

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
JUNE 6, 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 Bruce St. Denis, Town Attorney David Persson,  
Town Clerk Trish Granger

**CALL TO ORDER**

Mayor Brown called the meeting to order at 7:01 p.m.

**PLEDGE OF ALLEGIANCE**

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

**23. Other Business**

Town Manager Bruce St. Denis requested consideration to add an Agenda item pertaining to the redistricting issue to be considered by the Sarasota Board of County Commissioners on June 7 and June 8, 2011.

**Commr. Duncan moved to add the discussion item to the agenda. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Duncan, aye; Larson, aye; Younger, aye; Lenobel, aye; Brenner, aye; Brown, aye; Zunz, aye.**

**MINUTES APPROVAL**

1. April 11, 2011, Special Workshop (Goals and Objectives); April 28, 2011, Special Workshop (Meet and Greet); and April 28, 2011, Regular Workshop Meeting Minutes.

**There was consensus to approve the minutes as submitted.**

**COMMITTEE REPORTS AND COMMUNICATIONS**

**2. Representative Jim Boyd – Legislative Update**

Representative Jim Boyd provided an overview of the 2011 Legislative Session. Discussions were held on the following topics/issues:

- Town's Vision Plan goal to make Longboat Key affordable
- the impact of increased insurance rates on that goal
- the Growth Management legislation's impact to local governments.

**PUBLIC TO BE HEARD**

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

**CLOSING AND ACTION ON CONSENT AGENDA**

**4. Agreement Between the Town of Longboat Key and Sarasota Bay Watch Regarding Sister Keys**

At the February 17, 2011 Regular Workshop Meeting Rusty Chinnis, President of Sarasota Bay Watch proposed a cooperative agreement with the Town for cleanups of Sister Keys, as well development of a management plan and potential enhancements.

**4. Agreement Between the Town of Longboat Key and Sarasota Bay Watch Regarding Sister Keys - Continued**

The proposed Agreement was forwarded from the May 26, 2011 Regular Workshop Meeting Consent Agenda for formal action at the June 6, 2011 Regular Meeting. Recommended Action: Approval of the Consent Agenda will authorize the Town Manger to execute the agreement.

5. Request from LLSA Chamber of Commerce for Closure of Bay Isles Road on July 4, 2011 for Freedom Fest Event Between the Hours of 9:00 AM – 12:00 PM

At the May 26, 2011 Regular Meeting the Town Commission forwarded a request for temporary Bay Isles Road closure for the July 4<sup>th</sup> Freedom Fest Parade to the June 6, 2011 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will approve the request to close Bay Isles Road on July 4, 2011 between the hours of 9:00 AM – 12:00 PM.

6. Florida Department of Transportation (FDOT) Gulf of Mexico Drive (GMD) Signage Plan

The Town Commission's adoption of Ordinance 2011-17, regulating parking in the Gulf of Mexico Drive (GMD) right-of-way allowed the Florida Department of Transportation (FDOT) to finalize the comprehensive signage plan for the GMD corridor. At the May 26, 2011 Regular Workshop Meeting FDOT representatives presented proposed modifications to the signage plan to the Commission. Those recommendations are placed on the June 6, 2011 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda formalizes Commission approval of the FDOT GMD Signage Plan.

7. Cancellation of July and August Workshop Meetings and August Regular Meeting

As provided for in Article II, Section 13 of the Town Charter, the Town Commission considered the cancellation of the July and August Workshops and the August Regular Meeting and forwarded the item to the June 6, 2011 Regular Meeting for formal action. Recommended Action: Approval of the Consent Agenda will cancel the July and August Workshop Meetings and August Regular Meeting.

**Commr. Duncan requested removal of Item 6 from the Consent Agenda.**

**There was consensus to close and approve Consent Agenda Items 4, 5, and 7, in accordance with Staff's reports and recommendations.**

**ORDINANCES - SECOND READING AND PUBLIC HEARING**

8. Ordinance 2011-04, Amending Section 158.027, Appeals

At their March 15, 2011 Meeting the Planning & Zoning (P&Z) Board recommended approval of Ordinance 2011-04 which amends Town Code Chapter 158.027, Appeals to correct a scrivener's error. This item is housekeeping in nature and was forwarded from the May 2, 2011 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-04.

