

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP  
APRIL 16, 2009 - 2:00 P.M.**

**Present:** Mayor Lee Rothenberg, Vice Mayor Robert Siekmann, Commrs. Jim Brown, Gene Jaleski, Hal Lenobel, Peter O'Connor, George Spoll

**Also Present:** Town Manager Bruce St. Denis, Town Attorney David Persson, Town Clerk Trish Granger

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Regular Workshop Meeting of the Longboat Key Town Commission was called to order at 2:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Brown led the Pledge of Allegiance.

**COMMITTEE REPORTS AND COMMUNICATIONS**

**A. Fire Department**

Town Manager Bruce St. Denis introduced Mr. Rich Dickerson as the Town's new Fire Chief.

Chief Dickerson commended Fire Chief Julius Halas on his State position and commented on his anticipation for a rewarding career with the Town.

**1. Manatee County Special Liaison Report**

Vice Mayor Siekmann noted attendance at the National Hurricane Conference in Texas last week, noted the presentation by City of Galveston officials relating to Hurricane Ike and recovery efforts, advised of attendance at the Manatee COG meeting, and the presentation by the Florida Department of Transportation (FDOT) relating to the work to be done on Gulf of Mexico Drive/State Road 789.

Vice Mayor Siekmann noted, and Town Manager Bruce St. Denis commented on the conditions at North Shore Road, the efforts to stabilize the area, and future remedial action to be taken in the area. Discussion ensued on the proposed remedial action and participation of entities to accomplish the stabilization in the area.

Upon inquiry, Town Manager St. Denis advised that the WCIND meeting was scheduled for Monday, April 20, 2009.

**2. Sarasota County Special Liaison Report**

**A. State Agencies**

Commr. Spoll commented on the Florida Department of Transportation (FDOT) meeting held on April 15, 2009, relating to the future work on Gulf of Mexico Drive and commented on the reduction in the sidewalk that was intended for Gulf of Mexico Drive.

Town Manager Bruce St. Denis advised that Staff will review and report back at the May 4, 2009, Regular Commission meeting.

3. Other Reports

A. Sarasota County Council of Governments (COG)/Economic Development Committee  
Following comments from Mayor Rothenberg, Finance Director Thomas Kelley commented on his attendance at the Economic Development Committee meeting and reviewed the items discussed pertaining to combining resources to develop ways to attract business to the region, reviewing regional issues.

Mr. Kelley noted the issues discussed at the Sarasota County COG meeting he attended on behalf of the Town and noted the focus was on budget issues. Individual comments followed.  
(1-0615)

4. Opportunity for Public to Address Town Commission - No items were presented.

**CONSENT ITEMS FOR CONSIDERATION OF THE TOWN COMMISSION**

5. Proposed Ordinance 2009-08, Budget Transfer From Road & Bridge Fund for Resurfacing

The Town resurfaces public streets on a three to four year interval. The last resurfacing project was completed in 2005. The FY 2008-09 budget has a \$200,000 resurfacing allocation however, preliminary estimates to complete the last portion of the Sleepy Lagoon project is \$284,600. Staff requests the transfer of \$84,600 from the Road and Bridge Fund to complete this work. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2009-08 to the April 16, 2009, Special Meeting for first reading.

6. Proposed Resolution 2009-16, Waste Management CPI and Fuel Adjustment

The Town has a Franchise Agreement with Waste Management (Ordinance 06-24) that provides for an annual CPI and fuel adjustment. Proposed Resolution 2009-16 is forwarded for your consideration in approving the franchise rate adjustments effective April 1, 2009. Recommended action: Approval of the Consent Agenda will forward Resolution 2009-16 to the May 4, 2009 Regular Meeting for formal action.

7. Review of Current Ad Hoc Committees

In accordance with Resolution 2000-05 the Town Commission conducts an annual review of current ad hoc committees and makes a determination regarding their continuation. There are no such committees at this time. Recommended Action: None, informational only.

8. Proposed Resolution 2009-21, Budget Transfer in the Amount of \$40,000 for Seawall Repairs at 501 Outrigger Lane

At the April 6, 2009 Regular Meeting the Town Commission passed Resolution 2009-19, Abatement of Nuisance Conditions at 501 Outrigger Lane. Unless the property owner abates the nuisance conditions within 10 days the Town will take appropriate action for necessary seawall repairs. Resolution 2009-21 will provide the needed funding to contract the work. Recommended Action: Approval of the Consent Agenda will forward Resolution 2009-21 to the April 16, 2009, Special Meeting for formal action.

