

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
OCTOBER 1, 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 October 1, 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 Daly led the Pledge of Allegiance.

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

6. Sarasota County Commission Chair, Charles Hines

Sarasota County Commission Chair Charles Hines addressed the Town Commission and provided an overview of the following items under consideration by the County Commission:

- Interlocal Agreement with Sarasota and Manatee Counties relating to emergency management activities
- water quality issues/improvements to Sarasota County's utility facilities
- results of Citizen's Survey conducted by Sarasota County
- Barrier Island Traffic Study (BITS)/traffic management issues
- Sarasota County Area Transit (SCAT) services
- Legacy Trail
- Mental Health Taxing District options
- bayfront development within the City of Sarasota
- workforce/affordable housing
- library services.

Discussions were held on the following topics/issues:

- library services
- affordable housing issues
- local financial impact on the sunseting of Visit Florida
- BITS support by Sarasota County.

Public to be Heard

1. Opportunity for Public to Address Town Commission

No items were presented.

Approval of Minutes

2. September 9, 2019, Regular Meeting; September 23, 2019, Regular Workshop Meeting; and September 23, 2019, Special Meeting

There was consensus to approve the Minutes as submitted.

Committee Reports

3. Manatee County Special Liaison Report

A. Organizations: Vice Mayor Zunz, Bradenton Area Economic Development Corporation
Vice Mayor Zunz noted attendance at the Bradenton Area Economic Development Corporation and reviewed the issues discussed. (See item later this meeting.)

4. Sarasota County Special Liaison Report

No items were presented.

5. Other Reports

A. School Board

Vice Mayor Zunz suggested invitations be extended to the Manatee and Sarasota County School Board Superintendents to speak at a future meeting.

B. Organizations

Commissioner Daly noted attendance at the Barrier Island Traffic Study (BITS) Steering Committee meeting and commented on the BITS and items discussed. Town Manager Tom Harmer commented on the cell phone summary presented at the meeting.

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. Public Forum Permits (PFP) Fee Waiver Requests

The Town Commission adopted Ordinance 2017-01 amending Chapter 92 that, among other changes, institutes a \$100 application fee for special event public forum permits, and includes a provision that the Commission may waive all or part of this fee and all or part of the expenses for departmental assistance for communitywide events. These requests are placed on the Consent Agenda as a routine matter that can be discussed if desired. (PFP fee waiver requests from St Mary's Star of the Sea Rummage Sale, St. Mary's Star of the Sea Christmas Bazaar, Longboat Key Garden Club Home Tour, and Kiwanis Club Lawn Party.) Recommended Action: Waive \$100 PFP Fees for noted events.

8. Appointments to Town Boards

Appointments for the expiring seats on the Consolidated Retirement System Board of Trustees will be considered at the October 1, 2019, Regular Meeting. There are two seats with expiring terms, with two incumbents seeking reappointment. No other applications were received. Recommended Action: Appoint members to Consolidated Retirement System Board of Trustees.

Commissioner Pastor moved to approve and ratify the recommended action on the Consent Agenda items. The motion, seconded by Commissioner Schneier, carried by a 7-0 roll call vote, as follows: Pastor, aye; Schneier, aye; Clair, aye; Haycock, aye; Daly, aye; Zunz, aye; Spoll, aye.

Ordinances – First Reading and Public Hearing

9. Ordinance 2019-08, Amending Chapter 158, Zoning Code

At their September 17, 2019, Regular Meeting, the Planning & Zoning (P&Z) Board held discussion and public hearing on Ordinance 2019-08, amending Chapter 158, Zoning Code, to provide updates for certain Sections of the Code. These are the second phase of amendments to the updated Zoning Code adopted at the April 1, 2019, Regular Meeting. Ordinance 2019-08 includes revisions for: Zoning Determination Letters, Commercial Revitalization-Administrative Waivers for Parking, and correction of scrivener's errors. Recommended Action: Following public hearing and discussion, forward Ordinance 2019-08 to the November 4, 2019, Regular Meeting for second reading and public hearing.

