

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
NOVEMBER 1, 2010 - 7:00 P.M.**

**Present:** Mayor George Spoll, Vice Mayor Jim Brown, Comms. David Brenner, Lynn Larson, Hal Lenobel, Bob Siekmann, Phillip Younger

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

**CALL TO ORDER**

The November 1, 2010, Regular Meeting of the Longboat Key Town Commission was called to order at 7:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

**PLEDGE OF ALLEGIANCE**

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

**21. Other Business - Trolley Update**

Town Manager Bruce St. Denis requested consideration to add an item to the agenda relating to Route 18 Transit Route (Trolley).

**There was consensus to add the discussion of the item at the end of the published agenda.**

**APPROVAL OF MINUTES**

**1. Minutes Approval**

1. September 13, 2010 Regular Meeting; September 16, 2010 Special Meeting; September 27, 2010 Special Meeting (3:30 p.m.); September 27, 2010 Special Meeting (5:01 p.m.); October 4, 2010 Special Workshop Meeting (9:00 a.m.); and October 4, 2010 Regular Meeting Minutes

**There was consensus to approve the Minutes of the meeting as submitted.**

**COMMITTEE REPORTS AND COMMUNICATIONS** - No items were presented.

**PUBLIC TO BE HEARD**

**2. Public to be Heard**

**A. Zoning Code**

Mr. Henry Wahl commented on his attempt to obtain a fence for his property relating to his pool enclosure, submitted a copy of his Zoning Exception request, and provided an overview of the issues existing on his property.

Commr. Larson requested that the issue be added to the agenda.

Mayor Spoll suggested that the matter be scheduled on a Workshop Meeting to provide adequate time to discuss the issue. Subsequent to comments, Town Attorney David Persson commented on consideration of the issue, the steps available to remedy the situation, and confirmed that a Workshop item would be a suitable platform.

2. Public to be Heard - Continued

A. Zoning Code - Continued

**There was consensus to schedule the item on the November Workshop agenda for further discussion.**

Commr. Siekmann inquired as to consideration of the request by one of the Town's Boards (Planning and Zoning Board or Zoning Board of Adjustment) and Town Attorney Persson commented on the action available to remedy the matter.

Subsequent to comments, Town Attorney Persson commented on waivers and the variance process.

**Following comments, there was consensus to authorize review of the issue by the Planning and Zoning Board for consideration and public hearing if required.**

B. Code Enforcement

Mr. James Armstrong commented on a public records request and the response received pertaining to \$110 per hour administrative fee.

Discussion was held with Town Attorney David Persson on the administrative fees and fines assessed.

Mr. Armstrong commented on the lack of authority on assessing administrative fees.

Town Attorney Persson commented on the intent to bring properties into compliance and options for a reduction in fines once the property is in compliance. Discussion ensued.

C. Pension Funds

Mr. Burt Rosenfield commented on and submitted a document outlining his review of the Pension Funds and the investment returns from Fiscal Year 1993 to Fiscal Year 2009 and the Fiscal Year 2008-2009 Pension Expenses.

Finance Director Thomas Kelley commented on the documentation provided to Mr. Rosenfield on the Pension Funds.

**There was consensus for Mr. Rosenfield to attend the Pension Board meetings on November 17, 2010.**

**CONSENT AGENDA-CLOSING AND ACTION**

3. 2011 Town Commission Meeting Calendar

The proposed Town Commission Meeting Calendar for 2011 is being forwarded for confirmation from the October 21, 2010 Regular Workshop Meeting. Recommended Action: Approval of the Consent Agenda will approve the 2011 Town Commission Meeting Calendar.

**CONSENT AGENDA-CLOSING AND ACTION** - Continued

**4. Legislative Priorities**

Each year the Town establishes legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the ManaSota League of Cities. The Town Manager will present items developed during the October 21, 2010 Regular Workshop Meeting for confirmation by the Commission. Recommended Action: Approval of the Consent Agenda will forward legislative priorities to the ManaSota League of Cities, Sarasota County, and Manatee County Legislative Delegations.

**5. Request from Longboat Key Garden Club Regarding Butterfly Garden Bricks**

At the October 21, 2010 Regular Workshop Meeting the Longboat Key Garden Club President requested permission to replace existing bricks in the Butterfly Garden with engraved bricks. This item is placed on the November 1, 2010 Regular Meeting Consent Agenda for Commission confirmation. Recommended Action: Approval of the Consent Agenda will formalize approval of the project.

