

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP MEETING
APRIL 21, 2014 - 1:00 P.M.**

Present: Mayor Jim Brown, Vice Mayor Jack Duncan, Commrs. Terry Gans, Lynn Larson, Irwin Pastor, Phill Younger, Pat Zunz

Also: Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale,
Present: Town Clerk Trish Granger

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Brown called the April 21, 2014, Regular Workshop Meeting to order at 1:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, and Commr. Gans led the Pledge of Allegiance.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission

A. Public Works

Mr. Gene Jaleski, Cedar Street, commented on inlet management options.

COMMITTEE REPORTS AND COMMUNICATIONS

2. Manatee County Special Liaison Report

A. Government Agency

Commr. Zunz noted attendance at a Community Conversation sponsored by the Manatee County School Board and noted the issues discussed.

3. Sarasota County Special Liaison Report - No items were presented.

4. Manasota League of Cities Report - No items were presented.

5. Other Reports - No items were presented.

6. Recognition of Police Officer of the Year – Police Sergeant Randy Thompson

Police Chief Pete Cumming noted the Police Officer of the Year Award was presented to Police Sergeant Randy Thompson and reviewed his service to the Town.

CONSENT ITEMS

7. Annual Review and Continuation of Ad Hoc Committee(s)

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at either a special workshop, or the first regular workshop, following the annual General Municipal Election each March for determination of which ad hoc committees shall be continued. If no formal action is taken to continue the committee, the committee automatically sunsets. Committees for review and consideration are the Finance Committee, Community Center Advisory Committee and the ULI Implementation Advisory Committee. Recommended Action: Approval of the Consent Agenda will forward Resolutions for reconstituting Advisory Committees to the May 5, 2014 Regular Meeting for formal action.

CONSENT ITEMS- Continued

8. Proposed Resolution 2014-09, Authorization to Execute Florida Department of Transportation (FDOT) Agreement BDX69 for Gulf of Mexico Drive (GMD) Right-of-Way Mowing and Litter Collection

Gulf of Mexico Drive right-of-way enhanced maintenance, including mowing and litter removal, is funded in part through an agreement with FDOT. The proposed Resolution 2014-09 and Agreement provide funding for these services from June 1, 2014 for a period of three years with an option to renew for an additional three years. Recommended Action: Pending approval of the Consent Agenda will forward this item to the May 5, 2014 Regular Meeting for formal action.

There was consensus to approve the Consent Agenda items in accordance with the Staff report and recommendations.

DISCUSSION ITEMS

9. Commission Appointments to Committees Named in Town Code and to Outside Agencies

Each year following the General Municipal Election the Town Commission considers appointments of its members to committees named in the Town Code or as required by outside agencies. A list of last year's appointments is provided for review and consideration for appointment or reappointment. Recommended Action: Pending discussion, provide direction to Manager.

Town Clerk Trish Granger reviewed the appointment process and following nominations for appointments/retentions, there was consensus to forward a letter to Manatee County supporting the appointment of Commr. Zunz to the vacancy on the Manatee County Tourist Development Board.

There was consensus to forward the following appointments/retentions to the May 5, 2014, Regular Meeting for formal action:

Committee/Agency	Appointee Information	2013 Appointments	2014 Nominations
Investment Advisory Committee	Three or more members of Town Commission	Commr. Larson Commr. Duncan Vice Mayor Brenner	Commr. Larson Commr. Pastor Commr. Younger
Finance Subcommittee	Three members of Town Commission/ Two citizens	Commr. Larson Commr. Duncan Vice Mayor Brenner	Commr. Larson Commr. Pastor Commr. Younger
Outside Agencies			
Coalition of Barrier Island Elected Officials (BIEO)	Mayor	Mayor Brown Alternate: Commr. Duncan	Mayor Brown Alternate: Vice Mayor Duncan
Manatee County Council of Governments	Mayor	Mayor Brown Alternate: Vice Mayor Brenner	Mayor Brown Alternate: Vice Mayor Duncan

9. Commission Appointments to Committees Named in Town Code and to Outside Agencies - Continued

Outside Agencies	Appointee Information	2013 Appointments	2014 Nominations
Sarasota County Council of Governments	Mayor	Mayor Brown Alternate: Vice Mayor Brenner	Mayor Brown Alternate: Vice Mayor Duncan
Special Liaison to Manatee County	Any Commr.	Commr. Zunz Alternate: Commr. Gans	Commr. Zunz Alternate: Commr. Gans
Special Liaison to Sarasota County	Any Commr.	Vice Mayor Brenner Alternate: Commr. Younger	Commr. Pastor Alternate: Commr. Younger
ManaSota League of Cities	Any Commr.	Commr. Duncan Alternate: Commr. Larson	Commr. Duncan Alternate: Commr. Larson
Metropolitan Planning Organization	Any Commr.	Commr. Younger Alternate: All Other Commissioners	Commr. Younger Alternate: All Other Commissioners
Economic Development Corporation of Sarasota County (EDC). (*This is a private sector Board.)	Any Commr.	Vice Mayor Brenner Alternate: Commr. Gans	Commr. Gans Alternate: Commr. Pastor
Sarasota County Tourist Development Council (TDC)	Any Commr.	Vice Mayor Brenner Alternate: Commr. Gans	Commr. Gans Alternate: Commr. Pastor
Manatee County Tourist Development Council (TDC)	Not a voting seat.	Vice Mayor Brenner	Commr. Zunz
Water Alliance Board	Any Commr.	Commr. Younger	Commr. Younger
Sarasota Bay Estuary Program Board of Directors	Any Commr.	Commr. Larson Alternate: Commr. Zunz	Commr. Larson Alternate: Commr. Zunz
Criminal Justice Comm. City-County Work Group	Any Commr.	Commr. Younger	Commr. Younger
West Coast Inland Navigation District (WCIND)	Any Commr.	Mayor Brown Alternate: Commr. Larson	Mayor Brown Alternate: Commr. Larson

