

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP MEETING  
JUNE 16, 2011 - 1:00 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 Bruce St. Denis, Town Attorney David Persson, Town Clerk Trish Granger

**CALL TO ORDER**

Mayor Brown called the Regular Workshop Meeting to order at 1:13 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

**PLEDGE OF ALLEGIANCE**

Mayor Brown requested and Commr. Larson led the Pledge of Allegiance.

**COMMITTEE REPORTS AND COMMUNICATIONS**

1. Manatee County Special Liaison Report

A. Government Entities

Commr. Zunz noted that Manatee County has released their 20-year Water Plan and reviewed the issues discussed relating to the outlook for the water supply.

2. Sarasota County Special Liaison Report - No items were presented.

3. Other Reports

A. Organizations

Commr. Younger noted attendance at the Metropolitan Planning Organization Technical Advisory Committee meeting.

B. Organizations

Vice Mayor Brenner noted that Mr. Michael Welly would report on the items considered at the Sarasota County Tourist Development Council meeting to be held this date and Mr. Tom Aposporos would report on items considered at the Manatee County Economic Development Council meeting to be held this date.

C. Organizations

Vice Mayor Brenner commented on the status of the health care committee's review for health care options on Longboat Key.

D. Town Commission

Commr. Larson requested consideration to advance discussion of Agenda Item 12 on the agenda.

**COMMITTEE REPORTS AND COMMUNICATIONS** - Continued

**E. Town Commission**

Commr. Larson noted that former Commr. Bob Siekmann had sold his residence and would be moving out of state and suggested that the Town honor him with a plaque or some other type of recognition for his years of service to the Town of Longboat Key.

Following individual comments, Town Manager Bruce St. Denis advised that Staff would handle the request.

**F. Organizations**

Mayor Brown noted attendance at the Barrier Island Elected Officials (BIEO) meeting on Wednesday, June 15, 2011 and reviewed the items discussed relating to beach mobilization coordination efforts.

Town Manager Bruce St. Denis commented on the current beach projects, various types of equipment utilized, and future options to coordinate projects through regional cooperation.

Mayor Brown advised that Island transportation issues were discussed and that the other Island communities noted bus service within their jurisdictions and commented on the WCIND (West Coast Inland Navigation District) grants provided to the communities.

Commr. Larson requested that information be provided relating to the beach renourishment

**PUBLIC TO BE HEARD**

4. Opportunity for Public to Address Town Commission - No items were presented.

**DISCUSSION ITEMS**

5. Update Regarding Longboat Key Trolley (SCAT/MCAT Route 18)

Chamber of Commerce President Tom Aposporos will present an update on the Longboat Key Trolley system (SCAT/MCAT Route 18) on Longboat Key. Recommended Action: Pending discussion, provide direction to Manager.

Mr. Tom Aposporos, President of the Longboat Key, Lido Key, and St. Armands Key (LLSA) Chamber of Commerce reported on the position of both Manatee and Sarasota Counties relating to the current service schedule, proposal to increase the bus fare to maintain current services, reviewed ridership numbers with increased revenue for Manatee County and a reduction in Sarasota County's expenses relating to the route, advised of upcoming meetings with Manatee County representatives, and noted the anticipation that the Town will continue with the funding participation for the route.

Discussions were held with Mr. Aposporos on the following topics/issues:

- ridership rates
- declines in ridership on the Sarasota portion
- anticipated reductions in SCAT funding by Sarasota County Commission

5. Update Regarding Longboat Key Trolley (SCAT/MCAT Route 18) - Continued

- senior citizen discounts offered
- feedback from businesses and personal homeowners on impact to their staff/employees on amended schedule
- efforts of the Trolley Committee and anticipated marketing plan for future years.

12. FY 2011-12 Preliminary Budget Discussion

At a Special Workshop Meeting scheduled for June 15, 2011 the Town Commission discussed the FY 2011-12 Preliminary Budget. This item serves as a placeholder in the event Commissioners wish to have additional discussion regarding the FY 2011-12 Preliminary Budget. Recommended Action: Pending discussion, provide direction to Manager.

