

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP
JANUARY 23, 2023**

Present: Vice Mayor Maureen Merrigan, Commissioners B.J. Bishop, Sherry Dominick, Penny Gold, Mike Haycock, Debra Williams

Also Present: Town Manager Tom Harmer, Assistant Town Attorney David Jackson, Town Clerk Trish Shinkle

Not Present: Mayor Ken Schneier

1. Call to Order and Pledge of Allegiance

Vice Mayor Merrigan called the January 23, 2023, regular workshop to order at 1:00 p.m., in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida. Commissioner Williams led the Pledge of Allegiance.

2. Pledge of Public Conduct

Vice Mayor Merrigan noted that the Mayor was not present and recognized that this was Town Manager Tom Harmer's last meeting sitting with the Town Commission.

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

3. Public to be Heard

Opportunity for Public to Address Town Commission

A. Public Works

The following individuals commented on the request for additional pickleball courts at Bayfront Park Recreational Center (Bayfront):

- Mr. Dave Levine, Gulf of Mexico Drive
- Mr. Brent Marshall, Gulf of Mexico Drive
- Ms. Terry Noyes, Fox Street.

Commissioner Haycock commented on the use of the pickleball courts at Bayfront noting that the Commission has placed the item on the Strategic Planning agenda in April.

Commissioner Bishop commended the speakers on raising funds for additional courts and the restrictions for the use of Bayfront stating that other uses (tennis courts, dog park, exercise classes) needed to be considered prior to expansion of any one use.

Mr. Levine inquired as to the timeframe for consideration of additional pickleball courts and suggested remarking the other tennis court for pickleball play.

Town Manager Tom Harmer noted Staff's recommendation to not make a decision this date for any modifications at Bayfront. Individual comments followed on options for modifications to the existing tennis courts and Code restrictions relating to parking at Bayfront.

B. Town Commission

Dr. Jim Whitman, Norton Street, inquired as to the schedule of the Goals and Objectives workshop as it relates to the Strategic Planning workshop and requested that consideration be given to provide for the Citizen Survey results prior to setting priorities.

Town Manager Tom Harmer noted that the Citizen Survey results are presented prior to the Strategic Planning workshop and Vice Mayor Merrigan confirmed that the Goals and Objectives and results of the Citizen Survey are received prior to the Strategic Planning workshop.

4. Reports

Committee Reports

A. Organizations

Commissioner Haycock noted attendance at the Sarasota-Manatee Metropolitan Planning Organization (MPO) joint meeting with the Charlotte County MPO, reviewed the issues discussed, and requested that the Town Manager follow up to ensure that the street flooding on Longboat Key is being considered.

Commissioner Haycock noted past assignments of a Commissioner as a Sarasota County and a Manatee County Commission liaison and requested discussion of reinstating at the Strategic Planning workshop, without objection.

Commissioner Haycock commented on traffic fatalities and requested consideration for Staff to provide a summary of crash reports on Longboat Key to the Commission.

Town Manager Tom Harmer advised that he and Mayor Schneier meet with the Chairs and County Administrators of both counties and noted he will bring the issue to the attention of incoming Town Manager Howard Tipton.

B. Organizations

Commissioner Bishop noted the ManaSota League of Cities will be meeting on January 26, 2023, and requested Commission input on the Town's position relating to legislative action that may be considered for the consolidation of the cities on Anna Maria Island and requested discussion at the end of the meeting agenda.

C. Organizations

Commissioner Gold noted attendance at the Bradenton Area Economic Development Corporation breakfast and reviewed the economic presentation given.

Upon inquiry, Town Manager Tom Harmer noted attendance at the Sarasota County Tourist Development Corporation advising that he presented the Tourist Development Tax agreement authorized by the Town Commission.

D. Government Agencies

Vice Mayor Merrigan noted attendance at the community meeting relating to the upcoming sewer line construction on Bradenton Beach, noted she had distributed a summary to the Town Manager, and advised the roadway would maintain two-lane traffic during the construction.

5. Discussion Items

A. Proposed Ordinance 2022-13, Establishing Chapter 115, Residential Rental Registry Requirements and Program

At the June 21, 2022, Regular Meeting, staff was directed to streamline the proposed rental registry program to include regulations necessary to ensure vacation rentals (those of less than 6 months) were compliant with existing State and Town regulations, and provide proactive measures to address impacts related to vacation rentals in residential neighborhoods. Recommended Action: Forward Ordinance 2022-13 to the February 6, 2023, Regular Meeting for first reading.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2022-13. Discussions were held on the following topics/issues:

- searchable database for prospective renters
- intent for registration program to provide for minimum safety standards of renters
- requirement to include registration number on all advertisements
- disclosure of rental lists and concerns with releasing information
- process for establishing and enforcing program/public notification
- education of rental agencies/business that interface with rental property owners
- rental registration fees anticipated
- intent of Ordinance to resolve code enforcement complaints
- code violation if registration is not completed
- contact information that will be available to resolve on-site issues
- existing legislation providing for a rental registration program
- primary enforcement issues faced by Code officials
- changes to current requirements versus future requirements if Ordinance is adopted
- options for incorporating the registration program into the Business Tax Receipt process
- inclusion of a response time for Town to perform the inspections
- complexities relating to condominium units pertaining to required repairs
- consideration to make presentation to Longboat Key Federation of Condominiums.