9. Commission Appointments to Committees Named in Town Code and to Outside Agencies - Continued

Outside Agencies	Appointee Information	2013 Appointments	2014 Nominations
Bradenton Area EDC	Any Commr.	Vice Mayor Brenner Alternate: Commr. Zunz	Commr. Zunz Alternate: Commr. Pastor
Florida League of Cities - Voting Delegate	Any Commr.	Mayor Brown Alternate: Commr. Duncan	Mayor Brown Alternate: Vice Mayor Duncan

10. West Coast Inland Navigation District (WCIND) Sand Placement Project on the North End of Longboat Key

Town staff will make a presentation outlining the upcoming WCIND Sand Placement Project on the North end of Longboat Key. The estimated project cost is \$1 million. WCIND has allocated \$500,000 toward the project with the Town making up the remaining cost. There is adequate funding in the FY 2013-2014 Budget to cover the Town's project costs. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock provided an overview of the bid pricing received by WCIND and reviewed the options under consideration advising that he has notified WCIND that the Town will be participating in the project. Discussions were held on the following topics/issues:

- proposed options
- amount of sand
- time frame for the sand placement project to begin
- option for utilization of sand placed for the groin construction project
- time frame for groin construction project.

There was consensus to proceed with the project.

(See Town Manager's Comments later this meeting.)

11. Village Parking Issues

At the April 7, 2014 Regular Meeting Commissioner Zunz requested this item be placed on the April 21, 2014 Regular Workshop Meeting for consideration. Town staff has worked with residents of Longbeach Village to address concerns regarding parking issues. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Public Works Director Juan Florensa gave a PowerPoint presentation on Village parking issues. Discussions were held on the following topics/issues:

11. Village Parking Issues - Continued

- installation of no parking signs in accordance with State laws at stop signs
- painting of curbing to indicate no parking
- setbacks in alleys and options to restrict parking in alleyways.

Town Manager Bullock reviewed the recommendation submitted by Longbeach Village representatives.

Upon inquiry, Mr. Florensa reviewed the area that receives the majority of overflow traffic and the areas to be marked.

The following individuals commented on proposed parking restrictions in the Village area. Discussions were held throughout speaker presentations.

Ms. Lynne Hayden (gave a PowerPoint presentation), Russell Street
Mr. Pete Rowan (displayed photographs and parking restriction recommendation - one side of street parking on Lois and Broadway), Broadway Street
Ms. Carla Rowan, Broadway Street
Mr. Gene Jaleski, Cedar Street
Mr. Samir Ragheb (displayed photographs), Bayside Drive
Mr. Michael Drake, Longboat Drive South
Mr. Larry Grossman, St. Judes Drive North
Mr. Alan Moore, Broadway Street.

Mayor Brown requested that Mr. Moore provide his suggestions to the Town Clerk's office for distribution to the Town Commission.

Upon inquiry, Town Manager Bullock requested consensus to a proposed parking restriction plan. Discussions were held with Town Manager Bullock and Police Chief Pete Cumming on the following topics/issues:

- proposed parking plan outlined by Mr. Moore
- monitoring of seating at Moore's and Mar Vista
- number of parking citations issued in the Village since the beginning of 2014
- enforcement of issues (report of homes used as hotels) on Jewfish Key)
- Town's authority to enforce rental restrictions/required evidence to present for violations to enable Code Enforcement Board action
- impact of on-line rentals in enforcement processes
- options to create overnight parking restrictions throughout the Village
- enforcement of illegal parking (towing/ticketing)
- approaches to ensure compliance with rental restrictions.

Upon inquiry, Town Attorney Maggie Mooney-Portale advised that she will prepare a report outlining the process/options for enforcement of rental restrictions.

Town Manager Bullock noted the following items discussed for Staff to review and report on:

11. Village Parking Issues - Continued

- one-sided parking on Broadway
- one-sided parking on Lois and Poinsettia
- mark stop sign areas with 30-foot parking limitation
- options for a residential parking permit process.

There was consensus to direct Staff to develop options to address the issues outlined by the Town Manager.

Upon inquiry, Mr. Drake noted the Village Association meeting schedule and distribution options to members of the Village Association.

