



## CITY OF ANNA MARIA

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

### AGENDA SEPTEMBER 7, 2023 IMMEDIATELY FOLLOWING THE BUDGET MEETING 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. Hurricane Idalia Status - Mayor
3. Ordinance 23-915 Historic Preservation Board (Second Reading) – Vose/Austin
4. Ordinance 23-916 Article III Shoreline Stabilization and Article IV Marinas, Docks, etc. (Second Reading) – Vose/Austin
5. Water Taxi Agreement – Vose/Mayor
6. Commission Vacancy Filling Process - Vose
7. Mayor's Comments
8. Commissioners' Comments
9. City Attorney's Comments
10. Staff Comments

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: August 24, 2023, Budget Meeting: August 24, 2023, and Emergency Meeting: August 28, 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. 23-915

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING SECTION 86-41(d), "MEMBERSHIP" OF ARTICLE 2 "HISTORIC PRESERVATION BOARD", OF CHAPTER 86, "HISTORIC PRESERVATION", OF THE CODE OF THE CITY OF ANNA MARIA; PROVIDING FOR CHANGES IN NUMBER OF MEMBERS; 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 86-41(d), "Membership" of Article II – Historic Preservation Board, of Chapter 86, "Historic Preservation", of the Code of the City of Anna Maria, is hereby amended to read as follows:

## ARTICLE II. – HISTORIC PRESERVATION BOARD

Sec. 86-41. Generally.

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(d) *Membership.*

- (1) *Qualifications.* The board shall have ~~three~~ **five** members, whose area of geographic responsibility is coterminous with the boundaries of the City of Anna Maria. The members of the board shall be appointed by the mayor and approved by the city commission. All applicants for positions on the board shall submit relevant qualifications for the mayor's consideration. Applicants shall be eligible to serve provided the applicant owns property or is a resident in the city prior to the date of making application. Preference is given to applicants with expertise in history, architecture, architectural history, civilization, cultural geography, cultural anthropology, American history, or historic preservation.
- (2) *Term.* Members of the board shall serve three-year terms. **Of the initial appointments, two members shall be appointed for a term of three years and three members shall be appointed for a term of two years.** ~~When a vacancy occurs on the board the mayor shall fill it as quickly as possible for the remainder of the unexpired term. Board members shall be eligible for reappointment and there shall be no term limits.~~
- (3) *Meetings.* The board shall hold a minimum of four meetings per year at regular intervals.

- (4) *Educational meetings and workshops.* Persons serving on the board are encouraged to attend educational meetings or workshops to develop a special interest, expertise, experience or knowledge in preservation, architecture, or quasi-judicial boards.
- (5) *Appointed professionals.* The city shall appoint professionals as needed to advise and assist the board, carry out delegated responsibilities, and undertake the requirements for certified local government certification.
- (6) *Procedures and quorum.* The board shall adopt rules of procedures based upon Robert's Rules of Order, subject to any limitations prescribed by law. **Two-Three** shall constitute a quorum for the transaction of business, and minutes shall be kept of all meetings. Each meeting shall have been previously noticed and shall be open to the public. No certificate of designation or certificate of appropriateness shall be approved unless a majority concurs. All records of the board, including its rules of procedure, minutes and inventory, shall be maintained and considered to be public records open to inspection by the public. Upon designation as a certified local government, the board shall meet the reporting requirements outlined in the Florida Certified Local Government Guidelines.
- (7) *Selection of chair and vice-chair; right to vote; minutes.* The board shall select a chair and vice-chair for one year terms and shall prescribe their duties and powers. Appropriate city staff members shall attend all meetings, acting in an advisory capacity and participating fully in board discussions, but having no right to vote. The board shall keep minutes of its proceedings, record the vote on each question and keep records of its discussions, recommendations and other official actions.
- (8) *Removal.* The mayor may remove any member of the board for cause. Any member of the board who has two consecutive unexcused absences shall be automatically removed. A board vacancy shall be filled for the remainder of the unexpired term. The nomination by the mayor to fill a vacancy shall be made within 60 calendar days of the vacancy.
- (9) *Expenses.* The mayor is hereby authorized to pay the expenses of the historic preservation board.

