



CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216

Phone (941) 708-6130 Fax (941) 708-6134

AGENDA APRIL 13, 2023, AT 2:00 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. First reading and public hearing of an ordinance to amend Chapter 114 Zoning. The Planning and Zoning Board recommended denial of the proposed ordinance (2-1). POSTPONED TO A DATE CERTAIN
3. Authorization for Mayor to sign the State of Florida Department of Environmental Protection – Standard Grant Agreement – Resiliency Grant awarded to the City - Mayor
4. Mote Marine Update – Mayor
5. Memorial Day 100 Year and Centennial Celebration – Mayor
6. Legislative Update – Mayor
7. Homerulefl.com Website Results Update – Mayor/Addy
8. Status of RFP Update - Mayor/Addy
9. Mayor's Comments
10. Commissioners' Comments
11. City Attorney's Comments
12. Staff Comments

13. **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. Meeting Minute Approval: Regular Meeting: March 23, 2023

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.

ORDINANCE NO. 23-914

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING SECTION 114-135, “NONCONFORMING LOTS AND PARCELS”, OF CHAPTER 114, “ZONING” OF THE CODE OF THE CITY OF ANNA MARIA; PROVIDING FOR AMENDMENTS AS TO USING FORMERLY COMBINED LOTS INDIVIDUALLY WHEN THEY ARE NOT CONFORMING TO MINIMUM DIMENSIONS AND LOT AREAS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

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

SECTION 1: Section 144-135, “Nonconforming lots and parcels”, of Chapter 114 “Zoning”, is hereby amended to read as follows:

Sec. 114-135. Nonconforming lots and parcels.

Nonconforming lots and lots of record located in any zoning district which do not conform to the minimum requirements of lot dimension or lot area as required for the implementing of any permitted or special exception use for the zoning district in which the land is located may be used for construction of permitted uses for the zoning district in which the land is located so long as the construction complies with all spatial and bulk requirements applying to all lands within the zoning district, and all regulations applying to conforming lots and parcels within the district. Provided, however, if two or more platted lots have been combined, or used together at any time for a unified development, or recognized as one lot under a single parcel ID, such combined lots shall not be utilized separately for use as individual lots for construction unless and until each such individual lot is conforming as to minimum dimension and lot area as required under the then applicable building lot requirements standards at the time of requested development or redevelopment.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

AMENDMENT TO ORD. 114-135
SIGNATURE AND ADOPTION PAGE
PAGE 5 of 5

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this ____ day of _____, 2023.

Jonathan Crane, Commissioner
Doris Sebring, Commissioner
Mark Short, Commissioner
Robert Kingan, Commissioner
Charles Salem, Commissioner

Mark Short, Chairman

I hereby approve this Ordinance:

Dan Murphy, Mayor

_____, 2023

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 Attorney

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT WORK PLAN**

AGREEMENT NO. 22PLN84

PROJECT TITLE: Vulnerability Assessment: Incorporating Resiliency into City of Anna Maria's Stormwater Master Plan

PROJECT LOCATION: The Project is located in the City of Anna Maria within Manatee County, Florida.

PROJECT DESCRIPTION:

The Vulnerability Assessment: Incorporating Resiliency into City of Anna Maria's Stormwater Master Plan Project (Project) will conduct a comprehensive Vulnerability Assessment (VA) pursuant to Section 380.093, Florida Statutes (F.S.), for the City of Anna Maria (Grantee). The Project will include a focus on critical assets located in areas susceptible to flooding and sea level rise and develop alternative mitigation options to address those impacts. The Project will also include public outreach.

AWARDED:

May 9, 2022

AMOUNT:

\$75,000 - Budgeted



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 23, 2023, 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.

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CALL TO ORDER

The meeting was called to order by Chair Short at 6:00 p.m.

PLEDGE TO THE FLAG

ROLL CALL

Present: Mayor Dan Murphy, Chair Mark Short, Commissioner Jonathan Crane, Commissioner Robert Kingan and Commissioner Deanie Sebring. Commissioner Salem attending via Zoom.

Others Present: City Clerk/Treasurer LeAnne Addy, Senior Administrative Assistant Jennifer Carson, Code Enforcement Manager Sandy Olson, City Attorney Becky Vose via Zoom, 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

Barbara Murphy, who resides at 127 Hammock Road, wanted to thank our Mayor for allowing the Historical Society to arrest him as they raised a large amount of money. She also thanked Commissioner Sebring and all Public Works employees.

