



This meeting will be live-streamed via the Town's website.

## Town of Longboat Key Town Commission

Town Hall, 501 Bay Isles Road

Longboat Key, FL 34228

[www.longboatkey.org](http://www.longboatkey.org)

Ken Schneier, Mayor; Mike Haycock, Vice Mayor;  
Sherry Dominick, District 1; Penny Gold, District 2;  
Debra Williams, District 4; Maureen Merrigan, District 5;  
and B.J. Bishop, At-Large

## AGENDA REGULAR MEETING January 10, 2022 – 1:00 PM

### 1. Call to Order and Pledge of Allegiance

### 2. Pledge of Public Conduct

- We may disagree, but we will be respectful of one another.
- We will direct all comments to issues.
- We will avoid personal attacks.
- Audience members wishing to speak must be recognized by the Chair.
- Speaking without being recognized will be considered as "Out of Order."

### 3. Public to be Heard

Opportunity for Public to Address Town Commission

At each meeting, the Town Commission sets aside time for the public to address issues not on the agenda.

### 4. Reports

A. Committee Reports

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.

### 5. 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

November 15, 2021, Regular Workshop Meeting; November 15, 2021, Special Meeting; December 6, 2021, Regular Meeting; and December 13, 2021, Regular Workshop Meeting Minutes.

Recommended Action: Approve Minutes.

B. Florida Power & Light (FPL) Easements for Use of Town Property Within Phase 4

As part of the undergrounding project, three easements are required by FPL for use of Town Property as part of the Phase 4 portion of the project. These easements will facilitate the installation and maintenance of power distribution infrastructure on Town owned property.

Recommended Action: Authorize Manager to execute FPL Easements.

C. Public Forum Permit (PFP) Application Requests for Waiver of Permit Fee

The Longboat Key Chamber of Commerce Savor the Sounds, January 22, February 19, and March 19, 2022, from 1:00 – 9:00 pm; and the Howard Alan Art Festival on February 5 and 6, 2022, from 10:00 am – 5:00 pm. All of these events will be held at the Town Center Open Venue.

Recommended Action: Waive the \$100 PFP application fee.

**6. Ordinance - First Reading**

Ordinance 2022-01, Amending Chapter 96, Health and Sanitation, Gas Fueled Fire Pits Outside Structures

Over the past year, multiple developers have requested permits to install gas fueled fire pits outside of structures (i.e. yards, patios, pool decks). Currently permitting for propane and natural gas pits (open fires) are not provided for in our Code. Ordinance 2022-01 would provide for a permitting and inspection process for permanently installed gas fueled fire pits consistent with language in the National Fire Code and Florida Statewide Building Code.

Recommended Action: Forward Ordinance 2022-01 to the February 7, 2022, Regular Meeting for second reading and public hearing.

**7. Ordinance – Second Reading & Public Hearing**

A. Ordinance 2021-13, Amending Chapter 130, Sound Regulations

Following adoption of Emergency Ordinance 2021-10 on July 2, 2021, the Town Attorney and Town Manager were directed to review Chapter 130 and develop a new Sound Ordinance to replace the existing Code to provide for enforcement. This item was forwarded from the December 6, 2021, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2021-13.

B. Ordinance 2021-15, Amending Chapter 160, and the Town’s Comprehensive Plan for Addition of a Property Rights Element

House Bill 59, adopted in 2021 and incorporated into Florida Statutes, requires all local governments to include a Property Rights Element in their Comprehensive Plan to ensure constitutionally protected private property rights are considered in the Town’s decision-making

processes. This Ordinance was forwarded from the November 1, 2021, Regular Meeting for DEO Review, and following their approval is scheduled at the January 10, 2022, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2021-15.

## **8. Resolution**

Resolution 2022-02, Revising the FY22 Five Year Capital Plan, Amending the Sarasota County Infrastructure Surtax Fund (Phase III), General Fund and Miscellaneous Capital Project Fund Budgets

At the October 18, 2021, Commission Retreat, the Town Manager and staff received direction to utilize ARPA funds for the Subaqueous Force Main and Sea Level Rise/Stormwater Management Control projects. As a result, other long-term priorities could then be funded through Infrastructure Surtax Funds, and Unappropriated General Fund Reserves, and advanced to expedite completion. Resolution 2022-02 provides for the necessary budget amendments to reallocate funds to appropriate accounts.

Recommended Action: Pass Resolution 2022-02.

## **9. Town Commission Comments**

## **10. Town Attorney Comments**

City of Sarasota Fillmore Site Proposals Update & Request for Special Counsel

## **11. Town Manager Comments**

## **12. Adjournment**

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 seventy-two (72) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.