

**CITY OF ANNA MARIA
SPECIAL COMMISSION MEETING
JANUARY 7, 2003
6:00 P.M.**

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL: Commissioner John Quam, Vice-Mayor John Michaels, Mayor SueLynn, Commissioner Linda Cramer, Commissioner Chuck Webb (6:15)

Also present: City Clerk Alice Baird, Deputy City Clerk Diane Percycoe, Sheriff's Deputy Sgt. Kenney, Minutes Clerk Sylvie Reichmann

Press: Sun, Islander, Bradenton Herald

Mayor SueLynn outlined the ongoing rules of conduct for meetings, noted that she had received several written Requests to be Heard, and asked the public to respect the opinions of those who have been given the floor to comment, by refraining from expressions of favor or disfavor.

PARKING

1. General Thoughts / Comments from Commissioners re: Parking

Commissioner Linda Cramer clarified her position relative to Community Center parking. She said that she supports the Community Center and at the same time recognizes there is a parking problem for some nearby residents. The Commissioner noted that the discussion at the previous meeting had concluded that any Anna Maria residents with permits could park on the right-of-ways around the Community Center, while visitors could park in the Center's parking lot. Commissioner Cramer said she supports the proposed ordinance, the residents, and the Community Center. She said she hoped TBRPC and others could be consulted in the further development of a master parking plan.

Commissioner John Quam said he thought the Commission's decision at the December 17th meeting to require permits city-wide was unfair. He said there were many issues yet to be addressed, such as the Community Center, special events, and Roser Church overflow. He suggested that if the City adopted a zoned parking ordinance to regulate the beach area streets, then the Community Center, city street events, and Roser overflow problems would become negligible, as they would be not included in the regulated zone. The Commissioner added that a zoned approach would simplify permit administrative issues and enforcement. He said the Commission wanted a solution that was even-handed and fair. Commissioner Quam said that if only 30% of the residents had problems with parking, it should not be a reason to impose restrictions on the other 70%. He noted that the proposed parking ordinance specifically mentioned 'beach access / parking areas' fourteen times in the first page and a half, indicating a need for a zone to be addressed.

Mayor SueLynn stated that she had received a great deal of input from all areas, and had developed several opinions. She indicated that a requirement for parking permits of all residents would create an inordinate administrative burden -- without taking any necessary exceptions (e.g., parties, events, etc.) into consideration. The Mayor said the whole process would be difficult to enforce and would create ill will. She said that while she voted for a city-wide plan, she is against requiring permits for all property owners who want to park in front of their own homes. Mayor SueLynn said she would still like to explore the idea of parking permits for residents of beach access streets. She said however that she was concerned that the decisions arrived at so far by the Commission would make the beaches several blocks north of Pine for residents and guests only, and make Bean Point virtually inaccessible to the public. Mayor SueLynn said that the Commission may need to rezone in order to create public

parking areas, making some areas public and semi-public. She noted the need for more and improved handicapped parking spaces, and hopefully will consider at least one beach approach that allows for wheelchair access. Mayor SueLynn also recommended a paid Friday, Saturday, Sunday part-time parking enforcement position be created to handle the additional burdens of enforcement from April 15th to October 15th, and on holidays throughout the year. She said the estimated cost would be \$5,400 per season, and suggested that two such positions be considered.

PUBLIC COMMENT

A resident recommended that the Commission be careful when considering abolishing public parking on publicly funded streets, and suggested the City Attorney be consulted. Another resident expressed the need for at least one handicapped parking space at each beach access. A citizen said that most people in Anna Maria do not have a problem with parking, and that the problems appear to be surrounding beach access and the Community Center. She noted that enforcement of new resident parking permit rules would require more law enforcement. The resident said that most of the problems are with tourists, and cautioned most of the citizens of Anna Maria to remember that they themselves were once tourists. She said she also would like her friends and visitors to be able to park in front of her house.

2. City of Anna Maria Proposed Parking Ordinance, 12/17/02.

Mayor SueLynn noted the proposed ordinance is based on the Sanibel parking ordinance, an original copy of which was on the way to the City by mail, and asked the Commissioners for comment.

