

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
APRIL 2, 2012 - 7:00 P.M.**

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

Also: Town Manager Dave Bullock, Town Attorney David Persson,
Present: Town Clerk Trish Granger

Absent: Commr. Lenobel

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Brown called the meeting to order at 7:01 p.m. and Commr. Younger led the Pledge of Allegiance.

Mayor Brown noted that Commr. Lenobel would not be in attendance this date.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. John Fernandez – Retirement and Employee Service Award – 16 Years of Service

Mayor Brown read and presented Mr. John Fernandez with his Employee Service Award and congratulated him on his retirement.

Mr. Fernandez thanked the Town for his employment and his coworkers for their support.

Mr. Steve Schield, Planning, Zoning, and Building Department Planner, commented on Mr. Fernandez' service and his experience and length of licensure, and thanked him for his dedication to the Town during his career.

Mr. Ric Hartman, Planning, Zoning, and Building Department Planner, commented on Mr. Fernandez' service and thanked him for his service to the Town.

APPROVAL OF MINUTES

2. February 6, 2012 Regular Meeting; February 14, 2012 Joint Meeting with Manatee County; and February 16, 2012 Regular Workshop Meeting Minutes

Mayor Brown advised that the Town Clerk had modified the February 16, 2012, Regular Workshop Minutes to reflect the departure of Vice Mayor Brenner, and following inquiry, noted consensus to approve the minutes of the February 6, 2012, Regular Meeting, the February 14, 2012, Joint Meeting, and the February 16, 2012, Regular Workshop Meeting, as amended.

COMMITTEE REPORTS AND COMMUNICATIONS

A. Organizations

Commr. Duncan noted the two educational classes "Working With the Media" and "Business Ethics Alliance," sponsored by the ManaSota League of Cities, is scheduled on June 7, 2012, from 9:00 a.m. to 4:00 p.m.

COMMITTEE REPORTS AND COMMUNICATIONS - Continued

B. Governmental Agencies

Vice Mayor Brenner noted the March 27, 2012, meeting of the Manatee Board of County Commissioners (MBOCC) and advised of the action taken by the MBOCC on the Inlet Management Plan (IMP). (See Town Manager Comments later this meeting.)

C. Public Works

Mayor Brown noted the scheduled presentation on the Telecommunications Study, on April 4, 2012, at Town Hall (501 Bay Isles Road) from 3 p.m. to 9 p.m. and invited public participation.

PUBLIC TO BE HEARD

3. Opportunity for Public to Address Town Commission

A. Organizations

Mr. Larry Grossman, St. Judes Drive North, commented on the City of Sarasota's Commission meeting and agenda categories, noted his previous discussions relating to beach access in the area of the Yonkers property, and advised of concerns relating to safety issues on Gulf of Mexico Drive relating to pedestrian crossings.

Discussions were held on the following topics/issues:

- previous actions taken relating to the Yonkers property
- current property ownership and their intent to retain the property
- meetings on the property to address the public access concerns
- concern with the Town initiating a public access easement
- option for Staff review on existing conditions and to report back.

Town Manager Bullock noted a conference call held with the Florida Department of Transportation (FDOT) the previous week and noted that FDOT would attend the May Regular Workshop to discuss areas of concern.

B. Planning, Zoning, and Building Department

Mr. Samir Ragheb, Bayside Drive, displayed photos and commented on the following issues:

- parking on Broadway Street as a result of Moore's Restaurant expansion
- overnight parking occurring relating to rentals on Jewfish Key
- utilization of the public dock to pick up Jewfish Key tenants.

Mayor Brown commented on the parking requirements for Jewfish Key and Commr. Zunz advised that she had researched the matter and that there is parking and a dock allocated for Jewfish Key on the west side of the Cortez Bridge.

Mayor Brown advised that Staff would review the issues.

ORDINANCES - FIRST READING AND PUBLIC HEARING

4. Ordinance 2012-05, Comprehensive Plan Amendment, Capital Improvements Element

At their February 21, 2012, Regular Meeting the Planning and Zoning Board, following public hearing, unanimously recommended approval of Ordinance 2012-05. The Ordinance provides for adoption of the Annual Update to the Town's Comprehensive Plan Capital Improvements Element. Recommended Action: Pending first reading and public hearing, forward Ordinance 2012-05 to the May 7, 2012 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2012-05 on record for first reading and public hearing by title only.

Commr. Larson moved to pass Ordinance 2012-05. The motion was seconded by Commr. Zunz.

