

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP MEETING
MAY 18, 2015 - 1:36 P.M.**

Present: Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, 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 Duncan called the May 18, 2015, Regular Workshop Meeting to order at 1:36 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Larson led the Pledge of Allegiance.

PUBLIC TO BE HEARD

1. 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.

COMMITTEE REPORTS AND COMMUNICATIONS

2. Manatee County Special Liaison Report

A. Organizations

Commr. Zunz noted that Manatee and Sarasota Counties are collaborating and have formed a Suncoast Campaign for Grade Level Reading, noted support by various agencies, and advised that she will be attending a meeting scheduled by the organization on July 30, 2015. Commr. Zunz requested consideration to have the School Superintendents of both counties and School Board Members at a future meeting of the Commission.

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

4. ManaSota League of Cities Report

A. Legislation

Following comments by Mayor Duncan on the scheduling of a Special Legislative Session, Town Manager Dave Bullock advised that the Session has been called for June 1 through June 20, 2015.

Mayor Duncan noted comments from legislators attending a recent breakfast meeting relating to the early adjournment by the Florida House of Representatives.

B. ManaSota League of Cities

Mayor Duncan noted the ManaSota League of Cities had completed revisions to the By-Laws and advised that Manatee and Sarasota County Governments will not be voting members of the ManaSota League of Cities. Upon inquiry, Mayor Duncan confirmed that the Counties could be Associate Members but without voting representation.

COMMITTEE REPORTS AND COMMUNICATIONS- Continued

5. Other Reports

A. Organizations

Commr. Larson advised that the Sarasota Bay Estuary Program (SBEP) had received \$3,000,000.00 resulting from the Deep Water Horizon (BP oil spill) settlement and that the funding would be used for “shovel ready” projects only. Discussion ensued on the projects to be funded.

B. Proclamations

Mayor Duncan read and presented Public Works Director Juan Florensa with a proclamation declaring May 17 through 23, 2015, as National Public Works Week.

C. Public Works

Public Works Director Juan Florensa noted that Public Works Utilities Service Worker Two Jason Schmidt was selected as the 2015 Public Works Team Member of the Year by his co-workers, commented on Mr. Schmidt’s service to the Town, and presented him with a plaque commemorating his service.

Mr. Schmidt thanked the Commission for providing time for his recognition, thanked his co-workers for their confidence, and noted his continued efforts to provide superior service to the Town’s residents and visitors.

Following comments, Town Manager Dave Bullock noted that Mr. Schmidt had been presented a Citizen’s Commendation in April 2013 for his actions relating to a residential structure fire for ensuring that the occupants were all safely out of the building.

CONSENT AGENDA

6. Proposed Resolution 2015-13, Inlet Management Plan Funding Resolution—Joint Project with Manatee County for the Longboat Pass Dredging

The Town submitted an original application for State grant funding related to the future maintenance dredging of Longboat Pass in 2013. A funding request will be submitted this year and a funding resolution must accompany the joint application. Proposed Resolution 2015-13 provides for the Town to be jointly eligible along with Manatee County for State funding assistance. Recommended Action: Approval of the Consent Agenda will forward this item to the June 1, 2015, Regular Meeting for formal action.

7. Proposed Resolution 2015-14, Annual Beach Funding Resolution

The State of Florida Beach Management Funding Assistance Program (formerly the Beach Erosion Control Program) has been a recurring source of funding for the Town’s beach erosion/nourishment projects. Each year the Town Commission passes a beach funding resolution in order to remain eligible for State grants. Proposed Resolution 2015-14 must accompany applications for beach project funding submitted to the Florida Department of Environmental Protection. Recommended Action: Approval of the Consent Agenda will forward this item to the June 1, 2015, Regular Meeting for formal action.

CONSENT AGENDA - Continued

8. Proposed Resolution 2015-15, Longboat Pass Maintenance Dredging and Beneficial Sediment Use Project

Proposed Resolution 2015-15 is a request to the State of Florida to fund improvements the Town may undertake on its own that are strictly related to the Inlet Management Plan Study. The funding under this category has a potential reimbursement of 50-75%. A separate application and funding resolution is required for this funding request. Recommended Action: Approval of the Consent Agenda will forward this item to the June 1, 2015, Regular Meeting for formal action.

