

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
NOVEMBER 20, 2019**

**Present:** Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Irwin Pastor, Ken Schneier

**Also Present:** Town Manager Tom Harmer, Town Attorney Maggie Mooney, Deputy Town Clerk Savannah Schield

**Not Present:** Commissioner Mike Haycock

**Call to Order/Pledge of Allegiance**

**Mayor Spoll called the November 20, 2019, Special Meeting to order at 11:45 a.m. in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida. Commissioner Pastor led the Pledge of Allegiance.**

Mayor Spoll noted the Town's Civility Code and read the Pledge of Public Conduct.

**Public to be Heard**

*1. Opportunity for Public to Address Town Commission*

No items were presented.

**Ordinances – First Reading**

*2. Ordinance 2019-17, Amendment to Chapter 92, Parks, Public Beaches, and Public Beach Accesses; Amending Ordinance 2014-29; Amending the Town of Longboat Key Code of Ordinances Section 92.62 Geographic Boundary of Bayside District*

The Town Code provides for two dependent special districts within the jurisdictional boundaries of the Town known as the Longboat Key Gulfside District and Longboat Key Bayside District. These special districts provide for ad valorem tax levies for beach projects imposed via bond referenda. The Manatee County Property Appraiser has recommended amending the legal description of the Bayside District, geographic boundary description text to include the islands within the Town's jurisdiction, specifically, Sister Keys. Ordinance 2019-17 is placed on the November 20, 2019 Special Meeting for first reading and public hearing. Recommended Action: Forward Ordinance 2019-17 to the December 2, 2019 Regular Meeting for second reading and public hearing.

Deputy Town Clerk Savannah Schield placed Ordinance 2019-17 on record for first reading by title only.

**Vice Mayor Zunz moved to pass Ordinance 2019-17 on first reading and to forward to the December 2, 2019, Regular Meeting for second reading and public hearing. The motion was seconded by Commissioner Daly.**

**Mayor Spoll opened the public hearing.**

Town Manager Tom Harmer provided an overview of Ordinance 2019-17.

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

**The motion carried by a 6-0 roll call vote, as follows: Zunz, aye; Clair, aye; Schneier, aye; Daly, aye; Pastor, aye; Spoll, aye.**

**Adjournment**

**Mayor Spoll adjourned the November 20, 2019, Special Meeting at 11:52 a.m.**

\_\_\_\_\_  
Savannah Schield, Deputy Town Clerk

\_\_\_\_\_  
George L. Spoll, Mayor

Minutes Approved: \_\_\_\_\_

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
IMPASSE RESOLUTION HEARING  
NOVEMBER 20, 2019**

**Present:** Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schneier

**Also Present:** Town Manager Tom Harmer, Town Attorney Maggie Mooney, Town Clerk Trish Shinkle

**Call to Order/Pledge of Allegiance**

**Mayor Spoll called the November 20, 2019, Special Meeting to order in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida, at 1:00 p.m. Commissioner Daly led the Pledge of Allegiance.**

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

**Public to be Heard**

*1. Opportunity for Public to Address Town Commission*

No items were presented.

**New Business - Public Hearing**

*2. Impasse Resolution Hearing Between the Town of Longboat Key (Town) and the Southwest Florida Police Benevolent Association, Inc. (SWFPBA)*

Pursuant to Florida Statutes Section 447.403, Resolution of Impasses, the Town Commission will hold a public hearing to consider two issues that were not included in a tentative agreement between the Town of Longboat Key and the SWFPBA. The Town's Management Team and representatives of the SWFPBA have negotiated a number of months over a Collective Bargaining Agreement (CBA) to replace the CBA which expired on September 30, 2019. In accordance with the Public Employee Relations Commission (PERC) rules and Florida Statutes, Chapter 447, Labor Organizations, an impasse was declared in the negotiations with respect to the issues of retirement and wages. The SWFPBA elected to request a public hearing directly before the Town Commission and bypass the appointment of a Special Magistrate by the State of Florida. Recommended action: Provide direction to Manager.

