

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
OCTOBER 6, 2014 - 7:00 P.M.**

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

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

CALL TO ORDER

Mayor Brown called the October 6, 2014, Regular Meeting to order at 7:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, and Commr. Younger led the Pledge of Allegiance.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission

A. Public Works

Ms. Madelyn Spoll, Harbourside Drive, commented on the development Concept Plan for the Bayfront Park Recreation Center and requested that the process move forward in lieu of reconsidering issues that had already been determined.

MINUTES APPROVAL

2. September 8, 2014, Special Workshop Meeting; September 8, 2014, Regular Meeting; September 15, 2014, Regular Workshop Meeting; September 22, 2014, Special Meeting.

There was consensus to approve the Minutes of the Meetings as submitted.

COMMITTEE REPORTS AND COMMUNICATIONS

3. Manatee County Special Liaison Report

A. Government Agencies

Commr. Zunz noted attendance at the Manatee County School Board Meeting and reviewed the issues discussed.

B. Organizations

Commr. Zunz noted attendance at the Manatee County Economic Development Corporation meeting and reviewed the issues discussed.

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

5. ManaSota League of Cities Report - No items were presented.

6. Other Reports

A. State Agencies

Mayor Brown noted he had made contact with representatives in Tallahassee regarding the BP Oil Spill (Deep Water Horizon) settlement regarding distribution of the settlement funds.

COMMITTEE REPORTS AND COMMUNICATIONS - Continued

6. Other Reports - Continued

B. Organizations

Mayor Brown noted attendance at Manatee County Council of Governments meeting, reviewed the issues discussed relating to the upgrades to the 9-1-1 System, and noted that an elected official was requested to serve on an ad hoc committee. Following discussion, Commr. Younger volunteered to represent the Town.

There was consensus for Commr. Younger to serve as the Town's representative.

Individual comments followed on the expertise needed to understand the project and additional review of the detailed technical knowledge that will be required.

C. Organizations

Mayor Brown noted attendance at a Mote Marine Laboratory & Aquarium Board (Mote) meeting regarding the relocation of Mote, and following comments, noted a request from Mote for the support of the Longboat Key Commission for their development/relocation plans.

There was majority consensus to issue a letter of support.

CONSENT AGENDA

7. 2015 Town Commission Meeting Schedule

Each year the Town Commission establishes their annual meeting schedule for the upcoming calendar year. The 2015 Town Commission Meeting Schedule was considered at the September 15, 2014 Regular Workshop Meeting and forwarded to the October 6, 2014 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will approve the 2015 Town Commission Meeting Schedule.

There was consensus to approve the Consent Agenda as submitted in accordance with Staff's report and recommendation.

ORDINANCES - FIRST READING

8. Ordinance 2014-29, Establishing Gulfside Beach District A, and Bayside Beach District B, Amending Chapter 92, Parks, Public Beaches and Public Beach Accesses

The Town's Comprehensive Plan identifies the important objectives for maintaining a healthy beach. Staff, the Town Attorney, and Town's consultants have developed a fiscally responsible, long-term, beach management plan which includes establishment of special taxing districts for future beach maintenance project funding. Detailed information regarding this plan and the resulting Ordinance 2014-29 was presented at the September 15, 2014, Regular Workshop with consensus to forward Ordinance 2014-29 to the October 6, 2014, Regular Meeting for first reading. Recommended Action: Pending first reading and discussion, forward Ordinance 2014-29 to the November 3, 2014, Regular Meeting for second reading and public hearing.

8. Ordinance 2014-29, Establishing Gulfside Beach District A, and Bayside Beach District B, Amending Chapter 92, Parks, Public Beaches and Public Beach Accesses - Continued
Town Clerk Trish Granger placed Ordinance 2014-29 on record for first reading by title only.

Commr. Younger moved to pass Ordinance 2014-29 on first reading and to forward to the November 3, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Zunz.

Town Manager Dave Bullock, Mr. Michael Burton of Burton and Associates, and Town Attorney Maggie Mooney-Portal gave a PowerPoint presentation on Ordinance 2014-29.

Mr. Steve Reid, Longboat Key News, requested clarification on the percentages allocated for each district.

Mr. George Spoll, Harbourside Drive, commented on the Ordinance.

Subsequent to comments, the motion carried by a 7-0 roll call vote, as follows: Younger, aye; Zunz, aye; Larson, aye; Pastor, aye; Duncan, aye; Gans, aye; Brown, aye.

