

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
NOVEMBER 7, 2011 - 7:00 P.M.**

Present: Mayor Jim Brown, Vice Mayor David Brenner, Commrs. Jack Duncan, Lynn Larson, Hal Lenobel, Phillip Younger, Pat Zunz

Also Present: Town Manager Dave Bullock, Town Attorney David Persson,
Town Clerk Trish Granger

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Brown called the meeting to order at 7:00 p.m. and Vice Mayor Brenner led the Pledge of Allegiance.

APPROVAL OF MINUTES

1. October 6, 2011 Special Workshop Meeting Minutes

There was consensus to approve the October 6, 2011, Special Workshop Minutes as submitted.

COMMITTEE REPORTS AND COMMUNICATIONS

A. Organizations

Vice Mayor Brenner noted attendance at the Tourist Development Council joint meeting with the Sarasota Board of County Commissioners and advised of items discussed.

B. Organizations

Vice Mayor Brenner noted his and Commr. Zunz's attendance at a seminar at the Ringling College and reviewed the issues discussed.

C. Government Entities

Mayor Brown noted the Joint Meeting earlier this date with the Sarasota Board of County Commissioners and reviewed the issues discussed.

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.

A. Organizations

Mr. Jeremy Whatmough, Gulf of Mexico Drive, noted attendance at the Metropolitan Planning Organization Citizens' Advisory Committee (MPOCAC) meeting and reviewed the issues discussed relating to the Venice By-Pass.

Following comments by Commr. Younger, Mayor Brown noted the purpose of the Metropolitan Planning Organization (MPO) and the regional approach considered.

2. Opportunity for Public to Address Town Commission - Continued

B. Organizations

Mr. Eric Opdyke, representing Revolution 3 Triathlon, noted that his organization intends to schedule a Triathlon on Longboat Key in October 2012 if the event gains approval by the Town and commented on the estimated financial impact to the community.

Upon inquiry, Mr. Opdyke noted inquiries to various agencies and advised that he has been unable to get a commitment from Town officials.

Mr. Jason Puckett, representing Sarasota County Sports Commission, commented on the proposal to schedule a Triathlon on Longboat Key in October 2012 and the economic impact to the community.

Mr. Tom Aposporos, President of the Longboat, Lido, and St. Armands (LLSA) Key Chamber of Commerce, commented on the proposed triathlon by Revolution 3 and noted concerns on the size and extent of the event. Upon inquiry, Mr. Aposporos noted that he does not support the event due to scheduling conflicts with the LLSA Chamber Triathlon event.

Mr. Puckett noted that their intent was to hold the event the last weekend in October or the first weekend in November and advised that it has been scheduled as a one day event.

Town Manager Dave Bullock noted meetings with Mr. Puckett and Mr. Aposporos, advised that he has had a brief meeting with Police Chief Al Hogle relating to the impacts to the Town, and reviewed issues to be considered. Upon inquiry, Town Manager Bullock advised that he could have a discussion item prepared for the November 17, 2011, Regular Workshop Meeting.

Vice Mayor Brenner noted his support of economic development events and expressed concerns with the size of the proposed event and the impact to the Town's residents and services.

Upon inquiry, Mr. Opdyke and Mr. Puckett advised that they would need to have a decision from the Town Commission by the end of November to properly advertise and promote the event.

C. Public Works/Transit

Mr. Julius Rauch, Norton Street, commented on the traffic stops of the Longboat Key Trolley in the middle of Gulf of Mexico Drive, and suggested that the Town consider requiring the Trolley to pull off to the side of the road in lieu of causing traffic back-ups.

CONSENT AGENDA

3. 2012 Town Commission Meeting Calendar

The proposed 2012 Town Commission Meeting Calendar is placed on the November 7, 2011 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will adopt the 2012 Town Commission Meeting Calendar.

