

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP MEETING
JANUARY 20, 2011 - 1:00 P.M.**

Present: Mayor George Spoll, Vice Mayor Jim Brown, Commrs. David Brenner, Lynn Larson, Hal Lenobel, Robert Siekmann, Phillip Younger

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

CALL TO ORDER

Mayor Spoll called the meeting to order at 1:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Spoll requested and Commr. Lenobel led the Pledge of Allegiance.

COMMITTEE REPORTS AND COMMUNICATIONS

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

2. Sarasota County Special Liaison Report

A. Organizations

Vice Mayor Brown noted attendance at the Council of Governments meeting and reviewed the items discussed.

3. Other Reports

A. Government Agencies

Commr. Brenner noted attendance at the Sarasota Board of County Commissioners meeting with the Longboat Key Trolley Committee and reviewed the issues discussed relating to advertising on the transit bus.

B. Boards and Committees

Commr. Brenner noted attendance at the Tourist and Economic Development Board meeting and noted the items discussed.

C. Boards and Committees

Commr. Brenner noted attendance at a press conference relating to a co-venture between Sarasota and Manatee Counties relating to a centralized economic development vision.

D. Government Agencies

Mayor Spoll noted attendance at the Sarasota County Economic Development Conference and noted participation by the County and Municipalities and suggested that the Town review options for developing a formal process.

E. Town Commission

Mayor Spoll noted attendance of Commissioner Elect Jack Duncan.

PUBLIC TO BE HEARD

4. Opportunity for Public to Address Town Commission

A. Organizations

Mr. Rusty Chinnis, Longboat Drive East, President of Sarasota Bay Watch, commented on past clean-ups at Sister Keys and requested consideration for a collaboration with the Town for an "Adopt An Island" program.

Mayor Spoll noted the Town's participation and support of the S.T.A.R.T. (Solutions To Avoid Red Tide) organization and noted that he has been appointed to serve as a Director on the State of Florida S.T.A.R.T. Board.

CONSENT ITEMS FOR CONSIDERATION OF THE TOWN COMMISSION

5. Request from Planning & Zoning (P&Z) Board for Direction to Review Site Plan Criteria for Commercial Buildings

At their November 16, 2010 Regular Meeting the P&Z Board directed staff to request Town Commission authorization to review the Zoning Code regarding site plan criteria for commercial development. Recommended Action: Approval of the Consent Agenda will authorize the P&Z Board to conduct the requested review of commercial site plan criteria.

6. Proposed Ordinance 2011-06, Firefighters' Retirement System IRS Compliance Determination

Proposed Ordinance 2011-06 provides for compliance with all current qualification requirements, including Section 401(a)(9); and Section 415. The Firefighters' Retirement System Board Attorney advises that these are technical amendments that will not increase or decrease benefits payable by the pension plan. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-06 to the February 7, 2011 Regular Meeting for first reading.

Commr. Younger inquired and Town Attorney David Persson and Town Manager Bruce St. Denis advised that there were Federal changes relating to tax codes and advised that the Police and General Employees Retirement Board Attorney had not recommended the same review by the Internal Revenue Service.

Discussion ensued with Finance Director Thomas Kelley on the recommendation from the Firefighters Retirement System Board of Trustees Attorney, a deadline for submitting the request, the action taken by the Police and General Employee Retirement System Boards, the action requested this date,

Commr. Larson noted objection to approving Item 6 and requested removal from the Consent Agenda.

Mayor Spoll noted consensus to approve Item 5 and defer discussion of Item 6 until later this meeting.

DISCUSSION ITEMS FOR CONSIDERATION OF THE TOWN COMMISSION

Following comments by Mayor Spoll, there was consensus to reorder Agenda items to advance Item 9 and to move Items 14 and 12 following consideration of Item 7.

Commr. Larson requested consideration to advance Item 16. Following comments, there was consensus to move forward as previously approved.