9. Ordinance 2014-31, Amending Chapter 74, Parking Schedules – Longbeach Village Parking

At the April 21, 2014, Regular Workshop Meeting discussion was held regarding parking issues in Longbeach Village. As a result of discussion held by Commission and recommendations proposed by Village residents, staff was directed to develop recommendations to address the parking issues to a future workshop meeting. Ordinance 2014-31 provides for amendments to Town Code, Chapter 74 to address concerns raised by residents and was presented for Commission consideration at the September 15, 2014, Regular Workshop Meeting. There was consensus to forward Ordinance 2014-31 to the October 6, 2014, Regular Meeting for first reading. Recommended Action: Pending first reading and discussion, forward Ordinance 2014-31 to the November 3, 2014, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2014-31 on record for first reading by title only.

Commr. Zunz moved to pass Ordinance 2014-31 on first reading and to forward to the November 3, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Gans.

Town Manager Dave Bullock reviewed and gave a PowerPoint presentation on the proposed parking schedule outlined in Ordinance 2014-31.

The following individuals commented on Ordinance 2014-31:

Mr. Michael Lightfoot, Lois Avenue
Mr. Michael Drake, Longbeach Village Association

9. Ordinance 2014-31, Amending Chapter 74, Parking Schedules – Longbeach Village Parking - Continued

Discussion ensued on the following topics/issues:

- parking restrictions regulated by State law
- restricting parking to one side on Linley Street
- discretion of Commission to further modify the proposed parking restrictions.

Commr. Zunz moved to amend Ordinance 2014-31 to add a restriction to permit parking on one side of Linley Street only. The motion was seconded by Commr. Pastor.

Discussion ensued on the accurate reporting from the Fire and Police Departments to ensure no emergency access is restricted.

Mr. Drake commented on emergency access issues and consideration of no parking during specific hours.

Upon inquiry, Fire Chief Paul Dezzi advised that the Department does not have any records relating to access issues to properties. Discussion ensued on the following topics/issues:

- option to make all streets one-sided parking
- substantial modifications to the Ordinance
- renoticing requirements for substantial changes
- options to modify parking restrictions at a later date
- process to add more restrictive parking in the Village.

The motion to amend Ordinance 2014-31 to restrict parking to one side on Linley Street carried by a 7-0 roll call vote, as follows: Zunz, aye; Pastor, aye; Younger, aye; Larson, aye; Duncan, aye; Brown, aye; Gans, aye.

The motion to pass Ordinance 2014-31, as amended, carried by a 7-0 roll call vote, as follows: Zunz, aye; Gans, aye; Brown, aye; Duncan, aye; Larson, aye; Younger, aye; Pastor, aye.

Following comments, there was consensus for staff to review discussions this date, to perform another study on vehicle parking within the Village during season, and to report on possible additional restricted parking options (one sided parking on all streets) that were not addressed in Ordinance 2014-31.

Town Manager Bullock commented on the terminology utilized this date as it related to life/safety issues and noted reliance on the Public Safety Departments (Police and Fire) to report any incidents causing access issues.

RECESS: 8:43 p.m. - 8:53 p.m.

10. Ordinance 2014-32, Establishing the Dates for the Town's Preliminary and General Municipal Elections and Early Voting Schedule

The Town Charter establishes the Town's General Municipal Election for the third Tuesday in March with an option to align the Town's election with any other County administered election. Ordinance 2014-32 was drafted for Commission consideration to confirm the Preliminary, (if required), General Municipal, and early voting dates for 2015 Town elections and was forwarded from the September 15, 2014 Regular Workshop Meeting for first reading. Recommended Action: Pending first reading and discussion, forward Ordinance 2014-32 to the November 3, 2014 Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2014-32 on record for first reading by title only.

Commr. Larson moved to pass Ordinance 2014-32 on first reading and to forward to the November 3, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Younger.

Following comments by Town Clerk Trish Granger on the date to provide referendum language to the Supervisor of Elections for the March 2015 ballot, the motion carried by a 7-0 roll call vote, as follows: Larson, aye; Younger, aye; Pastor, aye; Zunz, aye; Gans, aye; Brown, aye; Duncan, aye.

RESOLUTIONS

11. Resolution 2014-26, Providing for Reimbursement of Capital Expenditures for Water and Wastewater Utility System from Future Tax-Exempt Financing Proceeds

The Town intends to issue bonds for the upcoming Subaqueous Pipeline project and may incur preparatory costs related to the project, such as professional consulting services, engineering and planning. Resolution 2014-26 provides for the Town to be reimbursed for eligible project costs upon bond issuance. Recommended Action: Pending discussion, pass Resolution 2014-26.

Town Clerk Trish Granger placed Resolution 2014-26 on record by title only.

Commr. Pastor moved to pass Resolution 2014-26. The motion was seconded by Commr. Zunz.

Following comments by Town Manager Dave Bullock, the motion carried by a 7-0 roll call vote, as follows: Pastor, aye; Zunz, aye; Duncan, aye; Gans, aye; Brown, aye; Larson, aye; Younger, aye.