**CONSENT ITEMS** - Continued

**Subsequent to comments, there was consensus to approve the Consent Agenda in accordance with Staff's reports and recommendations.**

(1-0676)

**DISCUSSION ITEMS**

**9. Planning, Zoning, and Building Department Presentation**

As part of the FY 2008-09 Budget deliberations the Town Commission requested that each of the Town's department directors present an overview of their departmental operations. Planning, Zoning, & Building Director Monica Daigle will make a short presentation regarding the PZB Department. Recommended Action: None, informational only.

Planning, Zoning, and Building (PZB) Department Director Monica Daigle gave a PowerPoint presentation on the services of the PZB Department.

Individual comments followed commending the PZB Staff for their dedication and service to the Town.

(1-1416)

**10. Bayfront Park / Albritton Property Conceptual Development Plan**

A presentation of a conceptual plan developed through public meetings that were held to discuss the future of the Bayfront Park Recreation Center will be presented for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted the history of the purchase of the Albritton property, noted the coordination and efforts of working with Sarasota County Parks and Recreation General Manager John McCarthy.

Mr. McCarthy commended the participation of Town citizen's and staff in the efforts to coordinate the public meetings held on the property and presented an overview of the proposed conceptual plan developed for the parcel.

(1-1764)

Town Manager St. Denis advised that the conceptual plan was a starting point and requested direction as to the Commission's opinion of the conceptual plan. Discussions were held on the following topics/issues:

- option for removal of the ball fields/requirement to change the Comprehensive Plan amendment
- community participation and support of the conceptual plan
- options for utilization of the property by the Art Center/collaboration with the Town
- options for community grow garden, shuffleboard courts, dog park, and Community Center.

10. Bayfront Park / Albritton Property Conceptual Development Plan - Continued

**Subsequent to individual comments, there was consensus to move forward with the Conceptual Plan as submitted.**

Town Manager St. Denis noted that the future steps required to move the project forward would be presented to the Commission. Town Manager St. Denis commended Mr. McCarthy and his Staff on their efforts to date.

Mr. McCarthy commended the community and Town staff on their participation and noted that the conceptual plan would be submitted to the Sarasota Board of County Commissioners on June 9, 2009.

Sarasota County Parks and Recreation Staff Member Kim Heuberger noted that the County Parks and Recreation Advisory Council has reviewed the plan as submitted this date.

(1-2591)

11. Bayfront Park Recreation Center – Use of Recreation Center

A local sculptor group requested to utilize the lower level of the current Bayfront Park Recreation Center as an artists' workshop/studio. Commissioner Spoll asked that this item be placed on the April 16, 2009 Regular Workshop Meeting agenda for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis commented on the request relating to the use of the current Bayfront Park Recreation Center and noted the action required to approve the request. Following discussion on the exclusivity of use by one organization.

**Following comments, there was majority consensus to authorize Town Staff to move forward with the request to allow the use of the Recreation Center.**

(1-2757)

12. Sign Code Discussion

The Planning & Zoning (P&Z) Board requested Town Commission approval to hold public hearings on Chapter 156, Sign Code at the April 6, 2009, Regular Meeting. The Town Commission directed that consideration of the Sign Code be forwarded to the April 16, 2009, Regular Workshop Meeting for follow-up discussion. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted previous discussion of the P&Z Board request at the April 6, 2009, Regular Meeting and the action directed at that meeting.

Mr. Tom Aposporos, representing the Longboat Key, Lido Key, and St. Armands Key (LLSA) Chamber of Commerce, commented on Town's sign code and offered the Chamber's assistance in working on the sign code.



12. Sign Code Discussion - Continued

Discussion ensued on the following topics/issues:

- development of an Ad-Hoc Committee with governmental representatives, citizens, and business interests
- recommendation to establish an Ad-Hoc Committee for review
- options for consideration of the sign code by the P&Z Board
- process for review and submission to the Town Commission for consideration either through the P&Z Board or an Ad-Hoc Committee
- role of the P&Z Board in the process/appointment of members to an Ad-Hoc Committee
- options to review the portion of the sign code relating to election/political and real estate signs
- required review by the P&Z Board at some point
- lack of discussion/concerns raised on the sign code at the Goals and Objectives Workshop from community leaders
- option to limit the code review to political and real estate signs.

(1-3740)

**There was majority consensus to provide authority to the P&Z Board to review the sign code in lieu of an Ad-Hoc Committee.**

Ms. B.J. Webb, Vice Chair of P&Z Board, noted the integrity of the P&Z Board members and supported the consensus to forward to the P&Z Board.