9. Proposed Ordinance 2011-07, Amending Chapter 100, Sea Turtles

At the November 18, 2010 Regular Workshop Meeting Longboat Key Turtle Watch (LBKTW) President Tim Thurman requested the Commission consider amending Chapter 100, Sea Turtles, to prohibit temporary structures, beach equipment and beach furniture being left on the beach at night during turtle season. Staff was directed to work with LBKTW to develop proposed Ordinance 2011-07. Recommended Action: Pending discussion, provide direction to Manager.

Planning, Zoning, and Building Department Planner Ric Hartman provided an overview of previous consideration of the issue, advised that members of the LBKTW and Mote Marine were available to discuss the issue, and reviewed the intent of the proposed Ordinance to amend the existing Code.

Discussions were held with Mr. Hartman and Town Manager Bruce St. Denis on the following topics/issues:

- collaboration with condominium associations on the island
- staffing requirements to work with condominiums to provide compliance
- anticipated costs to condominium associations
- intent to provide public educational information
- notice to condominium associations of the proposed Ordinance
- existing Federal and State laws requiring turtle nesting protection
- statistical data on past entrapments/obstacles.

Ms. Kristen Mazzarella, representing Mote Marine Laboratory, provided statistical information on obstacle encounters, reviewed the short time frame for nesting opportunities, and discussed estimated false crawls due to obstructions encountered in a nesting attempt, length of crawls, and number of turtle nests (270) and false crawls in 2010.

Mr. Hartman noted that the determination for furniture storage would be done on a property by property basis, advised that consideration would be given for alternative storage areas, and noted that fencing is not permitted on the beaches in the Town.

Ms. Mazzarella noted that there are properties with designated storage areas, the success of this type of provision, and the obstruction encounters recorded in turtle crawls with furniture and other obstacles.

Ms. Suzi Fox, Anna Maria Island Turtle Watch, director of the Anna Maria Island Turtle Watch, noted that other beachfront communities (Anna Maria, Holmes Beach, Bradenton Beach) all have furniture clauses, noted the educational information placed in all hotel/tourist units in addition to condominiums and residential properties and the success of the program to date. Ms. Fox advised that she would leave her contact information to assist Town staff as may be required.

Mr. Nick Louman, General Manager of Beach Place Condominiums, commented on the proposed Ordinance, noted the number of chairs/umbrellas on the beach and the distance from the water, and opined of the difficulty to remove the furniture nightly from their property and the impact to owners and visitors. Upon inquiry, Mr. Louman noted that turtle nestings had been successful on the property.

9. Proposed Ordinance 2011-07, Amending Chapter 100, Sea Turtles - Continued

Mr. Bob Boyd, member of the Aquarius Condominium Association Board, commented on the impacts to owners and

Ms. Cyndi Seamon, representing Longboat Key Turtle Watch, supported the proposed Ordinance.

Mr. John Sandford, Gulf of Mexico Drive, commented on the required lighting, vegetation line, enforcement issues, and identification of violator.

Mr. Jeff Croley, Gulf of Mexico Drive, noted concern with identification of the vegetation line and the increased costs for compliance.

Discussions were held on the following topics/issues:

- enforcement issues
- options to establish a Citizen Committee to work with property owners to develop a plan for compliance without additional regulations being enforced
- number of properties that have compliance issues
- options to postpone action on the proposed Ordinance

The Town Commission requested that staff continue efforts to identify and address problem areas through coordination with property owners.

Following comments, there was consensus to not proceed with amendments to Chapter 100, Sea Turtles.

7. Discussion Regarding Vision Plan Implementation

On November 11, 2010 the Town Commission hosted a Town Hall Meeting for Town residents, visitors, business owners, and other stakeholder groups to participate in discussion and provide input regarding the Town's Vision Plan document. This item is placed on the January 20, 2011 Regular Workshop Meeting for Commission discussion and additional opportunity for public input. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Bruce St. Denis, Planning, Zoning, and Building Department Director Monica Simpson advised that the item was a continuation from previous discussion by the Town Commission.

Subsequent to comments on accepting, approving, or adopting the Vision Plan, Ms. Simpson opined that it would provide direction on future amendments to the Comprehensive Plan.

Following individual comments on the emphasis on commercial enterprise versus residential , there was majority consensus to forward the document to the February 7, 2011, Regular Meeting for formal action.

