

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP MEETING
JUNE 15, 2015 - 1:30 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 June 15, 2015, Regular Workshop Meeting to order at 1:32 p.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, FL. Vice Mayor Gans led the Pledge of Allegiance.

Mayor Duncan noted the Town's Civility Policy, read the Pledge of Conduct, and further discussed civility during meetings, reading a previous Proclamation, and requested consideration to place annually on an agenda.

Following individual comments, there was consensus to place a Civility Proclamation on an agenda annually in April, utilizing the language read (and submitted) by Mayor Duncan this date.

Individual comments followed relating to corrections to the draft Proclamation.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission - No items were presented.

COMMITTEE REPORTS AND COMMUNICATIONS

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

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

4. ManaSota League of Cities Report

A. Organizations

Mayor Duncan noted that the ManaSota League of Cities has adopted new by-laws, reviewed the amendments, and advised of the new officers and Commr. Larson's official representation for Longboat Key on the Board.

5. Other Reports - No items were presented.

CONSENT ITEMS

6. Authorization for Mayor to Execute Sovereignty Submerged Lands Easement #41743 for Beach Nourishment and Maintenance Dredging at Longboat Pass

Authorization for the execution of Florida Department of Environmental Protection Easement #41743, Permit Authorization #0298107-004-JC, is a requirement for the permit

CONSENT ITEMS- Continued

6. Authorization for Mayor to Execute Sovereignty Submerged Lands Easement #41743 for Beach Nourishment and Maintenance Dredging at Longboat Pass- Continued

application process for the Joint Manatee County and Town of Longboat Key, Longboat Pass Maintenance Dredging and Sand Placement Project. Recommended Action: Approval of the Consent Agenda will forward this item to the July 6, 2015, Regular Meeting for formal action.

7. Proposed Resolution 2015-17, Pass-Through Rate Increase for Solid Waste Tipping Fees

The Town was notified by Manatee County that Tipping Fees may increase \$4.00/ton increasing the rate from \$36.00/ton to \$40.00/ton on October 1, 2015. In accordance with our Franchise Agreement, Ordinance 2014-21, the Town will pay a blended rate of \$45.00/ton due to the 25% premium we pay for the Sarasota County portion of Longboat Key. Proposed Resolution 2015-17, to be effective October 1, 2015, provides for the pass-through rate increase and is presented for Commission consideration. Recommended Action: Approval of the Consent Agenda will forward Resolution 2015-17 to the September 9, 2015, Regular Meeting for formal action.

There was consensus to approve Consent Agenda Items 6 and 7 in accordance with Staff reports and recommendations'.

DISCUSSION ITEMS

8. Discussion Regarding Town Code Chapter 130.02, Sound Regulations

At the March 23, 2015, Regular Workshop Meeting the Town Commission directed staff to prepare a report regarding regulation of sound. The Police Chief and Deputy Chief have prepared a PowerPoint presentation for the June 15, 2015, Regular Workshop Meeting providing an overview of the Town Code provisions regulating sound, responses to complaints, options to modify the current Town Code, and staff recommendation. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Deputy Police Chief Frank Rubino gave a PowerPoint presentation on Town Code provisions relating to the regulation of sound. Discussions were held on the following topics/issues:

- legal defensibility/use of decibel measurement devices
- existing Code/current process
- utilization of current procedures in addition to utilizing decibel meters/posting signage in identified high noise areas
- requirements to have specific limits in the Code
- challenges to citations (sounds emitting from boats) in local courts
- number of citations issued
- increased usage in the areas of concern
- options to purchase decibel meters/posting area
- timeline for ordinance adoption and training required to certify officers in use of equipment.

Subsequent to individual comments, there was majority consensus to purchase decibel meters to be used in enforcement.

8. Discussion Regarding Town Code Chapter 130.02, Sound Regulations- Continued

Discussions were held on the following topics/issues:

- the Town's lack of authority to post signage in the waterway without jurisdictional approval
- purchase/use of decibel meters
- process for Code amendments/time frame.

There was majority consensus to further review the issues of enforcement and provide additional information at a future meeting.