Subsequent to discussion, there was consensus to forward Ordinance 2022-13 to the February 6, 2023, Regular Meeting for first reading.

B. Proposed Ordinance 2022-21, Amending and Replacing Chapter 104, Property Maintenance Codes

The Town's Property Maintenance Code was last updated in 2012 and has guided the property maintenance minimum standards and Code Enforcement process since that time. Town staff is recommending adoption of the 2021 International Property Maintenance Code with amendments to reflect unique provisions specific to the Town. The Commission considered this at their November 14, 2022, Regular Workshop Meeting and provided direction to staff to bring back to the January 23, 2023, Regular Workshop for additional discussion. Recommended Action: Forward Ordinance 2022-21 to the February 6, 2023, Regular Meeting for first reading.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2022-21. Discussions were held on the following topics/issues:

- suggested revisions received from Commissioners
- option to provide exemption relating to recycle bins relating to close fitting covers
There was consensus to provide language for recycle bins.
- time restrictions relating to placing collection containers outside
There was consensus to restore to the existing 48 hour period.
- inclusion of issues that are trivial (example: screens on windows)
- inclusion of items where no enforcement is intended
- discretion of Code Enforcement officers before proceeding with a case
- exterior structures/structures over water
- inclusion of dates for various sections
- vegetative material/height restrictions for overgrowth.

Subsequent to discussion, there was consensus to forward Ordinance 2022-21, with amendments, to the February 6, 2023, Regular Meeting for first reading.

Upon inquiry, Mr. Parsons reviewed the storm drainage portion of the proposed Code. Individual comments followed on the intent to achieve compliance relating to any violations.

RECESS: 2:46 p.m. - 3:00 p.m.

C. Proposed Ordinance 2022-16, Amending Chapter 130, Sound Regulations

On January 10, 2022, the Town Commission adopted Ordinance 2021-13, which updated Chapter 130.02 of the Town's Sound Regulations. In implementation of the new Code, staff has identified four additional recommendations for sound subject to exemption provisions and a clarification related to an existing exemption. Recommended Action: Forward Ordinance 2022-16 to the February 6, 2023, Regular Meeting for first reading.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2022-16. Discussions were held on the following topics/issues:

- lawn mowers on golf courses
- testing of generators (additional language to provide exemption for testing)
- existing decibel levels
- handling of frivolous complaints
- lack of exclusions for mechanical equipment
- options for postponing modifications
- impact of proposed language relating to unamplified sounds.

Subsequent to discussion, there was consensus to maintain current standards and review any issues after an additional year.

Note: Commissioner Dominick left the meeting at 3:50 p.m.

D. Next Steps Associated with the Proposed Sarasota County Library at the Longboat Key Town Center

At their April 27, 2022, Joint Meeting with Sarasota County, the Town made a formal request for support of constructing a new library on the island. Sarasota County Commissioners included funding the advance planning and design of the proposed library in their FY23 Budget. Since that time Sarasota County Administration and the Town Manager have been meeting to advance the design, construction, and other principles of agreement. The Town Manager will update the Commission on the outcome of those meetings and next steps moving forward. Recommended Action: None, informational only.

Town Manager Tom Harmer provided an overview on the on-going discussions with Sarasota County relating to a library to be located at the Town Center, advised that the County Administrator and the Town Manager had developed a "Principles of Agreement" document relating to the project, read his prepared "Expectations" document for the record, and distributed previous exhibits for a past proposed project with Ringling. Discussions were held with Town Manager Harmer and Ms. Sarah Karon, President of the Library Foundation for Sarasota County, on the following topics/issues:

- anticipated square footage of a building
- identification of exhibits distributed
- program scheduling for the facility

- Town's role (design and programming schedule)
- site capacity available
- Longboat representation on the Sarasota County Library Advisory Board
- collaboration and partnerships
- include clarification relating to fees when used for Town events
- reciprocal use of services by Manatee County residents
- options to include clarification on preferred uses of the facility
- consideration of a Longboat Key resident on the Library Advisory Board
- roll of Ms. Karon in the partnership process (Sarasota County Library Foundation)
- fund raising options
- preliminary input from residents relating to design
- next steps in planning process.

Ms. Sue King, Gulf of Mexico Drive, commented on the proposed library.

Individual comments followed.

6. Town Commission Comments

A. Organizations

Commissioner Bishop noted the ManaSota League of Cities meeting scheduled for January 26, 2023, and requested input of the Commission regarding support of the Anna Maria cities relating to consolidating the three island governments. Discussion ensued on the action taken/recommended by the Florida Legislative Delegation. Individual comments followed.

7. Town Attorney Comments

No items were presented.

8. Town Manager Comments

A. Town Manager

Town Manager Tom Harmer noted this was his last meeting as the Town Manager and advised that Mr. Howard Tipton would be the "go-to" person as of January 30, 2023.

B. Town Manager

Town Manager Tom Harmer commented on the following:

- Citizens Survey had been sent and noted returns received to date
- Tennis Center fencing
- Hermitage Event scheduled at Bayfront Park Recreational Center
- Longboat Key Chamber of Commerce "Savor the Sounds" event scheduled for February 4, 2023
- Volunteer Recognition Program scheduled for January 27, 2023.

9. Adjournment:

Vice Mayor Merrigan adjourned the January 23, 2023, regular workshop at 4:37 p.m.



Trish Shinkle, Town Clerk



Kenneth Schneier, Mayor

Minutes Approved: 3/6/2023