**There was consensus to advance Item 12 on the agenda.**

Town Manager Bruce St. Denis noted distribution of a follow-up report on the issues raised during the June 15, 2011, Special Budget Workshop and discussions were held with Town Manager St. Denis, Finance Director Tom Kelley, and Town Attorney David Persson on the following topics/issues:

- sliplining project and impact (cost) of water infiltration
- options to advance sliplining project/funding requirements
- available technology to identify problem areas on private property
- contractual obligation for water treatment for wastewater processed by Manatee County
- basis for advancing the sliplining project (cost savings)
- cost for repairs if piping fails.

Vice Mayor Brenner inquired and Town Manager St. Denis confirmed that the remaining items discussed will be reviewed/addressed at future meetings.

Town Attorney Persson commented on the proposed budget for Outside Attorney Fees and provided background on the basis to provide funding for any future litigation or other legal fees for labor, union, pension, and other miscellaneous matters.

Discussions were held with Town Manager St. Denis and Town Attorney Persson on the following topics/issues:

- on-line budget versus Preliminary Budget distributed to Town Commission
- amount to budget and options to transfer funding for Outside Attorney Fees
- billing rate for Town Attorney's services
- timeframe for additional consideration of the proposed Budget
- options to consider to maintain current millage
- level of service maintained
- percentage of shortfall on preliminary budget to total budget
- options to further reduce expenditures/costs.

6. Discussion Regarding Town of Longboat Key Retirement System Boards' Administrative Costs

At the May 26, 2011 Regular Workshop Meeting Commissioner Larson asked that Commissioners consider asking the Town's three Retirement System Boards to review their administrative costs. This item has been added to the June 16, 2011 Regular Workshop Meeting for Commission discussion. Recommended Action: Pending discussion, provide direction to Manager.

Commr. Larson commented on the administrative expenses for the individual retirement boards and the amount of benefits paid, and requested additional information be provided on the number of retirees receiving benefits and that Staff also provide the figures to the Retirement Boards for their information.

Upon inquiry, Finance Director Tom Kelley reviewed the items included in the administrative expenses and advised that the Town does not bill for any staff charges related to services provided to the three Pension Boards.

Commr. Larson noted that Police Officers Board of Trustee Member Michael Seamon was in attendance this date.

Subsequent to comments, Mayor Brown noted that the Town Commission has no authority to restrict administrative costs incurred by the Town's three Pension Boards.

7. Proposed Resolution 2011-24, Providing for Building Permit Fees and Fire Fees

At the February 17, 2011 Regular Workshop Meeting there was consensus to accept the methodology for development of a building permit review and inspection services fee. Staff was directed to proceed with development of a final proposal for Commission consideration. Proposed Resolution 2011-24 provides for new building permit and fire fees. In the event the Commission concurs with the recommended fee schedule, Resolution 2011-24 will be placed on the July 11, 2011 Regular Meeting for formal action. Recommended Action: Pending discussion, provide direction to Manager.

Planning, Zoning, and Building Department Director Monica Simpson provided an overview of the proposed building permit and fire fees. Discussions were held with Ms. Simpson, Fire Chief Paul Dezzi, and Town Attorney David Persson on the following topics/issues:

- health inspections by County Health Departments
- annual fire inspections and costs for re-inspections
- options to include staff charges for code enforcement cases
- comparison of charges to other governmental agencies
- inspection fees based on costs of structure versus square footage
- contractor's input/feedback
- options to use a "hybrid" method for determination of fees
- information provided to contractor's relating to submission of permits and inclusion of various items
- option to provide "flat" rate for various size homes.

7. Proposed Resolution 2011-24, Building Permit Fees and Fire Fees - Continued

Mr. George Spoll, Harbourside Drive, commented on the determination of fees based on construction versus contract costs in lieu of square footage costs, water heater inspection fees, fire inspection fees, and requested clarification on Item 1(b) of the proposed Resolution.

Discussion ensued with Ms. Simpson on the following topics/issues:

- planned implementation date (October 1, 2011)
- square footage options
- costs for water heater inspection fees
- options to act on the proposed Resolution with direction to Staff to respond to issues raised by Mr. Spoll
- current versus proposed rates
- costs associated with fire review of single family homes
- square footage versus the value method of fee schedule
- review of other jurisdiction for fire code/inspection fees.

Town Manager Bruce St. Denis advised that the Resolution will be brought back for formal action.

