

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
APRIL 5, 2010 - 7:00 P.M.**

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

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

CALL TO ORDER

The Regular Workshop of the Longboat Key Town Commission was called to order at 2:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. April - Water Conservation Month - Proclamation

Mayor Spoll read and presented a Proclamation to Public Works Engineer Anne Ross and Terri Behling of Southwest Florida Water Management District.

APPROVAL OF MINUTES

2. January 21, 2010 Regular Workshop Meeting

There was consensus to approve the January 21, 2010, Regular Workshop Meeting minutes as submitted.

COMMITTEE REPORTS AND COMMUNICATIONS

A. National Hurricane Conference

Commr. Siekmann noted attendance of Commissioners at the National Hurricane Conference and commended Public Works Engineer Anne Ross for her presentation.

B. Planning and Zoning Board

Commr. Lenobel welcomed recently appointed Planning and Zoning Member Bradford Saivetz.

C. Planning and Zoning Board

Vice Mayor Brown noted consideration to add an agenda item relating to the recent appointment to the Planning and Zoning (P&Z) Board of Mr. Bradford Saivetz, commented on correspondence received, and noted support of the recent appointment.

Mr. Saivetz, 580 Golf Links Lane, commented on his appointment and his intent to ethically perform his service on the P&Z Board.

PUBLIC TO BE HEARD

3. Opportunity for Public to Address Town Commission

A. Planning and Zoning Board

Mr. Rick Crawford, 100 Sands Point Road, commented on the appointment of Mr. Brad Saivetz to the Planning and Zoning Board. Vice Mayor Brown noted the issues to come before the P&Z Board were legislative, not quasi-judicial.

B. Planning and Zoning Board

Mr. Tom Michael, 580 Chipping Lane, commented on the recent appointment to the Planning and Zoning Board.

C. Goals and Objectives

Mr. Michael Drake, 6821 Longboat Drive South, noted that he would not be available to attend the Goals and Objectives meeting on Thursday, April 8, 2010, and noted the issue to be raised to develop a Master Plan for the Village area.

D. Planning and Zoning Board

Mr. Bob Gault, 641 Ranger Lane, commented on the on the recent appointment to the Planning and Zoning Board.

21. Other Business - Planning and Zoning Board

Subsequent to comments, Commr. Larson moved to add item to the Agenda to discuss the recent appointment of Mr. Bradford Saivetz to the Planning and Zoning Board. The motion was seconded by Commr. Brenner. Following clarification on the intent, the motion carried by a 4-3 roll call vote, as follows: Larson, aye; Brenner, aye; Siekmann, no; Spoll, aye; Lenobel, no; Brown, aye; Jaleski, no.

Mayor Spoll noted the item would be added at the end of the published Agenda. (See item later this meeting.)

CLOSING AND ACTION ON CONSENT AGENDA

4. 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. At the March 25, 2010 Regular Workshop Meeting the Town Commission reached consensus for Commissioner appointments. Recommended Action: Approval of the Consent Agenda will formalize Commission appointments to committees named in the Town Code and to outside agencies.

5. Commission Appointments to Tree Code Subcommittee

The P&Z Board submitted a request of the Town Commission to create a joint subcommittee to include three P&Z Board members and two Commissioners to explore the issues of the Town's Tree Code. At the March 25, 2010 Regular Workshop Meeting there was consensus for Commissioners Brenner and Larson to serve as the Town Commission appointees. Recommended Action: Approval of the Consent Agenda will formalize appointments of Commissioners Brenner and Larson to the Tree Code Subcommittee.

CLOSING AND ACTION ON CONSENT AGENDA - Continued

6. Ratification of Appointment of At-Large Firefighters' Retirement System Board of Trustees Member

The Town Commission ratifies the appointment of Firefighters' Retirement System Board of Trustees At-Large member as a ministerial duty. At their February 24, 2010 Meeting the Board elected Michael Murphy to serve a two-year term, Seat 5, effective February 24, 2010 through October 31, 2011.

Recommended Action: Approval of the Consent Agenda will ratify appointment of Michael Murphy to Seat 5 of the Firefighters' Retirement System Board of Trustees.

Commr. Brenner requested that Item 5 be amended to reflect the appointment of Vice Mayor Brown and Commr. Larson to the Tree Code Subcommittee.

Vice Mayor Brown moved to approve and close the Consent Agenda with the amendment to Item 5, as noted. The motion, seconded by Commr. Jaleski, carried unanimously.

