

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
MAY 6, 2013 - 7:00 P.M.**

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

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

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**Mayor Brown called the meeting to order at 7:00 p.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida and Vice Mayor Brenner led the Pledge of Allegiance.**

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

1. Opportunity for Public to Address Town Commission

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

**APPROVAL OF MINUTES**

**2. April 1, 2013 Regular Meeting; April 15, 2013 Special Workshop Meeting; April 15, 2013 Regular Workshop Meeting; and April 15, 2013 Special Meeting Minutes**

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

**COMMITTEE REPORTS AND COMMUNICATIONS**

**A. State Agencies**

Commr. Zunz noted attendance at the Florida Department of Transportation (FDOT) meeting held relating to improvements to the Cortez Bridge and reviewed items discussed.

**B. Organizations**

Vice Mayor Brenner provided information on the Bradenton Area Economic Development Corporation and noted attendance at the following meetings: joint meeting between Sarasota and Manatee County Commissions, the Sarasota County Economic Development Corporation, and the Coalition of Business Association meeting.

**ORDINANCES – SECOND READING AND PUBLIC HEARING**

**3. Ordinance 2013-04, Providing for Adoption of the 10-year Potable Water Supply Work Plan**

The Planning and Zoning (P&Z) Board recommended approval of proposed Ordinance 2013-04, which provides for adoption of a 10-year water supply plan and amends the Infrastructure Element of the Comprehensive Plan. This item was forwarded from the April 1, 2013 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2013-04.

3. Ordinance 2013-04, 10-year Potable Water Supply Work Plan - Continued

Town Clerk Trish Granger placed Ordinance 2013-04 on record for second reading and public hearing.

**Commr. Larson moved to adopt Ordinance 2013-04. The motion was seconded by Commr. Gans.**

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

**The motion carried by a 7-0 roll call vote, as follows: Larson, aye; Gans, aye; Younger, aye; Zunz, aye; Brenner, aye; Duncan, aye; Brown, aye.**

**RESOLUTION AND PUBLIC HEARING**

4. Quasi-judicial – Resolution 2013-12, Approving a Site Plan Amendment Application for Mar Vista Restaurant, 760 Broadway Street

Request of Ed Chiles, Mar Vista Restaurant, as property owner, seeking a site plan amendment approval for Mar Vista Restaurant, 760 Broadway Street. At their April 16, 2013 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Resolution 2013-12, site plan amendment application for Mar Vista Restaurant. Resolution 2013-12 was forwarded for public hearing and Commission consideration at the May 6, 2013 Regular Meeting. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this hearing.

Following comments by Mayor Brown on the procedure and time allowance for quasi-judicial hearings, Town Clerk Trish Granger administered the oath to individuals presenting testimony.

Town Attorney David Persson inquired, and no disclosures were noted. Town Attorney Persson inquired and there were no ex-parte communications noted.

Town Clerk Granger placed Resolution 2013-12 on record for public hearing.

**Mayor Brown opened the public hearing.**

Planning, Zoning, and Building Department Planner Steve Schield, duly sworn, gave a PowerPoint presentation on the proposed amendment to the existing Site Plan for Mar Vista Restaurant located at 760 Broadway Street.

Ms. Lynn Burnett, P.E., representing the applicant (Mar Vista Pub, Inc.) and duly sworn, provided an overview of the Site Plan Amendment requested, commented on the parking spaces and boat dock, and supported approval. (The required certified mail cards were submitted for the record.) Upon inquiry, Ms. Burnett discussed the lack of landscaping in the back parking lot (between parking lot and building).

Mayor Brown inquired, and Mr. Schield advised that additional landscaping could be required by the Town Commission as a condition of approval.

4. Quasi-judicial–Resolution 2013-12, Site Plan Amendment Mar Vista Restaurant - Continued

**Mayor Brown moved to amend Resolution 2013-12 to require landscaping between the parking lot and building entrance.**

Discussion ensued on the preferred recommendation for additional landscaping requirements between the parking lot and the west side of the building.

**The motion was seconded by Commr. Younger. Subsequent to comments by Town Attorney Persson, the motion to amend Resolution 2013-12 to require additional landscaping, carried by a 7-0 roll call vote, as follows: Brown, aye; Younger, aye; Duncan, aye; Brenner, aye; Larson, aye; Zunz, aye; Gans, aye.**

Ms. Corinne Ragheb, Bayside Drive, duly sworn, requested "interested person" status during the public hearing. Town Attorney David Persson inquired as the intent as "interested person" status and following comments, recommended that the Town Commission grant the status.

