

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP MEETING
MARCH 24, 2011 - 1:00 P.M.**

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

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

Absent: Commrs. Lenobel and Siekmann

CALL TO ORDER

The Regular Workshop Meeting of the Longboat Key Town Commission was called to order at 1:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

PLEDGE OF ALLEGIANCE

Mayor Brown requested and Vice Mayor Brenner led the Pledge of Allegiance.

Mayor Brown noted Commr. Lenobel would be absent from the meeting and advised that Commr. Siekmann had resigned his Commission Seat earlier this date.

COMMITTEE REPORTS AND COMMUNICATIONS

1. Manatee County Special Liaison Report- No items were presented.

2. Sarasota County Special Liaison Report

A. Organizations

Vice Mayor Brenner commented on the activities of the Sarasota County Tourist Development Council (TDC) and the Sarasota County Economic Development Corporation (EDC) and noted attendance at the Argus Foundation luncheon and receipt of an invitation to attend the Tampa Bay Partnership meeting.

3. Employee Service Awards – Eva Waldroup – 10 Years of Service

Mayor Brown read and presented a 10 year service award to Employee Eva Waldroup. Town Clerk Trish Granger commented on Ms. Waldroup's service to the Town.

4. Other Reports - Sarasota County Economic Development Corporation (EDC) Annual Report - Kathy Baylis, President/CEO and David Sessions, Chair of the EDC Board

Mr. David Sessions and Ms. Kathy Baylis presented a PowerPoint presentation on the Annual Report of the EDC.

Vice Mayor Brenner noted the benefit for the Town's participation in the organization.

Mayor Brown inquired and Ms. Baylis commented on the recent newspaper articles relating to the Jackson Laboratories.

PUBLIC TO BE HEARD

5. Opportunity for Public to Address Town Commission

A. Planning, Zoning, and Building

Following comments commending the service of the Town Commission, Dr. Klauber and Ms. Katie Moulton commented on the disrepair of the Colony property, opined of hazardous conditions it presents to residents and visitors, supported the continued monitoring of the property by the Planning, Zoning, and Building and Fire Departments relating to safety concerns, and recommended that the property not be reopened until all repairs were completed.

Following individual comments, Vice Mayor Brenner noted that he would visit the property on March 25, 2011, at 9:00 a.m.

B. Planning, Zoning, and Building

Mr. David Karins commented on the repairs being completed on the Colony property

Following comments by Town Manager Bruce St. Denis, Planning, Zoning, and Building (PZB) Department Director Monica Simpson noted the actions completed to date and the status of future inspections for the property.

Town Attorney David Persson noted that Staff is responsible for the determination on repairs and health/safety issues and that PZB Director Simpson is the contact person for the Town and commented on individual visits to the property.

C. Organizations/Animal Control

The following individuals commented on issues related to the peacock population in the Village: Ms. Colette Lafuente, Ms. Lillian Sands, Ms. Gail Wyer, and Mr. James Braha.

Commr. Younger advised that he had requested that the peacock issue be placed on the April workshop agenda for additional discussion.

Town Manager Bruce St. Denis advised that the Town will work with a representative of the Village Association when someone is appointed.

D. Planning, Zoning, and Building Department

Mr. Don Engels, Spanish Main South, commented on cell tower services.

Planning, Zoning, and Building Department Director Monica Simpson commented on a petition received for a cell tower and noted the review was in progress.

E. Pension Plans

Mr. David Nadin, Fox Street, commented on the Town's pension plans and suggested that the Town move to a different type of pension benefit.

5. Opportunity for Public to Address Town Commission - Continued

E. Pension Plans - Continued

Mayor Brown noted that meetings will be held in the near future to discuss options relating to employee pensions.

F. Planning, Zoning, and Building Department

Mr. Larry Grossman, St. Judes Drive, commented on the status of the Vision Plan.

