

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
APRIL 4, 2011 - 7:00 P.M.**

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

**Also Present:** Town Manager Bruce St. Denis, Town Attorney David Persson, Town Clerk Trish Granger

(Note: Commr. Siekmann resigned from District 5 Seat on March 24, 2011.)

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS AND SPECIAL PRESENTATIONS** - No items were presented.

**MINUTES APPROVAL**

1. February 17, 2011 Regular Workshop Meeting; March 2, 2011 Special Meeting Impasse Hearing; March 7, 2011 Regular Meeting; and March 15, 2011 Special Meeting Minutes.

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

**COMMITTEE REPORTS AND COMMUNICATIONS**

**A. Public Works**

Following comments by Town Manager Bruce St. Denis, Public Works Director Juan Florensa provided an overview of the issues relating to the two sanitary sewer lines being repaired, reviewed the process for the repairs, and noted the anticipated time frame for the completion of the repairs.

Town Manager St. Denis commended the work of the Public Works staff, outside contractors, and the Florida Department of Transportation (FDOT).

Mr. Florensa noted the cooperation of Manatee County Utilities staff in assisting the Town.

**B. Organizations**

Vice Mayor Brenner provided a status report on the Trolley Committee, noting that ridership had increased and that the distribution of the schedule is proceeding.

**C. Organizations**

Vice Mayor Brenner noted attendance at a seminar sponsored by the Institute on Public Policy.

**D. Organizations**

Mayor Brown noted attendance at the Metropolitan Planning Organization (MPO) meeting and reviewed the items discussed.

**COMMITTEE REPORTS AND COMMUNICATIONS** - Continued

E. Town Commission

Mayor Brown noted that Commr. Larson's grandchildren were in attendance.

**PUBLIC TO BE HEARD**

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

**ORDINANCES - FIRST READING**

3. Ordinance 2011-17, Amending Chapter 74, Parking Schedules

The Florida Department of Transportation (FDOT) prohibits parking in the State right-of-way along Gulf of Mexico Drive (GMD), with few exceptions. Ordinance 2011-17 proposes to codify that parking in the GMD right-of-way is prohibited Island-wide, except for lawfully non-conforming parking areas. Recommended Action: Pending first reading and discussion, forward Ordinance 2011-17 to the May 2, 2011 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2011-17 on record by title only for first reading.

**Commr. Duncan moved to pass Ordinance 2011-17 on first reading and to forward to the May 2, 2011, Regular Meeting for second reading and public hearing. The motion, seconded by Commr. Larson, carried by a 6-0 roll call vote, as follows: Duncan, aye; Larson, aye; Younger, aye; Brenner, aye; Brown, aye; Lenobel, aye.**

**ORDINANCES - SECOND READING AND PUBLIC HEARING**

4. Ordinance 2011-11, Application for Change of Street Name

Public hearing to consider Ordinance 2011-11, an application submitted by Collier-Walker Real Estate Holdings, Ltd., seeking a street name change from Triton Avenue to Triton Bend. The Town Commission held first reading of Ordinance 2011-11 at the March 7, 2011 Regular Meeting and forwarded to the April 4, 2011 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2011-11.

Town Clerk Trish Granger placed Ordinance 2011-11 on record by title only for second reading and public hearing.

**Commr. Lenobel moved to adopt Ordinance 2011-11. The motion was seconded by Commr. Larson.**

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

**The motion carried by a 6-0 roll call vote, as follows: Lenobel, aye; Larson, aye; Duncan, aye; Brenner, aye; Younger, aye; Brown, aye.**

**RESOLUTIONS**

**5. Resolution 2011-15, Waste Management CPI and Fuel Adjustment**

The Town has a Franchise Agreement with Waste Management (Ordinance 06-24) that provides for an annual CPI and fuel adjustment. This year the rate adjustment results in a rate increase for all Longboat Key customers. Resolution 2011-15 is forwarded for your consideration in approving the franchise rate adjustments effective April 1, 2011. Recommended Action: Pending discussion, pass Resolution 2011-15.

Town Clerk Trish Granger placed Resolution 2011-15 on record by title only.