Town Clerk Trish Granger placed Ordinance 2011-04 on record for second reading and public hearing by title only.

8. Ordinance 2011-04, Amending Section 158.027, Appeals - Continued

**Commr. Younger moved to adopt Ordinance 2011-04. The motion was seconded by Commr. Duncan.**

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

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

9. Ordinance 2011-09, Amending Chapter 92, Beaches, Parks and Public Places and Section 33.18, Schedule of Violations and Fines

The Town Attorney and Police Chief are recommending an update and amendment to Town Code Chapter 92, Parks; and Chapter 33, Section 33.18, General Regulations, Schedule of Violations. Ordinance 2011-09 provides for streamlining regulations related to standards for the use of Town beaches, parks and public places, and fines imposed for violations. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-09.

Town Clerk Trish Granger placed Ordinance 2011-09 on record for second reading and public hearing by title only.

Commr. Zunz moved to adopt Ordinance 2011-09. The motion was seconded by Commr. Lenobel.

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

Vice Mayor Brenner inquired, and Town Manager Bruce St. Denis noted that historically pets have been allowed on a leash in Durante Park. Commr. Larson inquired and Mayor Brown advised that the only park allowing animals on a leash is Joan Durante Park.

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

10. Ordinance 2011-10, Amending Section 158.152, Walls, Fences, Hedges, Berms, Landscape Logs and Firewood

At their February 15, 2011 Meeting the Planning and Zoning (P&Z) Board recommended approval with some modifications to Ordinance 2011-10. This ordinance was forwarded from the May 2, 2011 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-10.

Town Clerk Trish Granger placed Ordinance 2011-10 on record for second reading and public hearing by title only.

**Commr. Larson moved to adopt Ordinance 2011-10. The motion was seconded by Vice Mayor Brenner.**

10. Ordinance 2011-10, Amending Section 158.152, Walls, Fences, Hedges, Berms, Landscape Logs and Firewood - Continued

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

Commr. Younger inquired as to the requirement to retain the landscaping for 24 months and requested clarification relating to code enforcement violations.

Planning, Zoning, and Building Department Planner Steve Schield advised that the issue had been discussed and noted the options for enforcement of the requirements and the ability to enter into stipulation agreements with the property owner. Mr. Schield noted past requirements and times permitted for compliance.

Commr. Zunz advised she was seated on the Planning and Zoning Board when the issue was discussed and advised that she was not in favor of the Ordinance.

Discussion ensued on the Code Enforcement process and ramifications to the property owner when a Code Enforcement case is initiated.

Commr. Younger suggested that language be included to provide for acts of nature and an opportunity for a longer period of time for compliance.

Planning, Zoning, and Building Department Director Monica Simpson commented on the enforcement process and suggested that if language is included that formal action be postponed until a review of the Zoning Code can be accomplished to change all sections of the Code. Upon inquiry, Ms. Simpson advised that the issue has not been a concern in the past and generally complaints are for overgrowth.

Commr. Younger advised he has property backing up to Gulf of Mexico Drive and upon inquiry, Town Attorney David Persson opined of no conflict and advised that the Code could be amended at a later date.

**Subsequent to comments pertaining to a future review of the Code to address the issues, the motion carried by a 6-1 roll call vote, as follows: Larson, aye; Brenner, aye; Zunz, no; Lenobel, aye; Duncan, aye; Younger, aye; Brown, aye.**

11. Ordinance 2011-12, Amending Chapter 34, Employment Policies, Firefighters' Retirement System Pension Mortality Table

At the February 23, 2011 Firefighters' Retirement System Board of Trustees meeting the Board voted to forward Ordinance 2011-12 for Commission consideration. Ordinance 2011-12 amends Chapter 34, Section 34.43 by updating the pension mortality table. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-12.

Town Clerk Trish Granger placed Ordinance 2011-12 on record for second reading and public hearing by title only.

11. Ordinance 2011-12, Amending Chapter 34, Employment Policies, Firefighters' Retirement System Pension Mortality Table

**Commr. Duncan moved to adopt Ordinance 2011-12. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

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

12. Ordinance 2011-18, Amending Chapter 34, Employment Policies, General Employees' Retirement System Pension Mortality Table

At the February 23, 2011 General Employees' Retirement System Board of Trustees meeting the Board voted to forward Ordinance 2011-18 for Commission consideration. Ordinance 2011-18 amends Chapter 34, Section 34.73 by updating the pension mortality table. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-18.