Discussions were held on the options to limit the discussion to election/political and/or real estate signs.

**There was consensus to authorize the P&Z Board to hold public hearings on the entire sign code with the understanding of the current Town signage philosophy.**

**RECESS:** 3:51 p.m. - 4:05 p.m.

(1-4338)

18. Florida Department of Transportation (FDOT) Federal Stimulus project – Gulf of Mexico Drive Landscape Grant

The Town has been awarded \$500,000 of Federal grant funding as a result of the American Recovery and Reinvestment Act of 2009. The Town is required to enter into a FDOT Landscape Maintenance and Installation Agreement that binds the Town to maintain these projects. Recommended Action: Pending discussion, forward the FDOT agreements to the May 4, 2009, Regular Meeting for formal action.

Town Manager Bruce St. Denis commented on the award of a grant from FDOT, noted the parameters of the allowable work, and the necessity of a maintenance agreement with the FDOT.

18. FDOT Federal Stimulus project – Gulf of Mexico Drive Landscape Grant - Continued Public Works Director Juan Florensa commented on the locational areas of the work to be performed, noted that future action would need to be taken relating to the maintenance agreement, possible projects that could be completed with the grant funding, and costs to maintain the projects in future years. Upon inquiry, Mr. Florensa confirmed that FDOT representatives would manage the projects while they are underway.

Following comments by Mayor Rothenberg on consideration of projects by the Metropolitan Planning Organization (MPO), Mr. Kevin Ingle, FDOT representative, commented on the Federal Stimulus project pertaining to the time frame for submission and award, the restrictions on the use of the funding, the projects to be considered, and the FDOT costs associated with the project.

Discussions were held with Mr. Ingle, Town Manager St. Denis, and Mr. Florensa on the following topics/issues:

- SRF (State Revolving Fund) project requirements
- options for updating of new signs/inclusion of new entry signs/process for award
- bid process/FDOT administrative costs
- project parameters/on-going costs for improvements
- options to develop preliminary design and other improvements
- types of vegetation to be considered/irrigation requirements
- scope of work / time constraints.

**There was consensus to move forward on the project in accordance with Staff recommendation.**

Discussion continued on the design/build process and future maintenance costs.

Mr. Jim Brown, of Windward Bay, commented on previous state funding for the wild flower plantings and noted concern that maintenance costs be considered in the final determination of the vegetation to be utilized.

(2-0650)

13. Discussion Regarding Early Voting and Precinct Locations

Commissioner O'Connor requested that an item be placed on a future workshop meeting for discussion of early voting and precinct locations. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted the request from Commr. O'Connor for early voting and precinct locations.

Following comments by Commr. O'Connor Town Clerk Trish Granger provided an overview reviewed statutory requirements for the selection of early voting sites and advised that the Town Commission could elect to request that the Sarasota Supervisor of Elections identify an alternate voting precinct for the Sarasota County portion of future state and federal elections.

13. Discussion Regarding Early Voting and Precinct Locations - Continued

Upon inquiry, Town Clerk Granger noted the costs for the recent election and advised that the Town Commission would need to make a decision on an all-mail ballot option versus election day, early voting, and absentee ballot voting options.

Discussion followed on the statutory requirements for designation of voting precincts, the voter response to mail-in ballots, consideration of changing the Charter relating to the election schedule (modify from March to November) in an effort to reduce annual election costs, and the process to request and receive absentee ballots.

(2-1019)

14. Rate Reduction Options for Utilities

The Commission will consider rate reduction options for utilities as a result of the recent successful referendum regarding utilizing bonds to fund utility capital improvements. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis commented on Commission direction and the approved voter referendum relating to the bonding for utility capital projects.

(2-1084)

Finance Director Thomas Kelley noted discussions with Bryan Mantz, Supervising Consultant with PRMG (Public Resources Management Group), Inc., and noted that Mr. Mantz has opined that there is sufficient reserves to initiate a rate reduction, noted the State Revolving Fund (SRF) interest rate, and discussed the proposed rate reduction timeframe. Discussion ensued on the following topics/issues:

- impact on reserves in the event of a major storm
- SRF versus Bank of America rates
- timeframe for water rate effective date/pass through rates.

**There was consensus to reduce water rates and to forward Ordinance 2009-09 to the May 4, 2009, Regular Meeting for first reading.**

Following comments, Town Manager Bruce St. Denis advised that Staff will provide a recommendation on the rates at the May 4, 2009, meeting.