**Mayor Spoll provided an overview of the hearing process and opened the public hearing.**

Attorney Caroleen Brej, representing the SWFPBA, and Attorney Reynolds Allen, representing Town Management, offered opening statements.

Attorney Brej gave a PowerPoint presentation on the issue of retirement.

Attorney Allen offered rebuttal on the issue of retirement.

Mr. Mick McHale, representing the SWFPBA, duly sworn, offered rebuttal comments noting the personnel changes within the Police Department subsequent to previous contracts being accepted.

*2. Impasse Resolution Hearing Between the Town and the SWFPBA - Continued*

Following comments by Attorney Allen, Town Manager Tom Harmer, duly sworn, commented on the budgeting considerations.

Attorney Allen distributed updated Exhibits as follows:

- Exhibit 11 - PBA Union Negotiations Fact Sheet
- Exhibit 12 - FRS (Florida Retirement System) Sponsor Contribution
- Exhibit 13 - Updated Wages After 10-01-19
- Exhibit 14 - Fiscal Year 2020 Adopted General Fund Budget
- Exhibit 15 - Updated Survey Excluding Bradenton Beach
- Exhibit 16 - Updated Survey with 13 Peer Comparables.

Attorney Allen provided an overview on the issue of retirement.

Following comments on SWFPBA Exhibits 7 and 8 comparables (County versus City participation in FRS), Mr. McHale and Attorney Allen offered rebuttal comments.

Upon inquiry, Attorney Allen and Mr. McHale opined on the payout benefit of the FRS versus the 401-A program.

Following comments on the reduction in wages for firefighters when enrolling in FRS, Mr. McHale commented on the pension plan and a request for increased salaries and Attorney Brej noted the Town's offer to increase the contribution to the 401-A.

**RECESS:** 2:38 p.m. - 2:50 p.m.

Attorney Brej proceeded with a PowerPoint presentation relating to the SWFPBA issue of wages.

Attorney Allen offered rebuttal comments on the SWFPBA presentation and proceeded with an overview of the Town Management issue of wages.

Attorney Brej offered rebuttal comments relating to the issue of wages.

Attorney Allen offered rebuttal comments relating to the issue of wages and take-home vehicles.

Discussions were held with Attorney Allen and Attorney Brej on the modifications to the comparable agencies relating to wages during the negotiation process.

**RECESS:** 4:20 p.m. - 4:26 p.m.

Upon inquiry, Town Manager Harmer noted Town Management was prepared for closing arguments.

Attorney Brej commented on the Exhibits presented by Town Management this date.

Police Officer David Cooper, duly sworn, commented on the comparable agency list. Discussion ensued.

Attorney Brej and Mr. McHale offered closing arguments.

Town Manager Harmer offered closing arguments.

Upon inquiry, Police Chief Pete Cumming, duly sworn, opined that he would be able to recruit and retain employees.

*2. Impasse Resolution Hearing Between the Town and the SWFPBA - Continued*  
**As no others wished to speak, Mayor Spoll closed the public hearing.**

**Commissioner Pastor moved to accept the Town Manager's proposal on the issues of retirement and wages. The motion was seconded by Commissioner Haycock.**

Discussion ensued on the process for adoption of the union contract and statutory requirements relating to implementation.

**Commissioner Pastor amended the motion to incorporate an effective date of October 1, 2019, with concurrence by Commissioner Haycock.**

Following individual comments, Attorney Allen requested clarification on the retroactive effective date.

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

**Adjournment**

**Mayor Spoll adjourned the November 20, 2019, Special Meeting at 5:03 p.m.**

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Trish Shinkle, Town Clerk

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George L. Spoll, Mayor

Minutes Approved: \_\_\_\_\_

Minutes in draft form and are not official until approved by the Town Commission.

