

10-15-1998 TCRW

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Town Clerk Department
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SUBJECT: Microfilming

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Town of Longboat Key Town Commission

Town Hall
501 Bay Isles Road
Longboat Key, FL 34228
(941) 316-1999
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- AGENDA -
REGULAR WORKSHOP MEETING

1:00 PM

October 15, 1998

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.

Committee Reports and Communications

1. Manatee County Special Liaison Report
2. Sarasota County Special Liaison Report
3. Other Reports

Public to be Heard

Items for Consideration of the Town Commission

4. Request by Longboat Observer, Longboat Key Chamber of Commerce, and Longboat Key Center for the Arts to Hold a Series of Concerts in Joan M. Durante Community

A request has been received from Mr. Bob Farber on behalf of the organizations making the request to hold a series of concerts in the Joan M. Durante Community Park beginning December 20, 1998 and ending April 1999. Recommended Action: Pending discussion.

5. Charter Review - (D1) Charter

The Town Commission will discuss recommendations made by the Charter Review Committee for revisions to be made to the Town's Charter as well as the procedure they will follow for public review. Recommended Action: Direction to Manager on procedure and date(s) for public hearing(s) on Charter Revisions.

6. Canal Dredging Follow-up Discussion

As a follow-up to the Special Workshop presentation on canal dredging, this item is

placed on the agenda for further discussion. Recommended Action: Direction to Manager.

7. Consideration of the Town of Longboat Key Local Mitigation Strategy

In compliance with the Town's contract with Sarasota County for the Town's participation in the development of a local mitigation strategy, the Town has submitted a report containing deliverables for contract period #1 and #2. The report identifies and evaluates existing Town policies, programs and regulations that are related to hazard mitigation. Recommended Action: Review and discussion.

8. Staff Report: Pick-up Truck Safety

Police Chief Kintz will present an oral report on vehicle safety concerning riders in the back of pick-up trucks. Recommended Action: None.

Town Commission Comments

Town Manager Comments

Town Attorney Comments

Press to be Heard

/dhs

**MINUTES OF THE REGULAR WORKSHOP OF THE LONGBOAT KEY TOWN COMMISSION,
OCTOBER 15, 1998, 1:00 PM**

Present: Mayor Lenobel, Vice-Mayor Redgrave, Commissioners Patterson, Johnson, Haglund, Metz, Legler

Also Present: Town Manager St, Denis, Town Attorney Persson, Town Clerk Arends, Community and Development Services Director Black, Deputy Clerk-Minutes Dunay-Mixon

Committee Reports and Communications

1. Manatee County Special Liaison Report

2. Sarasota County Special Liaison Report

3. Other Reports

Mr. St. Denis advised the Citizens Relations Committee (CRC) has scheduled two Coffee with a Commissioner sessions for 1998-99.. He explained sign-up sheets would be available at the polls on election days (11-3-98 and 3-9-99); also five outreach activities would be scheduled. The CRC wished approval of the method to be used for scheduling Commission attendance at these programs.

There was a consensus to schedule the sessions beginning with the District 1 Commissioner.

Town Clerk Arends confirmed Commissioner Legler's attendance at the 11-11 Coffee with Commissioner activity.

9. Introduction of Public Works Operations Manager

Marty Black, Community and Development Services Director, introduced James Linkogle, Public Works Operations Manager.

Public to be Heard

10. St Jude's Benefit Luncheon

Jim Brown, St. Jude's Luncheon Chairman, stated the luncheon would be held on 11-7-98 from noon to 2:00 PM at the Temple Beth Israel (567 Bay Isles Road) parking area. He explained tickets were \$20.00 each and the proceeds would benefit the St. Jude Children's Research Hospital; tee-shirts were available at a price of \$10.00 each.

11. Political Office Candidates Campaign Contributions Limit

John Flaherty, 500 Royal Road, stated the registered voters of Sarasota County approved a \$40,000 limitation on campaign contributions. He expressed concern with County Commissioner David Mills' decision to disregard this limitation. Mr. Flaherty asked the Town Commission to sign a petition acknowledging the campaign contribution limit.

Regular Workshop (Cont.)

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Mr. Persson advised the campaign contribution limits were not applicable to Longboat Key candidates.