ORDINANCES - FIRST READING

7. Ordinance 2010-15, Budget Transfer in the Amount of \$96,500 for Equipment for New Fire Apparatus

To consider Ordinance 2010-15, provides for a budget transfer in the amount of \$96,500 for funding to equip the new Longboat Key Fire/Rescue apparatus that was recently purchased through proceeds from the Sarasota County Infrastructure Surtax funds. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-15 to the April 15, 2010 Special Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-15 on record by title only.

Commr. Larson moved to pass Ordinance 2010-15 on first reading and to forward to the April 15, 2010, Special Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Brown.

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

- the approximate total investment for the equipment of \$514,000
- anticipated in-service time
- off-set of cost from the sale of a previous vehicle
- vehicles to be available to respond to fires.

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

8. Ordinance 2010-17, Providing for No Parking Zone at Linley Street Boat Ramp and at the Ingress/Egress to Town Hall

To consider Ordinance 2010-17 to provide a No Parking Zone at Linley Street Boat Ramp and at the Ingress/Egress access to Town Hall. At the February 18, 2010 Special Meeting the Town Commission passed Resolution 2010-10 establishing a temporary no parking zone in the vicinity of Linley Street Boat ramp. At the March 1, 2010 Regular Meeting Resolution 2010-11 was passed establishing a temporary no parking zone at the ingress/egress to Town Hall. Ordinance 2010-17 is forwarded for Commission consideration to amend the Town Code and formally adopt these no parking zones. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-17 to May 3, 2010 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2010-17 on record by title only.

Commr. Jaleski moved to pass Ordinance 2010-17 on first reading and to forward to the May 3, 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: Jaleski, aye; Larson, aye; Brenner, aye; Siekmann, aye; Lenobel, aye; Spoll, aye; Brown, aye.

ORDINANCES - FIRST READING AND PUBLIC HEARING

9. Ordinance 2010-01, Mechanical Equipment

Public hearing to consider Ordinance 2010-01, amending Chapter 158, the Zoning Code, relating to lot yard and bulk regulations, accessory structures, screening regulations, and mechanical equipment. At the February 18, 2010 Regular Meeting the Town Commission forwarded Ordinance 2010-01 to the April 5, 2010 Regular Meeting for first reading and public hearing. Ordinance 2010-01, provides for amendments to the Zoning Code to relocate the regulations of mechanical equipment into one section of the Town Code. Recommended Action: Pending first reading, public hearing, and discussion, forward to May 3, 2010 Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2010-01 on record for first reading and public hearing by title only.

Vice Mayor Brown moved to pass Ordinance 2010-01 on first reading and public hearing and to forward to the May 3, 2010, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Brenner.

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

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

ORDINANCES - SECOND READING AND PUBLIC HEARING

10. Ordinance 2010-10, Amending Town Code Chapter 33, Code Enforcement

Public hearing to consider Ordinance 2010-10, amending Chapter 33, Code Enforcement, of the Town Code to provide consistency with State law. The Town Attorney's Office drafted Ordinance 2010-10, amending Chapter 33, Code Enforcement Board for consistency with current Florida Law. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2010-10

Town Clerk Trish Granger placed Ordinance 2010-10 on record for second reading and public hearing by title only.

Commr. Larson moved to adopt Ordinance 2010-10 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 be heard, the public hearing was closed.

Commr. Larson inquired as to the provisions for a repeat violation within five years of the first offense and Town Attorney David Persson advised that Florida Statutes provides for the time frame for repeat violations.

Discussion ensued on the length of time permitted to classify an offense as a repeat violation and the authority of the Code Enforcement Board to consider the evidence on each case individually.

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

11. Ordinance 2010-12, Amending Chapter 93, Vessels, Waterways and Water Activities

Public hearing to consider Ordinance 2010-12, amending Chapter 93, Vessels, Waterways, and Water Activities, of the Town Code to provide compliance with Florida Statutes. The Florida Legislature recently passed amendments to State Statute 327.4105 that creates a conflict with the existing Town Ordinance addressing anchoring and mooring of vessels. Ordinance 2010-12 provides for language that brings the Town Code into compliance with Florida Statutes. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2010-12.

Town Clerk Trish Granger placed Ordinance 2010-12 on record for second reading and public hearing by title only.

Vice Mayor Brown moved to adopt Ordinance 2010-12 on second reading and public hearing. The motion was seconded by Commr. Jaleski.

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

11. Ordinance 2010-12, Amending Chapter 93, Vessels, Waterways and Water Activities

Commr. Brenner inquired and Town Manager Bruce St. Denis advised that the adoption of the Ordinance will assist the Police Department with current enforcement issues.

