

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP MEETING  
MAY 24, 2012 - 5:00 P.M.**

**Present:** Mayor Jim Brown, Commrs. Jack Duncan, Lynn Larson, Hal Lenobel, Phill Younger, Pat Zunz

**Also:** Town Manager Dave Bullock, Assistant Town Attorney Kelly Fernandez,  
**Present:** Town Clerk Trish Granger

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**Mayor Brown called the meeting to order at 5:04 p.m. and Commr. Larson led the Pledge of Allegiance.**

Mayor Brown noted that Vice Mayor Brenner would be participating via telephone.

**12. Florida Department of Transportation Discussion Regarding Feasibility of Installing Gulf of Mexico Drive Crosswalks**

Representatives of the Florida Department of Transportation (FDOT) will be present to discuss crosswalk warrants and feasibility of crosswalk installation along Gulf of Mexico Drive. Recommended Action: Pending discussion, provide direction to Manager.

Mayor Brown noted that the FDOT representatives requested that they be rescheduled due to a conflict with the starting time of the meeting.

**COMMITTEE REPORTS AND COMMUNICATIONS**

**1. Manatee County Special Liaison Report**

**A. Organizations**

Commr. Zunz noted attendance at the Sarasota Bay Estuary Program on May 18, 2012, hosted by Longboat Key.

**2. Sarasota County Special Liaison Report**

**A. Organizations**

Commr. Duncan noted the educational sessions to be held by the Manasota League of Cities on June 7, 2012.

**3. Other Reports**

**A. Town Commission**

Commr. Larson noted attendance at the Governor's Hurricane Conference the week of May 14, 2012.

**B. Government Agencies-Boards/Committees**

Commr. Lenobel advised that he was not appointed to the Manatee County Economic Development Board.

4. Karen E. Rushing, Clerk of the Circuit Court and County Comptroller

Karen Rushing, Clerk of the Circuit Court, gave a PowerPoint presentation on the services provided by the Clerk's offices.

Upon inquiry, Clerk Rushing noted the number of employees in the Clerk's organization and advised that the foreclosure figures presented included both commercial and residential properties.

5. Jim Bigham Regarding Film Production Project on Longboat Key

Mayor Brown advised that Mr. Bigham requested his presentation be rescheduled to a future meeting.

**PUBLIC TO BE HEARD**

6. Opportunity for Public to Address Town Commission - No items were presented.

At each meeting the Town Commission sets aside a time for the public to address issues that are not on the agenda.

**CONSENT AGENDA**

7 Proposed Resolution 2012-11, Providing for Emergency Authorization for Town Manager

Hurricane season occurs during a time when many of our residents, including Commissioners, are away. Proposed Resolution 2012-11 provides methods to obtain a quorum or gives the Town Manager authority to expend funds and take emergency action in the event a quorum of the Commission is not available. Recommended Action: Approval of the Consent Agenda will forward Resolution 2012-11 to the June 4, 2012, Regular Meeting for formal action.

8. Cancellation of July and August Workshop Meetings and August Regular Meeting

As provided for in Article II, Section 13 of the Town Charter, the Town Commission will consider the possible cancellation of the July and August Workshops and the August Regular Meeting. Recommended Action: Approval of the Consent Agenda will forward this item to the June 4, 2012, Regular Meeting for formal action. (See Item later this meeting.)

9. Proposed Ordinance 2012-12, Amend Chapter 111, Business Tax Receipts (BTR)

The Florida Legislature has amended the Florida Statutes Chapter 205 to provide an exemption for Real Estate Associates and Broker Associates. Proposed Ordinance 2012-12, Amending Chapter 111, to align the Town Code with the Florida Statutes is placed on the May 24, 2012, Regular Workshop Meeting Consent Agenda for Commission consideration. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2012-12 to the June 4, 2012, Regular Meeting for first reading. (See Item later this meeting.)

10. Proposed Resolution 2012-12, Authorizing the Town Manager to Process Letters of Support for Countywide Justice Assistance Grants Administratively

At the May 7, 2012, Regular Meeting there was consensus for the Town Manager to draft a resolution providing for administrative processing of JAG Countywide grant funding letters of support. Pending review of requests, these letters will be prepared by staff for the Mayor's signature. Recommended Action: Approval of the Consent Agenda will forward Resolution 2012-12 to the June 4, 2012, Regular Meeting for formal action.

**CONSENT AGENDA** - Continued

**11. Proposed Resolution 2012-13, Budget Transfer in the Amount of \$60,000 to Fund Pension Studies**

Proposed Resolution 2012-13, provides for a budget transfer in the amount of \$60,000 to fund pension studies for the General Employees' and Police Officers' employee groups. The transfer will be from Town Commission Contingency to Professional Services Other. Recommended Action: Approval of the Consent Agenda will forward Resolution 2012-13 to the June 4, 2012, Regular Meeting for formal action.