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
DECEMBER 2, 2019**

**Present:** Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schneier

**Also Present:** Town Manager Tom Harmer, Town Attorney Maggie Mooney, Town Clerk Trish Shinkle

**Call to Order/Pledge of Allegiance**

**Mayor Spoll called the December 2, 2019, Regular Meeting to order in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida, at 1:00 p.m. Commissioner Haycock led the Pledge of Allegiance.**

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

**Public to be Heard**

*1. Opportunity for Public to Address Town Commission*

*A. Planning, Zoning, and Building/Police Department*

Ms. Carla Rowan, Broadway Street, commented on traffic/parking concerns in the Village area, noting results of neighborhood surveys taken relating to options to resolve the issues.

*B. Planning, Zoning, and Building/Police Department*

Ms. Madeleine Stewart, Hughes Street, commented on traffic/parking concerns in the Village area.

Upon inquiry, Town Manager Tom Harmer provided the results of the Police Department's records relating to speeding on Broadway, noting the average speed was approximately 18 miles per hour, and advised of the placement of a speed trailer and increased enforcement.

Commissioner Haycock noted support of having four-way stops on Broadway. Deputy Police Chief Frank Rubino commented on the speed trailer and noted the results of the report relating to average speed in the area.

*C. Planning, Zoning, and Building/Police Department*

Ms. Becky Parrish, Hughes Street, commented on traffic/parking concerns in the Village area.

**Approval of Minutes**

*2. November 4, 2019 Regular; November 12, 2019 Regular Workshop Meeting Minutes.*

**There was consensus to approve the Minutes as submitted.**

**Committee Reports**

*3. Manatee County Special Liaison Report*

No items were presented.

*4. Sarasota County Special Liaison Report*

No items were presented.

*5. Other Reports*

*A. Organizations*

Commissioner Schneier commented on attendance at the Sarasota County Tourist

*5. Other Reports - Continued*

*A. Organizations - Continued*

Development Council and reviewed the issues discussed and distributed and commented on an article about the new Sarasota Art Museum.

*B. Organizations*

Commissioner Daly commented on the retention of the Barrier Island Traffic Study (BITS) Committee through the Metropolitan Planning Organizations and noted a scheduled meeting with representatives of the Florida Department of Transportation relating to the Gulf Drive/Cortez Road intersection.

*6. Presentation - Longboat Key Finance Department, Certificate of Achievement for Excellence in Financial Reporting*

Mayor Spoll noted that the Town's Comprehensive Annual Financial Report was recognized, read and presented the Certificate of Achievement for Excellence in Financial Reporting to Finance Director Sue Smith.

Finance Director Smith commended her Staff for their diligence and Town Manager Tom Harmer noted that there were no "management comments" detailed on the report.

**Consent Agenda**

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to 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 is a vote of confirmation to the action noted in each item.

*7. Resolution 2019-19, Providing for Town Commission Participation in a Joint Meeting with the Sarasota County School Board Convocation of Governments on January 17, 2020*

Pursuant to an Interlocal Agreement, the Town Commission participates in an annual Joint Meeting with the Sarasota County School Board and a Convocation of Governments. Florida Statutes, Section 166.0213, allows the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located as prescribed by ordinance or resolution. Resolution 2019-19 provides for such participation at the January 17, 2020, Convocation of Governments Meeting. Recommended Action: Pass Resolution 2019-19.

*8. Resolution 2019-15, Providing for Town Commission Participation in a Joint Meeting with the Sarasota County Board of County Commissioners on February 26, 2020*

Historically, the Town Commission participates in an annual Joint Meeting with the Sarasota County Board of County Commissioners. Florida Statutes, Section 166.0213, allows the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located as prescribed by ordinance or resolution. Resolution 2019-15 provides for such participation at the February 26, 2020, Joint Meeting with the Sarasota County Board of County Commissioners. Recommended Action: Pass Resolution 2019-15.