**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.

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

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



**ORDINANCE NO. 23-916**

**AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING ARTICLE III “SHORELINE STABLIZATION” AND ARTICLE IV “MARINAS, DOCKS, WHARFS, PIERS, MOORINGS, PILINGS OR GROINS”, OF CHAPTER 110, “WATERWAYS” OF THE CODE OF THE CITY OF ANNA MARIA; PROVIDING FOR SETBACKS FROM WATERWAY INTERSECTIONS, PROVIDING AMENDMENTS TO THE PERMITTED LENGTH OF DOCKING FACILITIES, AND PROVIDING PROTECTION FOR EXISTING DOCK FACILITY CONFIGURATIONS; 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:** Article III, “Shoreline Stabilization” and Article IV “Marinas, Docks, Wharfs, Piers, Moorings, Pilings or Groins”, of Chapter 110 “Waterways”, is hereby amended to read as follows:

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**ARTICLE III. - SHORELINE STABILIZATION<sup>[3]</sup>**

**Sec. 110-61. - Objectives of article.**

The objectives of this article are to prevent degradation or loss of native shoreline habitat, and encourage improvement of habitat degraded by shoreline protection structures, and to provide construction standards for replacement of failed seawalls.

**Sec. 110-62. - Findings.**

(a) Native shoreline vegetation:

- (1) Helps to protect the shoreline against erosion;
- (2) Provides habitat for a diverse community of plants and animals, including species listed by the state as endangered, threatened or species of special concern;
- (3) Plays a fundamental role in estuarine aquiferation and water quality;

(4) Is aesthetically pleasing and can be reasonably incorporated as a landscaping asset for waterfront residences;

(5) Certain native shoreline vegetation is protected under the 1996 Mangrove Trimming and Preservation Act. (F.S. 403.9321—403.9333).

(b) Limestone riprap can provide a rocky substrate for marine organisms and native wetland shoreline vegetation, and can aid in the dispersal of coastal energies on shorelines, thereby increasing resistance to erosion and damage by storm-driven waves.

(c) Seawalls and bulkheads fronted by berms of vegetated riprap provide better estuarine and habitat and shoreline protection than seawalls or bulkheads alone.

### **Sec. 110-63. - Applicability of article.**

This article shall be applicable to all new development on shorelines, including shorelines along canals, waterways and wetlands.

### **Sec. 110-64. - Stabilization techniques.**

The following shoreline stabilization techniques shall apply:

(1) On new developments located along shorelines which are not already hardened with seawall or bulkhead construction, native wetland shoreline vegetation or limestone riprap for shoreline stabilization shall be used.

(2) Seawall or bulkhead construction is permitted on lots which abut existing seawalls on any side.

### **Sec. 110-65. - Special requirements for structures in certain locations.**

These specifications are not intended to apply to seawalls or other structures on the Gulf of Mexico or Tampa Bay shore, for which, because of occasional heavy storm-wave action, special consideration must be given. Proposed seawalls, bulkheads and other waterfront structures may require additional permitting from regional, state or federal agencies based on the location of the proposed structure.

### **Sec. 110-66. - Responsibility for construction.**

The seawall or bulkhead is part of the property of the upland property owner, and **the property owner has his is** the final responsibility for the construction of the seawall or bulkhead in accordance with the requirements of this article, and for the performance and maintenance thereof. Construction in compliance with this article does not relieve the contractor from responsibility to the owner for the stability and satisfactory performance of the wall.



(Ord. No. 96-547, § 1(25-46), 2-16-96; [Ord. No. 21-889](#), § 1, 6-24-21)

**Sec. 110-67. - Allowances for deviations in design.**

It is the intent of this article to indicate acceptable construction, according to minimum standards. Experience on Anna Maria Island and elsewhere has been drawn on for these specifications, but it is not intended to exclude other designs which can show evidence of rendering satisfactory service.

**Sec. 110-68. - Permit.**

Prior to construction of a shoreline stabilization structure, a permit must be obtained from the building official, which shall include the following:

- (1) An overall site plan and site survey, including the shape and dimensions of the lot or parcel of land and proposed structures requiring a permit.
- (2) Location of shoreline protection structures, including seawalls, bulkheads and riprap, and location of the waterway boundary.
- (3) Finished elevations and seaward projections of adjacent seawalls;
- (4) Proposed finished elevations of the top of the proposed seawalls, as well as finished seaward projections;
- (5) Typical section of the proposed seawall, showing the length, thickness, reinforcing steel, cap, tiebacks, deadmen, and similar elements;
- (6) Indicate all existing vegetation, including mangroves by species type, and describe any proposed trimming or alteration of such vegetation.