Individual comments followed on the current signage in the Village, lack of fine amounts on signage, and options to post fines for parking violations.

Mr. Drake inquired as to the proposed restrictions proffered by Mr. Moore.

12. Public Nuisance Procedure Established in Town Code Section 150.22

At the April 7, 2014 Special Meeting the Town Commission requested staff to place discussion of Town Code Section 150.22, Public Nuisance Procedures on the April 21, 2014 Regular Workshop Meeting. Town staff will present an outline of established provisions for addressing buildings that are deemed to be a nuisance. Recommended Action: None, informational only.

Following comments by Town Manager Dave Bullock on the public nuisance procedures, Assistant Town Manager Anne Ross gave a PowerPoint presentation on the current Code requirements relating to the procedures for public nuisance issues. Town Manager Bullock suggested that the Town Commission consider inclusion of a period of time and Town Attorney Maggie Mooney-Portale advised that any amendments to the Code would apply to future violations.

Discussions were held on the following topics/issues:

- options to address modifications to limit the Town's costs to proceed through the public nuisance process
- consideration of alternate options in lieu of demolition requirements
- percentage (50%) of damage/decay/deterioration before demolition is required
- option to establish a time frame for determination of a nuisance.

There was consensus for Staff to proceed with amendments to incorporate additional options relating to the public nuisance process.

Mr. George Spoll, Harbourside Drive, commented on the authority of the Building Official in the declaration of hazardous conditions.

RECESS: 2:59 p.m. - 3:10 p.m.

13. Proposed Ordinance 2014-14, Amending Chapter 158, Site Plan Approval Authority

At their April 15, 2014 Regular Meeting the Planning & Zoning (P&Z) Board considered proposed Ordinance 2014-14, amending Chapter 158.099 and Section 158.02. The amendments would place final site plan approval authority with the P&Z Board. Proposed Ordinance 2014-14 was forwarded for Commission consideration to the April 21, 2014 Regular Workshop Meeting for discussion. Recommended Action: Pending discussion, provide direction to Manager.

Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on options to amend the final site plan approval authority. Discussions were held on the following topics/issues:

- appeal process if the Planning and Zoning Board were to deny a petition
- historical review of the approval process
- common practice in other communities for site plan approvals
- option to provide Staff authority for approval of some petitions

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

Town Attorney Maggie Mooney-Portale reviewed the requirements for establishment of a hardship. Discussion ensued on the determination of the Planning and Zoning Board declaring a "hardship."

Ms. Ray advised that Staff has no objection to modifying Section 158.102(L) (page 4 of 5) to require that determination of a hardship should be deemed by the Town Commission in lieu of the Planning and Zoning Board.

Mr. Larry Grossman, St. Judes Drive North, commented on the proposed Ordinance.

Discussion ensued on the following topics/issues:

- approval requirement and differences of waivers versus variances
- applications considered by the Zoning Board of Adjustment
- intent of the proposed Ordinance for Town Commission to approve any departures from the Code
- options for approval process by Zoning Board of Adjustment and Planning & Zoning Board.

There was consensus to modify Section 158.102(L) changing from the third sentence back to Town Commission approval.

14. Wastewater Forcemain Replacement Project Update

The Town is planning to proactively replace the existing forcemain that conveys wastewater to the Manatee County wastewater treatment facility. The forcemain was installed in 1973, and is approximately 16,000 lineal feet. Approximately 11,000 lineal feet of the pipeline route is subaqueous across Sarasota Bay. Town staff and the Town's consultant, Carollo Engineers, will present a status update on the project and the procurement process. Recommended Action: None, informational only.

14. Wastewater Forcemain Replacement Project Update - Continued

Assistant Town Manager Anne Ross gave a brief overview and introduced Mr. Eric Peters with Carollo Engineers who gave a PowerPoint presentation on the Wastewater Forcemain Replacement Project. Discussions were held on the following topics/issues:

- estimated costs
- permitting requirements

Commr. Larson requested that in the future, agenda items with Consultant presentations be placed first on the agenda, without objection.

TOWN ATTORNEY COMMENTS

A. Litigation/Legislation

Town Attorney Maggie Mooney-Portale commented on the Court's ruling relating to the Town's Charter and the referendum process noting the ruling pre-empts the Charter provisions and provided a status report on the pending legislative bill, SB374, to correct previous legislation pertaining to local authority's referendum processes.

Upon inquiry, Town Attorney Mooney-Portale advised that density would be determined by the Town Commission and that if the State legislation is enacted, the local court ruling would be set aside.

TOWN MANAGER COMMENTS

A. Public Works

Town Manager Dave Bullock advised that the West Coast Inland Navigation District (WCIND) accepted the low bid discussed earlier this meeting (See Item 10).

TOWN COMMISSION COMMENTS

A. Ordinances

Upon inquiry, Town Manager Dave Bullock noted the time frame for consideration of the telecommunications ordinance.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Brown adjourned the April 21, 2014, Regular Workshop Meeting at 4:14 p.m.

Minutes Approved: 05-05-2014