Items for Consideration of the Town Commission

4. Request by The Longboat Observer, Longboat Key Chamber of Commerce, and Longboat Key Center for the Arts to Hold a Series of Concerts in Joan M. Durante Community Park

Bob Farber, former Commissioner, advised he and the Longboat Key Center for the Arts, The Longboat Observer, and the Longboat Key Chamber of Commerce had joined together to bring a series of concerts to the Joan M. Durante Community Park (Park). He explained one concert would be scheduled monthly, beginning in January 1999, from 3:00 PM to 5:00PM, on the lawn east of the pavilion.

Mr. Farber indicated big band, jazz, Dixieland, and other musical groups would participate in the concert series. He pointed out parking for 100 vehicles was available at the site, and adjacent parking was also available.

Discussions were held concerning the concert series, traffic control, site cleanup, bathroom facilities, and liability insurance. Following the discussion regarding the concert series, Vice-Mayor Redgrave inquired as to whether the Park neighbors were informed of the desire to hold musical activities in the Park. Mr. St. Denis explained a permitting process would be completed prior to administrative approval of this type of activity. Further discussions were held regarding limiting the number of tickets for each event, as well as the locations where tickets would be available.

There was a consensus to allow the Town Manager to finalize the permit and proceed with the concert series.

Mr. St. Denis requested Item 8 be forwarded for discussion at this time.

8. Staff Report: Pickup Truck Safety

John Kintz, Police Chief, reported the State of Florida did not have a law prohibiting an individual from riding in the "bed" of a pickup truck; however, Sarasota County did prohibit dogs from riding in the "bed" of a pickup truck. Discussions ensued pertaining to the Florida Uniform Traffic Code, National Highway Traffic Safety Administration, and vehicle accident statistics.

Commissioner Metz commented this issue could be referred to the Florida League of Cities for discussion.

5. Charter Review - (D1) Charter

Mr. Persson referred to the agenda material and noted the version distributed reflected the discussion at the 10-8 Joint Workshop; he advised a minor modification was necessary to clearly allow for multiyear interlocal agreements. He suggested the Town Clerk review the document for detail. Extensive discussions were held regarding Draft 1 of the Charter, the

Regular Workshop (Cont.)

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three alternative referendum ballot questions (ethics, term limits, and compensation), and the language for the referendum ballot questions.

Jim Brown, Charter Review Committee Chairman, stated the document would be presented as a "new" Charter; and the additional referendum questions would be considered alternatives to the "new" Charter.

Lee Rothenberg, Charter Review Committee Member, stated the alternative referendum questions to the Charter should be clear and simple.

Further discussion was held regarding consistent referendum ballot language. Following the discussion regarding the referendum ballot language, Mayor Lenobel explained a "yes vote" would mean you favored term limits, compensation, and a Special Masters ethics system.

There was a consensus to accept the new Charter as presented, to authorize the Town Attorney to review the new Charter with the Town Clerk, and to provide copies of the proposed Charter at no cost to the registered voters .

There was a consensus to develop the referendum ballot questions for review at the 11-2 Regular Meeting, to schedule an 11-17 Special Meeting for first reading and public hearing, and to develop an advertisement for publication prior to the 11-17 public hearing.

A recess was called at 2:20 PM; the Regular Workshop reconvened at 2:30 PM.

6. Canal Dredging Follow-up Discussion

Mr. St. Denis presented an overview of the 10-8 Canal Dredging Workshop presentation; he pointed out 48 of the Town's 53 canals would be dredged to a depth of -5 feet low water, and the project included a minimal dredging program for the St. Judes Drive, Tarawitt Drive, and Jungle Queen Way area. The total cost for the project including handling and disposal of the dredged material was \$1,538,000.

Discussions were held with respect to cost, disposal handling sites, and deep water dredging. Following comments by the Town Manager regarding cost, Commissioner Patterson inquired as to the cost for the minimal dredging program (v-shaped dredging).

Mr. St. Denis advised a number of options were available regarding canal dredging for the St. Judes Drive, Tarawitt Drive, and Jungle Queen Way area. He explained the canal dredging presentation included v-shaped dredging, and would require a waiver of liability to be signed by every property owner (approximately 92), as well as the mortgage lender. He added the waiver of liability would have to be signed prior to the project moving forward.

Discussion ensued regarding replacement of all seawalls that did not meet the determined minimum criteria, before dredging the canals to -3 foot. to -5 foot NGVD depending on the seawall specification (Option 2).

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Regular Workshop (Cont.)