**Vice Mayor Brenner moved to pass Resolution 2011-15. The motion, seconded by Commr. Duncan, carried by a 6-0 roll call vote, as follows: Brenner, aye; Duncan, aye; Lenobel, aye; Younger, aye; Larson, aye; Brown, aye.**

**6. Resolution 2011-16, Authorizing the Execution and Delivery of an Interlocal Agreement Among the Town of Longboat Key, Longboat Key Beach Erosion Control District A, and Longboat Key Beach Erosion Control District B.**

Resolution 2011-16 provides authorization for the Town to enter into an interlocal agreement with Longboat Key Beach Erosion Control Districts A and B for implementation of financing, construction, acquisition, operation and maintenance of the beach project that was approved by the Town's voters during the March 15, 2011 General Municipal Election. Recommended Action: Pending discussion, pass Resolution 2011-16.

Town Clerk Trish Granger placed Resolution 2011-16 on record by title only.

**Commr. Younger moved to pass Resolution 2011-16. The motion, seconded by Vice Mayor Brenner, carried by a 6-0 roll call vote, as follows: Younger, aye; Brenner, aye; Brown, aye; Larson, aye; Lenobel, aye; Duncan, aye.**

**NEW BUSINESS**

**7. Appointment to Fill Vacancy of District 5 Town Commission Seat Due to Resignation of Commissioner Siekmann**

On March 24, 2011 Commissioner Bob Siekmann submitted a letter of resignation for the District 5 Commission Seat effective immediately. The Town Charter Article II, Section 8 provides options to fill the vacancy. Recommended Action: Pending discussion, provide direction to Manager.

Mayor Brown noted that Mr. Jeremy Whatmough and Mr. Ron Johnson had expressed interest in the appointment to represent District 5 via e-mail correspondence.

**Vice Mayor Brenner commented on and nominated Ms. Pat Zunz.**

Mayor Brown inquired and following comments from Town Attorney David Persson, Town Clerk Trish Granger advised that a nomination should be stated for the record and for consideration by the Town Commission.

**Commr. Lenobel nominated Mr. Jeremy Whatmough.**

7. Appointment to Fill Vacancy of District 5 Town Commission Seat - Continued  
**Following comments by Mayor Brown, Commr. Larson nominated Mr. Ron Johnson.**

Town Clerk Granger proceeded with a roll call for the appointment to Town Commission District 5 Seat, effective until March 2012, as follows:

- Vice Mayor Brenner cast a ballot for Ms. Zunz.**
- Commr. Younger cast a ballot for Ms. Zunz.**
- Commr. Larson cast a ballot for Mr. Johnson.**
- Commr. Duncan cast a ballot for Ms. Zunz.**
- Commr. Lenobel cast a ballot for Mr. Whatmough.**
- Mayor Brown cast a ballot for Ms. Zunz.**

Town Clerk Granger announced the appointment of Ms. Zunz with four votes.

**Mayor Brown requested and Town Clerk Granger administered the Oath of Office to Ms. Patricia Zunz for Town Commission District 5 seat.**

8. Commission Appointments to Committees Named in Town Code and to Outside Agencies

The Town Commission will consider appointments of its members to committees named in the Town Code or as required by outside agencies. This item was forwarded from the March 24, 2011 Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, formalize appointments of Commissioners.

Following comments by Mayor Brown on the resignation of Commr. Siekmann and the appointments previously assigned, the following appointments were made:

<b>Committee/Agency</b>	<b>Appointee Information</b>	<b>2011 Appointments</b>
Investment Advisory Committee	Three or more members of Town Commission	Commr. Larson Commr. Duncan Vice Mayor Brenner
<b>Outside Agencies</b>	<b>Appointee Information</b>	
Coalition of Barrier Island Elected Officials	Mayor	Mayor Brown Alternate: Vice Mayor Brenner
Manatee County Council of Governments	Mayor	Mayor Brown Alternate: Vice Mayor Brenner
Sarasota County Council of Governments	Mayor	Mayor Brown Alternate: Vice Mayor Brenner
Special Liaison to Manatee County	Any Commr.	Commr. Zunz Alternate: Commr. Lenobel