**Commr. Brenner requested that Item 4 be removed for further discussion.**

**There was consensus to close and approve Consent Agenda Items 3 and 5 in accordance with Staff's report and to discuss Item 4 later this meeting.**

**ORDINANCES - FIRST READING**

**6. Ordinance 2010-18, Providing for a Referendum Question for a Charter Amendment Regarding Term Limits as Applied to Partial Terms**

At the April 15, 2010, Regular Workshop Meeting there was consensus for the Town Attorney to revise the draft ordinance to place a Referendum question on the March 2011 General Municipal Election ballot addressing term limits as applied to partial terms. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-18 to the December 6, 2010 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-18 on record by title only.

**Commr. Larson moved to pass Ordinance 2010-18 on first reading and to forward it to the December 6, 2010, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Younger.**

**As no one wished to speak, the motion carried by a 7-0 roll call vote, as follows: Larson, aye; Younger, aye; Brenner, aye; Brown, aye; Lenobel, aye; Spoll, aye; Siekmann, aye.**

**7. Ordinance 2010-36, Elections, Providing for a Referendum Question for a Charter Amendment Regarding Preliminary Elections on the March 2011 Ballot**

The Town Clerk and Town Attorney have drafted Ordinance 2010-36 to place a Charter referendum on the March 2011 General Election ballot pertaining to the requirement for a Preliminary Election. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-36 to the December 6, 2010 Regular Meeting for second reading and public hearing.

**7. Ordinance 2010-36, Elections, Providing for a Referendum Question for a Charter Amendment Regarding Preliminary Elections on the March 2011 Ballot - Continued**

Town Clerk Trish Granger placed Ordinance 2010-36 on record by title only.

**Vice Mayor Brown moved to pass Ordinance 2010-36 on first reading and to forward it to the December 6, 2010, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Lenobel.**

Commr. Siekmann inquired, and discussions were held with Town Attorney David Persson and Town Clerk Granger on the following topics/issues:

- identification of who is seated if a run-off election is held in lieu of a preliminary election
- possible cost savings by changing to a run-off election
- impact on decisions made and existing procedures (Board and Committee appointments/Commission appointments to outside Boards) if a seated Commissioner is term limited out and a run-off is not held until May
- options to modify the preliminary election to allow that any one person receiving 50% plus one vote would be seated in lieu of current procedure
- time frame for final consideration to have ballot question placed on March ballot (January 3, 2011)
- available meetings scheduled prior to the deadline.

**Vice Mayor Brown and Commr. Lenobel withdrew their motion and second to pass Ordinance 2010-36 pending additional consideration of the Ordinance at the November 18, 2010, Regular Workshop Meeting, without objection.**

8. Ordinance 2010-37, Amending Chapter 34.44 Membership

The newly hired Fire Chief has expressed his interest in participating in a defined contribution plan. Allowing the Chief to convert from the defined benefit plan would reduce his pension cost from 46% to 16% of salary. Chapter 34 of the Town Code regarding Fire Pension needs to be modified to accommodate the Chief's request. A resolution transferring approximately \$18,000 from Town Commission Contingency to establish the 401(a) account will be brought to the November 18, 2010 Regular Workshop Meeting. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-37 to the December 6, 2010 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-37 on record by title only.

**Commr. Brenner moved to pass Ordinance 2010-37 on first reading and to forward it to the December 6, 2010, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Siekmann.**

**As no one wished to speak, the motion carried by a 7-0 roll call vote, as follows: Brenner, aye; Siekmann, aye; Larson, aye; Lenobel, aye; Younger, aye; Brown, aye; Spoll, aye.**

**ORDINANCES - FIRST READING AND PUBLIC HEARING**

**9. Ordinance 2010-20, Amending Chapter 156, Sign Code**

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board forwarded proposed Ordinance 2010-20 for Commission consideration. The P&Z Board recommends approval of the ordinance which provides for replacement of Chapter 156, Sign Code. The Town Commission held a Special Workshop Meeting on October 19, 2010 for discussion of the proposed revisions to the Sign Code and forwarded this item to the November 1, 2010 Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-20 to the November 18, 2010 Special Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-20 on record by title only for first reading and public hearing.

**Vice Mayor Brown moved to pass Ordinance 2010-20 and to forward it to the November 18, 2010, Special Meeting for second reading and public hearing. The motion was seconded by Commr. Larson.**

**Mayor Spoll opened the public hearing.**

Mr. Gene Jaleski, Cedars Street, commented on the proposed Ordinance.