Town Clerk Trish Granger placed Ordinance 2011-18 on record for second reading and public hearing by title only.

**Commr. Lenobel moved to adopt Ordinance 2011-18. The motion was seconded by Commr. Zunz.**

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

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

13. Ordinance 2011-19, Amending Chapter 34, Employment Policies, Police Officers' Retirement System Pension Mortality Table

At the February 23, 2011 Police Officers' Retirement System Board of Trustees meeting the Board voted to forward Ordinance 2011-19 for Commission consideration. Ordinance 2011-19 amends Chapter 34, Section 34.13 by updating the pension mortality table. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-19.

Town Clerk Trish Granger placed Ordinance 2011-19 on record for second reading and public hearing by title only.

**Commr. Larson moved to adopt Ordinance 2011-19. The motion was seconded by Commr. Duncan.**

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

13. Ordinance 2011-19, Amending Chapter 34, Employment Policies, Police Officers' Retirement System Pension Mortality Table - Continued

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

14. Ordinance 2011-20, Amending Chapter 34, Employment Policies, Elimination of Deferred Retirement Option Plan (DROP) Participant Voting Rights

At the February 23, 2011 Firefighters' Retirement System Board of Trustees meeting, the Board voted to forward Ordinance 2011-20 for Commission consideration. Ordinance 2011-20 amends Chapter 34, Section 34.45, eliminating a DROP participant's voting rights in elections for the Firefighters' Retirement System Board of Trustees. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-20.

Town Clerk Trish Granger placed Ordinance 2011-20 on record for second reading and public hearing by title only.

**Commr. Larson moved to adopt Ordinance 2011-20. The motion was seconded by Commr. Duncan.**

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

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

15. Ordinance 2011-22, Amending Chapter 34, Employment Policies, Incorporating Police Officers' Contract Changes

At the February 23, 2011 Police Officers' Retirement System Board of Trustees meeting, the Board forwarded Ordinance 2011-22 for Commission consideration. Ordinance 2011-22 amends Chapter 34, Section 34.40 to incorporate amendments as a result of the ratified Collective Bargaining Agreement (CBA) between the Town and the Southwest Florida Police Benevolent Association. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-22.

Town Clerk Trish Granger placed Ordinance 2011-22 on record for second reading and public hearing by title only.

**Commr. Larson moved to adopt Ordinance 2011-22. The motion was seconded by Commr. Lenobel.**

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

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

**RESOLUTIONS**

**16. Resolution 2011-19, Providing for Emergency Authorization for Town Manager**

Hurricane season occurs during a time when many of our residents, including Commissioners, are away. Resolution 2011-19 provides methods to obtain a quorum or gives the Town Manager authority to expend funds and take emergency action in the event a quorum of the Commission is not available. Recommended Action: Pending discussion, pass Resolution 2011-19.

Town Clerk Trish Granger placed Resolution 2011-19 on record by title only.

**Commr. Zunz moved to pass Resolution 2011-19. The motion was seconded by Commr. Younger.**

Commr. Duncan noted that Section 2 of the Resolution reflects “the Town Manager or his designee” and suggested that Section 5 reflect like language.

**Following comments, Commrs. Zunz and Younger noted incorporation of the language addition.**

**The motion to pass Resolution 2011-19, as amended, carried by a 7-0 roll call vote, as follows: Zunz, aye; Younger, aye; Larson, aye; Duncan, aye; Lenobel, aye; Brenner, aye; Brown, aye.**

**17. Resolution 2011-20, Providing for the Establishment of a Finance Committee as a Subcommittee of the Town Commission**

At the May 26, 2011 Regular Workshop Meeting the Town Commission discussed appointing an ad hoc Finance Committee that would be advisory to the Town Commission. Resolution 2011-20 is presented to formalize creation of the Finance Committee. Recommended Action: Pending discussion, pass Resolution 2011-20.

Town Clerk Trish Granger placed Resolution 2011-20 on record by title only.