2. Mote Marine Update – Mayor

Mayor Murphy stated that we will hold this event on May 5, 2023, at 10:00 a.m. which will be held down near the City Pier. He stated that we would expect people from the County TDC and hopefully some of the Commissioners will be present as well. We will have some Jazz music and water to distribute. He stated that this should preclude 45 minutes. He stated that they are on deadline to submit for the CO per Kevin Cooper with Mote Marine by tomorrow afternoon. He stated that our Building Official is on vacation both today and tomorrow so we will be on it Monday.

Commissioner Salem stated since the facility will be open that day, maybe it would nice to see if some children from the elementary school attend or make a presence.

Commissioner Kingan stated that he was on the city pier and they were still working and he stated that tomorrow afternoon looks like a good time for them to request a CO.

3. Authorization for Mayor to sign the Interlocal Agreement with Manatee County regarding Water Taxi – Mayor *City Attorney Becky Vose* stated that this is a Interlocal Agreement, and we took out the part that stated service workers and changed it to worker, we changed the stop to Anna Maria, we put in there that they must pay for any additional items needed for their stop at the City Pier as a docking place. She increased the liability information for the city. All the fares are subject to the city and the county and the water taxi companies will be responsible for the ADA compliance docking at the city pier and any additions in the future.

Mayor Murphy stated that if the Commissioners had any other changes to the agreement, now is the time to make them.

Commissioner Crane likes what was done but he does wonder if we are not overreaching Section 3, “e”. He thinks we can add a couple more words to make it clearer.

Commissioner Kingan stated that he felt the same as they would be based on the cost of operation, but he is unsure what we can say to that. He feels that it is too open-ended.

Mayor Murphy stated that it needed to be an affordable fare and that was their intent. He stated that our intent was that this will help us relieve congestion for any workers that need to come here to the island so it has to be affordable. He stated \$25 for a worker to get here is not worth it for a worker. Most transportation needs to be subsidized by other funds. He stated that he doesn’t trust the TDC what is cost effective for a worker.

Commissioner Sebring stated that we would need to have two different funds, one for workers and one for tourists.

City Attorney Vose stated to add that “fares for all workers for Anna Maria and Bradenton Beach be subject to approval of the cities”. She will make the change.

Chair Short stated that he agrees with adding what the City Attorney stated to add the worker fares be approved by the city.

Commissioner Salem stated that it might be good to allow others to use the docking location when not in operation.

Commissioner Kingan stated that if we are asking them to pay for improvements and maintenance of the docking areas, it might be hard to ask them for that if we allow others to use the dockage area.

Mayor Murphy stated that it could take a long time to get a permit for a floating dock with the Army Corps of Engineers. He stated that we can preclude or allow them to use our pier for docking.

Commissioner Salem asked our City Attorney if this locks us into only the use of the water taxi when maybe we want to use another service as well.

City Attorney stated not to send them a signed agreement but instead send an unsigned agreement to them to eliminate them from adding an Exhibit “A” without our approval.

Mayor Murphy stated that he told them if they want a floating dock, they will need to contact the Army Corps of Engineers and he stated that we built one side of the pier with more reinforcements which are the pier end and the boat dock.

Motion: To authorize Mayor Murphy to send the Interlocal Agreement back to Manatee County regarding Water Taxi

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

On roll call vote, the motion passed unanimously.

4. Memorial Day 100 Year and Centennial Celebration – Mayor

Mayor Murphy stated that he wanted to give the Commission a brief update. Both events will be on the same day due to logistics and with our staff being stretched a little thin. The event for Memorial Day will be the Symphony and recognize the veterans and their spouses which should last about 45 minutes. From there we will move into the Centennial Celebration and would like to put an Anna Maria flag with our logo and the words “100 Year or Centennial Celebration” on every pole as well as have a coin recognizing the 100 year celebration and we will have a musical celebration with what was popular back in 1923. He stated that we will have an MC giving details about the city, recognition of the Commissioners, cake cutting, and that is what we have so far. All of this is being worked on by our staff. This celebration would be about 45 minutes to 1 hour. We will have refreshments and cupcakes.

Commissioner Short had some ideas and he asked if we had any 100-year-old residents and if they are able to make them a part of the celebration and the second thing is the wind sculptures are up and maybe we could recognize the wind sculptures from the Garden Club and get a sign.

Commissioner Crane asked about having the Historical Society play a role in this event.

5. Legislative Update – Mayor

Mayor Murphy stated that he was in Tallahassee last week and the purpose of his mission was to discuss the vacation rental bill. He had meetings with 10 legislators regarding this bill. He stated that our lobbyist got him in with the people that he needed to meet with. This bill eliminates us from limiting occupancy. They were party houses. He explained that our city is a residential city and you are changing our city. We need to set occupancy and limit that. The first meeting he had was with Senator Grueter and he stated that this is a done deal. He stated that Senator Boyd, Representative Robinson and a couple others stated that they would see what they could do but wasn't sure if they could. This bill pars out people from 2011 so the City of Naples is part of that, and they will be fine.