G. Organizations

Mr. Tom Aposporos, President of the Longboat Key, Lido Key, and St. Armands Key Chamber of Commerce, Gulf of Mexico Drive, noted distribution of brochures for the Transit Route 18 service hours that are now in effect.

CONSENT ITEMS

6. Proposed 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. Proposed Resolution 2011-15 is forwarded for your consideration in approving the franchise rate adjustments effective April 1, 2011. Recommended Action: Approval of the Consent Agenda will forward Resolution 2011-15 to the April 4, 2011 Regular Meeting for formal action.

7. Update Regarding Building Plan Review and Inspections Services – Status of Proposed Fee Development

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 and to provide periodic updates regarding the status. Recommended Action: None, informational only.

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

At their March 15, 2011 Meeting the Planning & Zoning (P&Z) Board recommended approval of proposed Ordinance 2011-04 which amends Town Code Chapter 158.027, Appeals to correct a scrivener's error. This item is housekeeping in nature and is placed on the March 24, 2011 Regular Workshop Consent Agenda. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-04 to the May 2, 2011 Regular Meeting for first reading and public hearing.

There was consensus to close and approve the Consent Agenda in accordance with Staff's reports and recommendations.

DISCUSSION ITEMS

9. Police Department Presentation

At the February 17, 2011 Regular Workshop Meeting the Town Commission asked for each of the Town's department directors to provide a departmental overview at an upcoming workshop meeting. Police Chief Al Hogle will present a brief overview of the Police Department operations, budget and services provided to citizens. Recommended Action: None, informational only.

9. Police Department Presentation - Continued

Police Chief Al Hogle gave a PowerPoint presentation on the services provided by the Police Department. Upon inquiry, Chief Hogle reviewed the training on the use of tasers.

10. Fire-Rescue Department Presentation

At the February 17, 2011 Regular Workshop Meeting the Town Commission asked for each of the Town's department directors to provide a departmental overview at an upcoming workshop meeting. Fire Chief Paul Dezzi will present a brief overview of the Fire-Rescue Department operations, budget and services provided to citizens. Recommended Action: None, informational only.

Fire Chief Paul Dezzi gave a PowerPoint presentation on the services provided by the Fire Department. Upon inquiry, Fire Chief Dezzi introduced the Fire staff in the audience.

Discussions were held on the following topics/issues:

- possible communication losses in high-rise fires
- optional communication technology
- number of vehicles responding to a call (ambulance, ladder truck, police car)
- anticipated reduced revenues and impact in reducing Fire Department budget
- efficient utilization of equipment for non-emergency type services
- perception problem on number of vehicles/responses to calls.

RECESS: 3:05 p.m. - 3:16 p.m.

15. Bayfront Park Recreation Center Development - Update Regarding Building Options and Financing

At the request of Mayor Brown, the Town Commission will discuss the proposed development for the Bayfront Park Recreation Center site and the adjacent property (formerly known as the Albritton property) acquired by Sarasota County Parks and Recreation. Recommended Action: Pending discussion, provide direction to Manager.

Mayor Brown noted his request for an update on the project.

Town Manager Bruce St. Denis noted the Town's partnership with Sarasota County and provided background information on the project.

Planning, Zoning, and Building Department Director Monica Simpson provided information on the transmittal of the proposed Comprehensive Plan Amendments for the property and the "no comment" response from the Florida Department of Community Affairs (FDCA). Ms. Simpson noted the limitations on submittal of Comprehensive Plan amendments and the time frame for consideration, the impact of future Comprehensive Plan amendments being considered by the Planning, and Zoning Board, and consideration to combine submissions.

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

15. Bayfront Park Recreation Center Development - Update Regarding Building Options and Financing - Continued

- consideration on combining Comprehensive Plan amendment items
- time frame for consideration

- rezoning process time frame
- consideration of current restrictions on the property relating to previous development agreements
- time frame for a referendum to fund the project
- consideration of the project by the Planning and Zoning (P&Z) Board
- options to move forward and implications on other projects in process
- funding requirements and funding sources
- inclusion of a Community Center on the property/fund raising options.