**RECESS:** 2:50 p.m. - 3:00 p.m.

8. Discussion Regarding Future Planning

At the June 6, 2011 Regular Meeting Commissioner Duncan suggested that the Town look at alternative concepts to plan for the future of Longboat Key. It was agreed that this item would be placed on the June 16, 2011 Regular Workshop Meeting for further Town Commission discussion. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Bruce St. Denis, Commr. Duncan noted support of the Vision Plan and the Goals and Objectives and clarified his position relating to a Business/Master Plan for the Town with a Mission or Vision Statement clearly defined and the process to proceed with a plan with measurable results.

Individual comments followed relating to the development and plan of action of the existing Vision Plan.

Town Attorney David Persson commented on the historical planning issues and actions of past Commissions through adoption of the Comprehensive Plan and Zoning Code to establish the goals of the previous Commissions relating to the vision for the Town.

Planning, Zoning, and Building Department Director Monica Simpson commented on the goals established in 1984 relating to the adoption of the Comprehensive Plan and future issues to be addressed.

Individual comments followed relating to amendments made to the Vision Plan and amendments that may be made in the future.

8. Discussion Regarding Future Planning - Continued

Mayor Brown suggested that a Committee be appointed to develop a Mission Statement to include Commissioners, Planning and Zoning (P&Z) Board Members, business representatives, and citizen representatives.

**There was consensus to forward the proposal to the P&Z Board meeting for their input.**

**There was consensus to appoint Vice Mayor Brenner, Commr. Duncan, and Commr. Zunz as the Town Commission's representatives.**

Commr. Duncan requested that individuals who were involved in the 1984 Comprehensive Plan adoption be contacted to ascertain their interest and their intent during the adoption of the Comprehensive Plan.

**Town Manager St. Denis requested clarification on the make-up of the Committee and there was consensus to have three Town Commissioners, two P&Z Board members, and to authorize the five members to determine the number of additional members/representatives.**

9. Discussion Regarding Ad Valorem Tax Based Approach to Pay for Future Beach Projects

At the June 6, 2011 Regular Meeting Commissioner Duncan proposed that the Town investigate the feasibility of moving toward utilization of an ad valorem tax based approach to fund future beach projects. The Town Manager and Finance Director have provided information to establish a framework for this discussion. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis provided an overview on utilizing the ad valorem tax based approach to pay for future beach projects. Discussions were held on the following topics/issues:

- options to establish the process
- constraints to prohibit future Commissions from abandoning the process
- imposing a tax on future residents/property owners
- options to establish a "Beach Authority" (as a financial authority)
- options to utilize the Beach Erosion Control Districts as the taxing authority
- referendum requirements
- process for determination of a tax rate
- options to request a proposal by PFM Asset Management
- bond interest costs to be considered.

**There was consensus to have PFM Asset Management provide a quote on the cost to prepare a proposal for Commission consideration.**

10. Proposed Ordinance 2011-27, Amending Chapter 38, Purchasing Division

Proposed Ordinance 2011-27, amends Chapter 38, Purchasing Division to reflect the recent reorganization of the Finance Department due to retirement of the Purchasing Manager. This item was forwarded from the May 26, 2011 Regular Workshop Meeting for additional discussion. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-27 to the July 11, 2011 Regular Meeting for first reading.

Town Manager Bruce St. Denis commented on the concerns expressed by Vice Mayor Brenner relating to the supervision of the Purchasing Department by the Finance Director and noted existing controls in place relating to awarding jobs/projects with future payment approval by the Finance Director.

Vice Mayor Brenner noted concern with internal contract controls and review of the proposed changes by the Town's auditors.

Town Manager St. Denis reviewed the bid, purchasing, contract review by the Town Attorney's office, and payment processes in place.

Finance Director Tom Kelley advised that all payments made are signed off by the department ordering or receiving the services and that the accounts payable process is reviewed by two individuals in the Finance Department and confirmed that the Town's auditors reviewed the process and proposed changes.

