

TCSM 1-20-1989

M E M O R A N D U M

DATE: 01/19/89

TO: Town Commission
FROM: Mayor Lewis Pollock
SUBJECT: Special Meeting, January 20, 1989

Notice is hereby given there will be a special Commission meeting Friday, January 20, 1989 at 9:00 A.M. to discuss the Ansel land donation proposal.

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, a record of the proceedings will be needed. For such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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L. Pollock

*Entered
3-10-89*

MINUTES OF THE SPECIAL MEETING OF THE LONGBOAT KEY TOWN COMMISSION,
JANUARY 20, 1989, 9:00 A.M.

Meeting called in accordance with Article II, Section 15, of the
Town Charter.

Present: Mayor Pollock, Vice-Mayor Brown, Commissioners Fernald,
Stewart, Loiselle, Gally, Wurzburg

Also Acting Town Manager Sullivan, Town Clerk Arends,
Present: Deputy Clerk Hall

Mayor Pollock called the meeting to order at 9:00 A.M.

Dedication of Lot 12 Bailey/Dobson Subdivision to Town of Longboat
Key by Jerome Ansel.

This subject was an agenda item on the Town Commission workshop of
1-17-89 because of a 12-15-88 letter to the Town from Jerome V.
Ansel. Mr. Ansel offered donation and dedication of this lot to the
Town for active recreational purposes. Following discussion at the
workshop the Town Manager was to contact Mr. Ansel to determine if
Mr. Ansel would donate the land without restrictions as to use.

Mayor Pollock stated he had talked with Mr. Ansel whose general
conception was he would dedicate the property to the Town as
passive recreation, or a mixture of passive and active. He said Mr.
Ansel had indicated he wished this to take place right away and
would deal with anyone from the Commission, since Mr. Cox was out
of town at this time. Mayor Pollock said inasmuch as Vice-Mayor
Brown had been talking with Mr. Ansel for a period of time, Mr.
Ansel was willing to continue working with him, or anyone else the
Commission cared to appoint.

Vice-Mayor Brown said he and Mr. Cox had been meeting with Mr.
Ansel, who told them he and his wife wished to do something for the
children of the Town. He said Mr. Ansel was aware of the
controversy over use of land he previously transferred to the Town.
He stated Mr. Ansel offered 5 acres of land for use for recreation
of some type, and wished to give the Town an option to purchase the
remainder. If the additional 14 acres of the parcel were purchased,
the total land owned by the Town in this area would total
approximately 40 acres. He said he had told Mr. Ansel he did not
believe the Town had sufficient funds to purchase the 300-400 feet
of commercially-zoned property on the front of the property. He
said while he did not have a price on the remaining property, the
appraisal was at around \$4 million. He stated at this point it was
a matter of entering into negotiations.

Commissioner Fernald said the front 400 feet had been zoned
Commercial since the Town began, and the Town would not necessarily
have to acquire that part. However, she said, the back part of the
property was much more pristine than the property previously
acquired from Mr. Ansel. She said if it were possible for the Town
to acquire that piece plus the additional upland, the middle part 89-04

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could be used for active recreation, and the other collated on the bayfront. She proposed the Commission give Vice-Mayor Brown some direction for negotiating, since Mr. Ansel wished to act immediately.

Mayor Pollock said previously he had not realized there was any urgency in accepting the land, but Mr. Ansel had now indicated he wished this accomplished as soon as possible.

Commissioner Stewart stated the Town had had some past experiences in which a Commissioner handled negotiations instead of administrative staff, which resulted in the Commissioner becoming an advocate of what he had negotiated. He said the Commission was really supposed to make laws and judgments and set policies, not do the jobs of the Town Manager or Town Attorney. He said with an election at hand, this matter should be handled very carefully to avoid either side to use this in any way in the upcoming election. He recommended this be postponed, as he said he felt it could be unwise to become further involved before staff had a chance to begin a project that could be very controversial, such as spending \$4 million.

Vice-Mayor Brown stated he had worked on negotiations with problems with Arvida and had not recommended anything except what the Commission supported. He said he was willing to volunteer his time for something he felt was for the good of the Town.

Commissioner Stewart said his remarks were directed over a 6-year period, before he himself was on the Commission, and were not directed toward any one Commissioner.

Commissioner Loiselle stated he viewed Mr. Ansel's offer as a great opportunity to acquire land badly needed for recreation purposes. He commended Vice-Mayor Brown for his work in good faith on this point and stated he wished to support him in any way to further acceptance of the property for the intended purposes.

Commissioner Gally asked Vice-Mayor Brown if acceptance of the 5-acre parcel would commit the Town to purchase of the balance of the property. Vice-Mayor Brown said no commitments would be made on his part. He said he felt the best deal for the Town would be to get an option on the remaining property at a reasonable price. He said as in previous negotiations he would report fully to the Commission, press, and public.

Commissioner Fernald said it would be a fine thing for the entire Town to be able to enjoy 40 acres, as many people did not have access to the golf course of more than 100 acres.

Commissioner Wurzburg said there was no question it would be desirable to have the land for the Town, and it would be a great purchase. He said the only issue was who should negotiate, and he thought the Mayor, as the main representative of the Town, should do so. He said he believed Mr. Ansel's attorney, Mike Furen, had

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indicated he would like for the Mayor to do this.

Mayor Pollock said he would not back away from an obligation in this regard, but would ask the Commission to make this determination.

Commissioner Gally said since Vice-Mayor Brown had been discussing this for some time, he knew the background and should follow through at this time. Mayor Pollock stated if the Commission wished, he would work along with Vice-Mayor Brown in the negotiations.

It was moved by Fernald, seconded by Gally, that Vice-Mayor Brown be appointed to negotiate for the Town on the Ansel property offer.

It was moved by Stewart, seconded by Wurzburg, the motion be amended that representatives of the Town be Vice-Mayor Brown and Mayor Pollock.

Mayor Pollock said since Mr. Cox, as Town Manager, had been involved in the previous discussions with Mr. Ansel, he would continue to be included in the negotiations.

Commissioner Fernald said she was not in favor of two Commissioners being involved, because of possible difficulties with negotiation sessions being open to the press and public as required.

Commissioner Wurzburg said in light of previous and current problems with the Promenade projects, it was imperative to have two Commission members present, as there were with Arvida negotiations. He said in those negotiations much was achieved, for which Vice-Mayor Brown was to be commended for handling extremely well. He said this situation was even more critical because of the money involved.

Motion as amended failed on roll call vote: Fernald, no; Stewart, aye; Loiselle, no; Gally, no; Brown, no; Wurzburg, aye; Pollock, aye.

Motion carried on roll call vote: Fernald, aye; Stewart, no; Loiselle, aye; Gally, aye; Brown, aye; Wurzburg, no; Pollock, no.

Commissioner Loiselle said the negotiations should be exploration and discussion.

Vice-Mayor Brown stated he wished the record to show his statement that he would not yield anything to Mr. Ansel.

Adjournment

The meeting was adjourned at 9:15 A.M.


Lewis S. Pollock, Mayor


Patrizia L. Arends, Town Clerk

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