Vice Mayor Brown inquired and Mr. Jaleski advised he had read the minutes of the Planning and Zoning Board meeting relating to consideration of the Sign Code on the Town's website.

Town Attorney David Persson commented on correspondence submitted relating to political signs and his recommendation to allow a 90-day period prior to an election for political sign placement.

Discussion ensued with Planning, Zoning, and Building Department Planner Ric Hartman on the following topics/issues:

- complexity of the new sign code and difficulty of enforcement
- determination of current Sign Code versus proposed Sign Code
- sandwich board signs (pages 5 and 9) and permitted locations of this type of sign
- option to limit placement of a sandwich board sign (page 10).

**Mayor Spoll moved to amend Ordinance 2010-20 to restrict sidewalk sign heights to no more than three-foot in height by two-foot in width (no larger than six square feet). The motion was seconded by Commr. Younger. Following comments by Mr. Hartman on included illustrations, the motion carried by a 5-2 roll call vote, as follows: Spoll, aye; Younger, aye; Larson, aye; Siekmann, aye; Brown, aye; Lenobel, no; Brenner, no.**

**Following comments, there was consensus to add an illustration for sandwich board signs and to incorporate a 90 day period for placement of political signs.**

**9. Ordinance 2010-20, Amending Chapter 156, Sign Code - Continued**

Vice Mayor Brown commented on the proposed amendments and discussions at the Special Workshop relating to consideration of the proposed Ordinance. Discussion ensued with Mr. Hartman on the changes incorporated into the proposed revised Sign Code.

**Mayor Spoll closed the public hearing.**

**The motion, as amended, carried 6-1: Brown, aye; Larson, aye; Lenobel, no; Spoll, aye; Siekmann, aye; Brenner, aye; Younger, aye.**

10. Ordinance 2010-23, Amending Chapter 98, Tree Code

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board forwarded Ordinance 2010-23 to the Commission for consideration. The P&Z Board recommends approval of the ordinance which provides for amendments to Chapter 98, Tree Code. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-23 to the December 6, 2010 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-23 on record by title only for first reading and public hearing.

**Commr. Siekmann moved to pass Ordinance 2010-23 and to forward it to the November 18, 2010, Special Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Brown.**

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

**The motion carried by a 6-1 roll call vote, as follows: Siekmann, aye; Brown, aye; Younger, aye; Larson, aye; Brenner, aye; Lenobel, no; Spoll, aye.**

11. Ordinance 2010-30, Comprehensive Plan Amendment for 10-Year Potable Water Supply Work Plan

Ordinance 2010-30 provides for a Comprehensive Plan Amendment that revises the infrastructure element of the Town's Comprehensive Plan in support of a 10-year potable water supply plan. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-30 to the December 6, 2010 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-30 on record by title only for first reading and public hearing.

**Commr. Younger moved to pass Ordinance 2010-30 and to forward to the December 6, 2010, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Siekmann.**

11. Ordinance 2010-30, Comprehensive Plan Amendment for 10-Year Potable Water Supply Work Plan - Continued

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

Commr. Siekmann noted the existing Interlocal Agreement with Manatee County pertaining to the potable water supply.

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

12. Ordinance 2010-35, Annual Capital Improvements Element (CIE) Comprehensive Plan Amendment

Ordinance 2010-35 adopts an amendment to the Comprehensive Plan, updates the Capital Improvements Element, and provides for transmittal of the 2010 CIE Annual Update. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-35 to the November 18, 2010 Special Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-35 on record by title only for first reading and public hearing.

**Commr. Siekmann moved to pass Ordinance 2010-35 and to forward to the November 18, 2010, Special Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Brown.**

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

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

**RECESS:** 8:10 p.m. - 8:20 p.m.

**QUASI-JUDICIAL - ORDINANCES - FIRST READING AND PUBLIC HEARING**

13. Quasi-judicial - Ordinance 2010-32, The Centre Shops, 5350 through 5390 Gulf of Mexico Drive, Outline Development Plan (ODP) Amendment

The applicant, Centre Shops of Longboat Key, is requesting approval for an Outline Development Plan Amendment to modify the list of permitted commercial uses utilizing existing parking. Recommended Action: The Commission will base its decision on competent substantial evidence presented.

Town Clerk Trish Granger placed Ordinance 2010-32 on record for first reading and public hearing by title only.