*9. Resolution 2019-20, Providing for Town Commission Participation in a Joint Meeting with the Manatee County Board of County Commissioners on March 26, 2020*

Historically, the Town Commission participates in an annual Joint Meeting with the Manatee

*9. Resolution 2019-20, Providing for Town Commission Participation in a Joint Meeting with the Manatee Board of County Commissioners on March 26, 2020 - Continued*

County Board of County Commissioners. Florida Statutes, Section 166.0213, allows the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located as prescribed by ordinance or resolution. Resolution 2019-20 provides for such participation at the March 26, 2020, Joint Meeting with the Manatee Board of County Commissioners. Recommended Action: Pass Resolution 2019-20.

*10. Resolution 2019-21, Providing for Town Commission Participation in a Joint Meeting with the Sarasota City Commission on June 11, 2020*

The Town and City of Sarasota Commission, held a Joint Meeting on June 13, 2019, and agreed that future meetings would be beneficial for continued dialogue on issues of mutual concern. Florida Statutes, Section 166.0213, allows the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located as prescribed by ordinance or resolution. Resolution 2019-21 provides for such participation at the June 11, 2020, Joint Meeting with the Sarasota City Commissioners. Recommended Action: Pass Resolution 2019-21.

*11. Request for Authorization to Execute Interlocal Agreements with Sarasota County for Three (3) West Coast Inland Navigation District (WCIND) Grants*

The Town of Longboat Key has applied for and received three grants totaling \$136,031 from WCIND. Each grant is accompanied by an Interlocal Agreement between Sarasota County (subgrantor), and the Town (subgrantee) which requires authorization from the Town Commission. The three grants are for Police Marine Patrol Unit (\$83,800); Marine Fire Rescue Equipment (\$32,231) and Derelict Vessel Removal (\$20,000). Recommended Action: Authorize Mayor to execute three Interlocal Agreements between the Town and Sarasota County for WCIND Grants.

**Commissioner Schneier moved to approve the Consent Agenda Items 7 through 11, in accordance with Staff's report and recommended action. The motion, seconded by Commissioner Pastor, carried by a 7-0 roll call vote, as follows: Schneier, aye; Pastor, aye; Zunz, aye; Spoll, aye; Daly, aye; Haycock, aye; Clair, aye.**

**Ordinances – First Reading**

*12. Ordinance 2019-16, Amending Chapter 158, Zoning Code*

On April 1, 2019, the Town Commission adopted an updated Zoning Code and identified a number of substantive issues to be addressed as separate Zoning Code amendments. Ordinance 2019-15 provides for the addition of Pickleball and Racquet Sports to the Accessory use Standards for Tennis; and for additional provisions to address Docks/Structures over Water. These issues were discussed, with consensus reached, at the October 15, 2019, Regular Workshop Meeting. Recommended Action: Forward Ordinance 2019-16 to the January 6, 2020, Regular Meeting for second reading and public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2019-16. Discussions were held with Mr. Parsons and Town Attorney Maggie Mooney on the following topics/issues:

- ability to utilize sound blankets on open fence (courts)
- ordinance language utilized (to the extent possible) in lieu of statutory language



*12. Ordinance 2019-16, Amending Chapter 158, Zoning Code*

relating to the off-set of a dock

- statutory language enforceable by Police Department relating to vessels blocking navigable waterway.

Town Clerk Trish Shinkle placed Ordinance 2019-16 on record by title only.

**Commissioner Pastor moved to pass Ordinance 2019-16 on first reading and to forward to the January 6, 2020, Regular Meeting for second reading and public hearing. The motion, seconded by Commissioner Schneier, carried by a 7-0 roll call vote, as follows: Pastor, aye; Schneier, aye; Clair, aye; Haycock, aye; Zunz, aye; Daly, aye; Spoll, aye.**

