



CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216
Phone (941) 708-6130 Fax (941) 708-6134

AGENDA MARCH 24, 2022 AT 6:00 P.M. CITY COMMISSION REGULAR MEETING

THIS COMMISSION MEETING IS BEING HELD USING OPTIONAL TELECOMMUNICATIONS MEDIA TECHNOLOGY.

Dial in using your phone.

United States: +1 (929) 205-6099

Meeting ID: 853-9200-0280

***OUT OF COURTESY TO OTHERS, PLEASE MUTE YOUR PHONE WHEN NOT SPEAKING*
IF YOU WISH TO MAKE A PUBLIC COMMENT, PRESS *9 ON YOUR PHONE**

Pledge of Conduct: We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL

REGULAR MEETING

General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Commission's intent is that General Public comment is to be used for the public to inform the Commission of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.


1. General Public Comment
2. Water Taxi – Elliott Falcione
3. Clam/ARP Funding Presentation – Chiles
4. Ordinance 22-897 Amending Comp Plan – (Second Reading) - Minor
5. Mote Marine Update – Mayor
6. Mayor's Comments
7. Commissioners Comments
8. City Attorney Comments
9. Staff Comments

10. **CONSENT AGENDA:** The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.

- a. Regular/Special City Commission Meeting Minutes 3/10/2022
- b. Special Event – Cool Beans AMI Grand Opening – April 20, 2022 from 12:00 p.m. to 8:00 p.m.

Press Comment

Adjournment

 (FSS 286.26) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING (941) 708-6130. SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS BE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

To: LeAnne Addy, Clerk-Treasurer, City of Anna Maria

From: Commissioner Carol Carter

Subject: My independent research on clean water, clams and seagrass

Date: March 21, 2022

Research – step one

I attended the Holmes Beach Clean Water Ad Hoc Committee meeting on March 8, 2022 as an audience observer. As part of that meeting, I heard a presentation by Dr. Dave Tomasko, Executive Director of the Sarasota Bay Estuary Program (SBEP).

Dr. Tomasko indicated that the explosive growth and development of Manatee County and the areas surrounding Sarasota Bay effect our water quality “big time; **nutrient run-off will continue to be a major problem** for our area “no matter what we do”. He was asked about the seagrass situation in Sarasota Bay: Palma Sola Bay has the healthiest seagrass and the lower Bay to Venice Islet is the least healthy. The upper Bay (nearest AMI) **lost 2000 acres of seagrass** in recent years.

Tomasko went on to outline for the Clean Water Committee six important ways the City of Holmes Beach could combat excessive nutrient run-off into the Bays and Gulf surrounding Anna Maria Island. He suggested the following points be the basis for education and enforcement:

- Property owners and City use less fertilizers and only during certain months of the year; never fertilize if using reclaimed water
- Property owners and City re-route gutters into the ground, not onto driveways→streets→waterways
- Promote natural grass swales wherever possible in the City of HB
- Keep mandating infiltration field for new construction and renovations
- Educate against putting grass clippings in waterways, and
- Educate about proper disposal of dog waste; bacteria in dog waste are much more concentrated than that of humans and dog waste is not treated.

Dr. Tomasko was asked by a member of the Clean Water Committee about the effectiveness of clams. He responded, “**clams do not increase seagrass production; the nutrient diet is what is needed**”. He went on to describe the test of **600,000 clams** placed in the waters near Port Manatee. Seagrass production was measured by area, one with the clams (test) and one area without clams (control). The clams filtered the water around them, but there was **no difference in seagrass production** between the “clam area” and the “no clam area”.