CONSENT AGENDA- Continued

4. 2011 Longboat Key Gourmet Food Fest (F/K/A St. Jude's Gourmet Luncheon)

Over the past two years the Longboat Key St. Jude's Gourmet Luncheon has evolved into an event that may require reconsideration of the Town's active and financial participation. A brief report is presented regarding the current level of Town staffing and participation. This item was forwarded for approval from the October 20, 2011 Regular Workshop Meeting Consent Agenda. Recommended Action: Approval of Consent Agenda will formalize approval to continue support of this event.

Vice Mayor Brenner requested that a cost estimate for the services provided for the Gourmet Food Fest be provided (Item 4).

Public Works Director Juan Florensa noted previous consideration by the Town Commission at the October 20, 2011, Regular Workshop Meeting which included the estimated costs. Discussion ensued on the estimated costs for the services provided and the personal time volunteered by Town employees during non-working hours.

Commr. Younger moved to close and approve the Consent Agenda. The motion, seconded by Commr. Lenobel, carried by a 7-0 voice vote.

ORDINANCES - FIRST READING

5. Ordinance 2011-33, Providing for Codification of Ordinances Upon Adoption

Ordinance 2011-33 was developed to provide for codification of ordinances upon adoption rather than the current practice of codification through supplements. Codification upon adoption would provide a timelier update to the on-line version of the Town Code. Ordinance 2011-33 was forwarded from the October 20, 2011 Regular Workshop Meeting for first reading. Recommended Action: Pending discussion, forward Ordinance 2011-33 to the December 5, 2011 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2011-33 on record by title only.

Commr. Larson moved to pass Ordinance 2011-33 on first reading and to forward to the December 5, 2011, Regular Meeting for second reading and public hearing. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Larson, aye; Zunz, aye; Lenobel, aye; Younger, aye; Brenner, aye; Brown, aye; Duncan, aye.

RESOLUTIONS

6. Resolution 2011-30 Providing for Temporary Closure North Shore Road Beach Access and Adjoining Parking Areas

Shoreline Foundation, Inc., the Town's contractor for the maintenance and construction of a new seawall extension at the western terminus of North Shore Road, has provided a construction plan that encumbers all of the adjacent parking and beach access for this project. Resolution 2011-30 provides for the temporary closure of the North Shore Road beach access and adjoining parking area. Recommended Action: Pending discussion, pass Resolution 2011-30.

6. Resolution 2011-30 Temporary Closure North Shore Road Beach Access and Adjoining Parking Areas - Continued

Town Clerk Trish Granger placed Resolution 2011-30 on record by title only.

Commr. Lenobel moved to pass Resolution 2011-30. The motion was seconded by Commr. Younger.

Discussions were held with Public Works Director Juan Florensa on the following topics/issues:

- estimated length of time beach access and parking area would be closed
- contract amount
- number of parking spaces to be blocked/alternative parking areas.

The motion carried by a 7-0 roll call vote, as follows: Lenobel, aye; Younger, aye; Duncan, aye; Brenner, aye; Zunz, aye; Larson, aye; Brown, aye.

7. Resolution 2011-31, Providing for Establishment of Dog Beach Feasibility Committee

At the October 20, 2011 Regular Workshop Meeting the Town Commission discussed the concept of allowing leashed dogs on the beach. There was consensus to appoint a committee to investigate the feasibility of establishing a dog beach on Longboat Key. Resolution 2011-31, provides for establishment of the Dog Beach Feasibility Committee. Recommended Action: Pending discussion, pass Resolution 2011-31.

Town Clerk Trish Granger placed Resolution 2011-31 on record by title only.

Commr. Larson moved to pass Resolution 2011-31. The motion was seconded by Commr. Zunz.

Commr. Larson suggested that the Committee be established by citizens in lieu of a Subcommittee of the Town Commission

Ms. Bonnie Samuelsen, representing the Sarasota Audubon Society (SAS), requested that if a Committee is formed, that SAS be included as a Committee member, and reviewed the issues of concerns with unleashed dogs on the beach and the successes of SAS in protecting shore bird nests.

