

**CITY OF ANNA MARIA
REGULAR COMMISSION MEETING
OCTOBER 27, 2005
7:00 P.M.**

CALL TO ORDER (7: 00 p.m.)

PLEDGE TO THE FLAG

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

Also present: Mike Eagen, Manatee County Department of Agriculture; City Engineer Tom Wilcox (BDI); Mayor SueLynn; Building Official Kevin Donohue; City Attorney Jim Dye, Public Works Director George McKay, Deputy City Clerk Diane Percycoe; Minutes Clerk Sylvie Reichmann

Press: Sun, Islander, Bradenton Herald

Commission Chair John Quam presented a plaque to Commissioner Carol Ann Magill, at this, her last meeting as Commissioner. He noted that her term would be expiring on November 7th, and that Commissioner Magill had contributed two years of excellent service. The presentation acknowledged with gratitude her contributions from November 2003 to November 2005. Commissioner Magill thanked the Commission and the Mayor for their support, and individual members of the public for theirs. She indicated that she intended to continue her civic involvement, and would possibly consider running for office in a future election.

1. CONSENT AGENDA

- a. Approval of 9-06-05 Special City Commission Meeting Minutes: 9/07/05 Tentative Millage / Tentative 05-06 Budget City Commission Meeting; 9/08/05 Special City Commission Meeting; Regular City Commission 8/25/05**

Commissioner Dale Woodland asked that the 9/07/05 Tentative Millage / Tentative 05-06 Budget City Commission Meeting Minutes be removed from the Consent Agenda for discussion. Commissioner Carol Ann Magill requested removal of Consent Agenda Item (e.) Resolution 05-609 for the same purpose.

- b. Holmes Wedding Special Event Permit – December 11, 2005**
- c. Anna Maria Island Privateers Christmas Parade – December 10, 2005**
- d. Re-Appoint William Iseman, Chair to the Code Enforcement Board – Three-Year Term to Expire 10-27-08**

MOTION: Deputy Commission Chair Linda Cramer moved to approve the remaining items on the Consent Agenda, seconded by Commissioner Duke Miller.

Vote: All Ayes. Motion carried.

Commissioner Dale Woodland noted that in the last paragraph on the first page of the 09/07/05 minutes, the word “current” should be substituted for “prior”, relative to property value assessments, and there was consensus for this amendment.

e. Resolution No. 05-609 – Adopting Fee Schedule for Right-of-Way Ordinance No. 05-631

Commissioner Carol Ann Magill asked, relative to the 7/6/05 CIAC Meeting Minutes, and regarding the Resolution, about how the extra fee would be implemented relative to trenching. Building Official Kevin Donohue responded that this was covered in the Ordinance and that the degradation schedule was available from the City Engineer’s office.

MOTION: Commissioner Duke Miller moved to approve the Minutes of 09/07/05, as amended, as well as Resolution No. 05-609 – Adopting a Fee Schedule for Right-of-Way Ordinance No. 05-631. The motion was seconded by Deputy Commission Chair Linda Cramer.

Vote: All Ayes. Motion carried.

2. REPORTS AND UPDATES

Commissioner Dale Woodland thanked Roser Church for their letter and generous offer of the use of their facilities during emergencies.

Commission Chair John Quam noted that Election Day would be November 8th; and that the Organizational Meeting for the new Commission would take place on Thursday, November 10th, 2005 at 7:00 p.m. The Commission Chair recommended that the Regular November Commission Meeting be held on November 17th because of the holidays. Mayor SueLynn said that she would be at the Florida League of Cities Legislative Session on that date. City Attorney Jim Dye indicated that he would also not be in town on the 17th. **Mayor SueLynn and City Attorney Jim Dye both said they would be available to attend a Regular Commission Meeting on November 15th, 2005, and there was consensus to hold the meeting on that date.**

Mayor’s Report

Mayor SueLynn thanked City of Anna Maria Public Works staff and the Sheriff’s Department for helping the City survive 11 hurricanes so far, and also commended them for their excellent coverage during Hurricane Wilma. She noted that the lack of damage to electrical lines in the city was largely attributable to Public Works Director George McKay and staff’s hard work on trimming.

The Mayor reported that City Clerk Alice Baird had seriously hurt her back and would be out of the office for four weeks. She noted that this accident happened during Deputy City Clerk Diane Percycoe's vacation. Mayor SueLynn thanked and commended City Hall Administrative Assistant AnnMarie Thorpe for a superb job in doing the work of three people while two were away.

