

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
JANUARY 5, 2015 - 7:00 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/PLEDGE OF ALLEGIANCE

Mayor Brown called the January 5, 2015, 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. Governmental Agencies

Manatee County Commissioner John Chappie offered new year's wishes, identified that he was Longboat Key's district representative on the Manatee Board of County Commission, and encouraged the Town Commission to contact him on matters relating to Longboat Key and/or regional issues.

APPROVAL OF MINUTES

2. December 1, 2014, Regular Meeting; December 10, 2014, Special Meeting; and December 10, 2014, Regular Workshop Meeting Minutes

There was consensus to approve the Meeting minutes as submitted.

COMMITTEE REPORTS AND COMMUNICATIONS

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

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

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

6. Other Reports

A. Organizations

Commr. Younger noted attendance at the December 2014 Metropolitan Planning Organization (MPO) meeting and reviewed the issues discussed, advising that the funding for the sidewalk project on the North end of Longboat Key had been advanced on the project schedule.

ORDINANCES - FIRST READING

7. Ordinance 2015-04, Amending Chapter 34, Employment Policies and Chapter 35, General Policy

Ordinance 2015-04 is necessary for clarification of leave payout provisions; deleting references to Chapters 175 and 185 Florida Statutes; and indemnification language modifications for the Consolidated Retirement System Board of Trustees. Ordinance 2015-04 was placed on the December 10, 2014, Regular Workshop Meeting for Commission consideration and forwarded to the January 5, 2015, Regular Meeting for first reading. Recommended Action: Pending first reading and discussion, forward Ordinance 2015-04 to the February 2, 2015, Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2015-04 on record for first reading by title only.

Commr. Larson moved to pass Ordinance 2015-04 on first reading and to forward to the February 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.

Town Manager Dave Bullock gave an overview of the amendments outlined in Ordinance 2015-04. Discussions were held on the following topics/issues:

- clarification on the calculation of the final annual compensation
- types of leave and eligibility for inclusion in final annual compensation
- rate of pay utilized to determine final annual compensation.

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

8. Ordinance 2015-05, Amending Chapter 74, Parking Schedule I, Prohibited Parking; and Schedule II, Restricted Parking

At the December 3, 2013, Regular Meeting the Town Commission adopted Ordinance 2013-31, which provided for restricted parking along Bay Isles Road during the month of March. At the December 10, 2014, Regular Workshop Meeting the Town Commission directed staff to develop Ordinance 2015-05, which amends Chapter 74, Parking Schedules I and II, to restrict parking from entrances to Town Hall along Bay Isles Road only during voting days. Recommended Action: Pending first reading and discussion, forward Ordinance 2015-05 to the February 2, 2015, Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2015-05 on record for first reading by title only.

Commr. Zunz moved to pass Ordinance 2015-05 on first reading and to forward to the February 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Gans.

8. Ordinance 2015-05, Amending Chapter 74, Parking Schedule I, Prohibited Parking; and Schedule II, Restricted Parking - Continued

Town Manager Dave Bullock provided an overview of the proposed amendments to Chapter 74 of the Town Code and advised that the current pavement markings were 55 feet to the west and 35 feet to the east of the entrance to Town Hall.

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

ORDINANCES - SECOND READING AND PUBLIC HEARING

9. Ordinance 2014-30, Amending Chapters 70 and 72, Parking (Enforcement)

A review of the Town Code related to towing and parking revealed a need to update Chapters 70 and 72 for compliance with Florida Statutes and consistency with current Town practices. The Town Attorney and Police Chief have developed Ordinance 2014-30, which provides for parking enforcement, citations, towing, and consistency with other provisions of the Town Code. Ordinance 2014-30 was presented at the November 12, 2014, Regular Workshop Meeting and forwarded to the December 1, 2014, Regular Meeting for first reading. Ordinance 2014-30 was forwarded to the January 5, 2015, Regular Meeting for second reading, public hearing, and discussion. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-30.

Town Clerk Trish Granger placed Ordinance 2014-30 on record for second reading and public hearing by title only.

Commr. Zunz moved to adopt Ordinance 2014-30 on second reading and public hearing. The motion was seconded by Commr. Younger.

Mayor Brown opened the public hearing.

Town Manager Dave Bullock provided an overview of Ordinance 2014-30 outlining the amendments to the Town Code and penalty provisions. Acting Police Chief Frank Rubino discussed the option to report non-payment of parking tickets to State agencies to restrict renewals of vehicle registration and/or driver's license of individual delinquent in remitting payment.

As no one wished to speak, the public hearing was closed.