Mr. Larry Kassouf, Ketch Lane, inquired, and Mayor Spoll acknowledged that there is a redevelopment process included in the Vision Plan.

7. Discussion Regarding Vision Plan Implementation

Discussions were held on the proponents of the commercial redevelopment options, goals included in the Vision Plan relating to commercial and tourist development, and issues that impact commercial opportunities on Longboat Key.

Ms. Pat Zunz, Lands End Drive, commented on the intent of the Vision Plan to provide a balance between commercial and residential interests.

Following individual comments, Mayor Spoll noted majority consensus to move forward with the Vision Plan.

Ms. Simpson advised that she would provide an updated document to reflect the actions accomplished to date.

14. Discussion Regarding Format of Goals & Objectives Workshop Meeting

Each year the Town Commission hosts a Goals & Objectives Workshop during which citizens and stakeholder groups present their priorities for the Town. The Town Commission then establishes goals and objectives for Town staff for the upcoming fiscal year. The Town Commission will consider whether to continue the traditional Goals & Objectives Meeting format or modify to place more focus on elements of the Vision Plan. Recommended Action: Pending discussion, provide direction to Manager.

Discussions were held on the following topics/issues:

- goals included in the Vision Plan
- intent of a Goals and Objectives to provide community leaders interaction with the Commission and opportunity to incorporate viable requests/ideas/suggestions into the Vision Plan
- utilization of the Vision Plan as a tool to provide guidance with the Comprehensive Plan.

RECESS: 2:22 p.m. - 2:30 p.m.

12. Proposed Resolution 2011-01, Future Land Use Element Comprehensive Plan Amendments

At their December 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Resolution 2011-01. The Resolution provides for transmittal of proposed changes to the Town's Comprehensive Plan related to the Future Land Use Element and Future Land Use Map to the Department of Community Affairs (DCA) and other regulatory agencies. Recommended Action: Pending discussion, forward Resolution 2011-01 to the February 7, 2011, Regular Meeting for public hearing and formal action.

Ms. Nancy Stroud, Special Counsel, commented on the Vision Plan discussion and provided an overview of the proposed changes to the Future Land Use Element of the Comprehensive Plan. Discussions were held throughout the presentation on the following topics/issues:

- Policy 1.1.9 - further explanation relating to Planned Unit Developments (PUD)

12. Proposed Resolution 2011-01, Future Land Use Element Comprehensive Plan Amendments - Continued

- Policy 1.1.10 - further explanation of land use categories (renaming PD zoning districts to Mixed Use Community {MUC})
- Table 1 modified to reflect text changes
- change/expansion of residential category and impact by creating additional non-conforming properties
- MUC-2 District to reflect 33% for residential and 12% for tourist
- Planning and Zoning Board Meeting minutes (page 3) relating to comments from Mr. Bob White pertaining to Town Commission authority to approve development proposals.

There was consensus to forward Resolution 2011-01 to the February 7, 2011, Regular Meeting for public hearing and formal action.

Town Attorney David Persson noted the process to be followed relating to future Comprehensive Plan changes.

16. Dr. Lawrence Kassouf Request for Sign Placement Along Gulf of Mexico Drive (GMD)

Dr. Kassouf has been working with Town staff and representatives of Florida Department of Transportation to identify a resolution to place signage for his dental practice along Gulf of Mexico Drive. Commissioner Brenner asked that this item be added to the January 20, 2011 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Bruce St. Denis, Dr. Larry Kassouf, Ketch Lane, presented his request for moving the Wayfinding sign from the 4000 block of Gulf of Mexico Drive to the corner of Bay Isles Parkway and Gulf of Mexico Drive.

Discussions were held on the option for Dr. Kassouf to purchase and place a sign suitable for his services and to development an agreement with the Longboat Key Club relating to placement of sign on private property.

Mr. Michael Welly, representing the Longboat Key Club, noted his agreement to placing a Wayfinding sign at the location requested by Dr. Kassouf, with the stipulation that it would be in the standard of the existing Town Wayfinding signs.