Town Clerk Trish Shinkle placed Ordinance 2019-08 on record for first reading and public hearing by title only.

Commissioner Haycock moved to pass Ordinance 2019-08 on first reading and to forward to the November 4, 2019, Regular Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Zunz.

Mayor Spoll opened the public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Planner Maika Arnold gave a PowerPoint presentation on Ordinance 2019-08. Discussions were held with Ms. Arnold, Town Attorney Maggie Mooney, and Planning, Zoning, and Building Department Director Allen Parsons on the following topics/issues:

- impact of a Zoning Determination Letter for a specific parcel on final development approval by Town Commission
- option to develop a registry to provide information for future land owners
- current lack of notification to surrounding property owners
- lack of definition as to the specific value of a Zoning Determination Letter
- current notice requirements and appeal process
- public record retention process
- property owners rights after a permit is already issued
- lack of notice and appeal process for issuance of a building permit
- determination versus application of the Zoning Code
- determination on notice if property changes ownership
- current formula for parking requirements/option to include in future amendments
- option to require additional parking if a reservation policy is not instituted.

There was consensus for Staff to review and make recommendations on the current formula used to determine parking requirements.

Ms. Arnold continued the presentation on Ordinance 2019-08. Mr. Parsons noted Staff will follow up with a definition of a Zoning Determination Letter and additional review of notice requirements.

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; Zunz, aye; Spoll, aye; Daly, aye; Schneier, aye; Clair, aye; Pastor, aye.

See item later this meeting.

10. Ordinance 2019-10, Amending Chapter 158, Personal Wireless Service Facilities

At their September 17, 2019, Regular Meeting, the Planning & Zoning (P&Z) Board held discussion and public hearing on Ordinance 2019-10, amending Chapter 158, Zoning Code, and forwarded to the Town Commission's October 1, 2019, Regular Meeting with a recommendation for approval, with amendments, by a 6-1 vote. Ordinance 2019-10 amends Section 158.113, Personal Wireless Service Facilities, Section 158.114, Personal Wireless Service Facility Development Standards, Section 158.116, Administrative Exemptions-Essential Services, and Section 158.144, Definitions. Recommended Action: Following public hearing and discussion, forward Ordinance 2019-10 to the November 4, 2019, Regular Meeting for second reading and public hearing.

Town Clerk Trish Shinkle placed Ordinance 2019-10 on record for first reading and public hearing by title only.

Commissioner Schneier moved to pass Ordinance 2019-10 on first reading and to forward to the November 4, 2019, Regular Meeting for second reading and public hearing. The motion was seconded by Commissioner Pastor.

Mayor Spoll opened the public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2019-08. Discussions were held on the following topics/issues:

- dimensions of proposed associated equipment
- Planning and Zoning Board's recommendation relating to maximum height restrictions for monopoles (reducing from 50 feet to 35 feet)
- consideration of the Telecommunications Act relating to height restrictions on private property.

Mr. David Green, Evergreen Way, commented on the heights recommend by the Planning and Zoning Board. Discussion ensued with Mr. Parsons and Public Works Director Isaac Brownman on the proposed size of the free standing facilities ancillary equipment.

There was consensus for Staff to review and provide recommendations at the November public hearing relating to the size of ancillary equipment.

Discussions were held on the requirements for equipment to be similar to Town equipment (Section 158.114).

As no others 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; Zunz, aye; Spoll, aye; Clair, aye; Haycock, aye; Daly, aye.

RECESS: 2:55 p.m. - 3:05 p.m.

9. Ordinance 2019-08, Amending Chapter 158, Zoning Code - Continued

Vice Mayor Zunz inquired as to amending the Town Code to clarify zoning uses in lieu of utilizing/issuing Zoning Determination Letters. (See item earlier this meeting.)