**Mayor Spoll noted the process to be followed under the quasi-judicial process and opened the public hearing.**

13. Ordinance 2010-32, The Centre Shops ODP Amendment - Continued  
Town Clerk Granger administered the oath to those individuals to speak.

Town Attorney David Persson commented on disclosure requirements and ex-parte communication.

Mayor Spoll noted comments received from a citizen in regards to the application.

**Mayor Spoll opened the public hearing.**

Planning, Zoning, and Building Department Planner Ric. Hartman, duly sworn, noted that the pet facilities had been removed from the petition.

Mr. Hartman presented an overview of the requested ODP Amendment for the Centre Shops and commented on Health Department issues that would be addressed at the time a potential user was identified, reviewed concerns raised by residents of Sandman relating to drainage facilities for previous restaurant use and issues relating to securing dumpster units. Mr. Hartman noted the petitioner had submitted the certified mail cards for the record.

Subsequent to comments, Town Attorney Persson suggested the following language modifications to Section 2 of the Ordinance (additions shown as underlined text/deletions shown as ~~strikethrough~~ text):

SECTION 2. The Outline Development Plan amendment to Resolution 83-28, as amended, for the Centre Shops of Longboat Key, Inc., Longboat Key, Florida 34228 is hereby approved replacing Condition number twenty (20), list of permitted land uses for Centre Shops. The Applicant shall comply with all State and local regulations including, but not limited to, all those related to drainage, trash, and refuse removal ~~with the condition that no new food or beverage uses will be approved until the drainage and dumpster issues are resolved to the satisfaction of the Town or other appropriate government agency,~~ and with a new list of permitted land uses as described in the attached Exhibit B, List of Permitted Uses.

**There was consensus to modify the language as submitted by Town Attorney Persson.**

**An no others wished to speak, Mayor Spoll closed the public hearing.**

**Commr. Siekmann moved to pass Ordinance 2010-32, as amended, and to forward to the December 6, 2010, Regular Meeting for second reading and public hearing. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Siekmann, aye; Larson, aye; Spoll, aye; Lenobel, aye; Younger, aye; Brenner, aye; Brown, aye.**

**ORDINANCES - SECOND READING AND PUBLIC HEARING**

**14. Ordinance 2010-26 Budget Transfer in the Amount of \$208,815.49 Plus Accrued Interest from Beach Capital Improvements Fund to Beach Capital Projects Fund**

The Finance Director is recommending a budget transfer to close a special revenue fund titled "Beach Capital Improvements" due to a lack of activity in the fund since 2008. The Town Commission forwarded this Ordinance from the October 4, 2010 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2010-26.

Following comments, Town Clerk Trish Granger placed Ordinance 2010-26 on record by title only for second reading and public hearing.

**Commr. Brenner moved to adopt Ordinance 2010-26. The motion was seconded by Commr. Siekmann.**

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

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

**15. Ordinance 2010-33, Amending Section 30.01(E) Regarding Notice for Public Hearings**

Ordinance 2010-33 amends Section 30.01(E) of the Town Code to provide consistency in required notice/advertisement for public hearings regarding various land use matters. The Town Commission forwarded this Ordinance from the October 4, 2010 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2010-33.

Town Clerk Trish Granger placed Ordinance 2010-33 on record by title only for second reading and public hearing.

**Commr. Siekmann moved to adopt Ordinance 2010-33 on second reading and public hearing. The motion was seconded by Vice Mayor Brown.**

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

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

**16. Ordinance 2010-34, Qualifying Schedule for Elections**

Recent changes enacted by the Florida Legislature have prompted the Town Attorney and Town Clerk to review the Town's elections schedule to ensure compliance with the new requirements. Ordinance 2010-34 will update the Town Code for consistency with Florida Statutes. The Town Commission forwarded this Ordinance from the October 4, 2010 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2010-34.

16. Ordinance 2010-34, Qualifying Schedule for Elections - Continued

Town Clerk Trish Granger placed Ordinance 2010-34 on record by title only for second reading and public hearing.