**Sec. 110-69. - Height of seawalls.**

Seawall and bulkhead construction height shall not exceed a maximum height of 4.5-foot elevation (NAVD 1988) inclusive of the seawall cap. The height of the fill behind the seawall, that is, the ground level of the lots, should be no higher than the top of the seawall, except that the property shall be graded from the building line to the seawall to prevent standing water; however, such grade shall not exceed that allowed in [section 74-34](#). All seawall and bulkhead height increases that propose to modify the preconstruction grade elevation landward of the seawall in excess of six inches shall require an applicant to submit a drainage plan to the building official demonstrating that there are no adverse stormwater runoff impact(s) to immediately adjacent properties.

**Sec. 110-70. - Jetting-in slabs.**

The bay bottom shall be examined for obstructions to jetting-in, and rocks, rubbish or other obstructions to jetting-in the slab must be removed. If solid rock is encountered, the slab may be cut off before or after jetting to proper heights to line up with full depth slabs.

**Sec. 110-71. - Tie-backs.**

The purpose of the tie-back is to resist the outward thrust at the top of the wall from the soil behind it. The tie-back shall be a heavy steel bar, with the inner end anchored in a concrete block. The tie-back rod shall be protected from corrosion.

**Sec. 110-72. - Returns.**

Any seawall or bulkhead which is not joined with another seawall at its end will require a return **of ten** feet measured from the water side of the seawall or bulkhead.

**Sec. 110-73. - Bulkheads and seawalls.**

**If a seawall or bulkhead is permitted by Sec. 110-64, Asaid** bulkhead or seawall shall be constructed along the property line wherein the property borders the waterway shown on the plat of the subdivision within which the property is located ~~and~~ or, the seawall or bulkhead shall conform to the existing seawalls or bulkheads in the area, whichever is more restrictive. Prior to constructing or erecting seawalls or bulkheads, the owner of the lot shall have the property surveyed by a registered engineer, which survey shall be made within six months of the date of the owner's application to construct the seawall or bulkhead. The placement of bulkhead and seawalls shall be constructed landward of existing mangroves. When the bulkhead or seawall is constructed landward of the existing mangroves, the property owner shall have the ability to utilize the mean high-water line for purposes of measuring waterfront setbacks and bulk standards described in [chapter 114 Zoning](#).

**Sec. 110-74. - Repair and replacement of bulkheads and seawalls.**

The repair or replacement of existing seawalls and bulkheads area shall be permitted as follows:

- (1) Construction, inclusive of a buttress and seawall cap, shall not protrude more than 12 inches seaward of the existing seawall or seawall cap. Notwithstanding the foregoing, if there are two existing seawalls abutting the subject replacement seawall of differing seaward projections, then the subject replacement seawall shall be further limited to a seaward projection distance of no more than either equal to the immediately abutting seawall with the least projection or a total seaward projection of 12 inches, **whichever is greater more restrictive**.

**Secs. 110-75—110-90. - Reserved.**

## **ARTICLE IV. - MARINAS, DOCKS, WHARFS, PIERS, MOORINGS, PILINGS OR GROINS**

### **Sec. 110-91. - Findings.**

- (a) Improperly situated docking facilities can impede navigation by cluttering waterways.
- (b) Pilings can contribute to poor water quality conditions by disrupting flow of tidal flushing.
- (c) Seagrasses provide essential habitat and nutrition for marine organisms. Docking facilities can prevent necessary sunlight from reaching seagrasses, thereby reducing or eliminating seagrass productivity and habitat value.
- (d) Manatees (*Trichechus manatus*) are listed by the state as endangered. Boat- and barge-related manatee mortalities are a leading cause of manatee deaths in the state.

### **Sec. 110-92. - Purpose of article.**

The purpose of this article is to protect the environmental integrity and navigational function of the estuaries and waterways by providing guidelines and standards for the placing and construction of docking facilities.

### **Sec. 110-93. - Permit required.**

- (a) A building permit, obtained from the building official, shall be required for any marina, wharf, dock, pier, piling, boat lift, davit and slip or any other structure in or over any waterway.
- (b) Permits shall be conditioned upon issuance of all applicable federal, state, county and other necessary local permits.

### **Sec. 110-94. - Application for permit.**

A person desiring a building permit for a marina, dock, wharf, pier, piling, boat lift, davit, slip or other structure in or over a waterway shall submit a written application to the building official, which shall include the following:

- (1) An overall site plan and site survey, including the shape and dimensions of the lot or parcel of land, proposed structures requiring a permit, and location of wetland vegetation.
- (2) Location of shoreline protection structures, including seawalls, bulkheads and riprap, and location of the waterway boundary.

