

**CITY OF ANNA MARIA
REGULAR COMMISSION MEETING
AUGUST 25, 2005
7:00 P.M.**

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL: Commissioner Dale Woodland, Commissioner Carol Ann Magill, Commission Chair John Quam, Deputy Commission Chair Linda Cramer

Absent with excuse: Commissioner Duke Miller

Also present: Mayor SueLynn, Sgt. John Kenney, Sheriff's Department; City Attorney Jim Dye, Public Works Director George McKay, Deputy City Clerk Diane Percycoe; Minutes Clerk Sylvie Reichmann

Press: Sun, Islander

1. CONSENT AGENDA

- a. **Approval of Minutes: Regular City Commission 7/28/05**
- b. **Recommendation from Audit Selection Committee to select C, S, & L CPA firm as Auditors**
- c. **Appointment of Commissioner Cramer and Commissioner Miller to the City Canvassing Board 2005**
- d. **Line Item Transfer of \$3,500 from Line Item #515.22-55 – Building Department Imaging to Line Item #515.22-54 – City Clerk Department Imaging**

MOTION: Commissioner Dale Woodland moved to accept the Consent Agenda, seconded by Deputy Commission Chair Linda Cramer.

Vote: All Ayes. Motion carried.

2. REPORTS & UPDATES

Commissioner Dale Woodland announced the annual Florida Coastal Cleanup was scheduled for October 1st from 9:00 a.m. to 12 noon, and asked anyone with any questions about the event could contact Commissioner Dale Woodland or City Hall. He also reminded those present that Bayfest was slated to take place on Saturday, October 15th, 2005.

Commission Chair John Quam announced a Special Commission Meeting would be held on September 8th at 6:00 p.m., to approve the pending site plan for 303 Pine and also to review the amended final site plan for the Waterfront Restaurant.

Mayor's Report

Mayor SueLynn said she attended a workshop this Wednesday past led by Representative Clark dealing with Water and Senate Bill 444, relative to funds available for alternative ways of using rainwater runoff and conserving ground water. The Mayor said she learned that Manatee and Sarasota were ahead of the

State in such conservation, and that she would be looking for ways to use some of the money being made available to collect and use rainwater.

Mayor SueLynn noted that now visible on the City and Rod N' Reel piers were white stovepipe structures for depositing used fishing filament which is harmful to wildlife.

3. Second Reading and Public Hearing – Ordinance #05-642 Local Communication Tax Increase

Deputy Commission Chair Linda Cramer read the ordinance by title. Commission Chair John Quam said that per Mayor SueLynn, increased revenue would be roughly \$67,000.

MOTION: Deputy Commission Chair Linda Cramer moved to adopt Ordinance #05-642 Local Communication Tax Increase, seconded by Commissioner Dale Woodland.

Roll Call Vote: DW – Aye; Commissioner Carol Ann Magill – Nay; JQ – Aye; LC – Aye. Motion carried, three to one.

Public Comment

Jim Conoly of 848 North Shore Drive said this was an additional tax that would be added onto by other increases residents now face.

Tom Turner of 850 North Shore Drive said he thought this was excessive taxation.

Diane Canniff agreed with the previous two speakers, and said the City had lots of money coming in without the tax.

Randall Stover of 815 North Shore asked to see some taxes going the opposite direction from adding and increasing.

Bunny Garst of North Bay Blvd. said there were already enough taxes.

Margaret Jenkins of Chilson Avenue agreed with all the previous speakers and said she felt the Commission should put a cap on things instead of spending as much as it could get.

Commission Chair John Quam noted the tax would be raised from 1.5 percent to 5.2 percent, as is currently charged by neighboring cities.

City Attorney Jim Dye confirmed to the Commission that it could decide to lower the rate at this meeting.

Mayor SueLynn reminded those present that if this is done, the budget would need to be reduced accordingly.

Commissioner Dale Woodland said he had mixed feelings about the tax, but would not oppose reducing the rate.

Commissioner Carol Ann Magill recommended reducing the tax 50 percent.

Commission Chair John Quam suggested 3.5 percent.

Mayor SueLynn said the ordinance needed to be in place by September 1st, 2005.

4. **First Reading of Property Debris Mitigation Ordinance #05-644**

Deputy Commission Chair Linda Cramer read the ordinance by title. Commission Chair John Quam said the ordinance would be on the workshop agenda and that he planned for the second reading at the Regular Commission Meeting. Mayor SueLynn indicated that an hour had been requested to discuss this. City Attorney Jim Dye suggested meeting with Building Official Kevin Donohue and Mayor SueLynn to possibly reduce the time needed.