**Vice Mayor Brenner moved to pass Resolution 2011-20. The motion was seconded by Commr. Larson.**

Town Manager Bruce St. Denis noted discussions with Vice Mayor Brenner regarding Section 3 and suggested inclusion of the following language modifications, without objection (additions shown as underlined text):

- Section 3c. Perform all other duties that may be assigned to it by the Town Commission.
- Section 3a. Define, develop, and review the content of the Town’s financial report.

Vice Mayor Brenner noted Section 4 relating to Charter requirements and following comments, Town Attorney David Persson recommended not including reference to the Finance Director in the language.

Commr. Lenobel noted he is not in favor of Subcommittees and opined that decisions should be made by the Town Commission and not by a Subcommittee.

17. Resolution 2011-20, Providing for the Establishment of a Finance Committee as a Subcommittee of the Town Commission - Continued

**Following individual comments, the motion to pass Resolution 2011-20, as amended, carried by a 6-1 roll call vote, as follows: Brenner, aye; Larson, aye; Duncan, aye; Zunz, aye; Lenobel, no; Brown, aye; Younger, aye.**

18. Resolution 2011-21, Budget Transfer in the Amount of \$6,000 for Purchase of iPads for Town Commission Use

At the May 26, 2011 Regular Workshop Meeting the Town Commission discussed the feasibility and efficiency of utilizing iPads for agenda, and other uses to assist in their duties as Town Commissioners. Resolution 2011-21, providing for a budget transfer in the amount of \$5,000, was forwarded to the June 6, 2011 Regular Meeting for fund the purchase of these devices. Recommended Action: Pending discussion, pass Resolution 2011-21.

Town Clerk Trish Granger placed Resolution 2011-21 on record by title only.

**Commr. Lenobel moved to pass Resolution 2011-21. The motion was seconded by Vice Mayor Brenner.**

Vice Mayor Brenner suggested that the item be postponed for consideration for six months (December Regular meeting) due to Staff and Town Commission's efforts to reduce expenditures from the budget.

Upon inquiry, Assistant to the Town Manager Susan Phillips commented on the number of the paper copies currently distributed.

**Following individual comments on the number of paper copies to be required and the lack of a significant cost savings utilizing iPads, Commr. Lenobel and Vice Mayor Brenner withdrew the motion and second to pass Resolution 2011-21.**

**Mayor Brown noted that Resolution 2011-21 would be forwarded to the December 5, 2011 Regular Meeting. Town Attorney David Persson requested and Town Clerk Granger proceeded with a roll call vote to continue consideration of Resolution 2011-21, as follows: Brown, aye; Brenner, aye; Younger, aye; Larson, aye; Duncan, aye; Zunz, aye; Lenobel, aye.**

**NEW BUSINESS**

19. International Association of Fire Fighters (IAFF) Local 2546 Union Contract

On May 10, 2011, the Town's Collective Bargaining Team met with IAFF Attorney Jim Brantley and Brandon Desch, DVP. Based on that meeting, two modifications to items imposed by the Town Commission at their March 2, 2011 Special Meeting resulted in a tentative agreement between the parties. The IAFF membership voted to ratify the contract on May 24, 2011. The Contract is forwarded to the Town Commission for ratification at the June 6, 2011 Regular Meeting. Recommended Action: Pending discussion, provide direction to Manager.

19. IAFF Local 2546 Union Contract - Continued

Town Manager Bruce St. Denis commented on the Contract and advised that it would be effective until September 30, 2011.

**Commr. Younger moved to ratify the Collective Bargaining agreement between the Town and the IAFF Local 2546. The motion was seconded by Commr. Duncan.**

Commr. Larson requested confirmation and Finance Director Thomas Kelley advised that the 401K and the Salary Savings Plan are the same program and Town Manager St. Denis advised that the reference would be clarified in future contracts.

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

20. Discussion Regarding Town Commission Goals & Objectives

At the May 26, 2011 Regular Workshop Meeting the Town Commission discussed prioritized Goals and Objectives which had been consolidated into one list and tied to objectives of the Town's Vision Plan. The Commission forwarded the prioritized Goals and Objectives to the June 6, 2011 Regular Meeting in order to provide direction to the Planning & Zoning (P&Z) Board for review of certain items. Recommended Action: Pending discussion, provide direction to Manager.