(3) Indicate all existing vegetation, including mangroves by species type, and describe any proposed trimming or alteration of such vegetation.

**Sec. 110-95. - General standards.**

For purposes of this Chapter, the following definition applies:

Boat lift is any mechanism used to lift any boat or other mechanized watercraft out of the water.

The following general provisions shall be met by all permit applicants:

(1) No marina, dock, wharf, pier, mooring, pilings or groins, boat lift, davit, slips, or other structure extending into the Gulf of Mexico or the waters of Tampa Bay are permitted.

(2) No marina, dock, wharf, pier, mooring pilings or groins, boat lift, davit, slips, or other structures shall be located in such a manner as to impede normal navigation.

(3) Docking facilities shall not be located closer to any side lot line than the minimum side yard requirement of the zoning district applicable on the adjacent shore. The side lot lines shall be deemed to extend into the adjacent water body perpendicular to the shoreline which they intersect.

(4) All boats shall be moored parallel to the length of the waterway.

(5) The height of a docking facility (except openwork, railings, pilings, flag or signal poles and boat davits) shall not exceed the height of the ground level to which it abuts, except when state or federal regulations require additional height.

(6) The location of mooring areas over productive tidal marshes and marine grass beds shall be prohibited when such location will destroy such marshes and grass beds.

(7) Where two waterways intersect, no marina, dock, wharf, pier, mooring pilings or groins, boat lifts, davit, slips, or other structures shall be located within ten feet of intersecting waterways measured from the intersecting edges of the waterways involved.

**Sec. 110-96. - Design standards for residential docking facilities.**

The following standards shall be met prior to the issuance of any development order for any noncommercial docking facility by the city:

(1) Each lot or parcel with a dwelling may have boat mooring areas provided the boat mooring areas do not impede access to abutting lots or parcels. All vessels in the boat mooring areas must be registered to the owner of the lot or parcel with the exception of one vessel. For platted waterfront lots which do not meet the minimum residential lot size of 5,000 square feet

and do not have a dwelling, one docking facility is permitted provided that the following is complied with:

- a. The owner of such lot shall also own a lot within the city which contains a dwelling;
- b. There shall be no live-aboard vessels; and
- c. Adequate provisions shall be made for waste removal.

(2) All docking facilities shall comply with side yard setbacks as prescribed in [chapter 114](#), article V. The setback shall be measured from outside limits of the upland owner's riparian line as applied to the lot or parcel. For purposes of this regulation, the riparian line is a line projected from the shoreline of the lot or parcel to the centerline of the navigable canal.

(3) No docking facility shall extend into the waterway more than five feet from the bulkhead or seawall and shall be no more than ~~20 feet~~ the greater of (i) 20 feet, or (ii) 40% of the property waterway frontage footage, in length parallel to the shoreline. Notwithstanding the preceding sentence, on waterways that are without seawalls, or when it is necessary to reach a reasonable water depth, a walkway no more than ten feet long and five feet wide, measured from the mean high water line, as established by survey, may be constructed to reach the dock's landing platform, which shall be no more than ~~20 feet~~ the greater of (i) 20 feet or (ii) 40% of the property waterway frontage footage, in length parallel to the shoreline and five feet perpendicular to the shoreline. On waterways which are obstructed by mangroves, the docking facility must be seaward of the mangroves and any walkway may only extend directly beyond the mangroves. Said walkway however shall not exceed 20 feet in length and five feet wide to reach the docking platform. No docking facility shall be placed closer than 20 feet to the centerline of the waterway as measured from the portion of the waterway where the facility is to be located. A survey shall be submitted verifying the centerline distance. Any docking facility legally in place as of [Date of approval of this change] that exceeds the stated size limitations above is exempt from this ordinance, and may retain its existing size and footprint should any future repairs, maintenance or replacement of such docking facility be required.

(4) Mooring pilings may be placed no more than 35 feet from the bulkhead, seawall or waterway boundary, whichever is most landward. Notwithstanding the foregoing, neither mooring pilings nor moored vessels shall be placed closer than 20 feet to the centerline of the waterway as measured from the portion of the waterway where the facility is to be located. A survey shall be submitted verifying the centerline distance.

(5) Covered and boat house docking facilities are prohibited.

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**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.