Mr. Larry Grossman, St. Judes Drive, commented on the establishment of a Committee and the benefits of research, presentation of facts, and the development and language included in the draft Resolution.

Mayor Brown commented on the composition of the proposed Committee and the intent to have Committee members maintain an open mind through the research and fact finding process.

Commr. Larson noted discussions with citizens and suggested that the committee be established by the citizens, with publication of meeting dates, and to provide recommendations to the Town Commission. Discussion ensued on the development and intent of the Resolution.

7. Resolution 2011-31, Dog Beach Feasibility Committee - Continued

Following comments, Commr. Larson withdrew the motion to pass Resolution 2011-31.

Upon inquiry, Town Attorney David Persson noted that if a committee is organized by individuals, without Town Commission representation, it would not be considered a governmental body and would not be restricted by Florida Statutes pertaining to Sunshine Laws and public meeting requirements.

Commr. Larson requested that if a citizens committee is formed that they notify the local newspapers of the meeting dates to keep the public informed. (See Item 11 later this meeting.)

8. Resolution 2011-32, Providing for Adoption of Vision Statement, Mission Statement, and Core Values

At the October 20, 2011 Regular Workshop Meeting the Commission discussed a document forwarded from the Vision Planning Subcommittee that formalizes a Vision Statement, Mission Statement and Core Values for the Town of Longboat Key. Following the discussion there was consensus to place the Vision Statement, Mission Statement, Core Values document on the November 7, 2011 Regular Meeting agenda for adoption. Recommended Action: Pending discussion, pass Resolution 2011-32.

Town Clerk Trish Granger placed Resolution 2011-32 on record by title only.

Commr. Duncan moved to pass Resolution 2011-32. The motion was seconded by Vice Mayor Brenner.

Planning, Zoning, and Building Department Planner Ric Hartman requested that Item 10, under the Core Values section, be amended to add an "s" to the word "resort."

Mr. Larry Grossman, St. Judes Drive, commented on the development of a Vision Statement, Mission Statement, and list of Core Values, and suggested the Vision and Mission Statement could have been combined.

The motion to pass Resolution 2011-32, as amended, carried by a 7-0 roll call vote, as follows: Duncan, aye; Brenner, aye; Brown, aye; Younger, aye; Zunz, aye; Larson, aye; Lenobel, aye.

Vice Mayor Brenner requested that Town Manager Dave Bullock begin the work on the implementation process. Commr. Duncan noted the importance to coordinate efforts and his intent to work closely with Staff on the implementation process. (See Commission Comments later this meeting.)

9. Resolution 2011-33, Establishing a Town Commission iPad Usage Policy

At the October 20, 2011 Regular Workshop Meeting the Town Attorney was directed to work with staff to develop a policy regarding the use of iPads which have been acquired by the Town for Commissioners use. Recommended Action: Pending discussion, pass Resolution 2011-33.

9. Resolution 2011-33, Establishing a Town Commission iPad Usage Policy - Continued

Town Clerk Trish Granger placed Resolution 2011-33 on record by title only.

Commr. Duncan moved to pass Resolution 2011-33. The motion was seconded by Commr. Zunz.

Commr. Larson inquired and Town Manager Dave Bullock confirmed that there is a Town Policy governing the use of Town equipment by employees and noted that it was more restrictive for employee use.

The motion carried by a 7-0 roll call vote, as follows: Duncan, aye; Zunz, aye; Lenobel, aye; Younger, aye; Larson, aye; Brenner, aye; Brown, aye.

Mayor Brown inquired and Town Manager Bullock advised that training on the use of the iPads will be scheduled.

NEW BUSINESS

10. Approval of Contract to Acquire Property Located at 4110 Gulf of Mexico Drive (Adjacent to Bayfront Park Recreation Center)

Pursuant to Section 38.37 of the Longboat Key Town Code the Town Commission shall consider purchase of the above described property. A contract for purchase of property is provided for consideration at the November 7, 2011 Regular Meeting. The property appraisal has been provided to the Town Manager and is on file in the Town Clerk's Office for public review. Recommended Action: Pending discussion, execute contract to purchase property located at 4110 Gulf of Mexico Drive.