**There was consensus to grant the "interested person" status to Ms. Ragheb.**

Ms. Ragheb commented on the proposed Site Plan Amendment.

Mr. Pete Rowan, Broadway, duly sworn, commented on the proposed Site Plan Amendment.

Mr. Samir Ragheb, Bayside Drive, commented on the proposed Site Plan Amendment and displayed and submitted photographs of the traffic conditions existing in the area during tourist season.

Upon inquiry, Town Attorney Persson commented on the official designation of the property as a "Historical Property" noting that the Town's Codes/Zoning regulations do not provide for Historic Designation. Discussions were held with Mr. Schield on the following topics/issues:

- Condition 20 relating to monitoring of off-street parking needs/possible reduction in outdoor dining seats if found in violation
- alternative methods for compliance if parking is determined to be an issue
- clarification of the Commercial Revitalization Waivers - consideration of boat slips, pedestrian traffic, and/or bicycle parking to offset required parking (One 5-slot bicycle stand substituting for one parking spot).

Ms. Ragheb inquired and Mr. Schield advised that there were no parking spots dedicated to Jewfish Key residents. Mr. Ragheb inquired and Ms. Burnett responded to inquiry regarding increased capacity if the Amendment is approved, noting that capacity is based on square footage.

4. Quasi-judicial–Resolution 2013-12, Site Plan Amendment Mar Vista Restaurant - Continued

Ms. Ragheb inquired on the utilization of the facility for Special Events and noise ordinance compliance and Mr. Schield provided information on Code requirements and Conditions included in the Resolution.

Ms. Burnett noted that the private meeting room could be utilized for a variety of uses.

Upon inquiry, Mr. Ragheb noted his concerns relating to approval were specific to traffic issues. Discussions were held on the following topics/issues:

- estimated maximum occupancy of 150 for the private meeting room and 180 seats for dining
- impact of historic designations on improvements to existing facilities.

Mr. Ed Chiles, owner of Mar Vista Restaurant, duly sworn, noted that he had applied for and received historic designation.

Ms. Ragheb commented on the formula for occupancy calculations. Discussion ensued on the calculations.

Mr. Ragheb commented on the approval and requested consideration for parking issues raised.

**Mayor Brown closed the public hearing.**

Discussions were held on the impact of the renovations to a historical building and options to require parking attendants for special events.

Mr. Chiles advised that he would agree to an additional stipulation relating to parking attendants for special events, customer base arriving by water, bicycles, and pedestrian traffic.

Commr. Gans inquired and Mr. Schield noted that parking codes are determined on average usage, not special events, reviewed the time frame to respond to complaints on parking issues, and noted the authority provided to the Building Official relating to enforcement of the Conditions of Approval. Discussion ensued on the determination of patrons at Mar Vista versus Moore's Stone Crab Restaurant.

**Commr. Gans moved to approve Resolution 2013-12, as amended. The motion, seconded by Commr. Larson, carried by a 5-2 roll call vote, as follows: Gans, aye; Larson, aye; Duncan, no; Zunz, no; Younger, aye; Brenner, aye; Brown, aye.**

**RESOLUTIONS**

5. Resolution 2013-13, Providing for Emergency Authorization for Town Manager

Hurricane season occurs during a time when many of our residents, including Commissioners, are away. Resolution 2013-13 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. This item was forwarded from the April 15, 2013, Regular Workshop Meeting Consent Agenda for formal action. Recommended Action: Pending discussion, pass Resolution 2013-13.

5. Resolution 2013-13, Emergency Authorization for Town Manager - Continued  
Town Clerk Trish Granger placed Resolution 2013-13 on record by title only.

**Commr. Duncan moved to approve Resolution 2013-13. The motion, seconded by Commr. Gans carried by a 7-0 roll call vote, as follows: Duncan, aye; Gans, aye; Brown, aye; Brenner, aye; Larson, aye; Zunz, aye; Younger, aye.**

6. Resolution 2013-15, Directing the Town Manager to Provide Notice and Proceed with Removal, Clearing, Eliminating and Disposing of Junk Located at 1620 Gulf of Mexico Drive

On April 24, 2013 the Town Commission held a Special Workshop Meeting to discuss issues related to The Colony property. A portion of the discussion focused on the on-going accumulation of junk on the premises that has not been addressed by the responsible parties. There was consensus to place Resolution 2013-15 on the May 6, 2013 Regular Meeting for discussion and formal action. Recommended Action: Pending discussion, pass Resolution 2013-15.