Commissioner Quam said he thought parts of the proposed ordinance relative to zoning could be used as a starting point. Vice-Mayor Michaels advocated for a parking solution in response to the large amount of public opinion. He noted that the Mayor's comment recommending parking permits, but not necessarily city-wide, was essentially the reverse of how the Commission voted on December 17th. Chuck Webb said he thought permits should be required for the Community Center and beach access areas, but there would be no need to regulate the interior of the city. He also recommended identifying areas of shifting parking patterns.

MOTION: Commissioner Chuck Webb moved to establish zone(s) for parking by permit only, seconded by Commissioner John Quam.

Vote: All Ayes. Motion carried.

Vice-Mayor Michaels asked if the Commission wanted to use the proposed ordinance as a framework. Commissioner Cramer suggested adapting a section of it to include the permit process outlined in the Vice-Mayor's memo. **There was consensus to use the proposed ordinance as a framework.**

3. Discussion issues (Based on minutes from 12/17/02 Commission meeting)

Vice-Mayor Michaels suggested hearing Public Comment relative to the Community Center prior to continuing with agenda item #2., in view of the large number of people present at this meeting who were interested in that topic, **and there was consensus to do so.**

a. Community Center Parking

Mayor SueLynn noted that she had received numerous communications from the public on this topic, two of which were signed by twenty-nine and sixteen residents respectively, indicating the desire to keep the parking regulations in the Community Center area the way they are.

Public Comment

Andy Price, Chairman of the Community Center Board, noted that parking has been an ongoing struggle for the Community Center and that they would continue to work to increase the available

parking spaces. He indicated that the Community Center has increased spaces from twenty-two to seventy-three over the years since it began, and hoped the City would not change current parking regulations.

A representative of the Community Center Bridge Club said during seasons they had members coming to the Community Center from all over Manatee County, and said he also hoped that the parking regulations would not be changed. Another resident said she had decided to buy property on Anna Maria in part because of the Community Center, and also hoped the regulations for parking would not change.

Allan Bobo, Esq. said prohibition of parking on the streets around the Community Center would create a situation that would impede the Center's ability to operate. He said the Center was willing to work with the City on finding alternative solutions, and addressing any specific problems related to parking and the Community Center.

Commission Comment

Vice-Mayor Michaels noted that he did not see any residents present who had problems with parking by Community Center patrons. The Mayor, at Commissioner Webb's request, asked all present if anyone living adjacent to the Community Center would like to speak, and none came forward.

Mayor SueLynn noted that after the Lester's party, several complaints were received by the City from residents about parking adjacent to the Center, mostly with regard to destruction of yards and rights-of-way due to the wet weather conditions. She said the City was considering negotiating with the owner of the property at the corner of Magnolia and North Shore, and that possibly patrons of special Community Center events could park there and be shuttled to the Community Center. She said there had been a suggestion for the City and Community Center to also purchase property adjacent to the Center for parking. The Mayor said the City, the Community Center and the public could work something out, possibly involving designated times for parking on various properties adjacent to the Center, and reiterated the potential need to re-zone certain areas of the City.

MOTION: Commissioner John Quam moved to have an area around the Community Center not be part of the resident permit parking only zone. Commissioner Chuck Webb made the second.

Vote: All Ayes. Motion carried.

2. City of Anna Maria Proposed Parking Ordinance, 12/17/02 (continued)

Mayor SueLynn confirmed that members of the public present who were interested had copies of the proposed ordinance with which to follow the Commission's considerations, section-by-section. The Mayor read **Section 3** aloud. Commissioner Webb requested the removal of the last sentence, and Commissioner Quam agreed. Commissioner Webb suggested specifically limiting parking regulation to rights-of-way and not peoples' properties. **There was consensus that a map was needed for the Commission to work on zones.** The Mayor noted that Commissioner Quam had used a map at the December 17th meeting which might be a basis for creating the zone map.