Town Attorney David Persson noted the purchase price, estimated closing date, and the remaining items to move forward with the purchase of the property located at 4110 Gulf of Mexico Drive.

Mayor Brown opened the public hearing.

Mr. Gene Jaleski, Cedar Street, noted his previous suggestions for the Town to purchase land on Longboat Drive and noted preference to purchase the land in the Village in lieu of the proposed purchase at 4110 Gulf of Mexico Drive.

Mayor Brown noted restrictions on expending funds for land purchases.

Mr. Michael Lendrihas, Tarrowit Drive, inquired, and Mayor Brown noted the funds are available without an increase in the residents' tax rate.

Mayor Brown closed the public hearing.

Commr. Younger moved to approve the purchase and authorize execution of the purchase agreement. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Younger, aye; Zunz, aye; Larson, aye; Duncan, aye; Lenobel, aye; Brenner, aye; Brown, aye.

10. Contract to Acquire Property Located at 4110 Gulf of Mexico Drive - Continued

Following a request by Commr. Larson, Mayor Brown noted the location of the property to be purchased (north of the Bayfront Park Recreation Center) and provided an overview of the basis for the Commission support of the purchase.

Town Attorney Persson noted the funding source from the Land Acquisition Fund and the restrictions placed on the utilization of the fund balance.

Mayor Brown noted the purchase price of \$452,500.00 and advised that the results of the appraisals place the value of the property at \$600,000.00 for approximately one acre of bayfront land abutting the Town's Bayfront Park Recreation Center.

11. Appointment of Members to Dog Beach Feasibility Committee

At the October 20, 2011 Regular Workshop Meeting the Town Commission authorized establishment of a committee to investigate the feasibility of allowing leashed dogs on the beach. Resolution 2011-31, (Item 7) provides for establishment of the ad hoc committee. This item is placed on the November 7, 2011 Regular Meeting to formalize appointments to the Dog Beach Feasibility Committee. Recommended Action: Pending discussion, appoint of members to subcommittee.

Mayor Brown noted that Item 11 is removed from consideration based on Commission action on Item 7 earlier this meeting.

12. Town Commission Appointment of Members to Firefighters' Retirement System, General Employees Retirement System, and Police Officer's Retirement System Boards of Trustees

The Town Commission will consider appointments to the Firefighters' Retirement System, General Employees Retirement System, and Police Officer's Retirement System Boards of Trustees. Recommended Action: Pending discussion, appoint of Trustees to Retirement System Boards.

Mayor Brown noted the requirements for four affirmative votes for an applicant to be appointed.

Town Clerk Trish Granger provided background information on the efforts to fill the vacancies on the three Retirement Systems' Board of Trustees.

Town Clerk Granger proceeded with a roll call for the appointment to Seat 2, Citizen Representative on the Firefighters' Retirement System Board of Trustees, with a term expiration of September 30, 2013:

Commr. Younger cast a ballot for Shannon Gault.
Commr. Larson cast a ballot for Shannon Gault.
Vice Mayor Brenner cast a ballot for Shannon Gault.
Mayor Brown cast a ballot for Shannon Gault.
Commr. Duncan cast a ballot for Shannon Gault.
Commr. Zunz cast a ballot for Shannon Gault.
Commr. Lenobel cast a ballot for Shannon Gault.

12. Appointments to Firefighters', General Employees', and Police Officer's Retirement System Boards of Trustees - Continued

Town Clerk Granger advised that Ms. Gault will be notified of her appointment.