Research – step two

Hearing this specific discussion about clams and seagrass, I had a **one-to-one conference phone call with Dr. Tomasko later on March 8th**. These are the main points he made to my questions during this conversation:

- We must work to **roll back the nutrient load about 20%** in the Sarasota Bay area
- Current **nutrient removal programs (infiltration, etc.) are 50-60% effective** when practiced
- Sarasota Bay is “loaded with clams”; he has been diving and monitoring for 30 years
- **“Clams are not a bad idea, but they won’t improve our water quality; this has been tested”**
- **“I’d put my \$50K into infiltration projects”.**

My conclusions based on the body of data:

- We should **focus new and available resources on reducing the nutrient load** from the City of Anna Maria into our local Bays and the Gulf
- I **support** the most effective method currently in place in our City – **infiltration** -- with ARP funding
- I **support** using ARP money on **education and enforcement** of other nutrient-reducing practices as directed by the Sarasota Bay Estuary Program
- I **support** adding any **new codes needed** to help the City of Anna Maria **reduce our nutrient run-off**

ORDINANCE NO. 2022-897**AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING THE CITY OF ANNA MARIA COMPREHENSIVE PLAN TO CREATE A NEW PRIVATE PROPERTY RIGHTS ELEMENT; AND PROVIDING FOR ADMINISTRATIVE ACTIONS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

WHEREAS, the City of Anna Maria has adopted a Comprehensive Plan in accordance with the State of Florida Community Planning Act; and

WHEREAS, HB 59 (2021), enacted as Ch. 2021-195, Laws of Florida, amended Section 163.3177, Florida Statutes, to require cities and counties to adopt and include a property rights element in their comprehensive plans, and to provide that such adoption must occur no later than the adoption of the local government's next proposed comprehensive plan amendment after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan; and

WHEREAS, HB 59 specifies a statement of private property rights that, if adopted, would satisfy the requirements of the law; and

WHEREAS, the property rights element provided in this comprehensive plan amendment conforms to the statement of private property rights specified in HB 59; and

WHEREAS, on January 24, 2022, the City of Anna Maria Planning and Zoning Board, serving as the local planning agency, held a public hearing on the proposed amendment to the City of Anna Maria Comprehensive Plan in accordance with Chapter 163, Florida Statutes, and recommended adoption of the proposed amendment to the City Commission; and

WHEREAS, the City Commission has held public hearings concerning the comprehensive plan amendment in accordance with Chapter 163, Florida Statutes; and

WHEREAS, the City has received and considered the written objections, recommendations, and comments from the State Land Planning Agency, other State agencies, and all interested persons; and

WHEREAS, the City Commission has considered the proposed comprehensive plan amendment, finds that adoption thereof is in the best interest and welfare of the citizens of the City, and has determined that all conditions required for the adoption of this amendment have been met, including the necessary hearings and public notices, in conformity with the procedural and substantive requirements of Florida Statutes, the City of Anna Maria Land Development Code, and the Comprehensive Plan, as amended hereby; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strikethrough~~ shall constitute

deletions to the original text.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA THAT:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. Adoption. The City Commission of the City of Anna Maria hereby amends the City of Anna Maria Comprehensive Plan to create a Property Rights Element, as follows:

PROPERTY RIGHTS ELEMENT

GOAL: TO RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.

Objective 1: Ensure that private property rights are considered in local decision making.

Policy 1.1: The following private property rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

SECTION 3. Administrative Actions. The Mayor, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative forms, policies, procedures, processes and rules.

SECTION 4. Codification. The provisions of Section 2 of this Ordinance shall become and be made a part of the City of Anna Maria Comprehensive Plan, and the contents of this

Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; sections other than those specified shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 5. Conflicts. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. Effective Date. In accordance with Section 163.3184(3)(c)(4), Florida Statutes, the comprehensive plan amendment set forth herein shall not become effective until 31 days after the state land planning agency notifies the City that the plan amendment package is complete, and upon approval by the Mayor in accordance with the Charter of the City of Anna Maria. If timely challenged, the comprehensive plan amendment set forth in this Ordinance shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted comprehensive plan amendment to be in compliance with controlling state law.