Mayor SueLynn read **Section 4** aloud. Discussion followed regarding **paragraph (1)** and the designated number (limit) of parking permits allowed per property. Commissioner Cramer noted that some homes have four or more vehicles. Commissioner Webb suggested that high impact streets (e.g., beach access) may warrant a different number of permits than streets in the interior of the city.

Relative to **paragraph (2)**, Commissioner Webb suggested striking the words "to which it is issued" (relative to "vehicle") and "residential" (relative to "parking zone"), **and there was consensus to do so.**

Relative to **paragraph (3)**, Vice-Mayor Michaels suggested that language regarding exceptions be included. **There was consensus to include "Business entity-owned vehicles" language from Section 4 (g) as a new paragraph (5) in Section 6.**

Regarding **Section 4 (3)**, Commissioner Webb recommended striking the words "for purchase", since everywhere else in the document states that no fee will be charged, **and there was consensus to do so.** Mayor SueLynn indicated that she would recommend charging a fee for replacement permits in case of damage or loss.

Discussion followed relative to **Section 4 (c)**, and the evidence required of permit applicants. Vice-Mayor Michaels recommended issuing permits to the recorded property owners on the County tax assessor's list. He said this could be done without an application, and owners would in turn furnish the permits to their renters as necessary. Commissioner Webb said he thought the permit should be tied to the property, not vehicle registration(s). Sgt. Kenney said the Commission would need to determine if the permits are transferable, and said if they are easily transferable, it could present difficulties for law enforcement. **There was consensus not to tie the permit to vehicle registration(s).**

Vice-Mayor Michaels read aloud the portion of his memo regarding tag policy and procedure relative to renters. He said the tax assessor's database could be used and tag numbers could be assigned. City Hall Staff would administrate and keep the database current, and entries would not require many fields to input -- there would be a property address, owner name, tag number, and status. Tag status would either be: issued, not issued, or cancelled / stolen. He said enforcement could be done by the specialist suggested by Mayor SueLynn. Lost, damaged or missing tags would require a fee for replacement.

Sgt. Kenney said that permits (tags) not attached to the vehicle in a designated spot would be hard for law enforcement to monitor. Discussion followed between the Mayor, the City Clerk, and Sgt. Kenney regarding the tax assessor's database and sharing it with law enforcement officers. **Vice-Mayor Michaels asked for and received consensus to assign the tags to properties and not to the vehicles or the property owners, in order to cut down on administration. He recommended replacing Section 4, with the exception of paragraphs (e), (f), (g) and (h) with his tag policy and procedure, and there was consensus to do so.** Mayor SueLynn noted that in the event of the loss or theft of a tag, identifying information would have to be supplied to the City by the property owner in order to be issued a new one.

The Commissioners reviewed, discussed and revised **Section 5, Prohibitions and Penalties. There was consensus to define (at another meeting) the word "oversize" relative to "vehicle" in paragraph (8), Section 5.**

Regarding **Section 5 (b) (1) a.**, there was discussion regarding towing, and Sgt. Kenney recommended having a heirarchy of penalties, with towing being the worst penalty, and Commissioner Webb suggested consulting City Attorney Dye.

Discussion followed regarding the tag replacement process and invalidation of permits.

There was consensus to reduce the civil penalty set forth in Section 5 (b) (1) b from \$50.00 to \$30.00.

Relative to **Section 5 (b) (2)**, Commissioner Webb recommended asking City Attorney Jim Dye if it would be appropriate to use a statutory penalty for violating an ordinance. Vice-Mayor Michaels said a penalty for using a stolen tag needs to be examined. Discussion continued regarding enforcement and the administrative burden. Commissioner Webb recommended making replacement tags expensive.

Mayor SueLynn suggested continuing to review the proposed ordinance and addressing administration and enforcement at another meeting, adding that she was concerned that business and lodging owners are adequately covered.

MOTION: Commissioner Chuck Webb moved to have City Hall staff prepare an amended proposed ordinance reflecting changes made at this meeting. Vice-Mayor Michaels seconded. Vote: All Ayes. Motion carried.