*13. Ordinance 2020-01, Amending Chapter 74, Parking Schedules*

On June 3, 2019, the Town Commission adopted Ordinance 2019-03, amending the Town's traffic rules and parking schedules to address Longbeach residents' concerns related to parking, and traffic within the Longbeach Village neighborhood. Staff has continued working with residents and local businesses to discuss enforcement of the newly adopted regulations. In addition, a conflict with existing no parking signage and the Code on certain streets in the Village was identified. In coordination with the Police Department, staff identified a need to clarify the Code regarding parking adjacent to driveways on Broadway to assist with enforcement. Ordinance 2020-01, incorporates these changes, and is placed on the December 2, 2019, Regular Meeting for Commission consideration. Recommended Action: Forward Ordinance 2020-01 to the January 6, 2020, Regular Meeting for second reading and public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2020-01. Discussions were held on the following topics/issues:

- diagonal line setback requirement
- painting of cross hatch/stripping within diagonal line.

Town Clerk Trish Shinkle placed Ordinance 2020-01 on record by title only.

**Commissioner Pastor moved to pass Ordinance 2020-01 on first reading and to forward to the January 6, 2020, Regular Meeting for second reading and public hearing. The motion, seconded by Commissioner Haycock, carried by a 7-0 roll call vote, as follows: Pastor, aye; Haycock, aye; Daly, aye; Spoll, aye; Schneier, aye; Clair, aye; Zunz, aye.**

**Ordinances – Second Reading and Public Hearing**

*14a. Ordinance 2019-11, Amending the Comprehensive Plan Future Land Use Map, 524 Bay Road*

At their October 15, 2019, Regular Meeting, the Planning & Zoning Board recommended approval by a 3-2 vote and forwarded the Ordinance to the Town Commission's November 4, 2019, Regular Meeting for first reading and public hearing. This item was forwarded to the December 2, 2019, Regular Meeting for second reading and public hearing. This Ordinance results from a request of Grant's Gardens to change the designation of the subject site from CL-Limited Commercial to CG-General Commercial on the Future Land Use Map. Recommended Action: Adopt Ordinance 2019-11.

*14b. Quasi-Judicial Ordinance 2019-12, Amending the Zoning Map to Rezone 524 Bay Road*

At their October 15, 2019, Regular Meeting the Planning & Zoning Board the motion to approve failed by 2-3 vote and forwarded the Ordinance to the Town Commission's November 4, 2019, Regular Meeting for first reading and public hearing as a quasi-judicial item. This item was forwarded to the December 2, 2019, Regular Meeting for second reading and public hearing. This results from a request of Grant's Gardens to change the Zoning designation of the subject site from Limited Commercial, C-1, to General Commercial, C-2. Recommended Action: Adopt Ordinance 2019-12.

Mayor Spoll noted consideration of Items 14a and 14b concurrently, noted that Item 14a was legislative and 14b was quasi-judicial, and reviewed the procedures for quasi-judicial hearings.

Town Attorney Maggie Mooney inquired and there was no ex parte communication disclosed by any Commissioner. Town Attorney Mooney inquired and there was no conflict of interest disclosed.

Town Clerk Trish Shinkle placed Ordinance 2019-11 on record by title only.

**Mayor Spoll opened the public hearing on Ordinance 2019-11.**

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Planner Tate Taylor gave a PowerPoint presentation on Ordinance 2019-11 and Ordinance 2019-12. Discussions were held on the following topics/issues:

- uses provided in current zoning
- permitted uses in the C-1 versus the C-2 zoning
- higher intensity use closer to residential than commercial uses
- future approval processes that the applicant will be required to fulfill
- lack of attendance by neighbors at the Neighborhood Workshop held by petitioner
- clarification of "landscaping and lawn services" in C-2 Zoning district
- anticipated aesthetic improvements to the property.

Mr. Don Neu, representing Grant's Gardens, gave a PowerPoint presentation on Ordinance 2019-11 and Ordinance 2019-12. Discussions were held on the following topics/issues:

- inclusion of vehicle parking on future renderings
- enhancement to north end of property
- storing of landscaping material on site.

