

**APPROVAL OF MINUTES FOR
FEBRUARY 1, 2021 - REGULAR MEETING
FEBRUARY 16, 2021 - REGULAR WORKSHOP**

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING (IN-PERSON/VIRTUAL)
FEBRUARY 1, 2021**

Present: Mayor Ken Schneier, Vice Mayor Mike Haycock, Commissioners Jack Daly and Ed Zunz

Participating by

Remote Access: Commissioners B.J. Bishop, Sherry Dominick, George Spoll

Also Present: Town Manager Tom Harmer, Town Clerk Trish Shinkle, Information Technology Director Jason Keen

Also Participating by

Remote Access: Town Attorney Maggie Mooney

1. Call to Order

Mayor Schneier called the February 1, 2021, Regular (Hybrid) Meeting to order at 1:00 p.m. in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida, with limited Staff members present.

2. Roll Call

Town Clerk Trish Shinkle called roll for attendance by in-person and remote participation with seven Commissioners present.

3. Pledge of Allegiance

Commissioner Zunz led the Pledge of Allegiance.

4. Pledge of Public Conduct

Mayor Schneier noted the Town's Civility Policy and read the Pledge of Public Conduct.

5. Statement of Hybrid Meeting Protocols

Town Manager Tom Harmer reviewed the hybrid meeting protocols.

6. Public to be Heard

Organizations

Ms. Suzy Brenner, Bay Isles Road, commented on the Paradise Center and noted the medical practices being offered, participation in programs for the Town Center, and inclusion of the facility on the way-finding sign on Gulf of Mexico Drive.

Town Manager Tom Harmer noted that Staff will review options. Mayor Schneier noted information on the Paradise Center is available on line. Upon inquiry, Ms. Brenner commented on the current outdoor programs and possible future utilization of the Town Center facilities.

7. Reports

A. Committee Reports

No items were presented.

B. Introduction of New Sarasota County Sheriff Kurt Hoffman

Town Manager Tom Harmer introduced Sherriff Kurt Hoffman and thanked him for his participation in the hiring process of Police Chief Kelli Smith.

Sheriff Hoffman introduced himself, distributed the Sheriff's Department Annual Report, and offered continued resources to the Town when needed.

C. Introduction of Brennan Asplen, III, Superintendent, School Board of Sarasota County
Town Manager Tom Harmer introduced Sarasota County School Board Superintendent Dr. Brennan Asplen.

Dr. Asplen commented on his background and offered assistance in any areas where the School Board would be needed. Upon inquiry, Dr. Asplen commented on the following items:

- efforts to keep on-campus learning available
- efforts to get the educators vaccinated, noting that they are required to comply with the age restrictions
- evaluation process to measure the progress of the students during the pandemic
- transfer of students from public to private institutions
- record of cases in the school district following holiday break.

Mayor Schneier thanked Dr. Asplen for attending.

D. COVID-19 Update

The Town Manager will brief Commissioners on the Town's response to the COVID-19 pandemic. Recommended Action: None, informational only.

Town Manager Tom Harmer gave a PowerPoint presentation on the status of COVID-19 cases on Longboat Key and throughout the State. Discussion ensued with Town Manager Harmer on the following topics/issues:

- utilization of Publix for distribution of vaccine (at Governor's direction)
- commendation for IT for their tenacity in managing Zoom
- number of residents who have received vaccine
- contact tracing for an exposure on Longboat Key
- positive cases on Longboat (full-time versus seasonal visitors).

8. Consent Agenda

The purpose of the Consent Agenda is to expedite formal action on agenda items that are routine in nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Meeting Agenda by any member of the Commission without a motion, a second, or a vote. Otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda provides the formal action noted for each item.

A. Approval of Minutes

January 5, 2021, Shade – Attorney-Client Meeting; January 5, 2021, Regular Meeting; January 15, 2021, Sarasota County School Board Convocation of Governments Meeting; and January 19, 2021, Regular Workshop Meeting Minutes. Recommended Action: Approve Minutes.

B. Request for Authorization to Execute an Interlocal Agreement with Sarasota County for CARES Act Funding

The Town Commission will consider authorization for the Town Manager to execute an Interlocal Agreement with Sarasota County to participate in the Coronavirus Aid, Relief, and Economic Security (CARES) Act for cost reimbursements associated with qualified COVID-19 expenses incurred by the Town. Recommended Action: Authorize the Town Manager to execute the Interlocal Agreement with Sarasota County for CARES Act Funding.