11. Discussion Regarding Economic Revitalization on Longboat Key

At the February 17, 2011 Regular Workshop Meeting there was consensus to forward the subject of Economic Revitalization on Longboat Key to a future workshop for additional discussion. This item is scheduled for the March 24, 2011 Regular Workshop Meeting for Commission consideration and direction. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis provided an overview on previous consideration of options for revitalization. Individual comments followed on the opportunities available throughout the Town.

Mr. George Spoll, Harbourside Drive, submitted a document entitled "Revitalization Task Force" outlining a mission and guidelines for a committee if determined to be beneficial to the Town. Discussions were held on the following topics/issues:

- consideration to have a citizen's group versus a Town Commission Sub-Committee
- options for formulation and development of a citizen's committee
- proposed number of committee members/options for a "core" group or steering committee within the group
- reports relating to age groups residing on Longboat Key
- options for development of committee/separation from Town Commission
- public funding options
- intent of committee/interaction with Town staff
- options for an independent committee similar to the Public Interest Committee (PIC)
- previous sub-committee of the Longboat Key, Lido Key, St. Armands Key (LLSA) Chamber of Commerce.

Mr. Larry Grossman, St. Judes Drive, commented on the directives outlined in the Vision Plan relating to redevelopment/revitalization and supported establishment of a committee/task force.

11. Discussion Regarding Economic Revitalization on Longboat Key - Continued

Town Manager St. Denis inquired and Town Attorney Persson advised that if a committee/task force is established by the Town Commission, it is subject to the Sunshine and Public Records requirements.

Following comments, Town Attorney Persson commented on the restrictions on a public versus private committee as it pertains to record keeping and Sunshine Law.

Mr. Tom Aposporos, Gulf of Mexico Drive, commented on opportunities to promote revitalization throughout the Town.

Mr. Michael Welly, Gulf of Mexico Drive, commented on economic considerations, age range of new residents, and future opportunities to promote Longboat Key.

There was consensus to support the concept of an Economic Revitalization Task Force Committee, to operate independent of the Town.

16. Discussion Regarding Proposal to Serve Beer and Wine at the Longboat Key Public Tennis Center

The Town Manager is seeking Commission direction regarding offering the sale of beer and wine at the Tennis Center. The Town Manager will be asking for Town Commission conceptual approval on whether to move forward with the actions that would be necessary to make the sale of beer and wine possible. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis requested direction on the request to allow beer and wine sales at the Public Tennis Center.

Mr. Randy Langley, Cedars Court, noted objection to permitting alcoholic beverages on public property.

Discussions were held on charges at public tennis centers and enforcement issues relating to keeping beverages in designated places and on-site consumption.

There was consensus to deny the request to permit the sale of alcoholic beverages at the Public Tennis Center.

RECESS: 4:40 p.m. - 4:55 p.m.

12. Island-Wide Beach Project Discussion

The Town Manager will discuss a process for the Town Commission to provide direction on a number of issues including establishing parameters for a future island-wide beach project. This direction will provide the framework for the Town's beach consultants to seek permits, identify potential sand sources, and create a design for future projects. Recommended Action: Pending discussion, provide direction to Manager.

12. Island-Wide Beach Project Discussion - Continued

Town Manager Bruce St. Denis commented on the Comprehensive Beach Management Plan (CBMP) and the necessity to revise the plan, options to schedule individual meetings to provide historical information, and the time frame for any proposed revisions to the Plan. Discussions were held on the following topics/issues:

- time frame for consideration of revisions to the CBMP
- issues to be considered prior to expending funds to engage Coastal Planning and Engineering (CP&E)
- actions taken requiring amendments to the CBMP
- options to conduct a peer review prior to meeting with CP&E (See Item 13 later this meeting.)
- time frame for completion of a peer review
- Scope of Services, page 2 of Dr. Bodge's correspondence (Item 13 paperwork)
- purpose of peer review to make recommendations for changes or to confirm the CBMP as written
- time frame for project work and modifications
- renourishment cycle period

There was consensus to complete a peer review prior to meeting with CP&E.