Town Clerk Trish Granger placed Resolution 2013-15 on record by title only.

Town Manager Bullock advised that the accumulated junk had been removed from the property and that no formal action was needed on Resolution 2013-15 and it was being pulled from consideration.

Upon inquiry, Town Manager Bullock noted that there were five additional items to be considered relating to the Colony property

7. Resolution 2013-16, Providing for Public Hearing Date to Require Property Owner to Secure Maintenance Buildings of Outparcels and Unit A per Town Code Section 150.22(E)  
At the April 24, 2013 Special Workshop Meeting the Town Commission discussed conditions at The Colony property, Outparcels and Unit A. Chapter 150.22 provides procedures for buildings which are nuisances; standards to declare as dangerous structures; and for the Town Commission to order repair, vacation, or demolition. Resolution 2013-16, provides for a date for public hearing as provided for in Section 150.22(E). Recommended Action: Pending discussion, pass Resolution 2013-16.

Town Clerk Trish Granger placed Resolution 2013-16 on record by title only.

Following comments by Town Manager Dave Bullock, Assistant Town Manager Anne Ross displayed an aerial photo of the property, gave a PowerPoint presentation on the Code deficiencies on the property and status of compliance and non-compliance issues, and noted that Resolution 2013-16 would set a public hearing date to make a determination if the conditions existing constitute a public nuisance. Discussions were held on the determination of dangerous structure versus public nuisance.

Planning, Zoning, and Building Department Building Official Wayne Thorne, submitted and reviewed his inspection report dated May 6, 2013, relating to the existing conditions on Outparcel B and Unit A.

7. Resolution 2013-16, Public Hearing Date to Require Property Owner to Secure Maintenance Buildings of Outparcels and Unit A - Continued

Commr. Duncan inquired and Mr. Thorne advised that there was still electric power to the properties and reviewed the areas that are currently connected to power, noting life/safety issues to maintain alarm systems. Individual comments followed on the lack of response to improve conditions on property until hearings are scheduled.

Town Manager Bullock noted the process required to establish a public hearing had been accomplished.

**RECESS:** 8:38 p.m. - 8:48 p.m.

Dr. Murf Klauber, Gulf of Mexico Drive, requested consideration for additional time and commented on the condition of the Colony property.

Ms. Elsie Kearns, Gulf of Mexico Drive, commented on the efforts of the parties to reach an agreement for redevelopment of the property.

Ms. Patty Finneran, Gulf of Mexico Drive, commented on the security and safety concerns of residents of TenCon and the progress made this date.

Mr. John McClutchy, with the JHM Group, commented on the redevelopment of the property and the intent to work with all of the stakeholders and identified interested parties. Discussions were held with Mr. McClutchy on the following topics/issues:

- lack of a 75% membership vote on any development plan
- suggestion to meet with the Town Manager and Planning, Zoning, and Building Department Director
- background information on the redevelopment company
- lack of confidence in any redevelopment moving forward.

Attorney Don Hemke, representing the Colony Association, and Mr. Larry Stritzel, Property Maintenance Manager, made a joint presentation identifying buildings on the Colony property under control of the Colony Association and noting that Mr. Stritzel will meet with Mr. Thorne to walk the property and identify deficiencies outlined in Mr. Thorne's report.

Mr. Jay Yablon, President of the Colony Beach and Tennis Club Association, reported on the results of the meetings held relating to the redevelopment of the property. Upon inquiry, Mr. Yablon advised that no date has been scheduled for an ownership vote at the current time.

**Subsequent to individual comments, Commr. Younger moved to pass Resolution 2013-16. The motion was seconded by Commr. Duncan.**

Upon inquiry, Mr. Yablon advised that information on the JHM Group would be provided to the Town and commented on the scheduled Board election.

7. Resolution 2013-16, Public Hearing Date to Require Property Owner to Secure Maintenance Buildings of Outparcels and Unit A - Continued

**The motion carried by a 7-0 roll call vote, as follows: Younger, aye; Duncan, aye; Gans, aye; Zunz, aye; Larson, aye; Brenner, aye; Brown, aye.**

**PUBLIC HEARING**

8. Town Commission Public Hearing as Provided for in Resolution 2012-07, Section 5

At the April 24, 2013 Special Workshop Meeting the Town Commission discussed conditions at The Colony and provisions of Resolution 2012-07, Section 4 which established standards for property maintenance. Section 5 provides for the Town Commission to hold a public hearing when conditions outlined in Resolution 2012-07 have not been met. Recommended Action: Pending public hearing and discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Assistant Town Manager Anne Ross gave a PowerPoint presentation on the conditions of Resolution 2012-07 and the requirement to hold a public hearing to determine compliance with the Resolution requirements.

