682).

City Clerk Baird informed two changes had been made to the 12/11/07 minutes – Pg 6 - Correction of “Hansen” to read “Hanson”, and Pg 7 – “Ordinance 07-62” corrected to “Ordinance 07-682.”

Commissioner Miller brought attention to the “Action” stated on page 4 of the minutes, specifically the language relating to “All development or redevelopment in the ROR will be limited to one residential unit per lot/structure.”

In referencing the transcript excerpt, Commissioner Miller suggested that additional language should be included in the action statement of the minutes to include “and limited to two residential habitable floors.”

City Attorney Dye explained the transcript was provided only as an aid and that the minutes would become part of the official record. However, though not recommending doing so, the transcript could serve as the official minutes if the Commission so desired. The transcript could also be attached to the minutes or the minutes could be amended to include the language change.

Chair Quam stated that Mr. Arrant had indicated he would be making changes to the language of the Comprehensive Plan based on the minutes.

Commissioner Miller asked for a point of order when *Commissioner Mattick* asked for clarification relating to Commissioner Miller’s requested change versus the current language in the LDR’s relating to ‘one structure, one residential unit on each lot. Buildings crossing the individual property lines can be joined as long as they are under one roof.’ Commissioner Miller stated it was his understanding the Commission at their February meeting would discuss the issue and that Mr. Arrant would not be finalizing that wording or the Comprehensive Plan until that meeting.

Discussion followed as to whether or not the issue would be discussed at the February meeting.

MOTION: Commissioner Miller moved to amend the December 11, 2007 minutes to reflect what Mr. Arrant stated in the transcript and what was consented to at the meeting that being “All development or redevelopment in the ROR be limited to one residential unit per lot/structure and limited to two residential habitable floors.” Commissioner Woodland seconded the motion.

Commissioner Woodland felt the Commission did not have the ability to change anything that the changes would be for clarification purposes only.

City Attorney Dye agreed stating the Comprehensive Plan had already been voted on and approved. The action required now is only to approve the minutes of the meeting.

Commissioner Woodland asked that the Commission be provided a copy of Policies 1.3.4 and 1.3.5 prior to Mr. Arrant sending them to DCA.

City Attorney Dye said he recalled that the Commission would discuss the language issue again. He felt that the language of limiting one unit per lot/structure would be a prime generator of confusion in the future. Examples followed. He suggested the language should either focus on “lots” or “structures”. It was his recommendation that the Comprehensive Plan be wrapped up and that the policy issues be addressed later.

AMENDED MOTION: **Commissioner Miller amended his motion to state that the December 11, 2007 minutes be approved as presented and that the section of the Transcript relating to Policy 1.3.5 be attached to the minutes. Commissioner Woodland agreed to amend his second.**

Public Comment

Robin Wall, Palmetto Ave., felt that at the end of the Commission’s discussion at the December 11 meeting, it was agreed that “structures in this category are limited to one residential unit and limited to two residential habitable floors.” It was her opinion that the minutes should be amended to reflect that language.

Michael Coleman, 311 Pine Ave., said he had no doubt that what was stated was “one residential unit per lot/structure.” He said that it was clearly stated in the Comprehensive Plan and in the Zoning District in regard to two residential floors per unit.

Mr. Coleman questioned the purpose for the push to include the “two residential habitable floors” again. He said he was a little uncomfortable about massaging the minutes to highlight certain things.

Mr. Coleman asked what was currently possible in the ROR in terms of combining lots and/or buildings.

Tom Turner, 815 N. Shore Dr., stated that as far as structures and building on a lot – the proper place for the language should be in the LDR’s so that it could later be changed and approached by the Planning & Zoning if required.

Commissioner Tollette said it was her understanding the purpose for discussing the lot/structure language at the February meeting was for clarification purposes.

City Attorney Dye agreed it should be discussed and clarified.

ACTION: The Amended Motion carried – All Aye.

3. Authorize Chair Quam to Sign Two-Lot Subdivision Plat at 810 South Bay Boulevard. (Administrative Action)

Attorney Scott Rudacille explained this was the last of the two-lot subdivision plat requests.

MOTION: Commissioner Miller moved to authorize the Chair's signature on the Certificate of Approval of the City of Anna Maria for the Plat at 810 South Bay Blvd. Commissioner Tollette seconded the motion.

City Attorney Dye pointed out the Notice of Approval of Lot Split also required the Mayor's signature.

AMENDED MOTION: Commissioner Miller moved to amend his motion to include also authorizing the Mayor to sign the Certificate of Approval of the City of Anna Maria for the Plat at 810 South Bay Blvd. Commissioner Tollette amended her second.

ACTION: The Amended Motion carried – All Aye.

Public and Press Comment – None.

Additional Business.

Additional Funds from Staff/Volunteer Holiday Party

Commissioner Tollette informed \$20.18 was left over from the money collected by the Commission for the recent Staff/Volunteer Holiday Party. It was agreed that the remaining \$20.18 would be contributed to the Community Center.

January City Commission Meeting

Chair Quam reminded that both Commissioner Mattick and Miller would be out and unable to attend the scheduled January 24, 2008 Commission meeting. He said he did not have many items for a January Work Session. After discussion it was agreed that no January Work Session would be held and that the Regular Commission Meeting would be rescheduled and held on Tuesday, January 22, 2008, 7:00 p.m.

Holiday Cookies Received

Mayor Barford thanked City Attorney Dye for providing the tray of cookies brought to the meeting for the City and visitors in attendance that evening.

ADJOURNMENT

The meeting was adjourned at 6:24 p.m. on motion made by Chair Quam and seconded by Commissioner Woodland. All Ayes.

Alice Baird, CMC, City Clerk

Minutes Approved: _____