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this ____ day of _____, 202_.

Jonathan Crane, Commissioner
Carol Carter, Commissioner
Mark Short, Commissioner
Doris Sebring, Commissioner
Robert Kingan, Commissioner

Carol Carter, Chairman

I hereby approve this Ordinance:

Dan Murphy, Mayor

_____, 2021

ATTEST:

Approved as to form and legality for
the use and reliance of the City of
Anna Maria only

LeAnne Addy, City Clerk

Gretchen R. H. "Becky" Vose



CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216
Phone (941) 708-6130 Fax (941) 708-6134

**MINUTES
MARCH 10, 2022 AT 2:00 P.M.
CITY COMMISSION REGULAR MEETING**

THIS COMMISSION MEETING IS BEING HELD USING OPTIONAL TELECOMMUNICATIONS MEDIA TECHNOLOGY.

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CALL TO ORDER

Meeting called to order by Chair Carter at 2:00 p.m.

**PLEDGE TO THE FLAG
ROLL CALL**

Present: Mayor Dan Murphy, Chair Carol Carter, Commissioner Mark Short, Commissioner Robert Kingan, Commissioner Jonathan Crane, and Commissioner Deanie Sebring.

Others Present: City Clerk/Treasurer LeAnne Addy, Code Enforcement Manager Sandy Olson, Public Works Manager Dean Jones, City Planner Chad Minor, City Attorney Becky Vose, AMI Sun, and Islander newspaper.

REGULAR MEETING

General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Commission's intent is that General Public comment is to be used for the public to inform the Commission of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.

1. General Public Comment

None.

2. Mote Marine Update – Mayor

Mayor Murphy stated that the inspection on the pier has been done and it was very extensive. He stated that there were two parts that were reviewed and this examination specific specifications of the pier and were those items structurally sound and yes, the pier has the structural integrity to hold the tanks per Mote Marine. The next part is what type of condition is the pier in and there are no items that would change the integrity of the pier. There are a few things that were found but nothing major and it is in satisfactory condition. He stated tomorrow he has a meeting with Mote Marine, and they will discuss the summary that it was built per specifications, it will hold the tanks and it is in satisfactory condition. He stated that once we have plans, then all the commissioners will examine them. His plan will be to reschedule the Mote Meeting, but he would like the plans a week ahead of the meeting for the commissioners to review.

Dan Divine who resides at 795 Jacaranda asked if the elevation of the city Pier affects anything.

Mayor Murphy stated that we did a variance for the elevation of the city Pier.

3. ARP Funding Update – Mayor

Mayor Murphy stated that we have another regular commission meeting scheduled for March 24, 2022, and Mr. Chiles would like to be on the agenda for that meeting. He also explained to Mr. Chiles to have all materials on March 18, 2022, for all commissioners to review ahead of time.

4. Appropriation Update – Mayor

Mayor Murphy stated that we had submitted for two appropriations with one being for an amount of \$250,000 for a final solution for Lake LaVista and the other one is for Pine Avenue in the amount of 1.3 million. The good news for the appropriations is that they have gone through the house and the senate for the full amount. The House wanted to lower the amount and he made a phone call to Senator Boyd, and it was taken care of and he greatly appreciated it. The next step is to have the Governor sign the appropriations. He stated that we should know something in the next few weeks if we will have our money in the July timeframe. He stated that in both cases we submitted them to a 3–5-year plan. The corridor includes Spring, Magnolia and Pine Avenue.

5. Mayor’s Comments

None.

6. Commissioners Comments

Commissioner Sebring stated that she wanted people to know about the Roser Thrift Store.

Commissioner Kingan asked about the bills.

Commissioner Crane stated that after the last meeting, Mr. Ward asked about the parking so he wanted him to know that he has Chad looking into this.