**Commr. Larson moved to adopt Ordinance 2010-34 on second reading and public hearing. The motion was seconded by Commr. Younger.**

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

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

**RESOLUTION AND PUBLIC HEARING**

17. Resolution 2010-28, Bayfront Park Recreation Center, 4052 Gulf of Mexico Drive, Comprehensive Plan Amendment

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Resolution 2010-28. The Resolution provides for transmittal of proposed changes to the Town's Comprehensive Plan related to the Future Land Use Map as well as authorized land uses of those parcels proposed for the Bayfront Park Recreation Center redevelopment to the Department of Community Affairs (DCA) and other regulatory agencies. The Town Commission forwarded this Ordinance from the October 21, 2010 Regular Workshop Meeting for formal action. Recommended Action: Pending public hearing and discussion, pass Resolution 2010-28.

Town Clerk Trish Granger placed Resolution 2010-28 on record by title only for public hearing.

**Commr. Siekmann moved to pass Resolution 2010-28. The motion was seconded by Vice Mayor Brown.**

**Mayor Spoll opened the public hearing.**

Planning, Zoning, and Building Department Planner Ric Hartman provided an overview of the Recreation and Open Space Element revised from the packet submitted and suggested substitute language to the existing Comprehensive Plan element.

Town Attorney David Persson provided an overview of the proposed amendments Policy 1.1.1. Table 1 of Goal 1, Recreational Facilities Standards Guide.

**As no one wished to speak, Mayor Spoll closed the public hearing.**

Upon inquiry, Town Attorney Persson commented on the requirements to modify the Comprehensive Plan to allow for the redevelopment of the Bayfront Park property in conjunction with the Albritton property owned by Sarasota County and the areas of the Comprehensive Plan that required amending.

17. Resolution 2010-28, Bayfront Park Recreation Center, 4052 Gulf of Mexico Drive, Comprehensive Plan Amendment

**Commr. Siekmann amended the motion to incorporate the amendments to Policy 1.1.1. and Table 1 of Goal 1, as recommended by the Town Attorney, with agreement by the Vice Mayor Brown.**

Commr. Siekmann inquired and Mr. Hartman noted that both the Town of Longboat Key and Sarasota County would receive credit for the open space inventory for the property.

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

**RESOLUTIONS**

18. Resolution 2010-41, Providing for Intent of Longboat Key Beach Erosion Control District A to Reimburse the Town for Capital Expenditures for Beach Project

Sitting as the Longboat Key Beach Erosion Control District A.

The Town will be expending certain costs associated with the 2011-2012 beach renourishment project that are deemed reimbursable governmental costs by the U.S. Department of the Treasury. Resolution 2010-41 establishes that it is intended for District A to reimburse those capital expenditures. Recommended Action: The Town Commission will convene as Longboat Key Beach Erosion Control District A to take action on this item.

**Mayor Spoll recessed the November 1, 2010, Town Commission Regular Meeting and convened as the Longboat Key Beach Erosion Control District A.**

Town Clerk Trish Granger placed Resolution 2010-41 on record by title only.

**Vice Mayor Brown moved to pass Resolution 2010-41. The motion was seconded by Commr. Siekmann.**

Mr. Jeremy Whatmough, Gulf of Mexico Drive, noted that he resides in Beach Erosion Control District A and requested clarification on whether District B would be participating in the beach project.

Town Manager Bruce St. Denis commented on the development of the Beach Erosion Control Districts, the process utilized in the past pertaining to beach nourishment projects, and the intent of the Resolution to provide reimbursement for expenses occurring to initiate the project and Town Attorney David Persson and Finance Director Thomas Kelley commented on the required action this date.

Mr. Whatmough inquired and Town Attorney Persson commented on the Treasury Department's role in the transaction.

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

**Mayor Spoll adjourned the Longboat Key Beach Erosion Control District A and reconvened as the Town Commission.**

19. Resolution 2010-42, Providing for the Town to Obtain Reimbursement from Longboat Key Beach Erosion Control District A for Capital Expenditures for Beach Project

The Town will be expending certain costs associated with the 2011-2012 beach renourishment project that are deemed reimbursable governmental costs by the U.S. Department of the Treasury. Resolution 2010-42 provides the appropriate documentation needed for that reimbursement to occur. Recommended Action: Pending discussion, pass Resolution 2010-42.

Town Clerk Trish Granger placed Resolution 2010-42 on record by title only.