Town Manager Bullock reviewed the conditions of Section 4 outlined in Ordinance 2012-07 and noted the actions available to the Town Commission to meet the conditions.

Planning, Zoning, and Building Department Building Official Wayne Thorne commented on the determination to require repairs on designated dangerous buildings. Town Manager Bullock advised that the proper steps must be taken to ensure the Town's actions are defensible. Discussions were held on the associated staff time and costs relating to the conditions and inspections required at the Colony.

Mr. Tom Aposporos, speaking on behalf of the Longboat Key Revitalization Task Force, commented on the lack of progress of the various Colony parties and suggested that the 134 non-conforming units be taken back and to consider a referendum of the registered voters to add the units to the tourism units pool previously established by referendum.

**Commr. Younger moved to reduce the granted extension time frame from December 31, 2013, to October 31, 2013. The motion was seconded by Commr. Duncan.**

Discussion ensued on the following topics/issues:

- impact on reducing the extension time frame
- requests to consider negotiations under way before taking action to reduce the extension
- lack of effective enforcement issues
- continued promises from all parties to resolve issues
- suggestion of the Revitalization Committee to take back the non-conforming units and voter referendum to add the units to the density pool

**Following individual comments, Commr. Younger withdrew the motion.**

8. Town Commission Public Hearing as Provided for in Resolution 2012-07, Section 5 - Continued

Attorney Jeffrey Warren commented on the issues being addressed in the bankruptcy court and the outstanding work that needs to be accomplished. Attorney Warren commented on upcoming hearings scheduled, costs related to securing and curing maintenance issues, efforts continuing to reach agreements between the parties, and protections offered by the bankruptcy courts for portions of the property.

**Commr. Duncan moved to authorize Town Manager to take action to cure existing property maintenance issues. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Duncan, aye; Larson, aye; Younger, aye; Gans, aye; Zunz, aye; Brenner, aye; Brown, aye.**

**Following comments relating to a suggested referendum, there was consensus to discuss the issue of a density referendum at a future Workshop.**

**NEW BUSINESS**

9. Police Activity and Options for Providing Security at The Colony

At the April 24, 2013 Special Workshop Meeting the Town Commission discussed concerns regarding security at The Colony property and heard a trend report of police department calls to the property. Several neighbors expressed a desire for increased patrols to ensure criminal activity does not escalate. The Town Commission will consider options to address security issues at The Colony and adjacent properties. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock on the review of security issues, Police Officer Lee Smith gave a PowerPoint presentation on the statistical crime events at the Colony, provided an overview of the crime analysis performed and security assessments recommended. Discussions were held on the following topics/issues:

- efforts to assist Colony representatives to secure their property
- recommendation to have owners contract with private security firm
- highest priority recommendation of fencing and lighting (in compliance with existing Town Code).

Attorney Donald Hemke responded to inquiry regarding the steps to be taken by the property owners by installing a front gate access fence, stairway blocks, securing buildings, installation of motion lights, and review of motion cameras. Attorney Hemke advised that no determination had been made on installing security fencing around the property.

Mr. Larry Stritzel, Property Maintenance Manager, commented on the items to be accomplished to secure the property and the authority granted by the Board to engage part-time security on as-needed basis.

Upon inquiry, Town Attorney David Persson noted that a review would need to be accomplished to determine the Town's authority to enforce security issues. Discussion ensued on the recommendation to install a fence around the property.

10. Process for Town Commission to Declare Conditions Exist for Condemnation as Provided for in Section 150.22 (H)(4)

At the April 24, 2013, Special Workshop Meeting the Town Commission requested the Town Attorney and staff to prepare information regarding the process of declaring condemnation of a nuisance or dangerous property. The Town Attorney and staff will outline the required steps for a condemnation process. Recommended Action: None, discussion only.

Following comments, Vice Mayor Brenner requested that the JHM proposal be provided to the Town.