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

10. Ordinance 2015-01, Providing for Referendum on Nonresidential Use in MUC-2 Zoning District

At the November 12, 2014, Regular Workshop Meeting Attorney John Patterson, representing NAECO LLC, an affiliate of Ocean Properties, requested Commission consideration of placing a referendum on a special election in accordance with Section 160.04 of the Town Code and Article II, Section 22(b) and Article VII, Section 1(a) of the Town Charter. The Town Commission directed staff to prepare and place Ordinance

10. Ordinance 2015-01, Providing for Referendum on Nonresidential Use in MUC-2 Zoning District - Continued

2015-01 on the December 10, 2014, Special Meeting for first reading and public hearing. Ordinance 2015-01 was forwarded to the January 5, 2015, Regular Meeting for second reading, public hearing, and discussion. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-01.

Town Clerk Trish Granger placed Ordinance 2015-01 on record for second reading and public hearing by title only.

Commr. Pastor moved to adopt Ordinance 2015-01 on second reading and public hearing. The motion was seconded by Commr. Zunz.

Mayor Brown opened the public hearing.

Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2015-01 and noted, for the record, the applicants' commitment to reimburse all expenses associated with the Special Election.

Mr. Mark Esbeck, representing the Inn on the Beach Association, commented on the proposal.

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

Town Attorney Maggie Mooney-Portale noted the Commission's previous discussions relating to a mail ballot for the Special Election and reviewed requested modifications to the Ordinance to indicate an all mail ballot. Discussions were held on the following topics:

- agreement of Supervisors' of Elections offices to proceed with a mail ballot election process
- required approval of the Secretary of State
- request for inclusion of language in the Ordinance to indicate a mail ballot would be held
- consequence of delay in the election process if not approved by the State
- establishing a precedent for future mail ballot elections
- notification to Supervisor of Elections' offices.

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

NEW BUSINESS

11. Appointment to Fill Vacancy on the Metropolitan Planning Organization Citizen Advisory Committee (MPOCAC)

Mr. Charlie Czech currently serves as the Town's citizen representative on the MPOCAC with his term expiring in January 2015. The volunteer opportunity was advertised in the Longboat Observer and Longboat Key News with only Mr. Czech submitting an application as of the closing date of December 29. This item is placed on the January 5, 2015 Regular Meeting for Commission consideration. Recommended Action: Pending discussion, appoint member to fill vacancy on MPOCAC.

11. Appointment to Fill Vacancy on the MPOCAC - Continued

Following comments by Mayor Brown, Commr. Gans moved to reappoint Mr. Charlie Czech to serve as the Town's citizen representative on the MPOCAC. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Gans, aye; Larson, aye; Younger, aye; Duncan, aye; Brown, aye; Zunz, aye; Pastor, aye.

Individual comments followed on Mr. Czech's service as the Town's representative on the MPOCAC.

TOWN COMMISSION COMMENTS

A. Town Manager

Commr. Younger offered birthday greetings to Ms. Donna Bullock (spouse of Town Manager Dave Bullock).

B. Town Code (Animal Licensing Fees)

Mayor Brown noted that the annual pet license renewal had started and suggested that residents be notified of the licensing requirements through an advertisement in the local papers.

Subsequent to discussion, there was consensus to workshop the issue of maintaining the licensing program on a future agenda.

TOWN ATTORNEY COMMENTS - No items were presented.

TOWN MANAGER COMMENTS

A. Governmental Agencies

Town Manager Dave Bullock noted the Joint Meeting scheduled with the Manatee Board of County Commissioners on February 17, 2015, at 9 a.m. to be held at the Manatee County Administration Office.

B. State Agencies

Town Manager Dave Bullock noted that the Florida Department of Transportation (FDOT) Preliminary Work Plan reflected a PD&E Study to replace Longboat Pass Bridge in Fiscal Year 2019-2020 and requested consideration to authorize Commr. Younger to raise the issue at a future Metropolitan Planning Organization (MPO) meeting to advance the study.

Commr. Younger suggested that dialogue be opened with other members of the MPO by the Town Manager and staff members from Longboat Key and Manatee County Government.

Upon inquiry, Town Manager Bullock noted the process for items being placed on the FDOT Work Plan.

C. Public Works

Town Manager Dave Bullock noted utility system testing on Jungle Queen during the week of January 12, 2015, and on Broadway the following week (January 19, 2015), and advised of the process for notification of residents/visitors.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Brown adjourned the January 5, 2015, Regular Meeting at 8:02 p.m.

Minutes Approved: 02-02-2015