New Business

11. Comprehensive Beach Management Plan

At their September 23, 2019, Regular Workshop Meeting, the Town Commission endorsed the Town's Comprehensive Beach Management Plan process and there was consensus to move forward with the timeline presented for the Town's beach maintenance activities and beach bond referendum to be placed before the Town's voters on the March 17, 2020, ballot. The updated plan has been finalized and will provide an up-to-date guiding document for the Town's beach management activities and serve to support State reimbursement. Recommended Action: Adopt the Updated Comprehensive Beach Management Plan and proceed with Construction Scenario #3.

Town Manager Tom Harmer provided an overview of the Staff report on the Beach Management Plan. Public Works Facilities Manager Charlie Mopps gave a PowerPoint presentation on the Beach Management Plan and introduced Mr. Al Browder, Project Manager with Olsen Associates, Incorporated. Mr. Browder presented the 2019 Comprehensive Beach Management Plan. Discussions were held on the following topics/issues:

- term of easement for length of project
- option to seek perpetual easements for future projects
- seawall on Gulfside Road
- status of dredging in area of Greer Island Lagoon (Canal 1A)
- quality of sand from various area
- estimated cost for dredging versus truck haul
- option to utilize gray coarse sand in groin area topped by white sand
- use of smaller dredge with barges in lieu of large hopper dredge
- timing for project/placement of sand from Greer Island area
- possible road damage for truck haul
- option to obtain sand from mines/transfer to a barge/pump to shore
- truck access to beach areas
- reduced cubic yard placement increases renourishment needs
- lack of formal request from Town Commission to Manatee County Commission for support/funding of renourishment project
- impact anticipated following placement of north end structures
- increase in sand on South end (L'Ambiance area)
- option to review the \$30M project cost
- establish desired plan (maintain 8-year plan) for interval renourishment
- all scenarios are assumptions to provide estimate for public.

Mr. Brownman noted staff will provide various funding scenarios at the October 15, 2019, Regular Workshop Meeting. Town Manager Harmer commented on funding options and participation by Manatee County Government and noted staff was requesting consensus for Construction Scenario #3, extracting sand from the local inlet dredge and Passage Key, reducing the impact of a truck hauling project on the community.

Discussion ensued on the proposed project budget, type of sand in Passage Key, and funding/borrowing amounts.

11. Comprehensive Beach Management Plan - Continued

Subsequent to inquiry on the action requested, Commissioner Pastor moved to adopt the 2019 Comprehensive Beach Management Plan and to endorse the Construction Scenario #3 for planning purposes. The motion, seconded by Commissioner Schneier, carried by a 7-0 roll call vote, as follows: Pastor, aye; Schneier, aye; Haycock, aye; Daly, aye; Clair, aye; Zunz, aye; Spoll, aye.

Town Commission Comments

A. Town Manager

Vice Mayor Zunz commented on the Town Manager's monthly report, opined that there should be additional circulation of the document to the residents, and suggested that correspondence be forwarded to the local papers requesting publication as a public service.

Town Manager Tom Harmer advised that he was seeking additional ways to increase distribution to the public and Vice Mayor Zunz suggested it be sent as a "Letter to the Editor."

Town Attorney Comments

No items were presented.

Town Manager Comments

A. Town Commission

Town Manager Tom Harmer commented on attendance at the Manatee County Legislative Delegation meeting with Mayor Spoll and noted the October 15, 2019, Regular Workshop Meeting is a Tuesday due to a Jewish holiday on Monday.

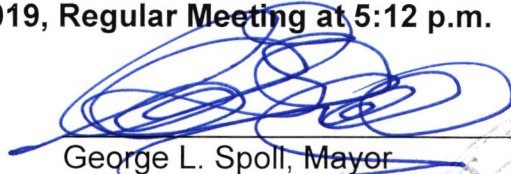
Adjournment

Mayor Spoll adjourned the October 1, 2019, Regular Meeting at 5:12 p.m.



Trish Shinkle, Town Clerk

Minutes Approved: 11/4/19



George L. Spoll, Mayor