Mayor SueLynn said that City Hall Staff would need to look at the permit process again, as many questions still needed to be resolved. Vice-Mayor Michaels volunteered to be available to assist if needed.

The meeting adjourned for a break from 7:55 to 8:10.

3. Discussion issues (Based on minutes from 12/17/02 Commission meeting)

b. Permit Process

Mayor SueLynn noted that the Vice-Mayor's memo and earlier discussion had covered this topic, and that the staff would have to review the process in detail.

c. Criteria for streets / street locations where there will be no parking for residents or public

Mayor SueLynn said that per the December 17th meeting, the criteria were to be defined, and it would then be the responsibility of the Traffic Engineer to keep them in mind. Vice-Mayor Michaels said he thought the Commissioners should follow the recommendations of the Traffic Engineer, not vice versa, **and the other Commissioners agreed.**

4. Traffic Engineer Issues (Based on minutes from 12/17/02 Commission meeting)

Mayor SueLynn asked for and received consensus to add a bullet under this heading for ADA or handicapped parking spaces. There was further consensus to instruct the Traffic Engineer to address this and the other bulleted items under this heading on tonight's meeting agenda.

Commissioner John Quam asked about signage within parking zones. Commissioner Webb noted that the City may want to have City Attorney Dye examine minimum requirements for signage. He said that posting and notification of the public remains to be addressed.

Commissioner Quam suggested that Commissioners physically review areas on his map. **There was consensus to use Commissioner Quam's map and for the Commissioners to individually survey and identify the zone(s) for permitted parking.**

Mayor SueLynn asked City Clerk Alice Baird to post Commissioner Quam's map the day following tonight's meeting. Vice-Mayor suggested bringing in a large map to copy.

Mayor SueLynn said the revised proposed ordinance will need to be reviewed at the next parking meeting, and Commissioner Webb suggested it also be sent to City Attorney Dye prior to that meeting, so that possibly a First Reading of the ordinance could also take place.

Discussion continued regarding signage. Commissioner Webb recommended limiting or reducing the number of signs. He said he thought a general statement could be made in the ordinance. **There was consensus for Mayor SueLynn to speak with City Attorney Dye regarding how detailed the ordinance needs to be with regard to signage.** The Mayor said the subject would be placed on a future meeting agenda, and noted that the Wireless Master Plan was currently taking up the City Attorney's time.

PUBLIC COMMENT

A citizen said, relative to parking on publicly funded roads, that the Sanibel ordinance itself had to have been drafted by legal counsel and have survived legal challenge. Vice-Mayor asked if anyone knew of specific lawsuits relative to restricting access to parking on publicly funded roads. Commissioner Webb said the issues were complex, and many of them do not apply to Anna Maria. He agreed that the subject would need to be examined, but did not think it presented a big problem relative to the proposed ordinance. **Mayor SueLynn asked Vice-Mayor Michaels to contact Bob Barlow regarding any existing lawsuits he is aware of.**

A citizen confirmed with the Commission that Commissioner Quam's map could be modified.

A citizen commended the Commission on their work regarding the parking ordinance, and suggested that the new ordinance be implemented for a limited time, and then put to the voters for approval. Another citizen commended the Commission's work and their ability to compromise, adding that he did not fully understand the fear of creating an administrative burden. The citizen suggested putting the City map on the official web site. The resident advocated a towing policy, and agreed with the Mayor's suggestion to hire part-time parking ordinance enforcement personnel.

PRESS COMMENT

A member of the press confirmed with Mayor SueLynn that both firms currently being considered for City Engineer are also qualified to be Traffic Engineers.

Mayor SueLynn confirmed that the rules for meetings would continue as they are through the end of the current administration. She reminded members of the public to pick up Request to be Heard blanks. She said that these could be picked up in advance from the City Clerk's office.

ADJOURNMENT

MOTION: Commissioner Linda Cramer moved to adjourn the meeting, seconded by Commissioner John Quam.

Vote: All Ayes. Motion carried.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Alice Baird
City Clerk

Date Approved: 1/23/03