

**CITY OF ANNA MARIA
CITY COMMISSION
SPECIAL MEETING
JUNE 12, 2003
6:00 P.M.**

CALL TO ORDER (6:03)

PLEDGE TO THE FLAG

ROLL CALL: Mayor SueLynn, Commissioner Tom Aposporos (6:04), Commission Chair John Quam, Commissioner Chuck Webb, Commissioner Duke Miller

Absent with excuse: Commissioner Linda Cramer

Also present: Code Enforcement Officer Gerry Rathvon, Kurt Jensen / Bo Conerly (BDI), City Clerk Alice Baird, Deputy City Clerk Diane Percycoe, City Attorney Jim Dye, Deputy Sheriff Sgt. John Kenney, Minutes Clerk Sylvie Reichmann

Press: Sun, Islander

1. CODE ENFORCEMENT, RIGHT-OF-WAY RELIEF HEARINGS:

a) Oak Avenue

Chair John Quam reported that the property had changed hands and would not be heard at this evening's meeting.

2. BDI SCOPE OF WORK FOR PARKING SPACES, IN THE ZONE

Mayor SueLynn said the scope of services in BDI Work Assignment #9 pertains to identifying parking spaces in the zone. She indicated that it would result in a street-by-street assessment of available parking spaces. Kurt Jensen said Work Assignment #7 included parking under traffic services, and that Work Assignment #9 is follow-up item. He said that the streets had now been identified and available parking assessed. Mr. Jensen said BDI proposed to now begin work on where the spaces will go after a standard parking detail is developed. He said driveways, certain trees, and some other obstacles would preclude the placement of some spaces. Mr. Jensen said in Work Assignment #7 there are still five 'hot' streets. He said the item currently under review would include the identification of the remaining streets and parking spaces. Mr. Jensen noted that both assignments would work together in tandem. Mayor SueLynn noted there were other traffic issues on hot streets.

Chair John Quam noted that Work Assignment #7 charged \$7,500 for parking, and Work Assignment #9 required an additional \$8,200. Kurt Jensen said Work Assignment #7 dealt with identifying the issues through meetings with City staff and residents, and further assessing the five or six hot spots, and BDI's recommendations and plan for solving the problems are forthcoming under that Work Assignment. He said Work Assignment #9 related to what could be done on the other streets in the zone.

Commissioner Duke Miller noted that the Code does not say that one must leave 10ft. on either side of a driveway, and confirmed with Kurt Jensen that BDI

would be applying generally accepted standards. Mr. Jensen said BDI's formal recommendation would be brought back to the Commission. Commissioner Miller inquired as to the time frame, and Kurt Jensen estimated 3 to 4 weeks. Commissioner Duke Miller confirmed with Chair Quam that this would be considered during the Commission's August Work Session.

Chair John Quam asked what BDI intended to recommend regarding trees that are encumbrances in the rights-of-way. Mr. Jensen said that trees would be identified but not necessarily recommended for removal. Mayor SueLynn said she had asked Code Enforcement Officer Gerry Rathvon to accompany BDI and inform them as to which obstacles should be removed.

Commissioner Tom Aposporos asked if BDI would be making recommendations for how the public could identify a parking space. Kurt Jensen replied in the affirmative.

Mayor SueLynn confirmed with Kurt Jensen that he would be bringing the criteria back to the Commission. Chair John Quam confirmed that the Commission could decide on the criteria at their June 26th regular meeting.

MOTION: Commissioner Duke Miller moved to accept the BDI Work Assignment #9 scope of services, dated June 9th, 2003 in the amount of \$8,200, seconded by Chuck Webb.

Vote: All Ayes. Motion carried.

Commissioner Aposporos said he was not concerned about IV. Client Responsibilities, however, he asked Mr. Jensen for clarification of Section III. Additional Services, B.1. Mr. Jensen explained that this work assignment would only deal with identifying where the parking spaces would be. He noted that the drawings are included in the previous Work Assignment #7. Tom Aposporos asked if all the tools for development of implementing ordinances would be in place for the Commission once both work assignments were completed. Kurt Jensen said all information for the five or six 'hot' streets would be in place, and in addition, the remaining streets would be identified with indication of where future parking could be located, based on standards approved by the Commission. He said those improvements could be enacted at a future date.

Mayor SueLynn noted that not all of the 'hot' spots were in the zone. She asked Mr. Jensen if Pine and North Shore would be included in the five hot spots. Kurt Jensen replied that if two streets are outside the zone, four more would be identified within it.

Commissioner Aposporos confirmed with Mr. Jensen that when all the work for both assignments is complete, the balance of what the City may need to do to create the maximum number of parking spaces would be to work with the City Attorney and City staff, and no further engineering would be required.

Public Comment

A resident asked how the area in front of where the Moss residence would be treated. Mayor SueLynn said this property was not in the zone and BDI was not considering it at this time. Another resident noted that the area is a dedicated City park. A resident said the land contains native vegetation vital to the dunes and is protected by the State.