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Further discussion was held with respect to having the affected property owners coordinate and contract for the project themselves and with allowance for a reimbursement (Option 3). Mr. St. Denis pointed out the problems connected with Option 3 and noted Option 4 would be to not dredge the St. Judes Drive, Tarawitt Drive, and Jungle Queen Way area.

Mr. St. Denis advised conditions existed which were not created by the Town (condition of the seawalls, lack of maintenance to the seawalls, and ownership of the canal bottom); he explained this list of issues needed to be addressed prior to the Town's involvement with canal dredging.

There was a consensus for the Town Manager to separate the St. Judes Drive, Tarawitt Drive, Jungle Queen Way area from the canal dredging project and bring back additional information for discussion.

FUNDING

Mr. St. Denis advised canal dredging could be viewed as part of the Town's infrastructure or as a benefit to a limited number of property owners. He reviewed the two philosophies regarding the funding of this project.

Discussion ensued pertaining to a referendum bond issue, combining projects to achieve the best bond arrangement, establishing a Town-wide project and dividing the financial burden between canal and non-canal property owners, and establishing a one-time ad valorem tax.

Ruth Napoliello, 1050 Longboat Club Road, suggested the Town mail a letter to every property owner on Longboat Key explaining that the Town wished to take over the bottom land of every canal and indicate a meeting date where this issue would be discussed.

Ed Mallick, 4401 Gulf of Mexico Drive (GMD), expressed concern with the discussion. He stated the beach was the lifeblood of Longboat Key and the Town would be very generous if the canal project were Town-wide.

Bill Rose, 512 Gunwale Lane, suggested the cost for funding canal dredging be divided as follows: canal property owners 40%; non-canal property owners 20%; and the Town 40%. He inquired as to whether the Town investigated the possibility of buying a dredger and sharing the equipment with surrounding municipalities since canal dredging was a continuing project.

Claire Bell, 4968 GMD, inquired as to which other municipalities sponsored canal dredging programs and questioned where the spoil would be placed once the dredging commenced. Mr. St. Denis advised a small amount of the spoil would be left on the Key; however, the majority of the spoil would be trucked off the Key. He explained the contractor would be responsible for finding a location for the spoil.

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Regular Workshop (Cont.)

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Cliff Truitt, Beach Consultant, reviewed the City-sponsored programs in Cape Coral and Punta Gorda; he advised that the City of Venice did not have a City-sponsored canal dredging program.

Elaine Rose, 512 Gunwale Lane, stated quality of life was the key issue; she agreed canal owners should pay 40%, the Town should pay 40%, and non-canal property owners should pay 20% of the related cost.

Further discussion was held pertaining to development of a special taxing district. Following the discussion regarding financing, Commissioner Legler requested additional information utilizing ad valorem tax for funding the canal dredging project.

There was a consensus for the Town Manager to provide additional information regarding funding based on a two-year ad valorem tax for the 880 canal parcels.

There was a consensus to move forward with the canal dredging project, excluding the St. Judes Drive, Tarawitt Drive, and Jungle Queen Way area.

Liability Coverage

Mr. St. Denis advised the existing insurance policy would address seawall failure; however, it would be possible to assign the liability issue to the contractor.

Dr. Truitt reported minor damage (to pilings) was experienced in Manatee County, Punta Gorda, and Cape Coral; however, seawall damage was not a major issue.

There was a consensus that the liability issue was addressed satisfactorily.

(Town Attorney Persson was excused from the 10-15 Regular Workshop at 3:45 PM.)

7. Consideration of the Town of Longboat Key Local Mitigation Strategy

Community and Development Services Director Black presented an overview of the Local Mitigation Strategy and previous Town Commission action. He noted Sarasota County had earmarked \$30,000 for the Town of Longboat Key. Mr. Black stated staff identified the local strategies as: facility deficiencies, Australian pine tree removal, beach renourishment, and participation in the Federal Emergency Management Act (FEMA) and the Community Rating Systems (CRS) programs, adoption and enforcement of the Flood Code, and development of emergency evacuation procedures.

Discussions were held regarding hazard mitigation funding, grant applications, and the repetitive loss properties program. Following the discussion pertaining to projects under consideration, Commissioner Johnson inquired as to the (proposed) water connection with the City of Sarasota. Mr. Black advised the water connection would not qualify as a mitigation issue. Further discussion ensued pertaining to available grants, mitigation projects, grants, and the existing Comprehensive Plan. Mr. Black reported further information would be forthcoming in April (1999).