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

Commr. Duncan commented on various Capital Improvement Element (CIE) projects (pages 33 and 34) and related budget impacts to accomplish the projects. Discussions were held on the following topics/issues:

- previous requests for status reports on the projects being accomplished
- the amendment process (noting that the previous year is deleted and the fifth year project list is incorporated)
- basis for the CIE amendments (to establish the Town's projects as required by the State)
- confirmation that no financial impact is created at the current time
- the intent of the CIE to itemize the projects as required
- review of the process for further amendments to the projects if not scheduled.

Commr. Younger noted the Mr. Lenny Landau has been reviewing the water system and suggested that Mr. Landau be invited to make a presentation on his findings to date.

Mayor Brown noted past approvals for bond funding and following comments by Commr. Duncan, Town Manager Bullock advised that he would report back.

Commr. Duncan inquired as to Policy Statement 1.4.3 and Town Manager Bullock commented on the existing contract with Manatee County relating to the quantities currently purchased by the Town. Town Attorney David Persson noted that contract clauses relating to Facility Investment Fees (FIF) would be enacted if the specified capacity is exceeded.

Following additional comments on the FIF requirements, the motion carried by a 6-0 roll call vote, as follows: Larson, aye; Zunz, aye; Duncan, aye; Younger, aye; Brenner, aye; Brown, aye.

RESOLUTIONS

5. Quasi-judicial - Resolution 2012-06, Site Plan Amendment for Parcel B-2, Bay Isles, (Town Plaza II), 545 Bay Isles Parkway

At their February 21, 2012, Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Resolution 2012-06 approving a site plan amendment for Parcel B-2. Resolution 2012-06 was forwarded to the April 2, 2012, Regular Meeting for Town Commission consideration. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

Mayor Brown noted the procedures for consideration of quasi-judicial hearings.

Town Clerk Trish Granger administered the oath to individuals who will testify.

Town Attorney David Persson inquired on ex-parte communication and/or conflicts, with no items presented by Town Commissioners.

Town Clerk Granger placed Resolution 2012-06 on record for public hearing by title only.

Mayor Brown opened the public hearing.

Planning, Zoning, and Building Department Planner Steve Schield, duly sworn, presented an overview of the proposal and noted the P&Z Board's recommendation for approval.

Mr. Joel Freedman, representing Publix Supermarket, and duly sworn, noted concurrence with the Staff report and the P&Z recommendation, and supported approval.

As no others wished to be heard, Mayor Brown closed the public hearing.

Commr. Younger moved to adopt Resolution 2012-06. The motion, seconded by Commr. Duncan, carried by a 6-0 roll call vote, as follows: Younger, aye; Duncan, aye; Brenner, aye; Zunz, aye; Larson, aye; Brown, aye.

TOWN COMMISSION COMMENTS

A. Public Works

Vice Mayor Brenner noted a meeting with the Transit Division Manager Hunsinger and Mr. Tom Aposporos in Manatee County relating to Transit Route 18 (Longboat Key Trolley).

TOWN ATTORNEY COMMENTS

A. Litigation

Town Attorney David Persson commented on correspondence forwarded this date relating to the Quarterly Legal Update and a proposed settlement in the James Armstrong code enforcement case.

TOWN MANAGER COMMENTS

A. Public Works

Town Manager Dave Bullock commented on attendance at the Manatee County Commission meeting relating to consideration of the Inlet Management Plan (IMP) and the noted the additional action taken by Manatee County.

Town Manager Bullock advised that the West Coast Inland Navigation District (WCIND) approved Manatee County's request to incorporate the joint Town/County IMP into the project under consideration by the State for the Longboat Pass.

Town Manager Bullock noted the project status relating to the permitting of the structures and the flexibility in the permits relating to design and number of structures. Upon inquiry, Town Manager Bullock advised that a cost analysis has been completed and commented on the anticipated funding from the Town, Manatee County, WCIND, and possibly the Florida Department of Environmental Protection (FDEP). Discussion ensued on the following topics/issues:

- anticipated funding costs
- options to pursue grant funding
- proposed locations of the groins
- ownership of Greer Island
- timeframe for the project.

B. Town Commission

Town Manager Dave Bullock commented on Goals and Objectives Workshop Meeting scheduled on April 11, 2012, and reviewed the issues scheduled on the April 19, 2012, Regular Workshop agenda.

Upon inquiry, Town Manager Bullock confirmed that the discussion relating to the framing questions for the Comprehensive Plan review would be scheduled on the April 11, 2012, Goals and Objectives Workshop Meeting agenda.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Brown adjourned the April 2, 2012, Regular Meeting at 8:00 p.m.

Trish Granger
Trish Granger, Town Clerk

James L. Brown
James L. Brown, Mayor

Minutes Approved: 05-07-2012