8. Commission Appointments to Committees Named in Town Code and to Outside Agencies

<b>Outside Agencies</b>	<b>Appointee Information</b>	<b>Appointed</b>
Special Liaison to Sarasota County	Any Commr.	Commr. Duncan Alternate: Commr. Younger
ManaSota League of Cities	Any Commr.	Commr. Duncan Alternate: Commr. Larson
Metropolitan Planning Organization	Any Commr.	Commr. Younger Alternate: All Other Commrs.
Sarasota Co. Tourism & Economic Development Board (TEDB) *This is a Sarasota County Advisory Board.	Any Commr.	Vice Mayor Brenner Alternate: Commr. Duncan
Economic Development Corporation of Sarasota County (EDC). (*This is a private sector Board.)	Any Commr.	Vice Mayor Brenner Alternate: Commr. Duncan
Sarasota County Tourist Development Council (TDC)	Any Commr.	Vice Mayor Brenner Alternate: Commr. Duncan
Manatee County Tourist Development Council (TDC)	(No designated voting privilege.) Any Commr.	Vice Mayor Brenner Alternate: Commr. Younger
Water Alliance Board	Any Commr.	Commr. Younger
Sarasota Bay Estuary Program Board of Directors	Any Commr.	Commr. Larson Alternate: Commr. Zunz
Criminal Justice Commission City-County Corrections Work Group	Any Commr.	Commr. Lenobel
West Coast Inland Navigation District (WCIND)	Any Commr.	Mayor Brown Alternate: Commr. Larson
EDC of Manatee County Chamber of Commerce	Any Commr.	Vice Mayor Brenner Alternate: N/A
<b>Florida League of Cities Legislative Councils</b>		
Voting Delegate	Any Commr.	Mayor Brown Alternate: Vice Mayor Brenner
Island Transportation Planning Organization (ITPO)	Honorary - LBK not part of the Interlocal Agreement	N/A

9. Legislative Update

This item is placed on the April 4, 2011 Regular Meeting agenda to provide an opportunity for the Town Commission to discuss, and take positions on, issues being considered in the Legislative Session. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis commented on House Bill (HB) 883/Senate Bill (SB) 476 relating to rental timeframes, advised that he had forwarded the pension legislation update, and noted that the item will be included on each Agenda until the end of the Legislative Session. Upon inquiry, Town Manager St. Denis advised that any time sensitive issues would be provided to the Mayor for his direction for a response with copies to the Town Commissioners.

**TOWN COMMISSION COMMENTS**

A. Organizations

Commr. Duncan noted action taken at the March 24, 2011, Workshop encouraging the development of a Revitalization Committee and requested consideration to provide a meeting location for the Committee.

Subsequent to comments by Town Manager Bruce St. Denis, Town Attorney David Persson noted that no conflict is created in providing a meeting room.

**Mayor Brown noted consensus to provide authority to the Town Manager to work with representatives of the Revitalization Committee relating to meeting rooms.**

B. Public Works/Animal Control

Vice Mayor Brenner commented on a newspaper article relating to removal of the peacocks and Town Manager Bruce St. Denis noted discussions at a previous Town Commission meeting and advised that he had spoken with Mr. Michael Drake relating to the contact person for the Village Association as it pertains to peacock removal.

Commr. Younger indicated that the issue has been scheduled on the next Workshop agenda.

Commr. Zunz requested information relating to any health issues raised by residents.

Commr. Larson requested that Manatee and Sarasota Counties be contacted to work with the Town on nuisance animal control and Town Manager St. Denis advised that representatives from Manatee County and the Florida State Wildlife Division had previously addressed the Commission on their policies relating to nuisance wildlife and noted that Staff was developing a brochure on wildlife issues for residents.

Manatee County District 3 Commissioner John Chappie commented on the County's policy and procedures relating to nuisance wildlife.

Town Manager St. Denis advised that he would contact representatives of the City of Sarasota regarding their animal control issues.

**TOWN ATTORNEY COMMENTS**

A. Ordinances/Government Agencies

Town Attorney David Persson commented on correspondence with Sarasota County relating to "pill mills"/pain medication centers and the County's inquiry as to Longboat Key's interest in being included in the legislation and subsequent inclusion of the Manatee County portion of the island if Manatee County proceeds with any type of regulations.

**TOWN MANAGER COMMENTS**

**A. Board and Committee Appointments**

Town Manager Bruce St. Denis noted that consideration of appointments to the Town's Boards and Committees and inquired as to the commission's interest in scheduling a Meet and Greet with the applicants during the week of April 25, 2011.

**There was consensus to schedule a Meet and Greet prior to the May 2011 appointments.**

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

**ADJOURNMENT**

**Mayor Brown adjourned the April 4, 2011, Regular Meeting at 7:56 p.m.**

*/s/ Trish Granger* \_\_\_\_\_  
Trish Granger, Town Clerk

*/s/ James L. Brown* \_\_\_\_\_  
James L. Brown, Mayor

Minutes Approved: 07/11/2011