**Following comments, there was consensus to reschedule Item 10 for discussion at a future Workshop.**

11. Definition of "Tourism Use" and Transient Lodging

At the April 24, 2013 Special Workshop Meeting the Town Commission directed staff to clarify and define "transient lodging" in relation to "tourism use". The Town Attorney will be prepared to discuss this issue at the May 6, 2013 Regular Meeting, seek Commission direction. Recommended Action: Pending discussion, provide direction to Manager.

Town Attorney David Persson commented on legislation relating to vacation rentals and/or hotels restricting modifications to the existing Town Code.

Discussions were held on the restrictions on changing the definition as it applies to vacation rentals versus hotel use.

**There was consensus to schedule for further discussion at a future Workshop.**

12. Proposed Ordinance 2013-03 and Planning & Zoning (P&Z) Board Request for Clarification on Storage of Boat Trailers in Yards

At their April 16, 2013 Regular Meeting the P&Z Board discussed provisions of proposed Ordinance 2013-03 related to parking and use of travel trailers. The Board recommended seeking direction from the Commission and appointment of a subcommittee/task force to formulate a recommendation regarding storage of trailers in yards. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Planner Steve Schield noted a request from the P&Z Board to appoint a Commissioner to a committee to review the issues further. Upon inquiry, Mr. Schield advised that there are currently no regulations restricting the parking of boat trailers on single family properties. Discussions were held on the following topics/issues:

- options to prohibit boat trailers within specific neighborhood;
- loss of by-laws by the Country Club Shores neighborhoods;
- utilization of committees to work through unresolved issues.

**There was consensus to remand the issue to the P&Z Board to form a committee.**

12. Proposed Ordinance 2013-03 and Planning & Zoning (P&Z) Board Request for Clarification on Storage of Boat Trailers in Yards - Continued

**Following comments, there was consensus for the Mayor to further discuss with the P&Z Board Chair.**

13. Appointments to Town Boards and Committees

Appointments for the expiring or open seats on Town Boards and Committees (Planning & Zoning Board, Zoning Board of Adjustment, and Code Enforcement Board) will be considered at the May 6, 2013 Regular Meeting. Recommended Action: Pending discussion, appoint members to Town Boards and Committees.

Following comments on the appointment process, Town Clerk Trish Granger proceeded with a roll call for the appointment to Seat 1, currently held by Mr. George Symanski, for a term expiring on May 11, 2016, on the Planning and Zoning (P&Z) Board, as follows:

**Commr. Younger cast a ballot for George Symanski.  
Commr. Larson cast a ballot for George Symanski.  
Vice Mayor Brenner cast a ballot for George Symanski.  
Mayor Brown cast a ballot for George Symanski.  
Commr. Duncan cast a ballot for George Symanski.  
Commr. Zunz cast a ballot for George Symanski.  
Commr. Gans cast a ballot for George Symanski.**

**Mr. Symanski was reappointed by a 7-0 vote to Seat 1 on the P&Z Board.**

Town Clerk Granger proceeded with a roll call for the appointment to Seat 2, previously held by Ms. Lauren Goldner, for a term expiring on May 11, 2016, on the P&Z Board, as follows:

**Commr. Larson cast a ballot for Kenneth Schneier.  
Vice Mayor Brenner cast a ballot for Kenneth Schneier.  
Mayor Brown cast a ballot for Kenneth Schneier.  
Commr. Duncan cast a ballot for Kenneth Schneier.  
Commr. Zunz cast a ballot for Kenneth Schneier.  
Commr. Gans cast a ballot for Kenneth Schneier.  
Commr. Younger cast a ballot for Kenneth Schneier.**

**Mr. Schneier was appointed by a 7-0 vote to Seat 2 on the P&Z Board.**

Town Clerk Granger proceeded with a roll call for the appointment to Seat 3, currently held by Ms. B.J. Webb, for a term expiring on May 11, 2016, on the P&Z Board, as follows:

**Vice Mayor Brenner cast a ballot for B.J. Webb.  
Mayor Brown cast a ballot for B.J. Webb.  
Commr. Duncan cast a ballot for B.J. Webb.  
Commr. Zunz cast a ballot for B.J. Webb.  
Commr. Gans cast a ballot for B.J. Webb.  
Commr. Younger cast a ballot for B.J. Webb.  
Commr. Larson cast a ballot for B.J. Webb.**