C. Adopt Revised 2021 Commission Meeting Schedule to Add April 19, 2021, 10:00 AM, Special Workshop Meeting (Goals & Objectives with Community Leaders)

This item is placed for Commission action to adopt a revised 2021 Town Commission Meeting Schedule to add the traditional Goals & Objectives Workshop with Community Leaders on April 19, 2021, at 10:00 AM. This meeting was inadvertently left off of the 2021 Town Commission Meeting Schedule adopted on November 2, 2020. Recommended Action: Adopt the revised 2021 Town Commission Meeting Schedule.

Vice Mayor Haycock moved to approve the consent agenda in accordance with Staff reports and recommended action. The motion, seconded by Commissioner Spoll, carried by a 7-0 roll call vote, as follows: Haycock, aye; Spoll, aye; Bishop, aye; Dominick, aye; Daly, aye; Zunz, aye; Schneier, aye.

9. Resolution and Public Hearing

Resolution 2021-03, Amending the FY21 Budget in the Amount of \$35,000 for Australian Pine Special Revenue Fund and Budget

Resolution 2021-03 provides for a FY21 Budget Amendment from the General Fund Contingency of \$35,000 to continue the Australian Pine (A-Pine) Program providing grants to eligible property owners for A-Pine removal. Recommended Action: Pass Resolution 2021-03.

Town Clerk Trish Shinkle placed Resolution 2021-03 on record by title only.

Commissioner Spoll moved to pass Resolution 2021-03. The motion was seconded by Vice Mayor Haycock.

Mayor Schneier opened the public hearing.

Town Manager Harmer provided overview of the Budget resolution. Discussions were held on the following topics/issues:

- public outreach
- pending applications
- cost range for removal of the trees (\$1,000 up to \$3,000)
- trimming versus removal.

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

The motion carried by a 7-0 roll call vote, as follows: Spoll, aye; Haycock, aye; Zunz, aye; Daly, aye; Bishop, aye; Schneier, aye; Dominick, aye.

10. Discussion Items

A. Beach Projects Update

Town Staff will provide an update on the upcoming Beach Projects and review the associated timeline. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Public Works Project Manager Charlie Mopps gave a PowerPoint presentation on the Beach Projects. Discussions were held with Town Manager Harmer, Mr. Mopps, and Public Works Director Isaac Brownman on the following topics/issues:

- Project 1 (Segments 1 through 3)/Gulfside Road Project/South End Project
- estimated costs of Gulfside Road Project

- prior survey versus current (pre-construction) and final survey (post-construction)
- impact to bond funding
- New Pass dredging/updated assessment for sand placement/project timeframe
- anticipated amount of cubic yards to be placed in area between Segments 1 and 2
- boundary of Segment 1.

Town Manager Harmer noted the map will be updated to show all the on-going/future projects. Discussions were held on the following topics/issues:

- boundaries of the Gulfside Road and South End Projects
- anticipated costs savings on the projects due to scheduling
- previous consideration (Staff reports) of what the projects would entail and estimated costs
- cost share with Florida Department of Environmental Protections (FDEP/26.9%).

B. Sarasota County Surtax IV Update

Town Staff will provide an update on the Sarasota County Surtax IV referendum scheduled for the November 1, 2021, ballot. The surtax proceeds are shared between Sarasota County, the School District, and municipalities to invest in local infrastructure improvements approved by each agency. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Support Services Director Carolyn Brown gave a PowerPoint presentation on the Sarasota County Surtax. Discussion ensued on the following topics/issues:

- average costs to citizens (additional sales tax)
- additional tax collected from visitor/tourist purchases
- statutory restriction on amount taxed
- anticipated return to Longboat Key based on population.

Mayor congratulated Ms. Brown on the amount of surveys returned to date.

11. Town Commission Comments

A. Government Agencies

Vice Mayor Haycock advised that the City of Sarasota was again considering “road diets.”

Town Manager Tom Harmer commented on the impact of roadway modifications within the City of Sarasota and advised he would review **the agenda material**. Discussion ensued on the following topics/issues:

- option to monitor the meeting for any action the City Commission might take
- concern on the impact to traffic flow in downtown Sarasota.

B. Planning, Zoning, and Building

Commissioner Zunz commented on the Mar Vista lot on the north end relating to the placement/location of the Whitney Cottage on the property.

Town Attorney Maggie Mooney noted that the issue will be considered by the Planning and Zoning Board at their February meeting and suggested that any comments should be directed to the Planning and Zoning Board during the public hearing.