**Commr. Duncan requested removal of Consent Agenda Items 8 and 9.**

**Mayor Brown noted consensus to approve Items 7, 10, and 11, in accordance with Staff's reports and recommendations and advised Items 8 and 9 would be considered later this meeting.**

**DISCUSSION ITEMS**

**15. Retail Sales of Beer & Wine Sales at Tennis Center**

The Town Commission will consider a proposal for the sale of beer and wine at the Longboat Key Public Tennis Center at the May 24, 2012, Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock noted the item was placed on the agenda at the request of Commr. Younger and provided background information on the request.

Upon inquiry, Tennis Center Manager Kay Thayer commented on the issue of enforcement for over consumption of alcoholic beverages.

Commr. Zunz suggested that a one-year time period be considered to ensure the products are profitable. Discussions were held with Ms. Thayer on the following topics/issues:

- number of staff members to monitor the purchase of alcoholic beverages
- compliance with age requirements to purchase alcohol
- number of alcoholic beverages permitted to be purchased at one time
- training requirements for staff members on the sale and prohibition of sale.

**Mayor Brown requested that the Town Manager work with Staff to develop operating guidelines and enforcement procedures.**

Town Manager Bullock advised that Staff would submit the necessary documentation to allow for the relocation of the sales area.

Upon inquiry, Ms. Thayer advised that Staff has not researched the options to contract out the sales/concession area. Discussions were held on the following topics/issues:

- number of paid employees (part time versus full time)
- retail services area/location of vending machine
- review of restrictions in the site plan governing document

15. Retail Sales of Beer & Wine Sales at Tennis Center - Continued

**There was consensus to forward the item to a future agenda for formal action.**

Mayor Brown noted that the Town's recently hired Planning, Zoning, and Building Department Director Robin Meyer was in attendance this date.

13. Renewal of Medical Director Contract with Steven R. Newman, M.D. for Longboat Key Fire Rescue Emergency Medical Services

The Town's paramedics work under the license of the Town's Medical Director. The contract with Dr. Steven Newman, Medical Director for the Town of Longboat Key, will expire on September 30, 2012. The Town Commission will consider extending Dr. Newman's services for an additional three years. Recommended Action: Approval of the Consent Agenda will forward this item to June 4, 2012, Regular Meeting Consent Agenda for formal action.

Fire Chief Paul Dezzi noted statutory requirements for a Medical Director to be on staff, advised of the services provided by Dr. Newman to Longboat Key, reviewed contract clauses, and supported approval of the contract renewal. Discussions were held on the following topics/issues:

- definition of "unwitnessed arrest (cardiac)"
- review of market rates for Board Certified physicians
- options to postpone consideration to allow for cost comparisons.

**There was majority consensus to forward to the June 4, 2012, Regular Meeting for formal action.**

14. Mr. Peter Dailey Request for Referendum Questions for Residential Density

Pursuant to Town Code, Chapter 160, Section 160.04 and Town Charter Article II, Section 22(b) and Article VII, Section 1(a), the Town Commission is authorized to waive the petition requirements to place consideration of density increases by the Town's electors on a referendum ballot. Recommended Action: Pending discussion, provide direction to Manager.

Mr. Peter Dailey requested consideration to waive the requirements for the petition process to place referendum questions on the November General Election ballot and provided a review of the properties under consideration. Discussions were held on the following topics/issues:

- intent to have water access on both parcels located in Longbeach Subdivision (521 Broadway Street)
- quit claim deed for a portion of the parcel
- process for consideration of a future rezoning
- vacant parcel at 5440 Gulf of Mexico Drive (GMD)
- ownership of private road abutting the property (5440 GMD)
- property owners' willingness to pay costs for ballot and advertising if petition process is waived
- impact on a possible future overlay.

14. Dailey Request for Referendum Questions for Residential Density - Continued

**There was majority consensus to approve the request to waive the petition process.**

16. Proposed Agenda Items for Joint Meeting with Sarasota Board of County Commissioners

The Sarasota Board of County Commissioners will host a joint meeting with the Town of Longboat Key Commission. This item is placed on the May 24, 2012, Regular Workshop Meeting agenda for Commission consideration of proposed topics to forward for inclusion on the meeting agenda. A date for the meeting has not been set at this time. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock advised the Joint Meeting with the Sarasota County Commission was scheduled in October 2012.

**Following discussion, there was consensus to include the following topics/issues on the Joint Meeting Agenda:**

- **Inlet Management Program for New Pass**
- **Regional approach to items**
- **Business Tax Receipt program.**

Upon inquiry, Town Manager Bullock confirmed that additional items could be added to the agenda when directed by the Commission.