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

RESOLUTIONS

12. Resolution 2010-13, Providing for the Continuance of the Citizen Tax Oversight Committee

To consider Resolution 2010-13, to provide for the continuance of the Citizen Tax Oversight Committee in accordance with provisions of Sarasota County Ordinance 2007-087 as it relates to the Sarasota County Infrastructure Surtax. The purpose of the Committee is to conduct an annual review of the expenditures made by the Town of Longboat Key from the Surtax Tax proceeds to ensure that expenditures have been made in accordance with the Infrastructure Surtax Tax (IST) project lists. Recommended Action: Pending discussion, pass Resolution 2010-13.

Town Clerk Trish Granger placed Resolution 2010-13 on record by title only.

Commr. Jaleski moved to pass Resolution 2010-13. The motion was seconded by Commr. Larson. As no one wished to be heard, the motion carried by a 7-0 roll call vote, as follows: Jaleski, aye; Larson, aye; Lenobel, aye; Brown, aye; Spoll, aye; Brenner, aye; Siekmann, aye.

13. Resolution 2010-14, Adopting the Manatee County Local Mitigation Strategy (LMS)

To consider Resolution 2010-14, adopting the Manatee County Local Mitigation Strategy (LMS) as a formal guide for hazard mitigation activities. The Town of Longboat Key participates in both Sarasota and Manatee County Local Mitigation Strategy Work Groups. The focus of the LMS is to reduce risks associated with all types of disaster events. Resolution 2010-14 adopts the current version of the Manatee County LMS and will enable the Town to be eligible for post disaster mitigation grant funds. Recommended Action: Pending discussion, pass Resolution 2010-14.

Town Clerk Trish Granger placed Resolution 2010-14 on record by title only.

Commr. Jaleski moved to pass Resolution 2010-14. The motion was seconded by Commr. Larson. As no one wished to be heard, the motion carried by a 7-0 roll call vote, as follows: Jaleski, aye; Larson, aye; Spoll, aye; Brenner, aye; Brown, aye; Siekmann, aye; Lenobel, aye.

14. Resolution 2010-16, Budget Transfer to Fund Pension Study

To consider Resolution 2010-16, a budget transfer to provide funding for the pension plan evaluation. The Town Manager has recommended a comprehensive study of the Town's pension plans to analyze the costs to the Town of pension alternatives going forward. In addition to costing out plan options the Town's financial advisor will provide an analysis of the investment and credit markets to determine financial feasibility and timing of any recommended change. Resolution 2010-16 provides funding for the Pension Study. Recommended Action: Pending discussion, pass Resolution 2010-16.

Town Clerk Trish Granger placed Resolution 2010-16 on record by title only.

Commr. Lenobel moved to pass Resolution 2010-16. The motion was seconded by Vice Mayor Brown.

Discussion ensued with Town Manager Bruce St. Denis and Town Attorney David Persson on the following topics/issues:

- function of Pension Boards and duties
- benefit levels and the responsibility of the Town Commission
- effectiveness of scope of work issued
- options to hold workshop with Pension Board Trustees and/or knowledgeable citizens to provide a detailed and defined Scope of Services
- scheduled Workshop on April 15, 2010, and options to notify Trustees and citizens to place a discussion on the workshop agenda
- citizen notice options/meeting notice requirements/formal action by Pension Board members.

Following comments, Commr. Lenobel moved a substitute motion to continue consideration of Resolution 2010-16 to the April 15, 2010, Regular Workshop meeting. The motion, seconded by Vice Mayor Brown, carried by a 7-0 roll call vote, as follows: Lenobel, aye; Brown, aye; Siekmann, Jaleski, aye; Spoll, aye; Brenner, aye; Larson, aye.

15. Resolution 2010-17, Amending Commission Board Appointment Procedures

To consider Resolution 2010-17 to amend the current process for Commission Board Appointments. At the March 25, 2010, Regular Workshop Meeting there was consensus to amend the appointment process to include an opportunity for Commissioners to meet applicants prior to the meeting at which appointments are considered. Resolution 2010-17, provides for an application deadline to allow time for this process to occur. Recommended Action: Pending discussion, pass Resolution 2010-17.

Town Clerk Trish Granger placed Resolution 2010-17 on record by title only.

Commr. Jaleski moved to pass Resolution 2010-17. The motion was seconded by Commr. Brenner.

