

**ROSER MEMORIAL COMMUNITY CHURCH  
SPECIAL COUNCIL MEETING  
February 11, 2021**

In Attendance: Jim & Joy Bennington, Beth Bernet, David Cheshire, Dan Divine, Doug & Dianne DeLong, Barbara Dohner, Nancian Hall, Jean Knopp, Dan Luckinbill, Rick Maddox, Cathy Meehan, Linda Moore, Peggy Nash, Gretchen Petraske, Cass Robertson, Rev. Dirk Rodgers, Jeanette Rothberg, John & Sharon Skladany, Ron Vandeman, Richard Walter, Alan Ward, Randy Zion.

**CALL TO ORDER AND OPENING PRAYER:** Vice-Chair of the Congregation Cathy Meehan called the meeting to order at 7:30 pm. Pastor Dirk Rodgers gave the opening prayer.

**OPENING REMARKS:** Vice-Chair of the Congregation Cathy Meehan stated that there was an article in the Islander newspaper this week that the Anna Maria City Commission agreed to pursue an agreement with Roser to allow continued use of the Tarpon Street extension (a 50x110' strip on the north side of Pine Avenue, accessible to the public) via a non-exclusive encroachment agreement in return for 50 parking spaces near the Thrift Shop [likely for AM City Pier use].

Roser Trustees sought an **exclusive easement** with AM since Roser has been using and maintaining this strip since the early 1960's. (For about the last 8 years, the homeowner just to the west had also been using this strip to access the gravel parking area next to his house.) The AM Mayor was supportive, and Roser offered to provide a draft agreement. Instead, the AM city attorney drafted a **non-exclusive encroachment agreement**.

The Mayor called Pastor Dirk and provided this draft. Dirk told him he was not authorized to approve any proposal and that he would take the document to Church Council. No one from Roser has spoken further with the Mayor or City to discuss the matter. Roser was never directly notified the issue would be discussed at City Commission meeting(s) so that a Roser representative could be present. Dan Divine explained that the City Commission presumed since they had not heard back from Roser that Roser agreed to the proposal.

It would be helpful if Roser could review the minutes from the Anna Maria City Commission meeting(s) to clarify what was discussed [recording(s) exist] and whether the Islander accurately reported what was said at the meeting or were speculating.

After considerable discussion, there appeared to be four basic approaches:

- 1) An exclusive easement with a free or low-cost sub-easement to accommodate the adjacent homeowner. However, the City did not offer this and would most likely want 50 parking spaces in exchange.

- 2) The City vacates the property, with probably half to Roser and the westernmost half to the homeowner. AM's policy for ~35 years has been No vacations.
  - 3) Roser litigation to seek ownership through adverse possession of the land for ~60 years. The chance of success versus the city is minimal and would create ill will and expense.
  - 4) The unacceptable non-exclusive encroachment agreement.
- It was also noted that the current AM Commission cannot bind future Commissions.

Agreed Goals:

- We do not want to lose our access on Tarpon Street.
- We do not want to grant the City 50 parking spaces.
- We need to communicate our position to the City.

**MOTION by Dan Luckinbill to authorize attorney Bob Hendrickson to draft a letter to the City to state our opinion that Roser is no longer interested in pursuing an agreement with the City on Tarpon Street. The Executive Committee and Dan Divine, Dan Luckinbill, and Alan Ward from Trustees will approve the content of the letter and the Chair of the Congregation will present the letter to the Mayor.**

**2<sup>nd</sup> Rick Maddox**

**The question was called by Randy Zion. MOTION TO CALL THE QUESTION PASSED.  
MOTION PASSED**

**MOTION by Rick Maddox that attorney Bob Hendrickson be retained to close out negotiations with the city of Anna Maria on Tarpon Street Extension right of way and to draft updated parking agreements [a separate issue with nearby businesses], subject to approval by Roser Council. 2<sup>nd</sup> Dick Walter**

**MOTION PASSED.**

**Adjourn / Prayer:** The meeting was adjourned at 9:08 PM. The meeting was closed with the Lord's Prayer.

Minutes submitted by Cass Robertson, Clerk of Council