Mayor SueLynn indicated that the Metropolitan Planning Organization (MPO) had met on September 26th, and that the major presentation at this meeting had been made by a consultant the MPO had hired to develop a Long-Range Transportation Plan up to the year 2030. She said that they had produced a map showing projected needs for 2030, based upon current trends in Manatee and Sarasota counties. The Mayor indicated where yellow markings on the map meant that the addition of two lanes had been constrained. The Mayor showed on the map where Cortez would add two lanes for a portion, and go to four lanes for the rest of it. Mayor SueLynn noted Interstate 75 could be increased to ten lanes by 2030. Discussion followed relative to better land use decisions being made to allow infrastructure to catch up.

Mayor SueLynn reported that on October 14th, 2005 she attended the Tampa Emergency Response Meeting featuring the EOC Managers and the Head of FEMA. She noted that EOC representatives had indicated that it was best not to go to shelters, and recommended staying with friends or family or leaving the area altogether. The Mayor reported that Manatee County had the most shelters available. She acknowledged that this county depends on its school system to provide shelters, but that these shelters needed to be upgraded to withstand a Level 5 hurricane. Mayor SueLynn said that discussion at the meeting relative to pets had revealed that Manatee County was in the forefront in providing pet shelters.

Mayor SueLynn reported that she had invited Laurie Feagans, Chief of Manatee County Emergency Management, Department of Safety, to speak to the Barrier Island Elected Officials at their meeting in Anna Maria on October 19th, relative to her experiences and observations during her service after Hurricane Katrina in Hancock County, Mississippi. Mayor SueLynn noted the administrators of the town of Waveland did not know what size generator it needed or about the need for transfer switches to hook one up.

Mayor SueLynn said the Anna Maria City staff now needed to look at how to rebuild a city from scratch, and where to locate temporary facilities for continuous operation of City services. She said she would also be speaking with the City Planner about recovery from a catastrophic event. The Mayor said the City's Emergency Handbook needed to be continually reviewed and updated, and that staff needed to identify and discuss important planning questions.

Mayor SueLynn noted that every street in the city is now on videotape, with the GPS locations of intersections identified.

3. Farm City Week

Mike Eagen of the Manatee County Department of Agriculture was present to accept the Proclamation of the week of November 14th to 19th, 2005, as Anna Maria Farm City Week, from Mayor SueLynn. He noted that today, half of the land in Manatee County is still devoted to agriculture, and that every agricultural acre is important to the County's citizens.

4. Establishing a Moratorium on Subdividing Property Seaward of the Coastal Construction Control Line (CCCL) First Reading and Public Hearing on Ordinance No. 05-648

Deputy Commission Chair Linda Cramer read the Ordinance by title.

Commissioner Dale Woodland said the recent hurricanes had clearly shown the importance of maintaining a buffer for the overall safety of the City.

City Attorney Jim Dye reviewed the various actions controlled by this Ordinance. He indicated that existing platted lots would not be controlled, therefore an owner of a platted lot seaward of the CCCL would still be able to build on it.

Public Comment

Randall Stover of North Shore Blvd. asked why the Ordinance was temporary and what period of time was being considered. The Commissioners responded that the moratorium would last for a year or less, while the Commission worked on a permanent ordinance.

Commissioner Dale Woodland expressed the belief that the Commissioners needed to begin thinking about the permanent ordinance as a project, with scheduled meetings and milestones.

Commissioner Duke Miller said that City Planner Alan Garrett had been working on the Ordinance and would present it to the Commission at their next Work Session. The Commissioner said that he anticipated this ordinance would take significantly less than a year's time to develop.

Commission Chair John Quam announced that the second reading of Ordinance No. 05-648 would be held on November 15th, 2005.

Mayor SueLynn said she would like to see the overlay ordinance in place within sixty days.

Commissioner Duke Miller recommended, in view of the existence of the Burt Harris Act, that the City retain an additional attorney to assist Mr. Garrett and

City Attorney Jim Dye. He asked for the City Attorney's opinion. City Attorney Jim Dye responded that he could recommend suitable additional legal counsel. City Attorney Jim Dye expressed the opinion that the City should not encounter problems, as long as the owner of a platted lot is allowed to build on it.

Commissioner Dale Woodland said he was in agreement with Commissioner Duke Miller and that such counsel should be retained immediately to assist the City Planner and the City Attorney. He expressed the opinion that the onslaught of developers and their attorneys made such timely action extremely important.

Commission Chair John Quam confirmed that City Attorney Jim Dye would bring his recommendation to the next Commission Work Session.

Commission Chair John Quam declared the Public Hearing closed.