15. Resolution 2010-17, Commission Board Appointment Procedures - Continued

Discussion ensued with Town Manager Bruce St. Denis and Town Attorney David Persson on the following topics/issues:

- requirement to adjust the submission date of applicants to provide adequate time to hold a "Meet and Greet" Special Meeting to meet the applicants
- Sunshine Law requirements for the Special Meeting
- procedures to follow during a "Meet and Greet" function
- non-mandatory attendance requirement by the applicant
- opportunity for those who cannot attend to speak during the meeting appointments are to be considered
- anticipated number of times to hold "Meet and Greet" meetings for future appointments/flexibility to hold several throughout the year.

The motion to pass Resolution 2010-17 carried by a 5-2 roll call vote, as follows: Jaleski, aye; Brenner, aye; Siekmann, no; Lenobel, no; Larson, aye; Brown, aye; Spoll, aye.

Town Manager St. Denis requested that the Commissioners provide available dates on their availability to schedule a "Meet and Greet."

16. Resolution 2010-18, Budget Transfer in the Amount of \$146,773 to Fund Joint Coastal Permit (JCP) and Seawall to Address North End Erosion Issues

To consider Resolution 2010-18, a budget transfer in the amount of \$146,773, to fund the JCP and to address the North end erosion issues. At the March 25, 2010 Regular Workshop Meeting there was consensus to proceed with funding the Joint Coastal Permit project (rebuild full profile) and seawall extension to address erosion issues in the vicinity of North Shore Road. Resolution 2010-18, provides for funding to proceed with the design of those projects. Recommended Action: Pending discussion, pass Resolution 2010-18.

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

Vice Mayor Brown moved to pass Resolution 2010-18. The motion was seconded by Commr. Brenner.

Discussion ensued with Town Manager Bruce St. Denis and Finance Director Thomas Kelley on the following topics/issues:

- process for awarding the work
- fund balance at the current time/project allocations
- Statutory requirements relating to awarding engineering services
- amount paid to Coastal Planning and Engineering (CP&E) to date
- options to seek additional proposals from other firms/Statutory requirements
- options to continue with CP&E and to seek alternate proposals
- current status of projects (design and permitting)

16. Resolution 2010-18, Budget Transfer, JCP and Seawall to Address North End Erosion Issues - Continued

- specific project details required to attract additional bids for future projects
- options for a peer review of current engineering firm.

The motion to pass Resolution 2010-18 carried by a 7-0 roll call vote, as follows: Brown, aye; Brenner, aye; Jaleski, aye; Lenobel, aye; Spoll, aye; Siekmann, aye; Larson, aye.

17. Resolution 2010-19, Budget Transfer in the Amount of \$130,000 to Fund Sand Search for 2011-2012 Beach Project

To consider Resolution 2010-29, a budget transfer in the amount of \$130,000, to fund a sand search for the 2011-2012 beach project. At the March 25, 2010 Regular Workshop Meeting there was consensus to investigate a dual-layered beach using two types of white sand for the 2011-2012 project. This will require investigation of a second borrow area. Resolution 2010-19 provides for funding to proceed with the sand search. Recommended Action: Pending discussion, pass Resolution 2010-19.

Town Clerk Trish Granger placed Resolution 2010-19 on record by title only.

Vice Mayor Brown moved to pass Resolution 2010-18. The motion was seconded by Mayor Spoll.

Town Manager Bruce St. Denis requested consideration of the item be deferred following consideration of Agenda Item 19.

There was consensus to postpone discussion and action on Resolution 2010-19 until completion of Agenda Item 19.

18. Resolution 2010-20, Waiver of Allowable Fees for Construction of Christ Church Facility

To consider Resolution 2010-20 providing for a waiver of allowable fees for construction of the Christ Church Facility. The Town Commission received a request for consideration of a waiver of certain fees related to the construction of the new Christ Church facility, 6400 Gulf of Mexico Drive. There was consensus at the March 25, 2010 Regular Workshop Meeting to waive allowable fees as provided for in the Town Code. Resolution 2010-20 is placed on the April 5, 2010 Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2010-20.

Town Clerk Trish Granger placed Resolution 2010-20 on record by title only.

Commr. Lenobel moved to pass Resolution 2010-20. The motion was seconded by Commr. Larson.

Town Manager Bruce St. Denis advised that the amount of the fire fees had been estimated and would reflect the actual amount, once determined.

