

**CITY OF ANNA MARIA  
REGULAR CITY COMMISSION MEETING MINUTES  
MEETING HELD AT HOLMES BEACH COMMISSION CHAMBERS  
WEDNESDAY, APRIL 25, 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:** Commissioner Duke Miller, Deputy Chair Christine Tollette, Chair John Quam, Commissioner Dale Woodland, Commissioner Jo Ann Mattick, and Mayor Fran Barford.

**Staff present:** City Clerk Alice Baird, City Attorney Jim Dye, and Minutes Clerk Stacey Johnston.

**Press present:** Sun, Islander.

*Chair Quam read the Pledge of Conduct.*

**1. CONSENT AGENDA**

- a. *Minutes* – Regular City Commission Mtg – March 22, 2007.
- b. Approve Beach Walk-over Agreement w/John Rodda & Rodda Const., Inc. to Accept Walk-over & Release Rodda from Liability.
- c. Approve Arbor Day Proclamation – April 27, 2007.
- d. Approve Proclamation: Trudie Wyatt Diamant – April 13, 2007.
- e. *Special Event:* Sandbar Wedding Tent – 6/9/2007, 9AM – 10PM
- f. *Special Event:* Sandbar Wedding Tent–6/15 & 6/16/2007, 9AM – 10PM
- g. *Special Event:* Sandbar Wedding Tent – 6/23/07 – 9AM – 10PM
- h. *Special Event:* Sandbar Wedding Tent–6/29 & 6/30/2007, 9AM – 10PM

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

*Mayor Barford* read and presented the Proclamation to Trudie Wyatt Diamant declaring April 13, 2007, the occasion of her 50<sup>th</sup> Birthday, as Trudie Wyatt Diamant Day.

*Ms. Diamant* thanked Mayor Barford and each Commissioner for the presentation.

**2. REPORTS AND UPDATES.**

- a. Commissioners – No Reports.
- 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. Mayor's Report.**

**Calendar of Meetings / April & May Special Meetings**

- *Mayor Barford* handed out a Calendar of Meetings for the month of April and May. She informed that a Special Commission Meeting has been scheduled for Monday, May 7, 1:00 p.m. for the purpose of meeting with the contractor regarding the rehabilitation and costs for construction of the City Hall repairs. Once approved, construction would begin on May 8.

*Mayor Barford* informed that June 11, 2007 was the date scheduled for the Staff to return to the City Hall.

- A Commission Walk-thru of the Anna Maria City Hall has been noticed for 10:00 a.m. on Monday, April 30, 2007.
- The Arbor Day Celebration will be held at the City Pier on Friday, April 25, 2007 at 10:30 a.m.
- A Special Shade Meeting (Olesen case) is scheduled for Thursday, May 10, 2007, 6:30 p.m., prior to the City Commission Work Session.
- A Special City Commission EAR Comprehensive Plan Amendment Public Hearing is scheduled for Monday, May 21, 2007, 7:00 p.m.

**FEMA Workshop**

*Mayor Barford* reported that she and staff members recently attended the FEMA Workshop held in Emmitsburg, Maryland. She said it was a very informative workshop and proved to be a good experience.

**Special Events Update**

*Mayor Barford* informed she and staff is working on the Special Events Ordinance. Planner Garrett and the City Staff are coming up with a plan for the good of the entire City.

**Nalley Lawsuit Update**

*City Attorney Jim Dye* updated the Commission on the status of the Nalley Lawsuit. He said he had reviewed the lawsuit and next week will be moving to dismiss it.

City Attorney Dye said he is not asking for a Shade meeting at this time.

**3. Request for Extension Approval of Preliminary Site Plan – 303 Pine Avenue.**

*Chair Quam* explained the Agenda item should be corrected from “Final Site Plan” to read “Preliminary Site Plan.”

Applicant *Robert Hunt* addressed the Commission stating he is requesting a 24-month extension of the Final Site Plan prior to applying for a Building Permit.

*Chair Quam* informed Mr. Hunt he had confirmed with the Building Official that last February the City Commission approved the extension of the Preliminary Site Plan for a period that will expire May 24, 2007.

Discussion followed relating to the amount of extension requested. *Mayor Barford* informed that the Building Official was currently holding the paperwork to proceed with the Final Site approval until he received direction from the City Commission.

After discussion, the following motion was made:

**MOTION: Commissioner Miller moved to approve extending the Preliminary Site Plan for property at 303 Pine Avenue to October 25, 2007. Commissioner Tollette seconded the motion. Motion carried – All Aye.**

*Chair Quam* pointed out that six months from the original May deadline would be November rather than October.

*Mr. Hunt* confirmed that the October 25 date was agreeable with him.

**4. First Reading of Ordinance No. 07-679 – Approving the Proposed FPL Franchise Agreement.**

City Clerk Baird read the Ordinance by title.

FPL Representatives Mel Klein, Bob Coleman, and Don Sauer were in attendance to address questions relating to the proposed Franchise Ordinance.

*Mel Klein* addressed the Commission and informed that FPL had considered the language in Sec. 5(b) of the Ordinance, as pointed out by Mayor Barford.