**As no others wished to be heard, Mayor Spoll closed the public hearing.**

**Commissioner Pastor moved to adopt Ordinance 2019-11. The motion, seconded by Commissioner Daly, carried by a 7-0 roll call vote, as follows: Pastor, aye; Daly, aye; Spoll, aye; Zunz, aye; Clair, aye; Schneier, aye; Haycock, aye.**

Town Clerk Shinkle placed Ordinance 2019-12 on record by title only.

**Mayor Spoll opened the public hearing on Ordinance 2019-12.**

Commissioner Schneier noted the sixth and seventh "Whereas" clauses reflected Planning and Zoning Board recommended approval and noted they needed to be amended.

Planning, Zoning, and Building Department Planner Tate Taylor reaffirmed his testimony on  
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*14b. Quasi-Judicial Ordinance 2019-12, Amending the Zoning Map to Rezone 524 Bay Road*  
Ordinance 2019-12.

Mr. Don Neu, representing Grant's Gardens, reaffirmed his testimony on Ordinance 2019-12.

**As no one wished to be heard, Mayor Spoll closed the public hearing on Ordinance 2019-12.**

**Commissioner Pastor moved to adopt Ordinance 2019-12. The motion, seconded by Commissioner Daly, carried by a 7-0 roll call vote, as follows: Pastor, aye; Daly, aye; Haycock, aye; Spoll, aye; Clair, aye; Zunz, aye; Schneier, aye.**

**RECESS:** 2:31 p.m. - 2:40 p.m.

*15. Ordinance 2019-17, Amendment to Chapter 92, Parks, Public Beaches, and Public Beach Accesses; Amending Ordinance 2014-29; Amending the Town of Longboat Key Code of Ordinances Section 92.62 Geographic Boundary of Bayside District*

The Town Code provides for two dependent special districts within the jurisdictional boundaries of the Town known as the Longboat Key Gulfside District and Longboat Key Bayside District. These special districts provide for ad valorem tax levies for beach projects imposed via bond referenda. The Manatee County Property Appraiser has recommended amending the legal description of the Bayside District, geographic boundary description text to include the islands within the Town's jurisdiction, specifically Sister Keys. Ordinance 2019-17 was placed on the November 20, 2019, Special Meeting for first reading and public hearing, and forwarded to the December 2, 2019, Regular Meeting for second reading and public hearing. Recommended Action: Adopt Ordinance 2019-17.

Town Clerk Trish Shinkle placed Ordinance 2019-17 on record by title only.

**Commissioner Schneier moved to adopt Ordinance 2019-17. The motion was seconded by Commissioner Pastor.**

**Mayor Spoll opened the public hearing.**

Town Manager Tom Harmer provided an overview of Ordinance 2019-17.

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

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

*16. Ordinance 2019-13, Providing for Referendum for Issuance of General Obligation Bonds for Comprehensive Beach Management Plan Maintenance Projects*

At their October 1, 2019, Regular Meeting the Town Commission unanimously approved an update to the Town's Comprehensive Beach Management Plan. Funding scenarios and mill rate impacts were provided to the Commission at the October 15, 2019, Regular Workshop Meeting. The Town Commission will consider Ordinance 2019-13, which provides for beach district referenda to authorize the issuance of bonds and/or notes not-to-exceed \$34.5 million dollars, with the Gulfside District paying 80% and the Bay Side District paying 20% of the sum of the mill rates maturing not more than eight years from issuance. This item was forwarded from the November 4, 2019, Regular Meeting for second reading and public hearing. Recommended Action: Adopt Ordinance 2019-13.

*16. Ordinance 2019-13, Providing for Referendum for Issuance of General Obligation Bonds for Comprehensive Beach Management Plan Maintenance Projects - Continued*  
Town Clerk Trish Shinkle placed Ordinance 2019-13 on record by title only.

**Commissioner Haycock moved to adopt Ordinance 2019-13. The motion was seconded by Commissioner Pastor.**

**Mayor Spoll opened the public hearing.**

Town Manager Tom Harmer provided an overview of Ordinance 2019-13. Discussions were held on the following topics/issues:

- value of average home on the gulf side with inclusion of condominium units
- interest rates shown (2.22% current rate)
- current interest rate for public offering versus bank loan.