13. Scope of Services and Cost for Peer Review of Town's Comprehensive Beach Management Plan

The Town Commission directed the Town Manager to have a peer review conducted of the Town's Comprehensive Beach Management Plan. Dr. Kevin Bodge, Senior Engineer and Vice-President of Olsen Associates, Inc. has submitted a proposed scope of work and cost for this review. The Town Manager will seek Commission direction and authorization to proceed with the peer review. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis requested confirmation on the issues outlined in the peer review scope of work submitted.

Commr. Larson requested that a review of additional structures that might possibly extend the retention of sand and Town Manager St. Denis suggested the inclusion of an additional question to read: "Would additional structures extend project life?", without objection.

There was consensus to complete a peer review with the proposed scope of work, as amended.

14. Beach Referendum Validation Discussion

On March 15, 2011 voters approved a beach bond referendum for \$16 million for sand placement and for erosion control structures on the North end. The Town Manager and Town Attorney will seek Commission direction regarding validation of the beach referendum. Recommended Action: Pending discussion, provide direction to Manager.

14. Beach Referendum Validation Discussion - Continued

Town Manager Bruce St. Denis apologized for the technical advertising error, commented on the option to hold a new election or proceed through the validation process, advised that there was not adequate time to have a Special Legislative Act approved, and reviewed the validation process.

Town Attorney David Persson commented on the opinion of Bond Attorney Dan Livermore and consideration of the issue by the local courts.

Town Manager St. Denis noted his recommendation to proceed with the validation process. Upon inquiry, Town Manager St. Denis noted the contacts made in Tallahassee relating to the Special Legislative Act and the time restrictions for advertising the Special Legislative Act.

Following individual comments, there was consensus to proceed with the validation process.

17. Preliminary Budget Discussion

The Town's Finance Director will present the status of the current year's budget and preliminary budget information regarding the FY 2011-12 Budget and process. Recommended Action: Pending discussion, provide direction to Manager.

Finance Director Thomas Kelley provided an overview of the revenue funds received to date and noted the funds are lower than anticipated, commented on pension fund contributions, and fund balances.

Finance Director Kelley commented on the upcoming budget year and advised that Staff used an estimated seven percent (7%) reduction in property values for the upcoming fiscal year.

Vice Mayor Brenner advised that Sarasota County was utilizing a 7% value reduction in their calculations at the current time. Discussions were held on the following topics/issues:

- utilization of reserve funds
- options to eliminate all overtime
- comments made at the March 23, 2011 Special Meeting of the Firefighters Retirement System Board of Trustees
- payout of vacation and sick leave
- options to pay out ½ of accrued sick leave at current rate of pay
- review employee benefits for reductions
- explanation for the franchise fee reduction
- \$1M set-aside for pension
- lack of support for a tax increase
- balance of Commission travel and reimbursement accounts
- request to provide three-year budget comparison year-to-date
- delay in providing accounting statements
- support to automate financial systems

17. Preliminary Budget Discussion - Continued

- options to outsource financial responsibilities
- time frame for consideration of budget figures
- options to increase efficiencies through automated processes
- funding sources for purchasing "off the shelf" software for Utility services
(Commr. Larson requested that programs and costs be explored.)
- new programs being initiated through Management Information Services (MIS).

Town Manager St. Denis advised that updates will be provided between current time and the release of the preliminary budget on June 1, 2011.

18. Proposed 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 proposed Ordinance 2011-10. This item has been placed on the March 24, 2011 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Planning, Zoning, and Building Department Planner Steve Schield provided an overview of proposed Ordinance 2011-10. Discussions were held on the following topics/issues:

- options outlined in the proposed Ordinance
- option to put fence on outside/hedge on inside not included in proposed regulations.
- current restrictions on hedges/fences
- required waterfront yard height restrictions
- compliance with development requirements

There was consensus to forward Ordinance 2011-10 for first reading and public hearing to the May 2, 2011, Regular Meeting.