Subsequent to comments, Town Clerk Granger proceeded with a roll call for the appointment to Seat 2, Citizen Representative, on the General Employees' Retirement System Board of Trustees, with a term expiration of September 30, 2014:

Commr. Larson cast a ballot for Larry Linhart.
Vice Mayor Brenner cast a ballot for Larry Linhart.
Mayor Brown cast a ballot for Larry Linhart.
Commr. Duncan cast a ballot for Larry Linhart.
Commr. Zunz cast a ballot for Larry Linhart.
Commr. Lenobel cast a ballot for Larry Linhart.
Commr. Younger cast a ballot for Larry Linhart.

Town Clerk Granger advised that Mr. Linhart will be notified of his appointment.

Subsequent to comments, Town Clerk Granger proceeded with a roll call for the appointment to Seat 1, Citizen Representative, on the Police Officers' Retirement System Board of Trustees, with a term expiration of September 30, 2013:

Vice Mayor Brenner cast a ballot for Dorian Irizarry.
Mayor Brown cast a ballot for Dorian Irizarry.
Commr. Duncan cast a ballot for Dorian Irizarry.
Commr. Zunz cast a ballot for Dorian Irizarry.
Commr. Lenobel cast a ballot for Peter Kasdan.
Commr. Younger cast a ballot for Dorian Irizarry.
Commr. Larson cast a ballot for Dorian Irizarry.

Town Clerk Granger advised that Mr. Irizarry will be notified of his appointment.

Commr. Larson requested that Rabbi Kasdan be notified that his application would be forwarded to the Police Officers' Retirement System Board of Trustees for consideration of appointment for the At-Large Seat.

TOWN COMMISSION COMMENTS

A. Planning, Zoning, and Building Department

Commr. Duncan requested and Town Manager Dave Bullock noted approval for Commr. Duncan to collaborate with Planning, Zoning, and Building Department Planner Ric Hartman on the Vision Statement, Mission Statement, and Core Values implementation.

(See Item 8 earlier this meeting.)

B. Town Manager

Mayor Brown noted the appointment of the new Town Manager Dave Bullock and requested that the Town Commission provide Mr. Bullock with the opportunity to fulfill the duties of his position and to follow the requirements of the Charter and Town Code when requesting information/reports from Town Staff.

TOWN COMMISSION COMMENTS - Continued

B. Town Manager - Continued

Commr. Larson suggested that Commissioners provide adequate time for the Town Manager to get acquainted with Staff and residents before scheduling Commissioner appointments with him.

TOWN ATTORNEY COMMENTS

A. Litigation

Town Attorney David Persson noted receipt of a notification of a lawsuit filed against the Town to foreclose a Utility Lien of approximately \$12,700.00 and also notice of a Constitutional challenge of the prohibition of dogs on the beach.

Town Attorney Persson advised of the schedule of his staff in handling other pending Town issues, noted that he had assigned Attorney Pomeroy to handle the issues, and requested authorization to utilize Attorney Pomeroy as needed for the remainder of calendar year 2011 to meet the timetables for issues pending and upcoming.

Mayor Brown noted that no objections to the request were stated.

B. Planning, Zoning, and Building Department

Mayor Brown inquired and Town Attorney David Persson advised that he will review the issue of the legislative action on permit extensions as discussed at the recent Tiger Bay meeting.

TOWN MANAGER COMMENTS

A. Public Works

Town Manager Dave Bullock noted the bid price for the North Shore Road sea wall was \$240,000.00.

B. Planning, Zoning, and Building Department

Town Manager Dave Bullock noted Commission action in the adoption of the Vision and Mission Statement advising that he would utilize the document as a framework to move forward with an implementation plan.

C. Town Manager

Town Manager Dave Bullock thanked the Commission for their comments on providing adequate time for him to become acquainted with Staff and residents and advised that his first week had been a full schedule meeting with individuals and organizations to discuss Town issues.

PRESS TO BE HEARD- No items were presented.

ADJOURNMENT

Mayor Brown adjourned the November 7, 2011, Regular Meeting at 8:32 p.m.

Trish Granger

Trish Granger, Town Clerk

James L. Brown

James L. Brown, Mayor

Minutes Approved: 01/09/2012