**Ms. Webb was reappointed by a 7-0 vote to Seat 3 on the P&Z Board.**

13. Appointments to Town Boards and Committees - Continued

Town Clerk Granger proceeded with a roll call for the appointment to Seat 1, currently held by Mr. Ben Feole, for a term expiring on May 11, 2016, on the Zoning Board of Adjustment (ZBA), as follows:

**Mayor Brown cast a ballot for Ben Feole.**  
**Commr. Duncan cast a ballot for Ben Feole.**  
**Commr. Zunz cast a ballot for Ben Feole.**  
**Commr. Gans cast a ballot for Ben Feole.**  
**Commr. Younger cast a ballot for Ben Feole.**  
**Commr. Larson cast a ballot for Ben Feole.**  
**Vice Mayor Brenner cast a ballot for Ben Feole.**

**Mr. Feole was reappointed by a 7-0 vote to Seat 1 on the ZBA.**

Town Clerk Granger proceeded with a roll call for the appointment to Seat 3 for a partial term expiring on May 14, 2014, on the ZBA, as follows:

**Commr. Duncan cast a ballot for Jean White.**  
**Commr. Zunz cast a ballot for Jean White.**  
**Commr. Gans cast a ballot for Chuck Fuller.**  
**Commr. Younger cast a ballot for Jean White.**  
**Commr. Larson cast a ballot for Jean White.**  
**Vice Mayor Brenner cast a ballot for Jean White.**  
**Mayor Brown cast a ballot for Jean White.**

**Ms. White was appointed by a 6-1 vote to Seat 3 on the ZBA.**

Town Clerk Granger proceeded with a roll call for the appointment to Seat 6, currently held by Mr. Chuck Fuller, for a term expiring on May 11, 2016, on the ZBA, as follows:

**Commr. Zunz cast a ballot for Chuck Fuller.**  
**Commr. Gans cast a ballot for Chuck Fuller.**  
**Commr. Younger cast a ballot for Chuck Fuller.**  
**Commr. Larson cast a ballot for Chuck Fuller.**  
**Vice Mayor Brenner cast a ballot for Chuck Fuller.**  
**Mayor Brown cast a ballot for Chuck Fuller.**  
**Commr. Duncan cast a ballot for Chuck Fuller.**

**Mr. Fuller was reappointed by a 7-0 vote to Seat 1 on the ZBA.**

Following comments on the applicant for appointment to the Code Enforcement Board (CEB), Mr. James McGuire was appointed to Seat 1, for a term expiring on May 11, 2016, by acclaim.

Town Clerk Granger advised that all the applicants would be notified of the appointments made and noted that the remaining vacancies on the ZBA and CEB would be readvertised.

14. Selection of Town Attorney

At the April 1, 2013, Regular Meeting the Town Commission discussed proposals received responding to a Request for Proposals (RFP) for Town Attorney Services. Of five respondents

14. Selection of Town Attorney - Continued

two candidates were selected for one-on-one interviews with Town Commissioners, the Town Manager and PZB Director. The Commission, as the Selection Committee, will discuss selection of a Town Attorney at the May 6, 2013 Regular Meeting. Recommended Action: Pending discussion, provide direction to Manager.

**Following comments by Town Manager Dave Bullock and individual Commission comments, Commr. Younger moved to appoint Attorney Mooney-Portale to serve as Town Attorney. The motion was seconded by Commr. Gans.**

Upon inquiry, Town Manager Bullock offered his personal observations of the two firms and advised that his final recommendation would be based on institutional knowledge of the Town's actions.

**Subsequent to individual comments, the motion carried by a 6-1 roll call vote, as follows: Younger, aye; Gans, aye; Duncan; aye; Brown, aye; Zunz, no; Larson, aye; Brenner, aye.**

**Town Manager Bullock requested and there was consensus to authorize the Town Manager to draft the appropriate contract.**

Discussion ensued on the term of the contract.

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

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

**TOWN MANAGER COMMENTS**

A. Planning, Zoning, and Building Department

Town Manager Dave Bullock advised that a draft of the Urban Land Institute (ULI) questions will be provided for discussion at the May 20, 2013, Regular Workshop Meeting, noting that he has scheduled several other meetings/workshops for that date.

B. Manatee County Government

Town Manager Dave Bullock advised that he and Mayor Brown would be attending the Manatee County Commission meeting on May 7, 2013, to discuss the transit funding issue.

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

**ADJOURNMENT**

**Mayor Brown adjourned the May 6, 2013, Regular Meeting at 11:07 p.m.**

Minutes Approved: 07/01/2013