Mayor Brown reviewed the previous discussion and action requested by the Subcommittee. Discussions were held on the following topics/issues:

- Goal 7, Developing policies to minimize light pollution
- review of document by P&Z Board
- overlay district for Publix and Whitney Plaza areas
- Gulf of Mexico Drive pertaining to visual impact of utility boxes and poles
- discussion and development of a Business Plan/option to workshop the issue
- time expended in the development of the Vision Plan
- long range (20-25 years) versus short term planning process
- option to have a joint meeting with the P&Z Board in September 2011

Town Manager Bruce St. Denis suggested that the discussion be scheduled for the June 16, 2011, Regular Workshop Meeting.

Upon inquiry, Planning, Zoning, and Building Department Director Monica Simpson advised that the P&Z Board has a special meeting on June 21, 2011, and advised they could discuss the issue if so directed.

Town Manager St. Denis suggested that the Commission provide clear direction on what the P&Z Board is to consider prior to forwarding for their consideration.

**Subsequent to discussion on the intent to further discuss long term planning options, there was majority consensus to continue the discussion at the June 16, 2011, Regular Workshop.**

**RECESS:** 8:30 p.m. - 8:40 p.m.

20. Discussion Regarding Town Commission Goals & Objectives - Continued

**Commr. Zunz requested reconsideration of the action taken on Item 20 relating to the Goals and Objectives. There was consensus to continue the discussion on the item.**

Town Manager Bruce St. Denis clarified his recommendation to postpone forwarding the Vision Plan document to the P&Z Board until additional discussion on Commr. Duncan's suggestions for development of a long range plan were considered.

Commr. Duncan noted that the issues raised will require more than one meeting and opined that a long term plan would be developed over time and supported moving the current plan forward to the P&Z Board.

Mayor Brown noted the intent to clarify how the Commission wants to proceed.

Ms. Simpson advised that the items outlined in the Staff report are basically Comprehensive Plan amendments and advised that the June 21, 2011, P&Z Board meeting is the last meeting before the summer recess. Ms. Simpson reviewed the issues under consideration by the P&Z Board and items for future consideration.

**Commr. Younger moved to forward Item 20 regarding the Town's Goals and Objectives/Vision Plan forward. The motion was seconded by Commr. Duncan.**

Vice Mayor Brenner expressed concern on moving the individual items forward to the P&Z Board without consideration of the entire plan. Discussion ensued on the intent to clarify the Commission direction to the P&Z Board, time frame for consideration by the P&Z Board, and the planning process for a long range plan.

**Upon inquiry, Mayor Brown stated the motion to forward items separately to the Planning and Zoning Board for consideration and discussion in accordance with the Subcommittee's document and recommendations.**

**The motion carried by a 4-3 roll call vote, as follows: Younger, aye; Duncan, aye; Lenobel, no; Larson, aye; Zunz, aye; Brown, no; Brenner, no.**

21. Appointments to Town Boards and Committees

Appointments for the expiring or open seats on Town Boards and Committees (Planning & Zoning Board, Zoning Board of Adjustment, Code Enforcement Board), were considered at the May 2, 2011 Regular Meeting. As a result of the appointments, a vacancy was created on the Code Enforcement Board (Seat 1), and subsequently a resignation was received from a member of the Zoning Board of Adjustment (Seat 5), creating a vacancy. Recommended Action: Pending discussion, formalize appointments to Town Boards and Committees.

21. Appointments to Town Boards and Committees - Continued

Following comments by Mayor Brown on the process for appointment, Town Clerk Granger proceeded with a roll call for the appointment to Seat 5 on the Zoning Board of Adjustment (ZBA), as follows:

Mayor Brown cast a ballot for Mr. Thomas Bijou.  
Vice Mayor Brenner cast a ballot for Mr. Thomas Bijou.  
Commr. Younger cast a ballot for Mr. Thomas Bijou.  
Commr. Larson cast a ballot for Mr. Thomas Bijou.  
Commr. Duncan cast a ballot for Mr. Thomas Bijou.  
Commr. Zunz cast a ballot for Mr. Thomas Bijou.  
Commr. Lenobel cast a ballot for Ms. Jean White.