19. Proposed 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. The Town of Longboat Key Code of Ordinances currently enforces the FDOT regulations by prohibiting parking at any place that is posted with a FDOT "no parking" sign, resulting in a multitude of these signs. Staff determined the feasibility of removing a number of "no parking" signs as a result of consultations with the Town's Police Chief, the Town Attorney, and FDOT representatives. Ordinance 2011-17 proposes to codify that parking in the GMD right-of-way is prohibited Islandside, except for lawfully non-conforming parking areas. Recommended action: Pending discussion, provide direction to the Manager.

Planning, Zoning, and Building Department Planner Ric Hartman provided an overview of proposed amendments to Chapter 74, Parking Schedules.

19. Proposed Ordinance 2011-17, Amending Chapter 74, Parking Schedules - Continued

Commr. Larson inquired and discussion ensued on the installing lane reflectors abutting the bicycle lanes.

There was consensus to forward Ordinance 2011-17 to the April 4, 2011, Regular Meeting for first reading.

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

Each year at this time the Town Commission considers appointments of its members to committees named in the Town Code or as required by outside agencies. A list of last year's appointments is provided for review and consideration for appointment or reappointment. Recommended Action: Pending discussion, forward Commissioner appointments to the April 4, 2011 Regular Meeting Consent Agenda for formal action.

Following comments on the absence of Commr. Lenobel and the resignation of Commr. Siekmann, Commr. Larson suggested that discussion of the item be postponed until the April 4, 2011, Regular Meeting.

There was consensus to postpone discussion to the April 4, 2011, Regular Meeting.

TOWN COMMISSION COMMENTS

A. Public Works/Animal Control

Upon inquiry, Town Manager Bruce St. Denis noted that staff is preparing a flyer for distribution to assist residents in making their homes less inviting.

B. Organizational Review Subcommittee

Vice Mayor Brenner noted concern that no purchase of financial computer programs to aid Finance in performing their duties had been accomplished and also suggested that the MIS (Management Information Systems) services be examined to determine if the services could be provided to other government entities.

C. Police Department

Commr. Duncan commented on the lack of compliance by bicycle riders on traffic regulations and requested that enforcement of traffic laws for bicycle riders be instituted.

Following comments by Police Chief Al Hogle, Commr. Larson requested that a warning ticket be issued to first time offenders.

TOWN ATTORNEY COMMENTS

A. Litigation

Town Attorney David Persson advised that the draft lawsuit had been completed relating to the James Armstrong code enforcement issues.

TOWN ATTORNEY COMMENTS - Continued

B. Planning, Zoning, and Building Department

Town Attorney David Persson noted receipt of an e-mail from Attorney Don Hemke who advised that a representative of the Association will be in attendance at the Colony walk-through scheduled by Vice Mayor Brenner.

TOWN MANAGER COMMENTS

A. Town Commission

Town Manager Bruce St. Denis inquired, and there was consensus to place the appointment of an individual to represent District 5 on the April 4, 2011, Regular Meeting agenda.

TOWN COMMISSION COMMENTS - Continued

D. Planning, Zoning, and Building Department

Commr. Duncan inquired and Mayor Brown recommended against visiting the Colony property as the condition and issues relating to the reopening of the property are handled by the Planning, Zoning, and Building Department. Individual comments followed.

PRESS TO BE HEARD

A. Organizations

Longboat Key News Editor Steve Reid requested information on the status of Port Dolphin escrowing funds relating to the permitting for the project.

Town Manager Bruce St. Denis advised that he would provide the information to Mr. Reid.

ADJOURNMENT

Mayor Brown adjourned the March 24, 2011, Regular Meeting at 6:45 p.m.

/s/ Trish Granger

Trish Granger, Town Clerk

/s/ James L. Brown

James L. Brown, Mayor

Minutes Approved: 05/02/2011