**Commr. Siekmann moved to pass Resolution 2010-42. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Siekmann, aye; Younger, aye; Lenobel, aye; Brenner, aye; Larson, aye; Spoll, aye; Brown, aye.**

**NEW BUSINESS**

20. Update Regarding the North End Beach Nourishment Project

The Town Manager will provide an update regarding the status of the North end beach nourishment project. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis provided an overview on the status of the North end beach nourishment project reviewing Bid Number 10-005, entitled The Longboat Key North End Beach Renourishment Project. Discussions were held on the following topics/issues:

- existing seawalls in the area
- conditions at the Islander versus the North end area
- long term plans/options
- status of proposed breakwaters for the area
- actions taken to date in the area
- results of the groin installation at the Islander
- impact of Longboat Pass channel shifting
- determination of critical hotspot
- future impact of expenditure on future beach nourishment
- previous amount of cubic yard sand placement (approximately 5,000 cy)
- intent of project to protect homes in the area
- options to utilize longuard tubes/permitting time frame for alternative protection
- estimated cost of long-guard tubes
- location of Borrow Area 9 (off of Anna Maria Island)
- on-going development of Inlet Management Plan/possible reimbursements
- authorized alignment of Longboat Pass and impact of Pass meandering towards Longboat
- lack of experience with low bidder.

20. Update Regarding the North End Beach Nourishment Project - Continued

Mr. Henry Wahl, Bogey Lane, inquired as to utilization of sand in the flood shoal areas and Town Manager St. Denis commented on the difficulty in receiving approval to remove sand from the flood shoal.

Individual comments followed on the protection of the North end properties and recent accomplishments at the Islander following placement of the two groins.

21. Trolley Meeting Discussion - Continued

Town Manager Bruce St. Denis noted distribution of a memorandum dated November 1, 2010, relating to the discussions to be held at the Joint Meeting with Sarasota and Manatee Counties on November 2, 2010 (2:00 p.m., 1660 Ringling Boulevard), and advised of the recommendations coming forward from both Counties and estimated costs to Longboat Key. Discussions were held on the following topics/issues:

- options for Manatee County to extend the Anna Maria route
- procedures for meeting
- appreciation for Sarasota County's efforts to work with Longboat Key
- Town's position on funding options
- taxes paid by residents/property owners to Manatee and Sarasota County
- Manatee County's transportation budget.

4. Legislative Priorities - Continued

Legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the Manasota League of Cities (continued).

Following comments by Commr. Brenner, discussions were held on the following topics/issues:

- inclusion of support for public transportation funding
- transportation issues included on the Florida League of Cities priorities
- option to group issues under major headings in lieu of a list of items
- inclusion of affordability of public pensions
- time frame for submission to various groups (Manasota League of Cities)

**Subsequent to comments, there was consensus to have the Town Clerk revise the document grouping like items and to provide a draft at the November 18, 2010, Regular Workshop Meeting.**

Commr. Brenner commented on the lack of reference for public transportation funding and suggested that an additional item be included.

Discussions was held on the following topics/issues:

- previous grant funding for the transit route
- Florida League of Cities priorities
- lack of design/planning for Florida's West coast relating to public transportation
- option to group items under specific categories
- encourage pension reform and affordability.

**TOWN COMMISSION COMMENTS**

**A. Town Commission Meeting Schedule**

Commr. Larson requested that a Special Workshop be scheduled in January to discuss pension issues. Discussion ensued on the time frame for completion of impasse with the Firefighters Union and the process to consider and focus on the Police Officers Pension.

**B. Town Commission Meeting Schedule**

Commr. Brenner noted that the Organizational Review Subcommittee will meet on November 3, 2010, to finalize the recommendations of the volunteers and noted the November 11, 2010, Town Hall Meeting to discuss the Vision Plan.

**C. Town Commission**

Commr. Brenner inquired as to options to reduce the number of paper copies provided for the agenda packets.

**D. Franchises**

Mayor Spoll noted the recent changes in the pick-up schedule for Waste Management.

**TOWN ATTORNEY COMMENTS**

**A. Planning, Zoning, and Building**

Town Attorney David Persson commented on the Florida Department of Community Affairs (DCA) opinion and advised that Attorney Kelly Martinson outlined some recommendations and requested authorization for the Planning and Zoning Board to hold public hearings separating the Longboat Key Club issues from other proposed Comprehensive Plan Amendments.

Mayor Spoll noted majority consensus to proceed as recommended by the Town Attorney.

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

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

**ADJOURNMENT**

**Mayor Spoll adjourned the November 1, 2010, Regular Meeting at 10:13 p.m.**

/s/ Trish Granger  
Trish Granger, Town Clerk

/s/ George Spoll  
George Spoll, Mayor

Minutes Approved: 12/06/2010