**Mr. Thomas Bijou was appointed to Seat 5 on the ZBA to serve a partial term, expiring on May 9, 2012.**

Town Clerk Granger proceeded with a roll call for the appointment to Seat 1 on the Code Enforcement Board (CEB), as follows:

Vice Mayor Brenner cast a ballot for Ms. Jean White.  
Commr. Younger cast a ballot for Ms. Jean White.  
Commr. Larson cast a ballot for Ms. Jean White.  
Commr. Duncan cast a ballot for Ms. Jean White.  
Commr. Zunz cast a ballot for Ms. Jean White.  
Commr. Lenobel cast a ballot for Ms. Jean White.  
Mayor Brown cast a ballot for Ms. Jean White.

**Ms. Jean White was appointed to Seat 1 on the CEB with a term expiring on May 8, 2013.**

22. Appointment of Members to the Finance Committee as a Subcommittee of the Town Commission

At the May 26, 2011 Regular Workshop Meeting there was consensus for creation of a Finance Committee to be advisory to the Town Commission. The Town Commission will appoint members to serve on the Finance Committee at the June 6, 2011 Regular Meeting. Recommended Action: Pending discussion, formalize Town Commission appointments to Finance Committee.

**Commr. Younger nominated Commr. Larson. Commr. Duncan nominated Vice Mayor Brenner. Commr. Larson nominated Commr. Duncan.**

**As no further nominations were made, Vice Mayor Brenner and Commrs. Larson and Duncan were appointed to serve on the Finance Committee.**

6. FDOT Gulf of Mexico Drive Signage Plan - Continued

The Town Commission's adoption of Ordinance 2011-17, regulating parking in the Gulf of Mexico Drive (GMD) right-of-way allowed the FDOT to finalize the comprehensive signage plan for the GMD corridor. At the May 26, 2011 Regular Workshop Meeting FDOT representatives presented proposed modifications to the signage plan to the Commission. Those recommendations are placed on the June 6, 2011 Regular Meeting

6. FDOT Gulf of Mexico Drive Signage Plan - Continued

Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda formalizes Commission approval of the FDOT GMD Signage Plan.

Commr. Duncan noted concern with the limited parking areas during the Christ Church Sunday services and possible overflow into the neighborhood and requested that adequate signage be provided on right-of-way relating to the "No Parking" restrictions.

Police Chief Al Hogle noted previous discussions with Church officials, advised that the Church has agreed to hire off-duty Police Officers to provide no parking enforcements, and noted that the Police Department has temporary signs that will be utilized during the services. Chief Hogle advised that if the matter becomes an issue, he will advise the Town Manager for further action.

**Vice Mayor Brenner moved to approve the FDOT Gulf of Mexico Drive Signage Plan. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Brenner, aye; Younger, aye; Larson, aye; Duncan, aye; Zunz, aye; Lenobel, aye; Brown, aye.**

### 23. Other Business

Town Manager Bruce St. Denis advised that Sarasota Board of County Commissioners will be considering redistricting and advised that the City of North Port had submitted proposed revisions to the County's plan. Town Manager St. Denis requested direction as to Staff or Commission attendance at one of the scheduled public hearings to present the Town's position.

Town Clerk Trish Granger provided an overview of the County's versus the City of North Port's proposed district boundaries separating Longboat Key from other island communities, advised of statutory requirements for Districts to be contiguous, and noted the Sarasota County public hearing schedule to consider the District boundaries.

Mayor Brown inquired as to attendance conflicts due to the Commission schedule and Town Manager St. Denis advised that a Staff member could attend to present the Town's position.

Vice Mayor Brenner noted that he had sent correspondence acting individually and commented on the responses received from the Commissioners. Individual comments followed on the options available to the Sarasota County Board of Commissioners with statutory restrictions relating to contiguous boundaries for Districts.

## **TOWN COMMISSION COMMENTS**

### A. Public Works/Transportation

Commr. Younger commented on the editorial comment from Sarasota Herald Tribune writer Jim Brown relating to traffic circles.

**TOWN COMMISSION COMMENTS** - Continued

**B. Public Works/Beaches**

Commr. Duncan inquired as to the process relating to moving forward on the Town's Comprehensive Beach Management Plan.

Town Manager Bruce St. Denis advised that the Town Commission needs to consider the revised Comprehensive Beach Management Plan, noting he will schedule a discussion on an upcoming agenda, and commented on and suggested the Commissioners view the North end project.