Mr. Joel Tindale, Hilltop Securities, commented on interest rates utilized and noted the public bond rate is currently lower than bank rates and opined that all sources will be fully reviewed.

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

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

*17. Ordinance 2019-15, General Employees' Pension Amendment*

The Town of Longboat Key General Employees' Retirement System (the "Plan") was frozen on September 30, 2013. Employees who were members of the Plan on September 30, 2013, but not participating in the Deferred Retirement Option Program ("DROP") on that date were no longer eligible to participate in the DROP. Due to a recent request of an employee to participate in the DROP and to avoid future uncertainty about the eligibility of General Employees to participate in the DROP, the Town Commission will consider Ordinance 2019-15, which clarifies the Plan Ordinance in Section 34.72 (D), corrects a scrivener's error in 34.72 (F), and repeals the DROP provision Section 34.95. This item was forwarded from the November 4, 2019, Regular Meeting for second reading and public hearing. Recommended Action: Adopt Ordinance 2019-15.

Town Clerk Trish Shinkle placed Ordinance 2019-15 on record by title only.

**Commissioner Pastor moved to adopt Ordinance 2019-15. The motion was seconded by Commissioner Haycock.**

**Mayor Spoll opened the public hearing.**

Town Manager Tom Harmer provided an overview of Ordinance 2019-15.

**As no one wished to be heard, Mayor Spoll closed the public hearing.**

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

*18. Ordinance 2019-14, Establishing the Dates for the Town's 2020 General Municipal Elections and Early Voting Schedule*

The Town's Charter establishes the date for the Town's Preliminary Election as the last Tuesday in January and the General Election as the third Tuesday in March, or, when practicable, in conjunction with any County administered election held in March by the coordinating County, either Sarasota or Manatee County. The Sarasota and Manatee

*18. Ordinance 2019-14, Establishing the Dates for the Town's 2020 General Municipal Elections and Early Voting Schedule - Continued*

County Supervisor of Elections offices have established the Town's General Election schedule. Ordinance 2019-14 provides for the Town's Municipal Election date, early voting, ballot presentation, and advertising authorization. This item was forwarded from the November 4, 2019, Regular Meeting for second reading and public hearing. Recommended Action: Adopt Ordinance 2019-14.

Town Clerk Trish Shinkle placed Ordinance 2019-14 on record by title only.

**Vice Mayor Zunz moved to adopt Ordinance 2019-14. The motion was seconded by Commissioner Schneier.**

**Mayor Spoll opened the public hearing.**

Town Manager Tom Harmer provided an overview of Ordinance 2019-15.

**As no one wished to be heard, Mayor Spoll closed the public hearing.**

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

**Resolutions – Public Hearings**

*19. Resolution 2019-18, Amending the FY19 Budget Providing for Year End Transfers and Reconciliation of Accounts for the Tennis Center Special Revenue Fund; Gulf of Mexico Drive (GMD) and Neighborhood Undergrounding Debt Service Funds; and the Water and Sewer Utility Enterprise Fund*

The Town Charter requires that sufficient budgets are available in each General Ledger account to cover eligible expenditures. The Town Manager has the authority to transfer up to \$20,000 within or between departments or among programs, however, the Commission must authorize transfers exceeding \$20,000. Transfers of appropriations between funds, the use of unallocated fund balances or other revenue sources, require budget amendment by the Town Commission. Resolution 2019-18 provides preliminary estimates of the necessary transfers within the Tennis Fund; Gulf of Mexico Drive and Neighborhood Undergrounding Debt Service Funds; and the Water and Sewer Utility Enterprise Fund for compliance with the Charter. Attachment A provides details for each required transfer. Recommended Action: Pass Resolution 2019-18.

Town Clerk Trish Shinkle placed Resolution 2019-18 on record by title only.