Discussions were held on the intent of Longboat Key Club to provide a no-cost lease for signage if constructed to the standards of the Wayfinding signs.

Public Works Director Juan Florensa commented on the requirements of the Florida Department of Transportation (FDOT) noting that the signs are located in the public right-of-way and advised that relocating an existing sign could create a situation resulting in the loss of the grant funding.

16. Dr. Lawrence Kassouf Request for Sign Placement Along GMD - Continued

Town Attorney David Persson commented on the options for the Town to create a public easement for the property being discussed and Mr. Florensa noted the cost to duplicate the existing type of Wayfinding sign.

Town Attorney Persson commented on the sign code and requirements for private versus public signs.

Dr. Kassouf noted that Mediterranean Plaza was the only office building within the Town that is not fronting and does not have signage on Gulf of Mexico Drive.

Commr. Brenner suggested that the issue be referred to staff and Town Manager Bruce St. Denis provided information on the Wayfinding sign approval process by the Town Commission and a Commissioner's request for placement of the item on the agenda for discussion.

Following individual comments, Dr. Kassouf requested a determination on the request.

Mayor Spoll noted that the Commission would retain the previous decision on the placement of a Wayfinding sign at the intersection of Bay Isles Parkway and Gulf of Mexico Drive and that Dr. Kassouf would need to work within the Town's Code for sign placement options.

8. Organizational Review Subcommittee Report to the Town Commission

The Town Commission appointed Organizational Review Subcommittee will present their findings and recommendations for Commission consideration at the January 20, 2011 Regular Workshop Meeting. Departmental interviewers have been invited to attend and participate in this discussion. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Commr. Brenner, discussions were held on the following Findings/Recommendations (Subcommittee Report - page 4 of 6):

- Create Finance Committee (or expand role of Investment Committee)
- Raise legal level of budgeting control from line item to Department or fund level
- Raise Town Manager's transfer authority to \$20,000 with periodic reporting to Commission
- Credit card acceptance and automatic debiting for utilities, as already occurs for Tennis and Planning and Zoning charges (fees charged by credit card companies)
- Sponsor employee events to include the return of the annual Employee Appreciation dinner and Volunteer luncheon
- Public Works Quarterly Report from the Town Manager to the Commission.

Following a brief discussion of policy questions there was consensus to forward to the February 17, 2011 Regular Workshop Meeting for further consideration.

10. Nuisance Wildlife / Animal Control Issues

At the November 18, 2010 Regular Workshop Meeting Town staff was directed to investigate how other local island municipalities deal with issues related to nuisance wildlife / animal control. This item is placed on the January 20, 2011 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

10. Nuisance Wildlife / Animal Control Issues - Continued

Following comments by Town Manager Bruce St. Denis, Manatee County Animal Services Chief Kris Weiskopf advised that Manatee County no longer handles wildlife calls and refers all callers to the Florida Wildlife Commission (FWC) and reviewed regulations relating to wildlife transport. Discussions were held on the following topics/issues:

- native versus exotic species removal
- options to provide funding for a trapper to remove nuisance species
- programs available for removal or reducing nuisance species through FWC
- private versus public trapping (referral service by government agencies).

Following comments by Commr. Larson, there was consensus to provide information on removal costs.

11. License Plate Recognition Camera System Discussion

At the February 18, 2010 Regular Workshop Meeting the Police Chief reported on the potential use of license plate recognition camera system for Longboat Key. The Commission directed the Chief to investigate the available technology, costs and effectiveness, and to evaluate feasibility for use of this system on Longboat Key. Recommended Action: Pending discussion, provide direction to Manager.

Police Chief Al Hogle presented an overview of license plate recognition cameras and the function of the system. Discussions were held on the following topics/issues:

Subsequent to comments, there was majority consensus to authorize further review and costs of available systems.

RECESS: 4:09 p.m. - 4:20 p.m.

13. Special Events Permit Discussion

Commissioner Younger requested an item be placed on the January 20, 2011 Regular Workshop Meeting to discuss the feasibility of issuing special events permits for multiple planned events during a calendar year at a given location. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis reviewed the intent for the process for the Special Events permit (Public Forum Permit) to provide adequate public services and public safety for a scheduled event.