C. State Agencies

Commissioner Dominick commented on the lack of safety in utilizing the Gulf of Mexico crosswalks. Town Manager Tom Harmer noted that pedestrians/bicyclists must use caution

before entering the crossing and noted the Florida Department of Transportation will be making a presentation at a future meeting.

D. Legislation

Mayor Schneier noted meetings with Florida representatives (Gruters and Robinson) relating to the Town's Legislative Priorities, the Florida Department of Environmental Protection consent order, funding for the redundant wastewater line, and the proposed on-line sales tax legislation. Mayor Schneier advised that Senator Gruters suggested sending correspondence to the newspaper in support of the tax legislation and in opposition to the regulation of short term rentals by the State.

Following comments by Town Manager Tom Harmer, there was consensus to authorize the Mayor to execute correspondence to the Sarasota Herald Tribune regarding the issues.

E. Town Commission

Mayor Schneier commented on the process for appointments to Outside Boards and Committees and requested that information on the seats be provided prior to the consideration of appointments at the April 5, 2021, Regular Meeting. Town Manager Tom Harmer confirmed that Staff will provide in advance. Individual comments followed.

12. Town Attorney Comments

A. Legislation

Town Attorney Maggie Mooney noted that she has been working with Town Manager Tom Harmer to develop appropriation requests for State funding assistance for the redundant wastewater line and the sea level rise study.

B. Litigation

Town Attorney Maggie Mooney noted receipt of the Consent Order from the Florida Department of Environmental Protection (FDEP) advising that a response is due by February 22, 2021 and that she would be requesting an Attorney-Client (Shade) Meeting for Commission consideration of the Order.

13. Town Manager Comments

A. Bonds

Town Manager Tom Harmer commented on the beach bond funding (spend within three years) and advised that there was no redemption clause. (See item 10A earlier this meeting.)

B. Planning, Zoning, and Building

Town Manager Tom Harmer advised that the Mar Vista property owners applied for and received a temporary use permit to allow employee parking in the gravel area on the property.

C. Town Commission

Town Manager Tom Harmer noted the he and the Mayor will be meeting with the Sarasota County Commission Chair and Administrator later this week.

14. Adjournment

Mayor Schneier adjourned the February 1, 2021, Regular (hybrid) Meeting at 3:26 p.m.

Trish Shinkle, Town Clerk

Kenneth Schneier, Mayor

Minutes Approved: _____

Note: Minutes in draft form and not official until approved by the Commission.

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP (IN-PERSON/VIRTUAL)
FEBRUARY 16, 2021**

Present: Mayor Ken Schneier, Vice Mayor Mike Haycock, Commissioners Jack Daly and Ed Zunz

Participating by

Remote Access: Commissioners B.J. Bishop, Sherry Dominick, George Spoll

Also Present: Town Manager Tom Harmer, Town Clerk Trish Shinkle, Information Technology Director Jason Keen

Also Participating by

Remote Access: Town Attorney Maggie Mooney

1. Call to Order

Mayor Schneier called the February 16, 2021, Regular (hybrid) Workshop to order at 1:00 p.m. in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida, with limited Staff members present.

2. Roll Call

Town Clerk Trish Shinkle called roll for attendance by in-person and remote participation with all Commissioners present.

3. Pledge of Allegiance

Mayor Schneier led the Pledge of Allegiance.

4. Pledge of Public Conduct

Mayor Schneier noted the Town's Civility Policy and read the Pledge of Public Conduct.

5. Statement of Hybrid Meeting Protocols

Town Manager Tom Harmer reviewed the hybrid meeting protocols.

6. Public to be Heard

A. Public Works

Mr. Michael Drake, Longboat Drive South, provided an update on the placement of the historical cottage at the Town Center.

B. Public Works

Mr. Gene Jaleski, Cedar Street, commented on wind power and suggested the Town research the use of Arcadia Power.

7. Reports

A. Committee Reports

No items were presented.

B. COVID-19 Update

The Town Manager will brief Commissioners on the Town's response to the COVID-19 pandemic. Recommended Action: None, informational only.

Town Manager Tom Harmer gave a PowerPoint presentation updating the Commission and public on the status of the COVID-19 pandemic. Discussions were held on the following topics/issues:

- number of resident deaths on Longboat Key

- limited number of vaccines in stores (Publix)
- number of vaccinations for Longboat Key residents
- option to limit appointments at the Longboat Key Publix to Longboat Key residents.