18. Resolution 2010-20, Waiver of Allowable Fees for Construction of Christ Church Facility - Continued

The motion to pass Resolution 2010-20 carried by a 7-0 roll call vote, as follows: Lenobel, aye; Larson, aye; Spoll, aye; Siekmann, Brown, aye; Brenner, aye; Jaleski, aye.

RECESS: 8:19 p.m. to 8:30 p.m.

NEW BUSINESS

19. Beach Issues Update

The Town Manager and Coastal Planning and Engineering, Inc. (CP&E) will present an update regarding beach issues to the Town Commission. At the conclusion of the beach discussion the Town Manager will be seeking direction regarding elements of the Town's upcoming beach renourishment that will include decisions regarding sand selection for the 2011-2012 beach project. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted the options to be considered relating to the future beach renourishment (2011-2012 Beach Project), identified issues to impact the cost of the project, and that six options for the beach sand have been identified.

Mr. Tom Campbell, P.E., with Coastal Planning and Engineering, Inc. (CP&E) commented on the sand options to be discussed, including Option 5 (0.18 mm sand everywhere with 0.25 mm sand as an under layer) identified by Commissioners at the last meeting and Option 6 (0.18 mm sand at Section 3 and portions of Sections 4 and 5 and a 0.25 mm sand at Sections 1, 2, and portions of Section 4 with coarse white sand at Gulfside Road) with a fine white with less white sand in hot spots with no layering. Discussion ensued on the following topics/issues:

- options reviewed/additional borrow areas for some of the preferred options
- sand blend options/anticipated cost due to utilizing additional borrow areas
- costs for 70% of Island with fine white versus 100% of Island with less white
- beach location/zone to move forward with first/type of sand preferred to start sand search
- permitting requirements must include identify type of sand to be used
- anticipated type of sand from Longboat Pass to Yonker's, Bayport to Portabello, South end, Gulfside Drive areas
- Sand Options:
 - 1 - most economical, coarse gray sand under the 0.25 mm sand
 - 5 - dual layer / higher cost
 - 4 - all white sand
 - 3 - less white, uniform coarse over all (less cost/one borrow site)
- sand that would come from the Port Dolphin site.

Subsequent to discussion, there was majority consensus to utilize Sand Option No. 3.

17. Resolution 2010-19, Budget Transfer in the Amount of \$130,000 to Fund Sand Search for 2011-2012 Beach Project - Continued

To consider Resolution 2010-29, a budget transfer in the amount of \$130,000, to fund a sand search for the 2011-2012 beach project. At the March 25, 2010 Regular Workshop Meeting there was consensus to investigate a dual-layered beach using two types of white sand for the 2011-2012 project. This will require investigation of a second borrow area. Resolution 2010-19 provides for funding to proceed with the sand search. Recommended Action: Pending discussion, pass Resolution 2010-19.

Upon inquiry, Town Manager Bruce St. Denis noted that Agenda Item 17 will be withdrawn from consideration based on Commission action to select Sand Option No. 3 (see Item 19).

20. Appointment of Member to Seat 2 Firefighters' Retirement System Board of Trustees Member

Due to the resignation of Ronald Vale a vacancy exists on the Firefighters' Retirement System, Seat 2. This item is placed on the April 5, 2010 Regular Meeting for appointment to Seat 2 with a term expiration of September 30, 2011. Recommended Action: Pending discussion, appoint individual to Seat 2 on the Firefighters' Retirement System Board of Trustees.

Town Clerk Trish Granger noted a vacancy exists on the Firefighters' Retirement System Board of Trustees, Seat 2 (Town Appointed Representative) with a term expiration of September 30, 2011.

Commr. Siekmann inquired and Town Clerk Granger advised that one application, Ms. Shannon Gault, was received and, if directed, the Town Clerk's office would readvertise seeking additional volunteers.

Following comments on the process for appointment, Town Clerk Granger proceeded with a roll call for the appointment to Seat 2 of on the Firefighters Retirement System Board of Trustees, as follows:

Mayor Spoll cast a ballot for Shannon Gault
Vice Mayor Brown cast a ballot for Shannon Gault
Commr. Jaleski cast a ballot for Shannon Gault
Commr. Larson cast a ballot for Shannon Gault
Commr. Brenner cast a ballot for Shannon Gault
Commr. Siekmann cast a ballot for Shannon Gault
Commr. Lenobel cast a ballot for Shannon Gault.

Ms. Gault was appointed to Seat 2, Firefighters Retirement System Board of Trustees, by unanimous vote.