Commr. Daly requested that information be provided on estimated costs for additional police patrols on weekends, without objection.

Discussion ensued on the following topics/issues:

- costs associated with the purchase of decibel meters and additional patrols
- development of ordinances using decibel measurements as a basis for enforcement
- placement of signage in waterways.

9. Proposed Resolution 2015-19, Budget Transfer in the Amount of \$160,000 from Utility Contingency for Utility Manhole

A manhole collapse located near Lift Station E, 3700 Gulf of Mexico Drive, required full replacement on an emergency basis and included bypass pumping and piping from the next upstream manhole. The Wetwell and Manhole Repair line item was insufficient to cover the costs. Proposed Resolution 2015-19 (previously numbered 2015-16) provides for a budget transfer in the amount of \$160,000.00 to cover the costs associated with this emergency work. The Utility Contingency line was established for unforeseen construction issues such as this emergency manhole repair. Recommended Action: Pending discussion, forward Resolution 2015-19 to the July 6, 2015, Regular Meeting for formal action.

Town Manager Dave Bullock commented on the manhole replacement.

There was consensus to forward Resolution 2015-19 to the July 6, 2015, Regular Meeting for formal action.

10. Request for Authorization to Execute a Memorandum of Understanding (MOU) Between the Town and State College of Florida for Continuity of Operations (COOP) and Continuity of Government (COG)

Representatives from State College of Florida and Town staff have coordinated to develop a Memorandum of Understanding (MOU) for Commission consideration at the June 15, 2015 Regular Workshop Meeting. The MOU provides assurance that Longboat Key Town staff can continue to provide government services and perform essential functions following a hurricane or other disaster. The agreement provides the Town a temporary location for emergency management, disaster response, relief, and recovery efforts. The MOU provides for: classroom/office space for employees to continue municipal operations; facilities to hold Town Commission public meetings and/or press conferences; access to Wi-Fi; and other anticipated needs of the Town if operations are not feasible on the island. Recommended Action: Pending discussion, provide direction to Manager.

10. Request for Authorization to Execute a MOU Between the Town and State College of Florida for COOP and COG- Continued

Town Manager Bullock thanked Manatee County, State College of Florida, and Town Staff for their initiative to provide an alternate work location for Longboat Key Staff if Longboat Key suffered a devastating storm and needed an alternative operating location.

There was consensus to forward the agreement to the June 29, 2015, Special Meeting for formal action.

TOWN COMMISSION COMMENTS - No items were presented.

TOWN ATTORNEY COMMENTS

A. Litigation

Town Attorney Maggie Mooney-Portale advised that the court had issued a ruling in the Advanced Properties litigation appeal and reviewed the action taken.

B. Legislation

Town Attorney Maggie Mooney-Portale advised that House Bill 383, relating to private property rights, was signed by Governor Scott and would become effective on October 1, 2015.

TOWN MANAGER COMMENTS

A. Public Works

Town Manager Dave Bullock advised of the completion of work on the North end groin system noting that there would be a ribbon cutting ceremony on June 30, 2015, at 10 a.m. and requested Commission participation.

B. Town Commission/Planning and Zoning (P&Z) Board

Town Manager Dave Bullock advised that a Joint Workshop with the Planning and Zoning (P&Z) Board had been scheduled for September 21, 2015, in the Town Commission Chamber, with the time to be determined.

C. Legislation

Town Manager Dave Bullock advised of the Legislative Schedule for 2016 noting that the legislative priorities would be presented at the Commission's September Regular Meeting.

B. Town Commission/Planning and Zoning (P&Z) Board - Continued

Upon inquiry, Town Manager Bullock advised that the next P&Z Board meeting was scheduled for June 16, 2015.

D. Town Commission

Mayor Duncan noted receipt of an e-mail regarding the banning of disposable plastic bags.

Subsequent to individual comments, there was majority consensus to schedule the issue for discussion on a future Workshop agenda.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Duncan adjourned the June 15, 2015, Regular Workshop Meeting at 2:46 p.m.

Minutes Approved: 07-06-15