**Commr. Duncan requested that Staff prepare a flow chart to outline the processes included in the proposed Ordinance. (See item later this meeting.)**

11. Federal and State Elected Officials Representing Longboat Key

At the May 26, 2011 Regular Workshop Meeting the Town Commission asked to have a list of the Federal and State elected officials who represent the citizens of Longboat Key. This item is placed on the June 16, 2011 Regular Workshop Meeting in the event the Town Commission elects to take any action regarding the information provided. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted that Staff has provided a list of Local, State, and Federal representatives as requested.

Vice Mayor Brenner suggested that Commissioners retain and utilize the list to establish contacts and attend events to keep the Town's representatives aware of issues relative to Longboat Key.

Discussion ensued on options to initiate contacts with the legislative representatives on all levels of government.

Town Attorney David Persson advised that he would review options to remain in compliance with Sunshine Laws.

Mr. Jack Brill, Gulf of Mexico Drive, suggested that the Town Commissioners and Staff members become more involved in local County issues, in addition to State and Federal agencies.

13. Proposed Resolution 2011-22, Beach Funding Resolution

The State of Florida Beach Funding Management Program has been a recurring source of funding for the Town's beach erosion/nourishment projects. Each year the Town Commission passes a beach funding resolution in order to remain eligible for State grants. This resolution must accompany applications for beach project funding submitted to the Florida Department of Environmental Protection. Recommended Action: Pending discussion, forward Resolution 2011-22 to the July 11, 2011 Regular Meeting for formal action.

Town Manager Bruce St. Denis advised that this is a housekeeping item and recommended moving the item forward to the July 11, 2011 Regular Meeting for formal action.

Commr. Duncan inquired and Town Manager Bruce St. Denis advised that the permit process recommended by Dr. Bodge was in progress.

**There was consensus to forward Resolution 2011-22 to the July 11, 2011, Regular Meeting for formal action.**

10. Proposed Ordinance 2011-27 - Continued

**Town Manager Bruce St. Denis inquired, and there was consensus noted to forward proposed Ordinance 2011- 27 (Purchasing Division amendments) to the July 11, 2011, Regular Meeting for first reading.**

**TOWN COMMISSION COMMENTS**

A. Town Commission

Commr. Younger commented on the budget documents utilized.

B. Ordinance 2011-27 Purchasing Division

Commr. Duncan inquired and Town Manager Bruce St. Denis advised that he would provide the results of the auditors interviews with the Town Attorney, former Purchasing Manager Gerald Wilson, and IT Director Kathi Pletzke with the July 11, 2011, agenda packet on the item.

C. Town Commission

Vice Mayor Brenner inquired, and Town Manager Bruce St. Denis advised that the Town Commission would be considering an update to the Town's adopted Beach Management Plan at a future meeting.

Discussion ensued on the process and timeframe for completion of the Longboat Pass Inlet Management Plan and follow-up on the Beach Management Plan.

D. Planning, Zoning, and Building Department

Vice Mayor Brenner inquired relating to newspaper articles on short term rentals and Planning, Zoning, and Building Department Director Monica Simpson commented on the discussions at the Planning and Zoning (P&Z) Board meeting relating to the maximum length of stay in a tourism unit and the time frame for consideration of the proposals by the Town Commission.

Discussion ensued on the existing and proposed regulations and enforcement concerns.

D. Planning, Zoning, and Building Department

Ms. Beverly Shapiro, Gulf of Mexico Drive, commented on short term rentals available on Longboat Key and the lack of marketing efforts.

Discussion ensued on the impact to the Colony property.

E. Government Agencies

Mayor Brown commented on the recent construction of the City of North Port Community Center and the associated costs for the facility.

**TOWN ATTORNEY COMMENTS**

A. Planning, Zoning, and Building Department

Town Attorney David Persson noted that he had provided Vice Mayor Brenner a copy of correspondence from Planning, Zoning, and Building Department Director Monica Simpson relating to abandonment of non-conforming use pertaining to the Colony property and advised that he would forward to other Commissioners upon request.

**TOWN MANAGER COMMENTS** - No items were presented.

**PRESS TO BE HEARD** - No items were presented.

**ADJOURNMENT**

**Mayor Brown adjourned the June 16, 2011, Regular Workshop Meeting at 4:44 p.m.**

/s/ Trish Granger  
Trish Granger, Town Clerk

/s/ James L. Brown  
James L. Brown, Mayor

Minutes Approved: 07/11/2011