Mr. Klein said FPL has agreed that the following language be added to that section: 7,500 or any future franchise agreements FPL may have with their neighbors. He stated if there are any franchise agreement changes with Holmes Beach, Bradenton Beach, or Longboat Key, the City of Anna Maria would also be entitled to the same rights.

Mr. Klein said the Ordinance, with the suggested changes, will be sent to City Attorney Dye for his review.

**ACTION: Second Reading of Ordinance No. 07-679 will be heard at the next Commission Meeting to be held May 24, 2007.**

**Public Comment**

*Tom Turner*, 850 N. Shore Dr., asked if there was a power grid on Cortez or did all electric power to the Island come down Manatee Ave. He suggested that some of the lines might need attention.

*Mr. Klein* said he would investigate the issue and report back to the Commission at the May Second Reading.

**5. Second Reading and Public Hearing of Ordinance No. 07-678 – Creating Two Handicapped Parking Spaces on Gulf Blvd.**

City Clerk Baird read the Ordinance by title.

*Chair Quam* declared the Public Hearing Open.

*Hearing no Public Comment*, *Chair Quam* officially declared the Public Hearing closed.

**MOTION: Commissioner Miller moved to approve Ordinance No. 07-678 for Second Reading. Commissioner Woodland seconded the motion. Motion carried – All Aye.**

**6. Request to Authorize Mayor to Enter into Lease Agreement – GEM Electric Car (Budget Line Item No. 169).** This item was removed from the Agenda.

**7. Review ‘Pledge of Conduct’ for Meetings.**

*Chair Quam* stated he would:

- Read the Pledge of Conduct at each meeting.
- Asked that Public and City Commission comments only pertain to the issues being addressed at that time.
- Requested that no applause be made after comments had been heard.
- Inappropriate comments and attacks would not be allowed.

*Commissioner Mattick* stated the City has the Pledge of Conduct, however, establishing some type of consequence in the event the rules were not followed had never been established.

She felt there should be consequences when the rules were not followed and whenever the following occurred:

- Any time someone makes a calculated effort to sensationalize the proceedings.
- Utilizing inappropriate exhibits. (*Commissioner Mattick* suggested that all exhibits or handouts should be presented to the Chair to avoid exhibiting inappropriate materials).
- Use of obscene or inflammatory language.
- Personal attacks of the City Commission.
- Negative comments relating to the press.

Commissioner Mattick felt her suggestions merit requesting the person being asked to stop the activity immediately and that they would then forfeit the right to continue addressing the Commission.

*Commissioner Tollette* said she liked the idea of all exhibits being presented to the Chair. She agreed with Commissioner Mattick's suggestions and felt they would allow for avoiding certain issues.

## **PUBLIC COMMENT**

### **Australian Pines**

*Marsha Lindsey*, Pine Avenue, said she had presented a petition to City Clerk Baird. Anna Maria Island residents in support of the Australian Pines being retained and not removed have signed the petition. She asked when the Commission would discuss the item.

*Chair Quam* informed that the item had been placed on the May 10 Work Session agenda and fifteen minutes had been allotted for its discussion

### **Special Events / Sandbar**

*Marie White*, 111 Spring Avenue, said when the Site Plan was approved for the Sandbar, the main issue was the new Pavilion and no discussion of Special Events came up.

She said she is very concerned regarding the noise issue and felt it had been completely ignored.

Ms. White further stated that the traffic was "unbelievable" during a Special Event. She pointed out that the Sandbar had been approved for a specific number of parking spaces; however, the tent covers some of the spaces. Ms. White presented a picture of the area to Chair Quam for distribution to the Commission.

Ms. White said she had discussed the situation with the City's Code Enforcement Officer of not being able to access the alley during the Special Events.

### **Australian Pines**

*Leslie Atkins*, 208 Willow, spoke regarding the Island's Australian Pines and their maintenance. She felt the Pines were an integral part of the Island and part of the Island's ambiance. She agreed that the Australian Pines had been invasive in the Everglades and in some wide-open spaces but did not feel that way about those on the Island.

Pointing out that a large number of the Pines had been planted many years ago, Ms. Atkins felt they served many purposes such as shade, windbreak, they block light and allow the baby turtles to get to the water, allows for decreased energy costs due to their shading, absorbs CO2 and assists with the global warming issue.

Ms. Atkins suggested the City plant additional trees rather than spending the money to cut down the Australian Pines.

*Susan Hatch*, N. Bay Blvd., said that the Australian Pines were suppose to be trimmed every three to five years, however, had only been trimmed once.

Ms. Hatch agreed that any Pines that would be a hindrance in the event of a hurricane should be removed. However, she voiced concern about Palm Trees being their replacement. She asked who made the decision of their replacement.

**PRESS COMMENT - None**

**ADJOURNMENT**

**On motion made by Commissioner Miller and seconded by Chair Quam, the meeting was adjourned at 7:40 p.m. Motion carried unanimously.**

**The next regular Work Session is scheduled for Thursday, May 10, 2007 and the next regular meeting is scheduled for Thursday, May 24, 2007.**

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**Alice Baird, CMC, City Clerk**

**Minutes approved: \_\_\_\_\_**