9. Consideration of Contract Extension with the Town's Financial Advisor, PFM Asset Management LLC

PFM Asset Management LLC has been contracted as the Town's Financial Advisor since 2007 with the contract expiring on June 30, 2015. As there are still significant projects in progress, the Town Manager recommends a contract extension for a period of one year. Recommended Action: Approval of the Consent Agenda will forward the PFM Asset Management LLC Contract Extension to the June 1, 2015, Regular Meeting Consent Agenda for formal action.

10. Consideration of Request for Temporary Closure of Bay Isles Road for July 4, 2015 Freedom Festival

The Longboat Key Chamber of Commerce has requested Commission consideration for temporary closure of Bay Isles Road on July 4th between the hours of 8:30 and 11:30 AM to hold the annual Freedom Festival parade and festivities scheduled to begin at 9:00 AM. Recommended Action: Approval of the Consent Agenda will forward this item to the June 1, 2015, Regular Meeting Consent Agenda for formal action.

There was consensus to approve Consent Agenda Items 6 through 10 in accordance with Staff's reports and recommendations.

DISCUSSION ITEMS

11. Consideration of Code Enforcement Board Administrative Order Relative to Case Number 15-01

At their May 11, 2015, Regular Meeting the Code Enforcement Board heard Case Number 15-01 and executed an Administrative Order requesting the Town Commission to take formal action on this Case. Code Enforcement Officer Elbon and the Town Attorney have provided a report and background information regarding this item for Commission consideration. Recommended Action: Pending discussion, provide direction.

Following comments, Town Attorney Maggie Mooney-Portale provided an overview of the Code Enforcement Board (CEB) action on the case and reviewed the Town Code provisions relating to consideration of the issue referred to the Town Commission. Discussions were held with Town Attorney Mooney-Portale and Police Department Code Enforcement Officer Chris Elbon on the following topics/issues:

- previous action taken by Town Commission on a seawall collapsing into the Bay
- property ownership considerations (homestead property versus bank-owned property)
- complaint received from Mr. Larry Grossman on the condition of seawall
- evidence presented to the Code Enforcement Board

11. Consideration of Code Enforcement Board Administrative Order Relative to Case Number 15-01- Continued

- lien collection process on a homestead property
- code enforcement process
- impact to neighboring properties if seawall in question collapses
- burden placed on Town by Code Enforcement Board
- consideration of financial issues in action taken
- enforcement processes in place
- health, safety, and welfare issues
- viewing of condition of seawall from neighbors property
- ability of any person to file a complaint on any property through the code enforcement process.

Mr. Steve Reid, Longboat Key News, inquired as to the standard authority held by the Town Commission on different types of corrective actions and collection options for code enforcement action.

Discussion ensued on the following topics/issues:

- repair versus replacement costs of a seawall
- ability to remand issue back to Code Enforcement Board at formal meeting.

There was consensus to provide the required notice and to forward the issue to the June 1, 2015, Regular Meeting for consideration.

12. Discussion Regarding Peafowl

At the March 23, 2015 Regular Workshop Meeting the Commission requested this item be placed on a future Regular Workshop Meeting agenda for Commission review. Staff has provided an update on previous Commission action on this subject for consideration at the May 18, 2015 Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Mayor Duncan, Town Manager Dave Bullock provided a historical review of past Commission action. Discussion ensued on the following topics/issues:

- past action by the Village Association in attempting to reduce flock size
- develop list of pros and cons on addressing animal control issues
- fragmentation of residents' opinions in the Village
- other animal control issues on the Key.

Mayor Duncan noted consensus to have staff review and provide options on control of peacocks and other nuisance animals.

Town Manager Bullock provided an overview as to Staff's understanding of Commission direction given.

12. Discussion Regarding Peafowl - Continued

Subsequent to comments about inclusion of other wildlife, there was majority consensus to not consider additional nuisance animals and to report back on the control of peafowl.

RECESS: 2:58 p.m. – 3:10 p.m.