Chair Carter stated that Amy did a great job today at the Manasota League of Cities meeting. She stated that the SB620 was adopted and this will go to the Governor’s desk but we are going to write a veto letter. One thing that was amended is they did amend that if it is an established business in the City of Anna Maria, it has to be in good standing for three years.

City Attorney Becky Vose stated that this is a horrific bill and it would impact our city.

Mayor Murphy stated the biggest impact will be in the Building Department.

Mayor Murphy stated that he will talk to City Attorney Vose and the lobbyist about doing a Resolution.

Chair Carter stated that the tree bill and smoking on the beach is looking like it is going in our favor. She also stated that it looks like our Vacation Rental bill has also died.

7. City Attorney Comments

None.

8. Staff Comments

None.

9. **CONSENT AGENDA: The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.**

- a. Regular/Special City Commission Meeting Minutes 2/23/2022
- b. Special Event – Brenner/Richardson Wedding – March 27, 2022, from 5:00 p.m. to 7:30 p.m.
- c. Special Event – The Vintage Flea at City Pier Park – April 10, 2022, from 8:00 a.m. to 4:00 p.m.
- d. Special Event – Easter Egg Hunt – April 16, 2022, from 8:30 a.m. to 11:00 a.m.
- e. Special Event – Concert – Richard Marx – March 23, 2022, from 6:00 p.m. to 10:00 p.m.
- f. Special Event – Concert – Felix Cavaliere’s Rascals – April 2, 2022, from 6:00 p.m. to 10:00 p.m.

Commissioner Short stated that the map is outdoors but the application states that they are indoors.

Code Enforcement Manager Sandy Olson stated that they are both indoors.

Motion: Approve Consent Agenda

Action: Motion by Commissioner Kingan, Seconded by Commissioner Crane.

On Roll-Call Vote: Motion passed unanimously

Press Comment

None.

Personal invitation from Barbara Murphy stating that they have Heritage Day on March 15, 2022 from 9:00 a.m. to 2:00 p.m. She stated that there are many great activities, such as vendors, strawberry shortcake, Privateers will come and capture someone and put them in jail so it will take much money to get him out.

Adjournment


Meeting adjourned by Chair Carter at 2:39 p.m.

Minutes Approved: _____

LeAnne Addy, CMC
City Clerk/Treasurer





EVENT INFORMATION					
Name of Applicant:	Benjamin Bryant		Applicant Phone #:	941-713-7124	
Name of Event:	Cool Beans AMI Grand Opening				
Date of Event:	Wednesday, April 20, 2022	Time of Event	Start Time:	12:00	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>
			End Time:	8:00	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>
Description:	Grand opening event with ska/jazz musicians				
Est. Number of People to attend:	75				
Activities:	Vendors <input type="checkbox"/>	Food Services <input type="checkbox"/>	Fireworks <input type="checkbox"/>	Signs <input type="checkbox"/>	Balloons/Banners <input type="checkbox"/>
	Cookout <input type="checkbox"/>	Tents <input type="checkbox"/>	Parking <input type="checkbox"/>	Music/Amplification <input checked="" type="checkbox"/>	
	Alcohol <input type="checkbox"/>	Use of City's electrical hookup, if available <input type="checkbox"/>			
DEPARTMENT APPROVALS					
Public Works	YES <input type="checkbox"/>	NO <input type="checkbox"/>	West Manatee Fire Rescue	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Manatee County Sheriff's Department	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Other	YES <input type="checkbox"/>	NO <input type="checkbox"/>
INSURANCE					
Certificate of Liability Insurance:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Expiration Date:		
Alcohol Rider:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Expiration Date:	N/A	
SPECIAL EVENT MAP					
 <p>Musicians playing on patio area</p>					
OTHER COMMENTS					
<ul style="list-style-type: none"> * Paid Application Fee * Pending Department Approvals 					
STAFF RECOMMENDATION					
City Staff Recommendation	APPROVE <input checked="" type="checkbox"/>			DISAPPROVE <input type="checkbox"/>	