Public Comment

Tom Turner asked why most of the ordinances no longer first go through Planning & Zoning review. Commission Chair John Quam noted that the Commission initiated the need for the ordinance. City Attorney Jim Dye said many recent ordinances had not been planning and zoning matters. Tom Turner indicated that this is one ordinance he thought the P&Z Board should have been first to review.

5. **First Reading on Occupation License Tax Ordinance. #05-645**

Deputy Commission Chair Linda Cramer read the ordinance by title. Commission Chair John Quam referred to Section 8 and noted that it was not pertinent, and City Attorney Jim Dye said he would eliminate it. City Attorney Jim Dye indicated that Statute allowed the rates shown to be doubled. He noted that some categories did not apply and received the Commission's permission to eliminate them.

City Attorney Jim Dye said this was not a regulatory ordinance, it was a fundraising ordinance. He said the City could expand this to have a regulatory component. The City Attorney said the ordinance as it was would give the City information as to who was out there, but could be modified to have more specific requirements attached to it. Mayor SueLynn said that this could be on the September 8th Commission Workshop agenda for further discussion.

Public Comment

Randall Stover noted businesses paid an increase of 33% in taxes over the past year, and said it was alarming to see that a single person who conducts business over the phone in their residence be taxed for this activity alone. He noted there was no homestead relief for businesses.

Commission Chair John Quam noted this tax existed previous to 2003 and needed to be suspended, and is now being re-instituted.

Dianne Canniff said she thought it would be out of line to tax the commercial enterprises and home based business owners more money when the taxes have increased.

6. Generator Purchase / Rental

Mayor SueLynn noted the Commission had asked Public Works Director George McKay to provide more info regarding the ASAP, Inc. proposal. He said there is a 50% discount offer featured in the current proposal that would expire on September 9th. He said he would be meeting with a consultant called Electroguard, who analyses a community's needs for emergency electrical power, but that this would not be in time for the Commission to make a decision on the current ASAP proposal and receive the discount.

Commission Chair John Quam said he would have liked to see two or three quotes this evening. Public Works Director George McKay said he had obtained various quotes throughout the years, and that this happens to be the most economical. Commission Chair John Quam confirmed that Mr. McKay had been testing the operation of the generator. Mr. McKay confirmed that the equipment had a one-year warranty.

Commissioner Carol Ann Magill asked if anyone but George McKay had been trained to operate the equipment if he is unavailable. Public Works Director George McKay said he had a volunteer living on the Island in mind for training.

Mayor SueLynn noted that several months ago, Public Works Director George McKay had supplied the Commission with information on several other generators and options.

Commission Chair John Quam asked if the unit could be rented two months out of the year if desired.

Deputy Commission Chair Linda Cramer asked if the generator would sit in the parking lot indefinitely. Public Works Director George McKay said it would be out for the season, and that there were no immediate plans for housing it. He noted it needed to be tested weekly. Mayor SueLynn asked if a cover could be put over it, and George McKay said this was possible, but that attention would need to be paid to tying that cover down.

Deputy Commission Chair Linda Cramer asked for a written warranty to be included as a contingency to approval of the contract.

Public Comment

Tom Turner said since he had been in the City, power outages had been minimal, and that he objected to spending money on this. He said for the money, the generator should have an automatic power-up and not require an employee to hook it up.

Randall Stover said he was against a purchase, but suggested a ten-year 'hurricane' contract with a rental agency. He noted this would eliminate an additional burden of responsibility from the City and ensure it would have up-to-date equipment.

Diane Canniff noted that the City had obtained a government surplus generator in 1982 and asked if this avenue had been examined this time.

Public Works Director George McKay said the "hurricane package" that Mr. Stover recommended had been approximately \$6,000, and that at the last meeting on the subject, the Commission had felt this was excessive.

Deputy Commission Chair Linda Cramer asked if other types of generators than diesel powered were available. Public Works Director George McKay noted these are LP powered, and that there were drawbacks to using this type of fuel.

Commissioner Dale Woodland said he had a problem seeing the added value to the City, since after a serious event, City Hall would not be a place anyone would need to be.

Commission Chair John Quam said he had a similar opinion, and said he would support renting a generator as required every year.

No motion was offered.

Mayor SueLynn asked if available after the 9th of September, if the Commission could approve renting a generator, and George McKay confirmed he would ask if a generator was available and inform the Commission by September 8th.

7. Proposed Ballot Referendum on Merger of Island Cities

Deputy Commission Chair Linda Cramer read the Referendum by title. Commission Chair John Quam read the proposed ballot statement in Section 3 aloud. Commission Chair John Quam asked the public if this should be put to the ballot on November 8th.