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Regular Workshop (Cont.)

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Town Commission Comments12. Comcast Cable Rates and Service

Mayor Lenobel advised he met with officials of Comcast Cable regarding the recent rate increase; he noted within the immediate future additional programming and new channels would be available.

12. Joint Advertisement With the Coalition of Barrier Island Elected Officials (IEO)

Commissioner Metz requested an update on the joint advertisement with the IEO (for an upcoming meeting on the proposed Manatee County Sales Tax extension). Mayor Lenobel stated he spoke with Holmes Beach Mayor Carol Whitmore regarding the joint advertisement and Longboat Key's portion was \$220.

13. Longboat Key Public Tennis Center Prime-Time Men's 50's League

Commissioner Metz referred to an article in *The Longboat Observer* (10-15-98 Page B21) and inquired as to whether all participants were residents of Longboat Key. Mr. St. Denis advised anyone could join the League and Longboat Key residency was not a requirement. He reviewed the 1999 Annual User Card fees and noted the League participants were not required to obtain a 1999 Annual User Card.

14. Metropolitan Planning Organization (MPO) Project List - Florida Department of Transportation Work Program

Vice-Mayor Redgrave stated the MPO projects list was distributed and Longboat Key had a number of projects on the list. Mr. Black reported a summary of the MPO projects referring to Longboat Key would be presented to the Commission at the 11-2 Regular Meeting.

15. Employee Hiring Procedures (Public Works Department)

Commissioner Legler requested clarification on the employment of the Public Works Manager position. Mr. St. Denis explained the process and noted the Public Works Director position was eliminated, as well as one Administrative Assistant IV position. He pointed out Mr. Black assumed most of the duties which were associated with the Public Works Director position; however, a Public Works Operations Manager position was created. Mr. St. Denis advised a reduction in employees' salaries of \$75,000 was realized by the reorganization.

Town Manager Comments16. Environmental Protection Agency (EPA) Inspection

Mr. Black advised the State of Florida EPA conducted a surprise inspection regarding enforcement of the Clean Water Act, as well as the Clean Air Act. He reported Town records were reviewed, and the region (consisting of the Town of Longboat Key, the Cities of Sarasota, Venice, and North Port, as well as Sarasota County) received a Clean Water Permit. Mr. St. Denis advised private drainage systems are utilized on Longboat Key and were inspected during the EPA visit. He noted the Town passed the inspection without a problem.

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Regular Workshop (Cont.)

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17. Islander Club

Mr. St. Denis advised Coastal Planning and Engineering would discuss the Islander Club design information (addressing erosion) at the 11-17 Regular Workshop.

18. Facilities Advisory Committee (FAC) Update

Mr. St. Denis advised the FAC would meet on 10-19 to review and discuss Facilities Needs; he explained a meeting would then be scheduled with the Commission to discuss Facilities Needs.

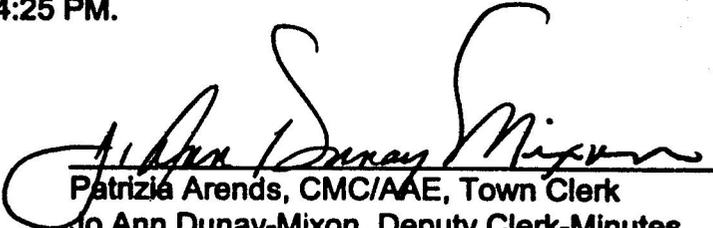
There was a consensus to schedule a Workshop to discuss Facilities Needs on 11-12 or 11-13 at 1:00 PM.

19. Islands West Condominium - Contractor Situation

Mr. Black advised a local company (Affordable Plumbing a/k/a Tankless Water Heaters, Sarasota) was working at the Islands West Condominium (2525 Gulf of Mexico Drive) to replace a water heater. He noted the work was initiated without permits and during the course of the work the contractor damaged the internal circulation system for coolant and "dropped" several thousands of gallons of water onto four floors of the building which damaged eight units and a series of common areas. He advised staff notified the State of Florida and asked for assistance with the investigation. Mr. Black explained significant damage was identified.

Town Attorney CommentsPress to be HeardAdjournment

The Regular Workshop was adjourned at 4:25 PM.


Patrizia Arends, CMC/AE, Town Clerk
Jo Ann Dunay-Mixon, Deputy Clerk-Minutes

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