A resident asked what the anticipated increase in the parking spots within the zone would be. Commissioner Tom Aposporos said the initial report identified approximately 480 spaces, and 80+ of them were along Bayfront Park. The work assignment discussed at this meeting would be to address which obstacles exist, and would yield a realistic number of spaces. He noted some of the potential parking spaces were in currently designated ‘no parking’ zones. The resident asked how many spaces currently exist. The Commissioners said this data is being gathered as a function of the work assignments.

A resident asked if handicapped parking would be addressed, and Kurt Jensen confirmed this would be addressed.

Deputy City Clerk Diane Percycoe recommended that funding for the work assignments come from the reserves. Mayor SueLynn confirmed that the City reserves are in excess of \$1 million and that the auditor had said \$250,000 could be spent without jeopardizing City's fiscal position.

MOTION: Commissioner Duke Miller moved that the funds for BDI Work Assignment #9 be transferred from the City reserves, seconded by Commissioner Chuck Webb.

Vote: All Ayes. Motion carried.

Public Comment

None offered.

2. APPROVE KREINES & KREINES PROPOSALS FOR WIRELESS APPLICATION FEES, COST RECOVERY STRATEGY AND SUPPORTING FORMS

Commissioner Tom Aposporos said he had added up all money spent on the project so far, and expressed the opinion that this was money well spent. He recommended that there be a clear understanding between the Commission and Mr. Kreines as to which bodies of work he is drawing the ordinance from, because the Master Wireless Plan had been revised by the City at one point. The Commissioner said he thought there could be potential problem areas relative to any additional work, such as drafting of supporting documents, if this is not clear. He noted in his memo of May 27th that he hope the City would revert to original Master Wireless Plan, and said he hoped the firm would provide the supporting documents and applications. Commissioner Aposporos said that since so much

had already been invested relative to Mr. Kreines' efforts, it should be made certain that the results of his work would not be altered.

Commission Chair John Quam noted that the items to be discussed this evening were not in Mr. Kreines' original master plan, and that at a future meeting the Commission would be discussing any changes they would recommend to Mr. Kreines' draft ordinance as presented to the Commission at its meeting on May 17th.

Commissioner Chuck Webb said he thought it would be premature to adopt the supporting documents prior to final approval of the ordinance. He said he had some issues with the proposed ordinance, and said that the items currently on the table could be adopted the same night of adoption of the ordinance.

Commissioner Aposporos suggested adjourning discussion on these items until the ordinance had been addressed. Chair Quam asked if a preliminary review of the items, such as the application fees, could be made this evening to determine if they are reasonable.

Commissioner Webb said he was not sure how to assess the fees, noting that the City could not expect to recover its money expended from the first applicant. Commissioner Aposporos said he thought it would be safe to assume that the money so far invested in the plan and Mr. Kreines' fees would not be quickly recovered, but that they could eventually be recovered.

Chair John Quam noted that at the May 17th meeting, the idea was that the items on the table would be brought to this evening's meeting in order to prevent any confusion, should an application be received prior to the ordinance being completed and adopted.

Commissioner Chuck Webb suggested adopting the supporting documents and fees by Resolution, as they would be changeable.

Chair Quam noted a date would also now need to be set to discuss any changes the Commission would have to the ordinance. City Attorney Jim Dye asked if the ordinance would be sent to P&Z, as it is a land use ordinance. Mayor SueLynn said she had a real concern regarding bringing additional items to the P&Z in view of upcoming Comprehensive Plan meetings. Commissioner Webb said he did not think it would be necessary to bring the ordinance to them.

Chair John Quam suggested a Commission workshop where changes could be made for submission to Mr. Kreines, and then the second reading could be scheduled. Mayor SueLynn asked the Minutes Clerk to provide copy of the ordinance incorporating the changes suggested at the May 17th meeting. **There was consensus to schedule a special work session for July 15th at 7:00 p.m.**

PUBLIC COMMENT

A resident asked if it would be necessary to go through the whole ordinance page by page. He recommended approval at this evening’s meeting of the supporting items currently on the table. The resident asked if Mr. Kreines would be helping the City with the first few applications. Commissioner Aposporos said he had suggest this, and said that it would be a way of making sure the City is best prepared for the whole process, and any additional cost would be money well spent. Commissioner Webb agreed that this would be appropriate, since Mr. Kreines is familiar with the industry and aware of the latest developments. Mayor SueLynn noted that Mr. Kreines had already proposed these additional services in the latest materials he submitted.

Discussion continued relative to HB 1307, which has yet to be signed by the Governor.

A resident expressed the hope that the ordinance would be clear enough that a consultant wouldn’t be required every time an application is received.

ADJOURNMENT

MOTION: Commissioner Duke Miller moved to adjourn the meeting, seconded by Commissioner Chuck Webb.

Vote: All Ayes. Motion carried.

The meeting adjourned at 7:04 p.m.

Respectfully submitted,

Alice Baird
City Clerk

Date Approved: 6/26/03