Public Comment

Jim Conoly said he was against any consolidation and said no effort should be expended to explore this.

Joanne Mattick of 876 North Shore said this was too important an issue to reject out of hand, and urged the Commission to put the non-binding referendum on the ballot

Mayor Carol Whitmore of 8324 Marina Drive, Holmes Beach, asked the Commission to approve putting this referendum on the ballot. She said she had been an Island resident for 36 years and believed a subject this important needed to be first put before the voters.

Tom Turner said he was against this referendum. He asked for an estimate to be included in the language on what approval of this referendum would cost. Mr. Turner said he believed this would cost well over \$100,000, which should be split 60% – Holmes Beach, 20% -Bradenton Beach, and 20% - Anna Maria.

Bill Brown of 851 North Shore Drive asked what the possible advantage could be to unifying the three cities. He said he appreciated having the local City Commission and discouraged even exploring this idea.

Diane Canniff asked if the Commission had a list of the specific benefits that would come from such a referendum. She said she was glad the town hall meetings were held, and asked the Commission to pay attention to what had been said at them.

Randall Stover asked what the residents would be getting from consolidation. He noted police and public meeting costs would be reduced, but said the people of the City and the Island would not receive one penny in benefit. He said government would be larger and less accessible to the residents of this City.

Bunny Garst said if it ain't broke, don't fix it.

Margaret Jenkins said she had been coming here since the 40's and became a resident in 1964. She was drawn by the small friendly city. She said she was very much against consolidation.

Robin Wall 112 Palmetto said her two major concerns were: 1) Anna Maria's community identity would be lost, and 2) losing accessible, accountable government. She said she opposed the referendum and asked the Commission to vote against it.

Joe Gazari of 209 Elm said he would be in favor of having a referendum to let the people speak.

Judy Adams of 102 Magnolia said people should consider the real cost to the individual of consolidation referred to by a speaker at the town hall meetings. She said she felt strongly about living here, and noted that most of the residents came to the city of Anna Maria by choice over other places. She said that she could not see five people governing the whole Island. Ms. Adams noted that many are still here because they are willingly making sacrifices to do so.

Joe White of 111 Spring said he also was against consolidation because it gave more power to less leaders and afforded less representation for residents. He expressed gratitude for having a Commission and Mayor dedicated to this city. He cautioned against too much change at one time.

Don Schroeder of Holmes Beach said he had been on the Island since 1986. He said what the Commission decided tonight could either give Anna Maria citizens full sight of what the city could be, or would blind them. He said the cities needed to speak with one voice. He noted many part-time residents would be here again in time to vote in November.

Commissioner Carol Ann Magill said she was struck by the language in the Resolution that stated citizens (of Anna Maria) had been asking the question, since she did not know of anyone from Anna Maria who had asked about, or who was in favor of consolidation. She said she felt that more workshops, meetings, and public hearings were needed to be held to understand what the advocates of consolidation are actually envisioning. The Commissioner said she did not feel the pressure for a ballot deadline was appropriate. She noted that it would cost citizens money to have the question put to the ballot. Commissioner Carol Ann Magill expressed the opinion that the City did not have the thousands of dollars to spend on research of this kind.

Commissioner Dale Woodland noted this question had come up on the Island several times. He said he had always maintained that when it comes to government, bigger is not better. Commissioner Dale Woodland noted that the Island cities had separate individual characteristics. He said he saw both the question and the Island cities as being no different than when the question had last been asked. He noted with regret changes that had taken place in Longboat Key since he first had come to the Island.

Commissioner Dale Woodland said he had a number of reasons for being against consolidation. He said that he had been in favor of the referendum, believing that citizens would vote against consolidation. However, subsequent to the recent town hall meetings, the Commissioner said he had decided to oppose the referendum. Commissioner Dale Woodland said he had been looking forward to the debate. He underscored that individuals would get less of a voice with a larger government.

Deputy Commission Chair Linda Cramer said she had spoken with residents who were in favor of exploring the possibility of consolidation. She said that the City could gain foresight and education from the proposed study. Deputy Commission Chair Linda Cramer suggested that an Island manager could save citizens of Anna Maria money and afford continuity in government. She recommended systematically exploring the idea.

Commission Chair John Quam said the concept of consolidation was good in theory. He said that many people he had spoken with said they felt there was a hidden agenda on the part of who had brought the idea up and those currently advocating for it. Commission Chair John Quam said he thought perhaps there was a rush toward this referendum. He said that a referendum should have some substance, and that he thought the language “not to exceed \$100,000” should be included in the referendum question.

