

79-11
COMMISSION DIRECTIONS, MARCH 6, 1979 WORKSHOP

Present: Mayor Ochs, Commissioners Bell, Jenkins, McCall, Ridyard, Sedwick, Seegel

Also

Present: Town Manager Allgire, Town Attorney Whitesell, Town Clerk Pool

Absent: None

1. Beach Protection Policy

Mayor Ochs announced that Dr. Sheppard and Dr. Wong of the University of Florida Coastal Engineering Division would not be present as indicated on the agenda but would submit a proposal for setting up a model type study for Longboat Key beach protection.

2. Arvida Resort Hotel Plans Discussion

Mayor Ochs stated a letter had been received from Arvida Corp. agreeing to an extension of time to March 23 for completion of site plan review on their resort hotel project. However, there would not be another regular meeting until April. John Siegel stated he would provide another letter by the following evening's regular meeting agreeing to a longer extension. Mayor Ochs had received a copy of the Open Space Agreement for Longboat Key Club from and executed by the Arvida Corp. Other Commissioners and the Town Attorney requested that they be given copies. John Siegel and Arvida attorney George Dietz presented plans for the resort hotel which they asked that the Commission consider for final site plan approval. It was again pointed out to the applicants that the Commission had asked for and not received a master plan and a land use intensity plan. Further, that the asked for Open Space agreement had just been received. All of these were required before final site plan approval. It was agreed by Mr. Siegel that Arvida would work with consulting planners Adley Associates in order to provide the needed master plan and land use intensity plan.

3. Sailboat Square Development Plans Discussion

Joe Penner, developer of a proposed commercial area to be known as Sailboat Square, just north of the Amoco Station, discussed the plans with the Commission and what his alternatives might be since it is not permitted to put a drive-in bank facility in a front yard. It was brought out that if the drive-in facility were a part of the principal structure it might meet code requirements. Mr. Penner stated he would revise his plans along those lines to try to satisfy the requirements.

4. Ansel Controlled Growth Agreement Proposed Amendment

The Town Attorney explained that the proposed amendment to the Controlled Growth Agreement for the Ansel properties would extend the time for issuance of 1979 building permits until July 1, 1980. There was discussion of whether it would be better to grant an extension of time at the end of the agreement. The Commission was polled and the consensus was that the method in the proposed amendment would be preferable. It was agreed to consider approval of this amendment at the regular meeting March 7.

Commission Directions, March 6, 1979, Page 25. Discussion of Title Opinion

The Town Attorney discussed with the Commission an opinion he had submitted in writing dated February 27, 1979 concerning his title examination of Russell Street and Bayside Drive. He stated that in his opinion there was a dedication, there was an acceptance and the two streets in their entirety as outlined on the plat of 1914 are public streets. The Town Manager was directed to write a letter to Mr. King Williams furnishing him a copy of the opinion and asking him to vacate the road right-of-way.

6. Manatee County Sewer Contract Agreement Opinion

The Town Attorney had submitted a written opinion dated Feb. 28, 1979 concerning the Town's sewer treatment contract with Manatee County. Mr. Whitesell said the only question he sees is, because of the impossibility of Manatee County living up to the contract, if the ground water intrusion is eliminated so that the treatment plant then can handle another 1,000,000 gallons per day, would the moratorium be applicable to the unincorporated portion of the County and not to the municipalities which have contracts with the county to treat their sewage. He thinks the "impossibility" would be a defense for the County and prevent the Town from getting damages, and mean that the only alternative would be in the equity side of the court to enforce with a mandatory injunction for the County to develop the plants and financing and construction of an enlarged plant. Mr. Whitesell suggested that the Town Manager review the Manatee County moratorium ordinance as it relates to the two projects for which the Town had already received plans. With that information the Commission could decide whether it would be necessary to put the County on notice that this should be reserved for the Town because of the contract.

7. Open Space Acquisition Policy Discussion

This item was deferred to the workshop of March 13.

8. Pension Committee Meeting Set

The Commission decided to hold a Pension Committee meeting at 10:00 A.M. Wednesday, March 14.

9. Memorial Tree Authorized

Vice-Mayor Seegel requested that the Town Commission authorize the dedication of a tree on the grounds of the Town Hall in memory of the late Town Clerk, Wm. M. Hager, II and that a plaque be affixed to it. Mayor Ochs suggested that it be the oak tree which was planted the previous Fall.

10. Big Pass Meeting Discussion

Commissioner Sedwick called attention to the fact there would be a public informational meeting by the Corps of Engineers concerning possible dredging of Big Pass at 7:00 P.M. this evening at Sarasota Jr. High School. He felt a representative of the Town should attend and be authorized to say that the Town of Longboat Key unqualifiedly endorses the study and Big Pass dredging. There was general agreement, and Commissioner Bell indicated she would attend.