8. Discussion Items

A. Report and Recommendations Regarding Marine Turtle Protection Ordinance (Proposed Amendments to Town Code, Chapter 100)

At the November 9, 2020, Regular Workshop Meeting, Town staff presented their initial recommendations based on a comprehensive review of Town Code Chapter 100, Marine Turtle Protection. This follow-up report to the Commission includes responses to Commissioner's questions at the November 9, 2020, Regular Workshop Meeting, as well as to citizen comments received during and after a December 17, 2020, public input session with citizens, stakeholder groups, and Town registered contractors. Recommended Action: Provide direction to Manager.

Following comments from Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on recommendations to update Town Code Chapter 100. Discussions were held with Mr. Parsons, Ms. Tonya Long with the Florida Fish and Wildlife Commission, Assistant Town Attorney Regina Kardash, and Planning, Zoning, and Building Department Code Enforcement Officer Christopher Kopp on the following topics/issues:

- public outreach efforts and comments received from public workshop
- contributing factors creating disorientations
- locations of disorientations
- possible discriminatory action if enforcing in one zoning district and not all districts
- window tint manufacturing process/applying film
- Code applicable to new construction/development only
- opinions of window installers relating to the 15% recommendation of film/impact on warranty
- current Code requirements for lighting
- enforcement efforts/challenges unsuccessful
- education of builders on current construction and future recommendations
- application of film after the fact versus factory tinting
- residential versus tourism use
- installation costs for tinting/film
- option to seek manufacturer/professional window installers opinions.

Mr. Parsons and Town Manager Harmer stated an overview of Commission direction.

Subsequent to comments, there was consensus to forward issues discussed to a future workshop.

Mr. Parsons continued the presentation with discussions held on the following topics/issues:

- legal challenge and Court upheld Code restrictions outlined in Section 100.05
- more restrictive Ordinances in other communities
- State restrictions on motorized vehicles on the beach (Florida Department of Environmental Protection {FDEP} permit requirements)

- Recreational Use Agreement for recreational equipment/furniture
- existing Town Code (Chapter 99) relating to abandoned property.

The following individuals commented on a proposed Ordinance:

- Ms. Cyndi Seaman (in-person)
- Mr. Tim Thurman, via electronic communication (Zoom)
- Ms. Paula Clark (statements read into the record by Town Clerk Shinkle).

Mr. Parsons noted that Staff will provide information on the issues raised and schedule the follow-up discussion for the next Workshop meeting.

RECESS: 3:10 p.m. - 3:20 p.m.

B. Town Center Phase 3 Discussion

At their December 14, 2020, and January 19, 2021, Regular Workshop Meetings, the Town Commission held discussions on Phase 3 planning for the Town Center property. Following staff presentations and discussion, the Commission requested this item be scheduled for additional discussion at their February 16, 2021, Regular Workshop Meeting. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Public Works Director Isaac Brownman gave a PowerPoint presentation on the Town Center property Phase 3 planning. Discussions were held on the following topics/issues:

- Revised Exhibit 1A: Concept; suggestion to delete the phrase “while enabling a limited attraction to guests from the mainland” from the last sentence, second paragraph
- Revised Exhibit 1A: Concept; suggestion to insert the word “primarily” in front of the word “targeted” in the last sentence, second paragraph
- Revised Exhibit 1A: Concept; suggestion to retain the phrase “on the island” in the last sentence, second paragraph.

Mayor Schneier noted consensus to modify the last sentence of the second paragraph as noted.

Mayor Schneier noted the modification to the Revised Exhibit 1A: Concept and Program, relating to the types of buildings (single or two story) and noted consensus to accept the change in the last sentence of the third paragraph.

Mr. Brownman continued the presentation noting the modifications made to the following items:

- Revised Exhibit 1A: Overall Concept Principles; inclusion of the word “minimal” between the words “at” and “cost” in the eighth bullet
- Revised Exhibit 1A: Overall Concept Principles; inclusion of the phrase “and the surrounding area” in the ninth bullet.

Mayor Schneier noted consensus to modify the Overall Concept Principles as noted.

Mr. Brownman continued the presentation noting the modifications to the following items:

- Revised Exhibit 1A: Potential Programming for the Proposed Center; inclusion of the reference to “coordinate with the Longboat Key Education Center,” item 1

- Revised Exhibit 1A: Potential Programming for the Proposed Center; inclusion of the word “multi-purpose” in front of the phrase “flexible space,” item 2.