5. Amending Local Communications Service Tax Ordinance No. 05-642 - Second Reading and Public Hearing Ordinance No. 05-647

Deputy Commission Chair Linda Cramer read the Ordinance by title. Commission Chair John Quam said this Ordinance was only for the correction of a Section number.

Commissioner Carol Ann Magill said she still did not support the subject of the Ordinance.

MOTION: Deputy Commission Chair Linda Cramer moved to adopt Ordinance No. 05-647, amending Local Communications Service Tax Ordinance No. 05-642, and Commissioner Duke Miller seconded the motion. Roll Call Vote: Commissioner Dale Woodland: Aye; Commissioner Carol Ann Magill: Nay; Commission Chair John Quam: Aye; Deputy Commission Chair Linda Cramer: Aye; Commissioner Duke Miller: Aye. Motion carried, four to one.

6. Property Debris Mitigation Ordinance No. 05-644 Second Reading and Public Hearing

Deputy Commission Chair Linda Cramer read the Ordinance by title.

Commissioner Carol Ann Magill remembered receiving information regarding tiles coming off of roofs during the past hurricanes, and asked where this airborne missile problem would be addressed.

Building Official Kevin Donohue responded that there were difficulties associated with asking the owner of an existing home to retrofit that home to comply with the current Building Code. He noted siding, roof eaves, gutters and other architectural features on existing homes could also become airborne missiles during a storm.

Commissioner Carol Ann Magill said she thought it was overkill to have personal property included in this Ordinance.

MOTION: Deputy Commission Chair Linda Cramer moved to adopt Ordinance No. 05-644 – Property Debris Mitigation, and Commissioner Dale Woodland seconded the motion.

Roll Call Vote: Commissioner Dale Woodland: Aye; Commissioner Carol Ann Magill: Nay; Commission Chair John Quam: Aye; Deputy Commission Chair Linda Cramer: Aye; Commissioner Duke Miller: Aye.

Motion carried, four to one.

Public Comment

None offered.

7. Commission Meeting Attendance Rule Ordinance No. 05-649 First Reading

Deputy Commission Chair Linda Cramer read the Ordinance by title. Commissioner Dale Woodland said that he was not clear, relative to Charter Section 3.08, subsection “A”. City Attorney Jim Dye explained that every time the Commissioners get together, it is considered a meeting. City Attorney Jim Dye said he understood that this Ordinance was developed to cover regular meetings, as opposed to work sessions, special meetings and other meetings. He noted that the Charter did not go into that level of detail.

Deputy Commission Chair Linda Cramer asked if excused absences would become a matter of policy, and whether it would be decided at the Organizational Meeting of the City Commission. She asked how determination of an excused absence would be made. City Attorney Jim Dye responded that this was something the Commission would need to develop a policy for. Commission Chair John Quam confirmed with City Attorney Jim Dye that he could write the Ordinance so that the policy could be included in the Rules adopted at the Commissioners’ Organizational Meeting.

Commission Chair John Quam announced that the second reading of Ordinance No. 05-649 – Commission Meeting Attendance would take place on November 15th, 2005.

8. Capital Improvement Projects – Grants / Financing

Commission Chair John Quam invited City Engineer Tom Wilcox to take the floor to make his presentation. He distributed copies of his recommendations, based on the October 14th workshop on the Cooperative Funding Initiative attended by himself and two Commissioners. He noted that SWFWMD’s funding was strongly focused on water quality improvements. City Engineer Tom Wilcox indicated that his firm, Baskerville-Donovan, Inc. (BDI) recommended a similar project to the North Shore / Gladiolus Basin project for submittal for a grant application during the next funding cycle. He indicated that all of the remaining basins needed to be addressed after the North Shore / Gladiolus project. City

Engineer Tom Wilcox said that South Drive was an important basin to improve, and although small, it would be relatively difficult to do.

Commissioner Duke Miller asked if three basin projects could be applied for at the same time. City Engineer Tom Wilcox said only about \$25 million was available to distribute over the whole district. He noted that the work also would need to be completed within a year. City Engineer Tom Wilcox said it was also possible to do a phased, multi-year grant application, and the Commissioners expressed interest in this idea.

Commissioner Dale Woodland said that Stephanie could be invited to address the Commission before the middle of November and discuss the grant application. Commissioner Dale Woodland said it was important to have a group of projects decided upon, even if they would not be applied for in the next grant cycle. Commissioner Dale Woodland recalled that SWFWMD project managers could be very helpful in the grant application process, and that staff familiarity with a project could give it a better chance of being funded.

Commission Chair John Quam recommended giving final approval to apply for the grant (s) at this evening's meeting.