City Attorney Vose stated that it is on appeal in Naples in front of a brand new DCA.

Commissioner Salem asked if the state carves out 2011 and before, would that have any effect on the appeal?

City Attorney Vose stated that now that they brought it to appeal, people are more at ease.

Mayor Murphy stated that our best hope is to keep the hope up with homerulefl.com. Everyone he met with stated that they have not heard from the Florida League of Cities on this. We are the only voices. We need to strengthen it and keep it growing. He stated that we are hitting this with party houses.

Commissioner Salem stated that in a party house in Bradenton, had a shooting and what trouble them the most are the neighbors who had the stray bullets hit have no impact and we need to use homerulefl.com.

6. Homerulefl.com Website Results Update – Addy

City Clerk/Treasurer LeAnne Addy stated information about SB 714 Vacation rentals and the latest statistics on the three campaigns that we ran on 3/3/2023, 3/6/2023, and 3/12/2023. She stated that we will be sending out another campaign tomorrow night.

Mayor Murphy stated that this is our home and we need to use this tool homerulefl.com. He stated that we are using some new techniques based on the subject line. He stated that this is our best hope. He stated that our lobbyist is doing a great job and is very good on his feet. Everyone he met with stated that we have a good lobbyist. He also stated that he worked him to death. He would like to double our triple our recipients. He stated the key is putting out there the party house.

Commissioner Salem stated that it might be good for the lobbyist to give input on how to get the message across.

7. Mayor's Comments

None.

8. Commissioners' Comments

Commissioner Crane stated that he went around the block four times and one of the guys coming out of our front parking lot was an island players person, also it took him 45 minutes getting off the island in Holmes Beach. He commented on how nice the wind sculptures were.

Commissioner Kingan thanked the Mayor for all the long time and effort that he has put into all of this and is very much appreciated.

Commissioner Sebring forwards out the [Homerulefl](http://Homerulefl.com) email to all the committees that she is on and if everyone would do that, it would help.

Chair Short stated that the Florida League of Cities has made no appearance regarding the vacation rentals but they did come out about the homesteaded properties as the bill has been introduced for the 3% to 2% decrease that they opposed.

9. City Attorney's Comments

City Attorney Becky Vose is requesting two shade meetings. One is on the City of Anna Maria vs. Mangoes on Magnolia, LLC and the other one is Beach to Bay Investments, Inc., AMI Locals, LLC, Shawn Kaleta v. City of Anna Maria.

She explained the shade meetings. We will have to have a court reporter and the minutes become a public record after the case has been settled.

The consensus of the Commission is to hold the shade meetings after the April 13, 2023 City Commission meeting 2:00 p.m.

Motion: To approve to put

Action: Motion by Commissioner Salem, seconded by Commissioner Kingan.

On roll call vote, the motion passed unanimously.

10. Staff Comments

Sandy Olson, Code Enforcement Manager is still waiting for the Fire Department input on the Special events but you can approve them with that pending.

11. **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. Meeting Minute Approval: Regular Meeting: March 9, 2023
- b. Special Event: Hunt/Lang Wedding on the Beach – November 3, 2023, from 3:30 p.m. to 4:30 p.m.
- c. Special Event: The Vintage Flea – April 9, 2023, from 8:00 a.m. to 4:00 p.m.
- d. Special Event: Memorial Day 100 Year and Centennial Celebration – May 29, 2023, from 10:00 a.m. to 12:00 p.m.
- e. Special Event/Fee Waiver: Dinner and Fashion Show at The Center – April 15, 2023 from 6:00 p.m. to 9:00 p.m.
- f. Special Event/Fee Waiver: Mote Marine Grand Opening – May 5, 2023 at 10:00 a.m.
- g. Permit ACC23-000032 – Sheriff’s Shed – Fee Waiver

Motion: To approve the consent agenda 11 b – f with subject to the Fire Marshall approval and to approve the rest

Action: Motion by Commissioner Crane, seconded by Commissioner Sebring.

On roll call vote, the motion passed unanimously.

Motion: To approve consent agenda 11 b – f with subject to the Fire Marshall approval.

Action: Motion by Commissioner Kingan, seconded by Commissioner Sebring.

On roll call vote, the motion passed unanimously.

Motion: To approve the consent agenda 11 a – 11g


Action: Motion by Commissioner Crane, seconded by Commissioner Sebring.

On roll call vote, the motion passed unanimously.

Press Comment

Adjournment

Chair Short adjourned the meeting at 7:19 p.m.

 (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.

Minutes Approved: _____

LeAnne Addy, CMC
City Clerk/Treasurer