17. Fiscal Year (FY) 2012-2013 Preliminary Budget Discussion

The Town Commission scheduled a May 21, 2012, Special Workshop Meeting to discuss the FY 2011-12 Preliminary Budget. This item serves as a placeholder in the event Commissioners request supplemental information or to have additional discussion regarding the FY 2012-2013 Preliminary Budget. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock noted an additional Budget Workshop confirmed for June 6, 2012, and advised the issues raised at the May 21, 2012, Special Workshop would be addressed at that time.

18. Reallocation of Phase III Infrastructure Surtax Project Amounts

The Infrastructure Sales Tax (also known as the Infrastructure Surtax or IST) referendum was originally passed by the voters of Sarasota County in 2007 and subsequently, the voters approved an extension of the IST to be continued through December 31, 2024. Sarasota County Ordinance 2007-087 required the Town to provide the County with project lists to be funded with the anticipated revenue which could be reallocated by formal action of the Town Commission. Proposed Resolution 2012-14 provides for the reallocation of funds outlined on the Town's project list. Recommended Action: Pending discussion, forward Resolution 2012-14 to the June 4, 2012, Regular Meeting for formal action.

18. Reallocation of Phase III Infrastructure Surtax Project Amounts - Continued

Town Manager Dave Bullock commented on the proposed Resolution advising of revenue shortfalls and options to revise the Surtax allocations. Discussions were held on the following topics/issues:

- formula utilized to determine estimated revenue
- restriction of use of funds for beach nourishment
- existing agreement with Sarasota County
- Canal Dredging issue.

8. Cancellation of July and August Workshop Meetings and August Regular Meeting - Continued

As provided for in Article II, Section 13 of the Town Charter, the Town Commission will consider the possible cancellation of the July and August Workshops and the August Regular Meeting. Recommended Action: Approval of the Consent Agenda will forward this item to the June 4, 2012, Regular Meeting for formal action.

Commr. Duncan suggested that the schedule and requirements for Commission meetings be reviewed to allow additional time between the Regular Workshop Meetings and the Regular Meetings. Discussion ensued on rescheduling the Regular Workshop meetings to eliminate the conflict with Sarasota County Tourist Development Council meetings.

**Subsequent to comments, there was consensus to review the calendar for possible amendments to the Town Commission meeting schedule and the Town Code, if necessary.**

9. Proposed Ordinance 2012-12, Amend Chapter 111, BTR - Continued:

The Florida Legislature has amended the Florida Statutes Chapter 205 to provide an exemption for Real Estate Associates and Broker Associates. Proposed Ordinance 2012-12, Amending Chapter 111, to align the Town Code with the Florida Statutes is placed on the May 24, 2012, Regular Workshop Meeting Consent Agenda for Commission consideration. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2012-12 to the June 4, 2012, Regular Meeting for first reading.

Commr. Duncan noted discussions at the Manasota League of Cities relating to redesignating as licensing fees for real estate associates.

**Following discussion on compliance with statutory requirements, there was consensus to direct staff to poll surrounding entities and to review the option to impose a licensing fee in lieu of a BTR on Real Estate and Broker Associates.**

**There was consensus to forward Ordinance 2012-12 to the June 4, 2012, Regular Meeting for first reading.**

**TOWN COMMISSION COMMENTS**

A. Government Agencies/Town Commission

Commr. Younger suggested that a Joint Meeting be pursued with Manatee County to be hosted on Longboat Key.

B. Insurance

Commr. Zunz requested that a discussion item be placed on a future Workshop agenda relating to Wind Insurance requirements.

**There was consensus to schedule discussion of the issue on a future agenda.**

C. Boards/Committees

Vice Mayor Brenner noted attendance at the Sarasota Council of Governments and the Manatee Economic Development Council meetings earlier this month.

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

**TOWN MANAGER COMMENTS**

A. Public Works

Town Manager Dave Bullock noted distribution of a report on the adjustments made to the permeable adjustable groins.

B. Boards/Committees

Town Manager Dave Bullock advised that the deadline for application on the Community Center Advisory Committee had passed and that four applications were received.

Mayor Brown noted the discussions regarding residency requirements and the intent of the Committee to collect and interpret data relating to the needs of the community for events held throughout the Town by various organizations.

**There was consensus to direct Staff to begin the effort for the collection of data relating to the community needs and postpone appointments at the current time.**

Mr. George Spoll, Harbourside Drive, suggested that the Commission increase the membership of the committee and require that a majority be residents.

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

**ADJOURNMENT**

Mayor Brown adjourned the May 24, 2012, Regular Workshop Meeting at 6:44 p.m.

*Trish Granger*

Trish Granger, Town Clerk

*James L. Brown*

James L. Brown, Mayor

Minutes Approved: 07-02-2012