Deputy Commission Chair Linda Cramer confirmed that City Engineer Tom Wilcox recommended adding South Drive / South Bay to the list of basins.

MOTION: Deputy Commission Chair Linda Cramer moved to authorize the Mayor to apply for a multi-year grant for the North Shore / Jacaranda Basin, the Crescent / Gulf Basin, the North Bay / Tarpon Basin, and the South Drive / South Bay Basin, seconded by Commissioner Carol Ann Magill.

Vote: All Ayes. Motion carried unanimously.

The Commissioners, the Mayor, and City Engineer Tom Wilcox reviewed the CIAC Stormwater Project Priority List to identify six and a half projects on it that would be covered by the proposed multi-year grant application.

Mayor SueLynn clarified that if multi-year grants are being applied for, it would mean that work on the first project could only begin in January of 2007.

Public Comment

Margaret Jenkins of Chilson Avenue asked for clarification regarding Chilson Avenue, where three people, including herself had long been affected by stormwater. She asked for her street to be addressed within her lifetime.

Randall Stover of North Shore Drive said he thought the plan to apply for the multi-year grant was excellent. He said he would like all the projects in the City included.

Mayor SueLynn said the idea sounded great, but that it all hinged on whether or not projects would be funded. She noted that the City would not know for at least a year if funding had been approved, and cautioned against relying too heavily on all the projects being funded. The Mayor expressed concern that waiting for funding could put some projects on the list behind schedule and inflate the budget. City Engineer Tom Wilcox noted that allocating match funds could tie up a lot of money in the budget. He explained a method of using an asterisk to mark such funds as tentative.

Commissioner Carol Ann Magill recommended adding Chilson Avenue to the Capital Improvements priority list.

Deputy Commission Chair Linda Cramer noted that another alternative to the \$2.5 million credit line would be to apply for a \$5 million credit line to allow the City enough money to handle catastrophic events, as well. She also recommended making a decision as to financing.

Commission Chair John Quam noted that with banks, in Louisiana, cities had their lines of credit cancelled after Katrina since there was no longer any tax revenue.

Mayor SueLynn confirmed that her line of credit investigations had included the Florida Association of Counties, which offered a great deal of flexibility in payback plans.

Commissioner Dale Woodland confirmed with City Engineer Tom Wilcox that he would invite Stephanie to address the Commission and the CIAC. City Engineer Tom Wilcox recommended for the first visit, that Commissioner Dale Woodland and himself escort the SWFWMD manager around the proposed projects.

Commissioner Dale Woodland recommended enlisting the help of the City Auditor or accountant to develop a policy to control borrowing and maintain the appropriate pledged payback expenditures over the terms of subsequent City Commissions.

City Attorney Jim Dye said that this Commission could not pass a rule that would be binding on future City Commissions. He noted that a governing Commission still had the right to enter into a loan contract that would be binding on the City for a stipulated amount of time and money, regardless of the Commission in place. Commissioner Dale Woodland responded that while the payback schedule agreed upon by a previous Commission could be changed by a governing Commission, such information could be used as a guideline by that Commission.

Commissioner Carol Ann Magill recommended review of the outline the Mayor had provided the Commissioners, which emphasized planning. She confirmed

with Commission Chair John Quam that the line of credit would be for capital improvements only.

Mayor SueLynn indicated that the City of Anna Maria has a very good credit rating, and that the Commissioners need not be concerned that the City could qualify to borrow \$5 million.

Commission Chair John Quam recommended going for a \$1.5 million line of credit, asking if more could be applied for later. Mayor SueLynn said she would need to confirm this.

Deputy Commission Chair Linda Cramer said she would not like to vote on the amount of the line of credit at this evening's meeting.

MOTION: Commissioner Duke Miller moved to authorize the Mayor to apply for a minimum of \$1.5 million line of credit for Capital Improvements, seconded by Deputy Commission Chair Linda Cramer.

Vote: All Ayes. Motion carried unanimously.

Public Comment

Commissioner Carol Ann Magill confirmed that Mayor SueLynn would bring the additional information to the next Commission Work Session.

PRESS COMMENT

PUBLIC COMMENT

Deputy City Clerk Diane Percycoe confirmed that the Public Hearing for a variance request would take place on December 8th, 2005. **There was consensus to have the Commission Work Session combined with the Regular Commission Meeting at 7:00 p.m. on December 15th, 2005.**

ADJOURNMENT

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

Vote: All Ayes. Motion carried.

Chair Quam adjourned the meeting at 8:58 p.m.

Respectfully submitted,

City Clerk Alice Baird

Date