**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

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LeAnne Addy, City Clerk

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Gretchen R. H. "Becky" Vose  
City Attorney







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## CITY OF ANNA MARIA

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

### MINUTES AUGUST 24, 2023 IMMEDIATELY FOLLOWING THE BUDGET MEETING CITY COMMISSION REGULAR MEETING

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**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

Chair Short called the meeting to order at 5:49 p.m.

#### PLEDGE TO THE FLAG ROLL CALL

The City Clerk/Treasurer called the roll.

**Present:** Chair Mark Short, Commissioner Jonathan Crane, Commissioner Robert Kingan, Commissioner Deanie Sebring, and Mayor Dan Murphy and Commissioner Charles Salem.

**Others Present:** City Clerk/Treasurer LeAnne Addy, Deputy City Clerk Fransheska Berrios, City Planner Becky Vose, City Attorney Becky Vose via Zoom, City Planner Ashley Austin 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

None.

##### 2. Oppaga Letter from Senator Boyd and Representative Robinson – Mayor

*Mayor Murphy* stated that he had met with the other Mayors and really, we haven't come to any agreement on consolidation. He stated that he met with Mayor Tittsworth and Mayor Chappie this morning and if we can reduce taxes and enhance our services. He stated that they also agreed that there are three different cultures in each city. He explained the points that make each city unique and to maintain that difference we need a separate government to ensure the cultures remain.

*Mayor Chappie* from Bradenton Beach is here to show unity and stated that we live here together and work together. He stated that Mayor Tittsworth would have been here, but she has a daughter past due. He stated that it is home and that is what it is all about.

*Commissioner Crane* stated that he prefers that we look at combining services rather than combining cities.

*Chair Short* stated the delegation meeting will be in October and will we be ready for a response.

*Mayor Murphy* stated do we put it in writing, rely on the press, or what should we do, and we need to look at it.

*Mayor Chappie* stated that the Oppaga is a research arm by the state legislature. He looks forward to having the state assist in gathering a lot of data. He feels that this is a tool, and we need to take advantage of our tool.

*Commissioner Salem* stated that our lobbyist may be beneficial in assisting us with this.

*Mayor Murphy* stated that he will be happy to know that he spoke to our Lobbyist last night and was aware of the letter. He is all in with the approach that the cities agreed to this morning.

Talha Siddique would like to highlight that the group is about 1.5 thousand people. He stated that they will stand behind them and allow for the island to remain the way it is and stand right behind you and the Mayor's involved to keep our identity. He stated that the county is behind them as well.

Mayor Chappie stated that he has not talked to the City Commissioners at this point as he doesn't have a public meeting for a couple of weeks.

### 3. Variance Hearing 783 North Shore Drive – Austin

*City Planner Ashley Austin* stated that she has a variance request and explained the information as provided.

*Commissioner Kingan* asked if the neighbors are aware of this.

*City Planner Austin* stated that they are aware and only one person asked questions and they were okay with the answers.

Public Comment:

None.

**Motion:** To approve the variance for 783 North Shore Drive.

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

On roll call vote, the motion passed unanimously.

### 4. Building Permit After the Fact Fees - B23-000433 (226 Periwinkle Plaza) Waiver of Fee – Mayor/Austin

*Mayor Murphy* stated by code, the Mayor can't alter fees for a building permit we would like the City Planner Ashley Austin to give the details.

*City Planner Ashley Austin* gave the facts to the City Commissioners stating that there were staking, porta pot, staking and a t-pole prior to applying for a permit. She stated that the double fee is \$29,331.40.

*City Attorney Becky Vose* stated that when you have the authority to waive a fee, you also have the authority to discount the fee.

*Commissioner Kingan* asked if this contractor is a habitual offender.

*Commissioner Salem* asked if we have ever discounted the fees in the past.

*City Planner Ashley Austin* stated that other contractors have been charged for the triple permit fees or after the fact fees.

*Commissioner Crane* stated that where he is coming from, it seems like a huge fee and if it were him, he would like to not squash the contractors.

*Commissioner Kingan* doesn't want to set precedence by doing this and reducing the fee.

*Commissioner Sebring* asked if we have ever reduced or eliminated the fees in the past.

*Mayor Murphy* stated that the letter he submitted explains his situation and he is here.

*Scott Eason* who is the owner of the Eason Construction Group. He builds in 6-7 various communities. He stated that in any other community, putting a silt fence, porta potty and etc. does not mean they are beginning to construct the home. He disagrees that this has not come up as he remembers in 2016 when a contractor was charged the triple permit fees and got them fully removed.