Deputy Commission Chair Linda Cramer said she would not have a problem with “not to exceed” language.

City Attorney Jim Dye said the referendum could be changed at this evening’s meeting, but that the language would need to be prepared.

Mayor SueLynn said the reason for the referendum was to see if the public wanted to conduct a study to evaluate the feasibility of consolidation and get facts, rather than opinions. She said the City stood nothing to lose financially with the referendum, and that she thought all the people of the City should be given the opportunity to voice their opinions.

Commissioner Carol Ann Magill said she did not think anyone in the City was being robbed of an opportunity to have his or her voice heard. She said she was leery of the wording of this referendum and felt the issue was being rushed.

City Attorney Jim Dye offered language for the referendum limiting the cost of the study to \$40,000 (for the City of Anna Maria).

Public Comment

Joe White of 111 Spring Avenue said he did not believe anyone knew anything about how the question came up, and suggested that the other Island city representatives were applying pressure. He noted that very important decisions were being made in the City without the voice of everyone, adding that he thought the referendum would eventually cost money, and that it simply did not make sense.

MOTION: Deputy Commission Chair Linda Cramer moved to extend the meeting, and Commissioner Carol Ann Magill seconded the motion.

Vote: All Ayes. Motion carried.

Mayor Carol Whitmore said that the City of Holmes Beach had already voted for the referendum and urged Commissioner Dale Woodland to support it.

Bradenton Beach Commissioner Don Maloney said he had voted against the referendum at the Holmes Beach meeting because it had gotten too complicated. He said all that needs to be asked is what the people wanted to do.

Randall Stover said he felt there were only ten people on the Island pushing consolidation. He noted the dwindling of the voter base, and also questioned what specific benefits the proponents of consolidation had to offer. He said the wording of the referendum asked for support, rather than a study.

Robin Wall cautioned against Anna Maria losing its identity in consolidation as it is the smallest community of the three.

Diane Canniff again voiced her opinion against consolidation.

Bunny Garst asked how many voters would be expected to vote in November. She said that there had been two town hall meetings and no one had voiced support.

Joanne Mattick expressed dismay at the way opinions had been expressed at this meeting, and said she thought many citizens had not yet had the chance to speak.

Bill Brown said that no one had discussed the risks of consolidation, including the loss of the forum being used for this evening's discussion. He noted that a study could be interpreted or skewed a number of ways.

Tom Turner asked how much City Attorney Jim Dye had already put into this issue at the taxpayers' expense and asked for an estimate.

Randall Stover asked what the name of the new municipal entity would be, and that he believed each individual would have personal expenses attached to the new address.

Don Schroeder said he agreed with Mayor SueLynn and asked the Commission to open the question up to the public in November.

Bradenton Beach Mayor John Chappie said this was an interesting question and that it would be interesting to study it.

Commissioner Dale Woodland asked why many businesses favored this while many residents opposed it. He said that all opinions and concerns needed to be respected. He suggested that the proponents of consolidation take a straw ballot in all three cities. The Commissioner thanked everyone who had expressed opinions and concern about his vote.

Deputy Commission Chair Linda Cramer recommended holding additional meetings on the subject at the Community Center. She said that she felt strongly about continuity in service and was concerned about professionalism in government. The Commissioner said it would be counterproductive to pit people against each other based on their opinions, and again said that she would like to see the research done.

MOTION: Deputy Commission Chair Linda Cramer moved to adopt the Resolution with Section 3 amended, seconded by Commission Chair John Quam.

Roll Call Vote: Commissioner Dale Woodland – Nay; Commissioner Carol Ann Magill – Nay; Commission Chair John Quam – Aye; Deputy Commission Chair Linda Cramer - Aye. Motion failed due to lack of majority.

Mayor SueLynn asked the City Attorney if she could exercise the veto provided to the Mayor in the City Charter. City Attorney Jim Dye said that this veto had been provided relative to ordinances only, and that Mayor SueLynn did not have the power to veto Resolutions.

PRESS COMMENT

PUBLIC COMMENT

Commissioner Carol Ann Magill said she appreciated Mayor John Chappie's comments and was upset that the Mayor of Holmes Beach had singled her out during public comment.

ADJOURNMENT

MOTION: Commissioner Dale Woodland moved to adjourn the meeting, seconded by Deputy Commission Chair Linda Cramer.

Vote: All Ayes. Motion carried.

The meeting adjourned at 9:34 p.m.

Respectfully submitted,

City Clerk Alice Baird

Date