Mayor Schneier and Town Manager Harmer noted discussions with Ms. Susan Goldfarb on coordination with the Longboat Key Education Center.

Mayor Schneier inquired and no objections were stated to the revisions outlined by Staff.

Mr. Brownman continued the presentation noting the modifications to Revised Exhibit 1A: Other Elements to be Considered; by including the following:

- three additional bullets (Health and Wellness; Casual coffee, café, and/or pub; Overall flexible space),
- the Hoyt Architects Concept Plan with Building Pads,
- the estimated square footage of the building pad sites,
- examples of potential building spaces to be included.

Mayor Schneier inquired and no objections were stated to the revisions outlined by Staff.

Discussions were held on the following topics/issues:

- effort to develop proposed/estimated costs
- square footage representing the building base
- lack of a partnership/funding mechanism
- previous estimate of costs/square footage
- discussions with Sarasota County relating to library services
- consideration of engaging with the Longboat Key Community Foundation
- assistance offered by an individual who worked on a Town Center developed in the Adirondack area
- development of a “flexible” brochure outlining possible uses
- opportunities to partner with outside entities/local restaurants
- preference for inclusion of estimated costs/fundraising in the brochure.

C. Fund Balance Reserve Policy (See Item later this meeting.)

During the FY21 Budget discussions, the Commission directed staff to develop a Fund Balance Reserve Policy for consideration prior to the FY22 Budget Workshop Meetings. The Town Manager and Finance Director will present their findings and recommendations for Commission consideration. Recommended Action: Provide direction to Manager.

D. Utilities Undergrounding Project Update

At each Regular Workshop Meeting, the Town Manager and staff provide an update on various components of the Utilities Undergrounding Project. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Public Works Director Isaac Brownman gave a PowerPoint presentation on the Utilities Undergrounding project. Discussions were held with Mr. Brownman, Public Works Project Manager James Linkogle, and Mr. Mark Porter, with CDM, on the following topics/issues:

- project budget

- requests received from Longbeach Village residents relating to street light bases
- previous consideration and decisions made by the Commission on selected poles
- options for decorative poles
- start dates for installation of light poles in Country Club Shores (February 16, 2021).

The following individuals commented, in-person, on the proposed lighting in the Village:

- Ms. Carla Rowan, Broadway Street
- Mr. Peter Rowan, Broadway Street
- Mr. Eddie Abrams, Longboat Drive North.

The following individuals commented, via electronic communication (Zoom), on the proposed lighting:

- Mr. Gene Jaleski, Cedar Street
- Ms. Winnie Nelon, Bayou Hammock Road.

The following individuals requested their comments be read into the record by Town Clerk Shinkle:

- Ms. Madeleine Stewart and Mr. Robert McRae, Hughes Street
- Mr. Henry and Ms. Donna Smith, Linley Street
- Ms. Dolores Kelley, Cedar Street.

Discussions were held on the following topics/issues:

- previous consideration by the Commission
- discussions with Verizon representatives on required height of poles to co-locate (minimum 25 feet)
- height of existing poles
- inclusion of new consultant (KCI) at future meeting
- option to review technological needs
- review of options for decorative poles.

Subsequent to comments, there was consensus to have Staff review options/costs for decorative bases for the three light poles on Broadway Street.

C. Fund Balance Reserve Policy - Continued

During the FY21 Budget discussions, the Commission directed staff to develop a Fund Balance Reserve Policy for consideration prior to the FY22 Budget Workshop Meetings. The Town Manager and Finance Director will present their findings and recommendations for Commission consideration. Recommended Action: Provide direction to Manager.

Following comments, there was consensus to postpone consideration of the Fund Balance Reserve Policy to a future meeting.

9. Town Commission Comments

No items were presented.

10. Town Attorney Comments

Assistant Town Attorney David Jackson noted the Special Meeting/Attorney-Client session (hybrid) on February 22, 2021, at 2 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

11. Town Manager Comments

Town Manager Tom Harmer noted that he had received information that the meeting between the City of Sarasota and Ritz Carlton representatives relating to the temporary Pedestrian overpass bridge was rescheduled for next week.

12. Adjournment

Mayor Schneier adjourned the February 16, 2021, Regular (hybrid) Workshop at 5:15 p.m.

Trish Shinkle, Town Clerk

Kenneth Schneier, Mayor

Minutes Approved: _____

Note: Minutes in draft form and not official until approved by the Commission.

End of Agenda Item