



## Town of Longboat Key Town Commission

Town Hall  
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Longboat Key, FL 34228  
(941) 316-1999  
(FAX) 316-1942  
[WWW.LONGBOATKEY.ORG](http://WWW.LONGBOATKEY.ORG)

### - AGENDA - REGULAR MEETING

7:00 PM

January 4, 2010

#### Pledge of Public Conduct

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

#### **Call to Order and Pledge of Allegiance**

#### **Approval of Minutes**

1. November 2, 2009 Regular Meeting; November 16, 2009 Special Workshop Meeting; November 19, 2009 Regular Workshop Meeting; and November 19, 2009 Special Meeting.

#### **Committee Reports and Communications**

#### **Public to be Heard**

2. Opportunity for Public to Address Town Commission

At each meeting the Town Commission sets aside a time for the public to address issues that are not on the agenda.

#### **Ordinances - First Reading**

3. Ordinance 2010-06, Budget Transfer in the Amount of \$30,000 from Beach Fund Unappropriated Fund Balance to North Shore Erosion Control Structure Construction Project

At the December 7, 2009 Regular Meeting the Town Commission passed Resolution 2009-47. This action was taken to expedite a sand placement project at the North end where critical erosion has occurred. Ordinance 2010-06 is necessary to reimburse the North Shore Erosion Control Structure Construction Project account from the Beach Fund. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-06 to the February 1, 2010 Regular Meeting for second reading and public hearing.

4. Ordinance 2010-07, Utility Bill Appeal Process

At the December 17, 2009 Regular Workshop Meeting the Town Commission forwarded Ordinance 2010-07 to the January 4, 2010 Regular Meeting to change the manner in which utility bill appeals are handled. The Town Code (Ordinance 2009-07) currently provides for utility bill appeals to be heard by the Town Commission. Ordinance 2010-07 would give the Town Manager the authority to make reasonable adjustments to individual utility bills. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-07 to the February 1, 2010 Regular Meeting for second reading and public hearing.

Lee Rothenberg, Mayor; Bob Siekmann, Vice-Mayor;  
George Spoll, District 2; Peter O'Connor, District 3; Jim Brown, District 4;  
Hal Lenobel, At-Large; Gene Jaleski, At-Large

## 5. Ordinance 2010-09, Establishing a Town Policy for Mandatory Training in Sunshine Law, Public Records, and Ethics

At the December 17, 2009 Regular Workshop Meeting the Town Commission forwarded Ordinance 2010-09 providing for newly seated Town Commissioners and all Board and Committee members to receive mandatory training in public records, sunshine law and ethics. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-09 to the February 1, 2010 Regular Meeting for second reading and public hearing.

<b>Ordinances - Second Reading and Public Hearing</b>
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## 6. Ordinance 2009-22, Moore's Stone Crab Restaurant, Comprehensive Plan Amendment

The applicant, Moore-Hicks, Limited Partnership, LLC, property owner, is requesting consideration of an application for a Small Scale Comprehensive Plan Amendment to the Future Land Use Map for the property located at 800 Broadway Street, currently known as Moore's Stone Crab Restaurant, to amend the Future Land Use designation of the subject property from Limited Commercial (CL) to High Density Single Family / Mixed Residential (RH-6), limited to four dwelling units per acre. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2009-22.

## 7. Quasi-judicial - Ordinance 2009-21, Moore's Stone Crab Restaurant, Change of Zoning

The applicant, Moore-Hicks, Limited Partnership, LLC, property owner, is requesting a Change of Zoning from Limited Commercial (C-1) to Single-Family High Density Residential (R-6SF), limited to four dwelling units per acre, for the property located at 800 Broadway Street, known as the Moore's Stone Crab Restaurant site. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

## 8. Ordinance 2009-27, Amending Chapter 51, Charges, Rates, and Billing

At the December 17, 2009 Regular Workshop Meeting the Town Commission forwarded Ordinance 2009-27 which reconciles discrepancies between charges assessed in the Fee Table and the written text located in Chapter 51, and provides for determination of the correct service fees. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2009-27.

## 9. Ordinance 2009-28, Codification of Supplement 10 - November 2, 2009

Ordinances adopted by the Town are promulgated each year into the Town Code. Ordinance 2009-28 adopts Supplement 10-2009, which includes Ordinances adopted by the Town Commission through the November 2, 2009 Regular Meeting. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2009-28.

<b>Resolutions</b>
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## 10. Quasi-judicial – Resolution 2010-01, Christ Church of Longboat Key, 6400 Gulf of Mexico Drive, Site Plan Amendment

The Planning and Zoning (P&Z) Board voted to recommend approval of Resolution 2010-01 as presented with staff recommended conditions. The P&Z Board forwarded final site plan approval for Christ Church to the January 4, 2010 Regular Meeting for Town Commission consideration. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

## 11. Resolution 2010-02, Budget Transfer in the Amount of \$30,000 for Preliminary Election

The Town Commission will consider Resolution 2010-02 at the January 4, 2010 Regular Meeting which will provide funding for the required January 26, 2010 Preliminary Election. Recommended Action: Pending discussion, pass Resolution 2010-02.

## 12. Resolution 2010-04, Providing for and Establishing Dates for Early Voting

At the December 17, 2009 Regular Workshop Meeting there was consensus to provide early voting for citizens of Longboat Key for both the Preliminary Election and the General Municipal Election. Resolution 2010-04 provides for and establishes dates for early voting. Recommended Action: Pending discussion, pass Resolution 2010-04.

<b>Town Commission Comments</b>
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<b>Town Attorney Comments</b>
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<b>Town Manager Comments</b>
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<b>Press to be Heard</b>
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<b>Adjournment</b>
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No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 forty-eight (48) hours in advance of this proceeding. If you are hearing impaired, please call 941-373-7002.