*Chair Short* asked if there was any power to the t-pole.

*Scott Eason* stated that there was no power to the t-pole.

*City Planner Ashley Austin* stated that the t-pole was part of the permit so it would constitute work without a permit.

*Commissioner Short* asked if we have a permit for a t-pole.

*City Planner Austin* stated that we do have a permit specifically for a t-pole.

*Commissioner Sebring* stated that it seems excessive to charge a fee like that if we have a permit for a t-pole.

*Commissioner Crane* stated that he doesn't want contractors to not follow our ordinances and to put it out there not to mess with the city here.

*Scott Eason* stated that he has about \$2,500 into this construction at this time.

*Jason Miller* who is an attorney working with Mr. Eason. He stated that clearly it was a mistake and was not to purposely ignore ordinances. He stated the fine is very excessive, so it sounds as if the Commission is trying to do something that is fair. He stated that Mr. Eason has already suffered a delay that the red tag has caused. He is asking for a waiver as he is here and including the attorney fee.

**Motion:** To waive the triple fee fine but in lieu of charge a fine to Eason Builders Group \$2,500.

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

On roll call vote, the motion passed unanimously.

5. Ordinance 23-918 Sandwich Signs (First Reading) – Vose/Mayor

*City Attorney Vose* read the title for Ordinance 23-918 Sandwich Signs. She discussed the changes in the ordinance.

*Commissioner Crane* stated that he met with a constituent about this ordinance, and she stated the last paragraph was ambiguous.

*City Attorney Vose* will change the last sentence to read, "Such board shall not be located the right of way, shall not impede pedestrian traffic or vehicular site distances and/or triangle, shall be allowed during non-business hours and/or during inclement weather." She explained a lot of records noted in Section 62-57. Also, under 98-21 should read "Each separate legal address in the city shall be allowed one A-frame sandwich board. Such board shall not exceed 24 inches in width by 36 inches in height, including the A-frame."

6. Ordinance 23-915 Historic Preservation Board (First Reading) – Vose/Austin

*City Attorney Vose* read the title for Ordinance 23-915 Historic Preservation Board. She stated that it reduces the number of members on the board to three and the number to constitute a quorum to two.

7. Ordinance 23-916 Article III Shoreline Stabilization and Article IV Marinas, Docks, etc. (First Reading) – Vose/Austin

*City Attorney Vose* read the title for Ordinance 23-916 Article III Shoreline Stabilization and Article IV Marinas, Docks, etc.

*City Planner Ashley Austin* stated that some changes are housekeeping changes, waterway intersections, remove dock restriction as percentage of waterway percentage, and allow legal nonconforming existing docks to be rebuilt. She stated that if you exceed 1,000 square feet then they would have to get a FDEP Permit.

8. Employee Insurance Renewal – Mayor/Addy

*Mayor Murphy* stated that this is the renewal form for the insurance beginning October 1, 2023. He stated the cost was covered during the budget.

**Motion:** To approve the Employee Insurance Renewal.

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

On roll call vote, the motion passed unanimously.

9. Water Taxi Agreement – Vose/Mayor

Mayor Murphy stated that he had just received it, and he would like them to have time to review it and Elliott couldn't answer the questions as he was out of town.

10. City Pier Closing – September 11-12, 2023 – Mayor

Mayor Murphy stated that he wants to make sure that you are all aware that the pier will be closed September 11<sup>th</sup> and 12<sup>th</sup> to re-stain, do electrical work and etc.

11. Mayor's Comments

Mayor Murphy stated that we have some money budgeted, and he would like to purchase a bobcat that has several attachments that we can use to clean the drainage swales, sweeping sidewalks and roadways.

The consensus of the Commission is to move forward with the purchase of the bobcat for Public Works.

He stated that we need to discuss a calendar for the rest of the year.

City Clerk discussed having one meeting a month for October – December so the upcoming meeting dates are:

October 19, 2023, at 6:00 p.m.

November 16, 2023, at 6:00 p.m.

December 7, 2023, at 6:00 p.m.

12. Commissioners' Comments

13. City Attorney's Comments

None.

14. Staff Comments

None.

15. **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: August 3, 2023, and Budget Meeting: August 3, 2023

**Motion:** To approve the consent agenda.

**Action:** Motion by Commissioner Crane, seconded by Commissioner Salem.

On roll call vote, the motion passed unanimously.