(2-1514)

15. Preliminary 2009-10 Budget Discussion

The Town Manager and Finance Director will discuss the status of the FY 2009-10 Preliminary Budget. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis presented an overview on the status of the FY2009-10 Preliminary Budget. Discussions were held on the option to consider a two-year period during budget consideration, anticipated budget constraints for future years, and proposed legislation to limit raise in millage.

(2-1703)

16. Discussion of Goals & Objectives Presented by Community Leaders

At the April 2, 2009 Town Commission Goals & Objectives Meeting with Community Leaders a series of recommendations were presented by local residents and stakeholder groups. Those recommendations and requests will be considered for prioritization by the Town Commission. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis presented an overview of the process followed in previous years and presented the following issues for discussion, requesting that the Town Commission rate the issues presented on a scale of "A to C" with A being the highest priority to be focused on for achievement during the upcoming fiscal year. Town Manager St. Denis requested that items determined lower than a "C" rating be removed from consideration for the current year. Discussions were held on the following issues (items added are shown as underlined text / items rated below "C" are shown as ~~striketrough~~ text):

GULF OF MEXICO DRIVE ISSUES

- Installation of sidewalks on the west side of Gulf of Mexico Drive, north of Bay Isles: "C"
- ~~Gulf of Mexico Drive irrigation line installation to promote beautification of right of way~~: Emerald Harbor area, on Florida Department of Transportation (FDOT) property, unable to address due to right-of-way restrictions and cost of maintenance (irrigation costs)
- Elimination of the pedestrian, bicycle, and vehicular traffic conflicts at Broadway and Gulf of Mexico Drive: "A" and request a speed study by FDOT possibly seeking a 35-mile per hour speed limit (from Cedar to Longboat Key Bridge)
- Vegetation maintenance for cone of vision at intersections along Gulf of Mexico Drive: Public Works maintenance items, established policy to be maintained
- ~~Reduction of speed limit along Gulf of Mexico Drive~~ (see item relating to speed study above)
- Development of a tunnel under Gulf of Mexico Drive for pedestrians: "C" pending speed study
- Enhance signage along Gulf of Mexico Drive to include Longboat Key logo on FDOT sign posts for improved aesthetics: "C" for possible inclusion in grant funding
- Traffic flow improvements when repaving takes place - not considered
- ~~Broadway Street crosswalk with Yield to Pedestrians signage~~ (see item relating to speed study above)

ENVIRONMENTAL ISSUES

- Protection of Sarasota Bay by reducing stormwater runoff: "A" in consideration of retention ponds and associated costs to establish, Comprehensive Plan requirements, and existing fertilizer/grass clipping Ordinances
- Promote grassflats protection / continue with Sister Keys efforts: "A" to continue with current efforts

16. Discussion of Goals & Objectives Presented by Community Leaders - Continued

ENVIRONMENTAL ISSUES

- Encourage water conservation efforts: "A" to continue with current efforts
- Seek alternative irrigation water sources: "B" to continue with current efforts
- Support continued funding for START (Solutions To Avoid Red Tide) locally and at State level: "A" to continue to support of current efforts with funding to be determined

TRAFFIC ISSUES

- Address traffic problems through regional cooperation: "A"
- Continue to seek 30 minute New Pass bridge openings through Coast Guard: "A"
- Encourage neighboring communities to remove hazards along evacuation routes: "A"
- Remain vigilant regarding proposed traffic roundabouts proposed by the City of Sarasota: "A"
- Improve aesthetic beauty of Longboat Key upon entering from the North end: "A"

ECONOMIC DEVELOPMENT

- Foster an environment compatible for residential/business/educational interests: "A"
- ~~Maintain existing businesses which provide educational opportunities to residents (incorporated into first item)~~
- ~~Review and revise regulations to reduce cost of doing business on Longboat Key in order to maintain, encourage businesses providing services to residents and visitors: (incorporated into first item)~~
- ~~Assist in revitalizing service business to residents and visitors on Longboat Key - (incorporated into first item)~~
- ~~Development of a Town square concept in the shopping center area to enhance business and community activities: (Town cannot direct development on private property.)~~

SITE SPECIFIC REQUESTS

- ~~Culvert and seawall repair at Emerald Harbor entrance: currently in process~~
- ~~"No Wake" signage and marine patrol enforcement in canal between Emerald Harbor and Dream Island Road: on-going monitoring~~
- Population control of peacocks/peahens/peafowl in Village: review discussions and previous Commission action
- Installation of gas lamps on Broadway Street: "C"
- Opening of waterway under Broadway Street in the Village: "B" if funding were to become available)
- ~~Be aware of Longboat Key Club development issues as they relate to impacts on the Harborside area: (would be considered during development processes and public hearing venue)~~