**Commissioner Pastor moved to pass Resolution 2019-18. The motion was seconded by Vice Mayor Zunz.**

**Mayor Spoll opened the public hearing.**

Following comments by Town Manager Tom Harmer, Finance Director Sue Smith provided an overview of Resolution 2019-18. Discussions were held on the following topics/issues:

- Exhibit "A" relating to the assessment revenues
- Tennis Center amendments
- Charter requirements
- budgetary restrictions.

*19. Resolution 2019-18, Amending the FY19 Budget Providing for Year End Transfers and Reconciliation of Accounts for the Tennis Center Special Revenue Fund; GMD and Neighborhood Undergrounding Debt Service Funds; and the Water and Sewer Utility Enterprise Fund - Continued*

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

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

*20. Resolution 2019-17, Providing for Budget Amendment for Purchase Order Carryovers*  
The Town Charter requires that every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year if it has not been expended or encumbered (amounts committed, but unspent). The Budget year-end annual housekeeping includes a review of open purchase orders that need to be carried over into the next fiscal year. Resolution 2019-17 increases the General Fund Budget in the amount of \$71,672.87 for open purchase orders as of September 30, 2019. Recommended Action: Pass Resolution 2019-17.

Town Clerk Trish Shinkle placed Resolution 2019-17 on record by title only.

**Commissioner Haycock moved to pass Resolution 2019-17. The motion was seconded by Commissioner Pastor.**

**Mayor Spoll opened the public hearing.**

Town Manager Tom Harmer provided an overview of Resolution 2019-17.

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

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

#### **Town Commission Comments**

##### *A. Planning, Zoning, and Building Department*

Vice Mayor Zunz commented on the non-compliance and operation of Grant's Gardens for numerous years and inquired as to the issue happening in other areas of the Town.

Town Manager Tom Harmer commented on code enforcement and the process to remedy code violations. Discussions were held on the following topics/issues:

- lack of knowledge of other non-compliant properties
- possible additional existing nonconforming properties/uses
- conforming uses that transform to non-conforming over the years
- reporting/complaint process
- alignment of Business Tax Receipt process with type of use
- audit of businesses in the Town.

#### **Town Attorney Comments**

No items were presented.

**Town Manager Comments**

*A. Town Commission*

Town Manager Tom Harmer noted the Regular Workshop scheduled on December 9, 2019, advised that the deadline for filing paperwork for the meeting agenda was Wednesday, December 4, 2019, and the only item scheduled was the monthly undergrounding update, and suggested that the December 9, 2019, meeting be canceled. Discussion ensued with Town Manager Harmer and Town Attorney Maggie Mooney on the following topics/issues:

- Inability for public comment
- Commission authority to cancel a meeting.

**Commissioner Daly moved to cancel the December 9, 2019, Regular Workshop. The motion was seconded by Commissioner Schneier.**

Discussions were held on the following topics/issues:

- date of next scheduled Workshop
- Village issues
- petitions under consideration by the Planning and Zoning Board
- option to delay the Workshop by a week or to call a Special Meeting
- progress of pickleball courts at Bayfront Park/contracts pending and executed.

**Mayor Spoll tabled the item until conclusion of the Town Manager's reports.**

*B. Support Services/Organizations*

Town Manager Tom Harmer noted the Sarasota County library kiosk was scheduled for delivery the week of December 9, 2019, advised that he and Support Services Director Carolyn Brown had met with the Longboat Key Library Board, and noted the tree lighting event co-sponsored by the Longboat Key Chamber was a community success.

Individual comments followed.

*A. Town Commission - Continued*

Upon inquiry, Commissioner Daly confirmed the motion to cancel the December 9, 2019, Regular Workshop.

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

**Adjournment**

**Mayor Spoll adjourned the December 2, 2019, Regular Workshop at 3:45 p.m.**

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Trish Shinkle, Town Clerk

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George L. Spoll, Mayor

Minutes Approved: \_\_\_\_\_

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

**End of Agenda Item**