21. Other Business - Planning and Zoning Board - Continued

Town Attorney David Persson commented on the Town's adopted procedures of Robert's Rules of Order, and the process for nomination and election to Town Boards and Committees, ambiguity in Robert's Rules of Order on when a person takes the office, and ramifications for wrongfully removing an appointee to the Town's Boards and Committees. Town Attorney Persson noted the considerations of the Planning and Zoning Board advising that their upcoming meetings include legislative acts in lieu of quasi-judicial action.

Discussion ensued on the P&Z process and recommendation to the Town Commission for final action.

Commr. Jaleski moved to terminate discussion. The motion was seconded by Commr. Lenobel.

Ms. Marnie Matarese, 7129 Westmoreland Drive, Sarasota, commented on the citizens decisions with the Vision Plan, the Referendum questions, and the position of Mr. Saivetz on advancement of Longboat Key in the hearings for the Key Club.

Mr. Bob Goodman, Sands Points Road, commented on the consideration of the Key Club petition and supported moving forward with the current appointments to the P&Z Board.

Mr. Bob Gault, Ranger Lane, commented on the recent appointment and suggested that the Commission consider asking Mr. Saivetz to recuse himself from the upcoming hearings on the Zoning Code.

Mr. Bob White, Longboat Club Road, commented on the issues to be considered by the P&Z Board in consideration of the Zoning Code amendments.

Mr. Tom Michael, Chipping Lane, noted comments made on the perception of action by the Town Commission and suggested that the appointment be delayed or a request for Mr. Saivetz to recuse himself.

Mr. Brad Saivetz, Golf Links Lane, noted his commitment to serve the Town with integrity in a non-biased position and requested that he be sworn in as a Planning and Zoning Board member.

Town Manager Bruce St. Denis noted the administration of the Oath of Office for Mr. Saivetz was scheduled at tomorrow's Planning and Zoning Board meeting.

Commr. Siekmann moved to call the question.

Commr. Larson noted her appreciation and respect for Mr. Saivetz background, commented on their telephone conversation prior to his appointment, and requested consideration that he postpone his appointment for a week.

21. Other Business - Planning and Zoning Board - Continued

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

Commr. Siekmann congratulated Mr. Saivetz on his appointment to the Planning and Zoning Board.

TOWN COMMISSION COMMENTS

A. Organizations

Commr. Larson commented on her attendance at the National Hurricane Conference and noted the level of educational opportunities.

B. Organizations

Commr. Brenner noted attendance at the National Hurricane Conference and requested the status of Town's plan and testing.

Town Manager Bruce St. Denis advised that the Town's Hurricane Plan is updated regularly, noted that the Plan will be tested in April or May, and reviewed the debris removal contractors under contract and on-going coordination between the Town's staff and vendors. Town Manager St. Denis advised that he could coordinate a meeting at the Sarasota County Emergency Operations Center (EOC) for the Commissioners to see the EOC and functions within the facility and noted that a copy of the Town's Hurricane Plan is available for review by the Commissioners.

C. Planning and Zoning Board

Commr. Siekmann inquired and Town Attorney David Persson noted that Commissioner attendance at the Planning and Zoning Board meeting on April 6, 2010, was legislative in nature and there was no prohibition for Commissioners to attend if they desired.

TOWN ATTORNEY COMMENTS

A. Town Commission

Town Attorney David Persson commented on the proposed dates for consideration of the Longboat Key Club Islandside Outline Development Plan (ODP) amendments, noted that June 30, 2010, was the last day available under the Town Code to act upon the petition, and the time frame for consideration of the Ordinance for the proposal.

Town Attorney Persson noted the status of proposed Zoning Code changes, the anticipated time frame for consideration by the Town Commission, and the dates being held in June (7, 9, 11, 14, and 16) for possible hearing days.

B. Town Commission

Town Attorney David Persson commented on communication with Commr. Jaleski and relating to correspondence from an attorney relating to action on changes to the Zoning Code.

TOWN ATTORNEY COMMENTS- Continued

C. Town Commission

Town Attorney David Persson commented on the Goals and Objectives Meeting on April 8, 2010, advised he would not be in attendance, and requested clear statements on the anticipated future direction for the Town over the next 20 years.

Town Manager Bruce St. Denis noted agreement with the request.

TOWN MANAGER COMMENTS - No items were presented.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Spoll adjourned the April 5, 2010, Regular Meeting at 9:27 p.m.

s/s/ Trish Granger
Trish Granger, Town Clerk

/s/ George Spoll
George Spoll, Mayor

Minutes Approved: 09/13/2010