**C. Budgets**

Commr. Larson inquired and Town Manager Bruce St. Denis commented on the Budget Workshops schedule.

**D. Public Works**

Vice Mayor Brenner commented on receipt of an e-mail from Mr. Tom Freiwald relating to the seawall on the Yonkers property. Town Manager Bruce St. Denis advised that the permitting is tied to the Florida Department of Environmental Protection (FDEP) and noted that the project was moving forward contingent on recent improvements and repairs. Vice Mayor Brenner requested that someone make contact with the property owner about the issue and Town Manager St. Denis advised that he would provide information at a later date.

**E. Legislative Delegation**

Vice Mayor Brenner requested that a Legislative Delegation list be prepared and distributed to the Commissioners at the Federal/State/County levels with contact information.

**F. Organizations**

Vice Mayor Brenner noted meeting conflicts for the Sarasota County Tourist Development Council and the Manatee County Economic Development Council and requested consideration to request that Mr. Michael Welly attend the Sarasota County meeting and Mr. Tom Aposporos to attend the Manatee County meeting and to provide a report back to the Commission on issues discussed and any actions taken.

**Mayor Brown noted Commission consensus to provide authorization to Mr. Welly and Mr. Aposporos.**

**G. Budgets**

Commr. Duncan inquired as to an option for the assessment of an ad valorem tax for funding future beach renourishment projects and requested the item be included on a future Workshop agenda.

Following individual comments, Town Manager Bruce St. Denis advised he would schedule the item for discussion.

**TOWN ATTORNEY COMMENTS**

**A. Town Commission**

Town Attorney David Persson commented on the establishment of the Finance Committee, clarifying his comments regarding Charter requirements relating to Staff direction from the Town Manager.

**B. Town Commission**

Town Attorney David Persson noted the Emergency Management training to be attended by the Commission, advised that it was for training purposes only, and confirmed that no issues could be discussed that may be considered by the Town Commission in the future at an advertised meeting.

**C. Planning, Zoning, and Building/Boards and Committees**

Town Attorney David Persson advised that the Planning and Zoning (P&Z) Board would be considering Comprehensive Plan Amendments at their June meeting and inquired as to the Town Commission's preference to hold a Special Meeting for second reading of any proposed Ordinance.

**D. Town Commission**

Town Attorney David Person noted receipt of correspondence from Mr. Bradford Saivetz and requested Commission direction on responding to citizen inquiries versus responding to Town Commission issues.

Mayor Brown advised that he had responded to the correspondence on behalf of the Town.

**Following comments, Mayor Brown noted consensus for the Town Attorney to not respond to citizen correspondence unless authorized by the Town Commission or Town Manager.**

**E. Legislation/Growth Management**

Town Attorney David Persson commented on recent State legislation impacting the Town's Charter referendum process and advised that moving forward there are no provisions for referendums.

Mayor Brown noted discussions with Representatives Ray Pilon and Jim Boyd who have advised they will assist the Town during the next legislative session and upon inquiry, Town Attorney Persson advised that the Town will be required to comply with the 1984 Comprehensive Plan and will not be able to schedule a referendum to increase density not assigned through the 1984 density cap. Discussion ensued on provisions and density restrictions provided for in the 1984 Comprehensive Plan.

Planning, Zoning, and Building Department Director Monica Simpson noted the Planning and Zoning Board is reviewing Comprehensive Plan Amendments to create a Whitney Beach Overlay District and inquired as to the proposed residential units to be clustered in the Overlay District. Town Attorney Persson advised that a density shift may be possible but will require review.

**TOWN ATTORNEY COMMENTS** - Continued

**E. Legislation/Growth Management** - Continued

Town Attorney Persson commented on the status of any challenges to the Town Charter and the issues a future applicant may be faced with.

Vice Mayor Brenner inquired on the impact to the tourism status extension granted to the Colony property and Town Attorney Persson advised that the issue would arise if the extension expires.

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

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

**ADJOURNMENT**

**Mayor Brown adjourned the June 6, 2011, Regular Meeting at 9:38 p.m.**

/s/ Trish Granger  
Trish Granger, Town Clerk

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

Minutes Approved: 07/11/2011