**Press Comment**

**Adjournment**

Chair Short adjourned the meeting at 7:20 p.m.

Minutes Approved: \_\_\_\_\_

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LeAnne Addy, CMC  
City Clerk/Treasurer



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## CITY OF ANNA MARIA

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

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

### MINUTES

### BUDGET MEETING

AUGUST 24, 2023, AT 5:00 P.M.

CITY COMMISSION 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

Chair Short called the meeting to order at 5:00 p.m.

#### PLEDGE TO THE FLAG

#### ROLL CALL

The City Clerk/Treasurer called the roll.

**Present:** Chair Mark Short, Commissioner Jonathan Crane, Commissioner Robert Kingan, Commissioner Deanie Sebring, and Mayor Dan Murphy and Commissioner Charles Salem.

**Others Present:** City Clerk/Treasurer LeAnne Addy, Deputy City Clerk Fransheska Berrios, City Planner Ashley Austin, City Attorney Becky Vose via Zoom, City Planner Ashley Austin via Zoom, AMI Sun, and Islander newspaper.

### BUDGET 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

Carolyn Orshak who resides at 226 85<sup>th</sup> Street, Holmes Beach, FL. She serves on the Historic Preservation Board and Pat Copeland and Carolyne Norwood have done so much to preserve the history of our island. We want our museum to survive and grow and for us the negative impact of full-time permanent residents here. She stated that they are looking at hiring a full-time employee to run the museum and they applied for funding with the TDC, and it was approved for a one-year salary for this employee. They have made requests to the other cities for a financial request, and they are requesting funds and support from our city. She is asking for thoughtful support on assistance for the full-time employee salary.

Commissioner Crane stated that in years past it didn't work out with a full-time employee doing the scheduling and etc.

Ms. Stated that several of the board members put a lot into volunteering but the volunteer numbers keep decreasing.

*Mayor Murphy* stated that a few weeks ago we passed an ordinance to have five members on our Planning and Zoning Board and now we are looking at decreasing our Historic Preservation Board from five members to three members. He stated that he understands that they are looking for a professional to run this museum.

*Commissioner Sebring* stated that she has been to some of the board meetings and there are not many people there and they need someone who has education and knowledge assisting with publications and etc. She stated that they definitely need someone.

Chair Short asked the timeline for the funding of the employee.

Commissioner Kingan asked what amount they are looking for.

Ms. Stated that they have the TDC grant to start out, but they need a commitment to continue with the annual salary. She stated to the commission that they are looking for funds to support the employees.

Commissioner Salem thanked her and all of the volunteers for running this great museum.

Mayor Murphy stated that we have money in the budget to assist with this and not make this a specific line item. We would treat it no differently than the Community Center.

## 2. FY 2023-2024 Budget Review and Discussion

- Capital Outlay

*Mayor Murphy* stated that we have had several meetings to go through each of these sections already and now are coming back with the summary report.

### Capital Outlay:

*Mayor Murphy* stated that we have paving listed including where the revenues are coming from. We are looking to put in a significant amount, which is Pine Avenue with a total of Public Works in the amount of \$3,674,634.46. He stated that we are looking into putting in additional funding for stormwater and this should almost complete our infiltration projects here in the city. He stated that the maintenance will continue to grow year to year based upon maintaining our infiltration trenches and looking at future pumping. He discussed the Capital Outlay items as listed in the packet in the total of \$1,877,258,24. He mentioned that we have all heard about people not having a restroom to use while going to the beach and we are going to both the state and to the TDC to get funding for this project.

- Revenues

### Revenues;

*Mayor Murphy* stated that we are anticipating revenue this year of \$14,626,014.44. Our Intergovernmental Revenue estimates at this time will change before we put the final budget together prior to the final summary. We anticipate some going up. We can thank our City Clerk for the aggressive investment plan that we plan to do for interest revenues. He addressed the several Grants, TDC, Appropriation and funding.

- Expenditures

### Expenditures:

*Mayor Murphy* stated that we are looking at about a \$500,000 increase and in the budget, we are going to increase the employee wages 3% and then a 3% lump sum payout to them as of October 1, 2023. He stated that to assist the employees here and assist with inflation we will be increasing the city payment contribution to 95%. He continued to explain the expenditures. He mentioned that the Sheriff's office increased 19% as they are trying to retain employees and he supports that increase. He stated that overall, we didn't go up too much and only an increase of 9%.

- Summary Report

*Mayor Murphy* stated that this will be a similar report that you will see in the next two budget hearings.