Commr. Younger inquired, and Town Manager St. Denis commented on the option to apply for multiple permits at one time. Upon inquiry, Planning, Zoning, and Building Department Director Monica Simpson noted that Special Events were different than Temporary Use Permit.

Following comments, there was consensus to retain current process.

15. Discussion Regarding Beach Bond Referendum Question Public Presentations for 2011-12 North End Erosion Control Structures and Port Dolphin Sand Project

At the January 3, 2011 Longboat Key Beach Erosion Control District A Special Meeting and Longboat Key Beach Erosion Control District B Special Meeting (both continued to January 6, 2011) the Town Commission approved a bond referendum question to be placed on the March 15, 2011 General Municipal Election ballot. The Town Commission requested the Town Manager to place an item to discuss the Town's efforts to provide information to citizens and voters on the January 20, 2011 Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Bruce St. Denis on the presentations schedule to provide public information on the Beach project, discussions were held on the following topics/issues:

- inclusion of Commission discussion relating to future projects
- utilization of "Beaches 101" presentation by Coastal Planning and Engineering (CP&E)
- focus on the current referendum question with information on future projects
- cost of project utilizing sand types
- efforts of CP&E to provide additional information requested
- Federal grant funding options
- upcoming presentation schedule / opportunity for Mayor or a Commissioner to be available at the meetings
- time frame and extent of a peer review for the Comprehensive Beach Management Plan.

Coastal Planning and Engineering (CP&E) Marine Geophysicist Beau Suthard commented on the Comprehensive Beach Management Plan and suggested a review be undertaken for updating.

Discussion ensued with Town Manager St. Denis and Mr. Jim Brown (former Commissioner) on the previous review by Mr. Kevin Bodge, the development of the Beach Management Plan, and previous peer reviews accomplished.

Commissioner-Elect Jack Duncan commented on the Beach Management Plan and suggested that a process be established for continued reassessment of the program.

Discussions were held on the time frame for requesting/receiving federal grant funds, previous Commission direction, issues to be included in presentations, and time frame for selecting representatives for peer review.

6. Proposed Ordinance 2011-06, Firefighters' Retirement System IRS Compliance Determination - Continued

Proposed Ordinance 2011-06 provides for compliance with all current qualification requirements, including Section 401(a)(9); and Section 415. The Firefighters' Retirement System Board Attorney advises that these are technical amendments that will not increase or decrease benefits payable by the pension plan. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-06 to the February 7, 2011 Regular Meeting for first reading.

6. Proposed Ordinance 2011-06, Firefighters' Retirement System IRS Compliance Determination - Continued

Town Attorney David Persson commented on the recommendation from Attorney Jim Linn relating to an Internal Revenue Service (IRS) certification and the recommendation from Pension Attorney Bob Sugarman, discussion ensued on whether an IRS determination is required and the time frame for consideration.

There was majority consensus to forward Ordinance 2011-06 to the February 7, 2011 Regular Meeting for first reading.

TOWN COMMISSION COMMENTS

A. Town Commission

Commr. Larson inquired and Town Manager Bruce St. Denis noted the Pension meeting will be held on February 7, 2011.

TOWN ATTORNEY COMMENTS - No items were presented.

TOWN MANAGER COMMENTS

A. Public Works

Town Manager Bruce St. Denis commented on the anticipated time frame for the delivery of the beach equipment to commence the North end project.

Vice Mayor Brown inquired, and Town Manager St. Denis noted the status of the Longboat Pass Inlet Management study.

B. Town Administration

Town Manager Bruce St. Denis noted the positive results from the Citizen's Academy of Government held this month. Commr. Siekmann commented on the opportunities to make presentations throughout the Town at various meetings.

There was consensus to have the presentations made to the Town Commission during the budget process.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Spoll adjourned the January 20, 2011, Regular Workshop Meeting at 5:18 p.m.

/s/ Trish Granger
Trish Granger, Town Clerk

/s/ George Spoll
George Spoll, Mayor

Minutes Approved: 03/07/2011