13. Proposed Resolution 2015-12, Budget Transfer in the Amount of \$19,944 from Contingency to Finance Department for Purchasing Manager and Part-Time Position: The Finance Department's Finance Specialist has resigned effective May 15, 2015 which provides an opportunity to reorganize positions within the Department. The Town Manager is requesting a supplemental appropriation for wages and related employee benefits for a Purchasing Manager position, and to fund a permanent, part-time position to perform other non-purchasing functions. Proposed Resolution 2015-12 provides for a budget transfer in the amount of \$19,944 to fund these positions within the FY 2014-2015 budget. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock commented on the functions of the Finance Specialist for purchasing, payroll, and EMS (Emergency Medical Service) billing advising that the tasks will be split between an experienced purchasing staff member and part-time staff member.

Upon inquiry, Finance Director Sue Smith noted the response to the advertisement for the position.

There was consensus to forward Resolution 2015-12 to the June 1, 2015, Regular Meeting for formal action.

14. Proposed Ordinance 2015-18, Amending Chapter 38, Purchasing

The Town Attorney has drafted proposed Ordinance 2015-18 which provides for a Purchasing Manager, and other changes recommended by the Town Attorney and Town Manager. This item is forwarded for Commission consideration at the May 18, 2015 Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock commented on the proposed amendments to Chapter 38 of the Town Code. Discussion ensued on the proposed amount of bid bond and costs to file a protest on an award of a bid.

There was consensus to forward Ordinance 2015-18 to the June 1, 2015, Regular Meeting for first reading.

TOWN COMMISSION COMMENTS

A. Town Commission

Vice Mayor Gans noted difficulty in hearing some of the speakers at the podium and requested Staff review to increase the volume from podium microphone.

TOWN COMMISSION COMMENTS - Continued

B. Other Business

Vice Mayor Gans noted and offered anniversary wishes to his wife.

C. Property Appraiser

Commr. Larson commented on the process for the assessment/valuations performed by the Sarasota County Property Appraiser relating to land valuations and requested Staff's review and report on the process used.

D. Town Commission

Mayor Duncan noted that the City of Sarasota scheduled a joint meeting of all Sarasota municipalities, confirmed that a previous invitation from the City of North Port had been declined as there was no established agenda items, and advised that the Mayor's met following the Sarasota Council of Governments (COG) meeting and may have reached consensus for a reduced participation inviting the Mayors and Managers to the meeting. Mayor Duncan advised that no attendance by the Town will be confirmed until an agenda is developed.

E. Town Commission/Planning and Zoning Board

Mayor Duncan noted that a Joint Meeting with the newly appointed Planning and Zoning Board was scheduled for May 19, 2015, at 9:00 a.m., in the Town Commission Chamber (501 Bay Isles Road, Longboat Key).

F. Town Facilities

Mayor Duncan requested that Staff check on the lack of lighting of the flag in front of Town Hall at night.

G. Budget

Following comments by Mayor Duncan, there was consensus to continue the budget discussion following adjournment of the May 18, 2015, Regular Workshop Meeting.

TOWN ATTORNEY COMMENTS

A. Town Commission

Town Attorney Maggie Mooney-Portale noted the Manatee County Government Seminar on May 26, 2015, which will meet the requirement for annual ethics training for municipal elected officials.

B. Litigation

Town Attorney Maggie Mooney-Portale noted that on May 27, 2015, Oral Arguments are scheduled in Lakeland, Florida, relating to the Advanced Properties case and requested that Commissioners contact her if they are interested in attending.

A. Town Commission - Continued

Mayor Duncan noted he would be attending the Manatee County public records/ethics seminar and would leave Town Hall at 11:45 a.m. for those wishing to car pool.

TOWN ATTORNEY COMMENTS - Continued

A. Town Commission - Continued

Commr. Larson inquired as to videotaping and compliance by viewing the seminar. **Following comments, Commr. Larson requested that the Town Attorney advise if the seminar would be broadcast live.**

TOWN MANAGER COMMENTS

A. Government Agencies

Town Manager Dave Bullock advised that the Sarasota County Commission would be discussing the funding request for Bayfront Park Recreation Center at their June 3, 2015, Commission meeting, noted the meeting would be held at the Sarasota County Administration Building (1660 Ringling Boulevard, Sarasota), and requested attendance by any Commissioners who are available on June 3, 2015.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Duncan adjourned the May 18, 2015, Regular Workshop Meeting at 3:34 p.m.

Minutes Approved: 06-01-15