12. Resolution 2014-27, Providing for Reimbursement of Capital Expenditures for Beach Maintenance from Future Tax-Exempt Financing Proceeds

The Town intends to issue bonds for the upcoming beach maintenance project and may incur preparatory costs related to the project, such as professional consulting services, engineering and planning. Resolution 2014-27 provides for the Town to be reimbursed for eligible project costs upon bond issuance. Recommended Action: Pending discussion, pass Resolution 2014-27.

12. Resolution 2014-27, Providing for Reimbursement of Capital Expenditures for Beach Maintenance from Future Tax-Exempt Financing Proceeds - Continued

Town Clerk Trish Granger placed Resolution 2014-27 on record by title only.

Commr. Larson moved to pass Resolution 2014-27. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Larson, aye; Younger, aye; Pastor, aye; Duncan, aye; Brown, aye; Gans, aye; Zunz, aye.

Commr. Larson noted discussions with Town Manager Dave Bullock relating to the undergrounding proposal and requested that reimbursement for the project, if it proceeds, be handled in the same manner.

13. Resolution 2014-29, Amending Section 15, Holidays of the Personnel Rules and Regulations (PRRs)

Resolution 2002-05 provides for the holiday schedule for Town Employees. The Town's Personnel Rules and Regulations, provides that "one other day, before or after December 25, may be designated as a holiday by the Town Manager with approval of the Town Commission". Resolution 2014-29 was forwarded from the September 15, 2014 Regular Workshop Meeting to incorporate previous Commission action regarding Veterans' Day (in lieu of a birthday holiday) and to authorize the Town Manager to designate the additional day before or after Christmas as a holiday. Recommended Action: Pending discussion, pass Resolution 2014-29.

Town Clerk Trish Granger placed Resolution 2014-29 on record by title only.

Commr. Younger moved to pass Resolution 2014-29. The motion was seconded by Commr. Gans. Following comments by Vice Mayor Duncan on half-day holidays and the additional designated day in December, the motion carried by a 6-1 roll call vote, as follows: Younger, aye; Gans, aye; Zunz, aye; Pastor, aye; Duncan, no; Brown, aye; Larson, aye.

NEW BUSINESS

14. Town of Longboat Key 2014-2015 Legislative Priorities

Each year the Town establishes legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the Manasota League of Cities. At the September 15, 2014 Regular Workshop Meeting the Town Manager requested Commission direction regarding issues to be brought forward for consideration during this legislative session. This item was forwarded to the October 6, 2014 Regular Meeting for formal action. Recommended Action: Pending discussion, approve 2014-2015 Legislative Priorities and provide to Legislative Delegations, Manasota League of Cities, and other interested parties.

Following comments by Town Manager Dave Bullock, Vice Mayor Duncan noted his suggested revisions to the format and modifications to the Legislative Priorities.

Commr. Younger moved to approve the Legislative Priorities, as amended. The motion, seconded by Commr. Gans, carried by a 7-0 roll call vote, as follows. Younger, aye; Gans, aye; Zunz, aye; Pastor, aye; Larson, aye; Duncan, aye; Brown, aye.

14. Town of Longboat Key 2014-2015 Legislative Priorities - Continued

Town Manager Bullock noted that the Manatee County Legislative Delegation would be meeting on November 14, 2014.

TOWN COMMISSION COMMENTS

A. Town Commission

Mayor Brown noted that Vice Mayor Duncan had reconsidered and would be seeking re-election in March 2015.

TOWN ATTORNEY COMMENTS

A. Advisory Boards

Town Attorney Maggie Mooney-Portale commented on the Sunshine Law, Public Records, and Ethics Law Seminar held on September 29, 2014, and noted the number of attendees.

TOWN MANAGER COMMENTS

A. Public Works/Election

Town Manager Dave Bullock reviewed the timeframe for consideration of the undergrounding of utilities and a proposed referendum and timeframe for inclusion on the March 2015 General Election ballot. Discussion ensued on the referendum process and timeframe.

B. Town Commission

Town Manager Dave Bullock noted that the Bayfront Park Recreation Center Concept Plan would be included on the October 20, 2014, Regular Workshop Meeting agenda and advised that the presentation from the Florida Department of Transportation (FDOT) was being moved to a future agenda due to the unavailability of FDOT representatives.

C. Budget/Bonds

Town Manager Dave Bullock advised that the refunding of the 2009 General Obligation Notes was completed and noted the Town would benefit from the lower interest rate obtained by an annual reduction in debt service payments of \$75,766.00.

D. Planning, Zoning, and Building

Commr. Younger requested and Town Manager Dave Bullock advised that an update on the non-conforming properties issue would be discussed at the Joint Workshop with the Planning and Zoning Board scheduled on October 20, 2014, at 9:00 a.m. Individual comments followed.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Brown adjourned the October 6, 2014, Regular Meeting at 9:30 p.m.

Minutes Approved: 11/03/2014