### Public comment:

*Joe Hendricks with AMI Sun* asked if the employee lump sum will be on the current salary.

*Mayor Murphy* stated that it is on the current salary.

3. Date and Time of next budget meeting

- Thursday, September 7, 2023, at 5:01 p.m.
- Thursday, September 21, 2023, at 5:01 p.m.

**Press Comment**  
**Adjournment**

Chair Short adjourned the meeting at 5:49 p. m.

**Minutes Approved:** \_\_\_\_\_

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**LeAnne Addy, CMC**  
**City Clerk/Treasurer**







## CITY OF ANNA MARIA

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

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

### MINUTES

AUGUST 28, 2023 AT 10:00 A.M.

### CITY COMMISSION EMERGENCY MEETING

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

TO ATTEND YOU MUST:

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\***

**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

Chair Short called the meeting to order at 10:00 a.m.

#### PLEDGE TO THE FLAG

#### ROLL CALL

The City Clerk/Treasurer called the roll.

**Present:** Chair Mark Short, Commissioner Jonathan Crane, Commissioner Robert Kingan, and Mayor Dan Murphy and Commissioner Charles Salem.

**Absent:** Commissioner Deanie Sebring

**Others Present:** City Clerk/Treasurer LeAnne Addy, Deputy City Clerk Fransheska Berrios, City Planner Becky Vose, City Attorney Becky Vose via Zoom, AMI Sun, and Islander newspaper.

#### EMERGENCY 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. Resolution R23-792 State of Emergency Due to the approach of Tropical Storm Idalia – Vose

*City Attorney Becky Vose* read the title of Resolution R23-792 State of Emergency due to the approach of Tropical Storm Idalia.

*Mayor Murphy* stated that it increases the authority of the City Mayor, but he will keep the Commissioners informed if he needs to make a decision. He gave a brief update on the storm. All county offices will close at noon today. A mandatory evacuation will be at 2:00 p.m. for the City of Anna Maria. He will be keeping City Hall open today until 4:00 p.m. to issue re-entry tags. He stated that we will be watching the sandbag area. He stated that the City Pier will be closed at 2:00 p.m. He stated that we should start feeling the storm tomorrow and the brunt of it will be late tomorrow or early Wednesday morning. He will do his best to keep them posted. He stated re-entry all streets must be cleaned, and we will open up the perimeter first which is Gulf Drive, Pine Avenue, North Shore Drive, North Bay and South Bay and then into the center of the city. Our goal is to put our city in a state of normalcy after the storm.

*Commissioner Crane* asked about open carrying of alcohol and gasoline. He wanted to know if we need to worry about that.

*Mayor Murphy* stated that we will look at it and leave it in the discretion of the Sheriff's Department.

*Chair Short* stated that asked about if the utilities will be shut down.

*Mayor Murphy* stated that he was on a call this morning and he was on the phone with Kevin Van Osterbridge and asked him to not shut down the utilities. Mr. Van Osterbridge stated that the county will do their best, but we will be notified ahead of time, but it may come down to this and the bridge may be raised.

*Chair Short* stated that our king tide it is at 10:45 a.m. tomorrow, Wednesday at 11:45 a.m. and Thursday at 12:40 p.m. He stated that we will have this to add to it all. He asked Sergeant Getman for his protocols.

*Sergeant Getman* stated that the Sheriff will let them know when to leave and he believes it is 40 mph winds and when he leaves, he will be in contact with the Mayor.

*Commissioner Kingan* stated that sandbags are available for up to 15 per vehicle.

*Mayor Murphy* stated that he will keep City Hall open until 4:00 p.m. but it may be just him. The decision for the mandatory evacuation is from Manatee County.

Commissioner Copeland wanted to thank everyone as he has done through this before. He knows how Mayor and Sergeant Getman deal with situations like this and, they are positive.

**Motion:** To approve Resolution R23-792 State of Emergency Due to the approach of Tropical Storm Idalia excluding the 5<sup>th</sup> Whereas on page 1.

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

On roll call the vote, the motion passed unanimously.

3. Mayor's Comments

None.

4. Commissioners Comments

Commissioner Crane thanked the administration.

5. City Attorney Comments

None.

6. Staff Comments

None.

**Press Comment**

**Adjournment**

Chair Short adjourned the meeting at 10:27 a.m.

Minutes Approved: \_\_\_\_\_

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LeAnne Addy, CMC  
City Clerk/Treasurer