16. Discussion of Goals & Objectives Presented by Community Leaders - Continued

PARKS, RECREATION, BEACHES, LEISURE ACTIVITIES

- Begin implementation of Bayfront Park and Albritton property development: "A"
- ~~Continued support of tennis center activities:~~ continued funding in budget
- ~~Awareness of Education Center interest in Bayfront Park development:~~ on-going awareness of interest
- Town assistance in maintenance of Butterfly Garden at Bicentennial Park: "B" as budget permits
- ~~Installation of irrigation system for Butterfly Garden:~~ (see item above)
- ~~Public park improvements to include adequate space for children's areas:~~ included in Bayfront Park/Albritton property Concept Plan
- ~~Public park and activity area needed at mid-key:~~
- Continue to sustain the Town's beach management plan: on-going operation
- Acquisition of property for open space and parks: "B" based on availability of property and as funding allows
- Expansion/enhancement of Broadway dock: "B" as funding permits
- Purchase property on Longboat Drive South for future park/green open area: "B" as funding permits

TOWN SERVICES/BUDGET

- Continue providing quality emergency response services to residents: "A" on-going process
- Improving staff manpower efficiencies before reducing necessary services: "A" on-going review to provide efficiencies
- ~~Honor current pension system commitments — freeze existing pension plans — move to fixed contributions~~
- ~~Hold costs during difficult economic times:~~ on-going review to provide efficiencies
- Funding for Volunteer Fire Department public education to include development of a pager system (Neighbor Helping Neighbor Program): "A" with inclusion of the File of Life program (budget transfer from contingency required for File of Life program)
- Improvement of cell phone reliability throughout Longboat Key, especially the North end: on-going review of needs
- Improve government efficiency and reduce cost of government taxes and fees levied by Longboat Key and imposed by County: "A" on-going process
- Review and conform to policy regarding Bay Isles Waterway Channel police patrol: review existing agreement in place

COMMUNITY PARTICIPATION

- Continued support of St. Jude's Annual Luncheon event: "A"
  - Continued support for Citizen, Police Officer, and Firefighter of the Year Awards: "A"
- (2-4234)

17. Code Enforcement Issues Related to Vacant or Unmaintained Properties

The Town Commission will consider code enforcement issues relating to vacant properties. Commissioner O'Connor requested that this item be added to the April 16, 2009 Regular Workshop Meeting for discussion. Recommended Action: Pending discussion, provide direction to Manager.

Commr. O'Connor commented on the impact of vacancies and foreclosures to the Town and communities.

Town Manager Bruce St. Denis commented on the surrounding areas and the impact of foreclosures to their communities and noted manpower restrictions at the current staffing level. Discussion ensued on the following topics/issues:

- impact of vacancies to the community
- cost of placing liens and reimbursement of costs
- impact of abandoned pools (health and safety concerns)
- police patrols of abandoned properties
- consideration for Town to buy abandoned homes to sell when market recovers.

**There was consensus to direct Staff review of the issue of vacant and unmaintained dwellings and to provide recommendations on enforcement issues.**  
(2-4864)

**TOWN COMMISSION COMMENTS** - None

**TOWN ATTORNEY COMMENTS**

A. Litigation

Town Attorney David Persson advised that a settlement agreement will be on the May 4, 2009, Regular Meeting, relating to a variance request from 2007, and provided a brief review of the process/procedure to be followed and a history of the case to be considered.

**TOWN MANAGER COMMENTS**

A. Town Commission

Town Manager Bruce St. Denis provided an update on the cross-connection (backflow) program, noting 300 single family residences and 200 multi-family residences have not complied at this point and noted that the deadline can be extended in extenuating circumstances, advised that additional notices via certified mail will be sent to advise of the June 30, 2009, deadline, and reviewed the fine schedule and action to be taken by the Town.

**PRESS TO BE HEARD** - No items were presented.



**ADJOURNMENT**

**Mayor Rothenberg adjourned the April 16, 2009, Regular Workshop at 6:12 p.m. and noted that a Special Meeting would be held immediately following the adjournment. (3-0232)**

s/s Trish Granger  
Trish Granger, Town Clerk

/s/ Lee Rothenberg  
Lee Rothenberg, Mayor

Minutes Approved: 06/01/09