



## Town of Longboat Key Town Commission

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### - AGENDA - REGULAR MEETING

7:00 PM

October 1, 2012

#### 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**

#### **Proclamations and Special Presentations**

1. Proclamation – Fire Prevention Week – October 8-14, 2012

#### **Approval of Minutes**

2. September 4, 2012 Special Workshop Meeting Minutes

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

3. 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.

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

#### **Closing and Action on Consent Agenda**

4. Fiscal Year 2012-2013 Holiday Schedule

Each year the Town Commission approves a list of scheduled holidays in accordance with the Town's Personnel Rules and Regulations and Resolution 99-19. Resolution 99-19 provides that the Town Commission may approve one additional holiday, usually the day before or after Christmas. This year Christmas falls on Tuesday, and as such Town offices will be closed on Tuesday, December 25<sup>th</sup>. The Manager recommends the additional holiday as Monday, December 24<sup>th</sup>. Recommended Action: Approval of the Consent Agenda will approve the Fiscal Year 2012-13 Holiday Schedule.

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to a vote; otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda is a vote of confirmation to the action noted in each item.

**Ordinances - First Reading and Public Hearing****5. Ordinance 2012-19, Amending Chapter 158.152, Maximum Hedge Heights**

The Planning and Zoning (P&Z) Board recommended denial of Ordinance 2012-19 (previously numbered 2012-15) due to a number of conflicting areas and issues that need to be addressed. The P&Z Board requested that Ordinance 2012-19 be remanded to staff for further review and amendment. Recommended Action: Pending discussion, provide direction to Manager.

**Ordinances - Second Reading and Public Hearing****6. Ordinance 2012-10, Future Land Use Map Amendments, 4110 and 5810 Gulf of Mexico Drive**

At their June 19, 2012 Regular Meeting the Planning and Zoning (P&Z) Board recommended approval of Ordinance 2012-10 as written. First reading and public hearing was held at the September 4, 2012 Regular Meeting. Ordinance 2012-10 was forwarded for second reading and public hearing at the October 1, 2012 Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2012-10.

**7. Ordinance 2012-17, Pass-Through of Manatee County Wholesale Water and Wastewater Rate Increases**

On October 25, 2011, the Manatee County Board of County Commissioners enacted Resolution R-11-208 which authorized two consecutive yearly wholesale water and wastewater rate increases. The Town Code provides for a pass-through of Manatee County rate changes to the Town's utility ratepayers. The first Manatee County rate increase was effective on November 1, 2011 and the second will be effective on November 1, 2012. Ordinance 2012-17 formalizes the November 1, 2012 utility rate change as provided for in the Town Code. First reading and public hearing was held at the September 4, 2012 Regular Meeting. Ordinance 2012-17 was forwarded for second reading and public hearing at the October 1, 2012 Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2012-17.

**Resolution and Public Hearing****8. Quasi-judicial – Resolution 2012-07, Request from the Colony Beach and Tennis Club Association, Inc. for Extension of Time to Comply with Regulations Governing Nonconforming Uses and Structures**

Chapter 158.138(B)(8)(b) of the Town's Zoning Code provides for property owners to file a petition to the Town Commission seeking a time extension for the legally nonconforming land use/structures. A nonconforming use not used for a period of one year is considered an abandonment of the legally nonconforming use. At the May 2, 2011 Regular Meeting the Commission adopted Resolution 2011-17 providing the Colony Beach and Tennis Club Association, Inc. an extension of time to comply with regulations governing nonconforming uses and structures. On July 27, 2012, the Colony Beach and Tennis Club Association, Inc. petitioned the Town Commission to extend the time from December 31, 2012 through June 30, 2014. Public Hearing and discussion of this request was continued from the September 4, 2012 Regular Meeting and September 24, 2012 Special Meeting. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

**New Business****9. Legislative Priorities**

Each year the Town establishes legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the Manasota League of Cities. The Town Manager will seek Commission direction regarding issues to be brought forward for consideration during this legislative session. Recommended Action: Pending discussion, provide direction to Manager.

**10. Appointment to Fill Vacancies on the Firefighters' Retirement System Board of Trustees and Police Officers' Retirement System Board of Trustees**

Appointments for the expiring or open seats on the Firefighters' Retirement System Board of Trustees and the Police Officers' Retirement System Board of Trustees will be considered at the October 1, 2012 Regular Meeting. Recommended Action: Pending discussion, appoint Retirement System Board members.

**Town Commission Comments**

**Town Attorney Comments**

**Town Manager Comments**

**Press to be Heard**

**Adjournment**

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.