

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP  
APRIL 17, 2008, 11:00 A.M.**

**Present:** Mayor Hal Lenobel, Vice Mayor Robert Siekmann, Commrs. Randall Clair, Peter O Connor, Lee Rothenberg, George Spoll, Joan M. Webster

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

**CALL TO ORDER**

The Regular Workshop of the Longboat Key Town Commission was called to order at 11:00 a.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

**COMMITTEE REPORTS AND COMMUNICATIONS**

1. Manatee County Special Liaison Report
2. Sarasota County Special Liaison Report

A. Organizations

Vice Mayor Siekmann noted attendance at the Manatee County Commission meeting, noted the Commission's interest in the Town's proposed fertilizer Ordinance, and requested that the Ordinance (as considered at first reading) be forwarded to Manatee County.

3. Other Reports

A. Planning and Zoning (P&Z) Subcommittee Report - Implementation of Referenda Questions

P&Z Subcommittee Chairman David Brenner presented an overview of discussions held and the conclusions reached to date pertaining to rebuilding through involuntary destruction ordinance, the Outline Development Plan (ODP) process, and rebuilding with in-kind replacements (condominium for condominium/commercial for commercial), and exclusion of consideration of duplexes and single-family homes.

Mr. Al Hixon, 5393 Gulf of Mexico Drive, commented on the proposals being considered by the subcommittee and noted concerns on the exclusion of single-family properties. (1-0210)

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

**DISCUSSION ITEMS**

5. Presentation of Regional Model for Sarasota Bay and Longboat Pass Study

To view the results of a project jointly funded by the West Coast Inland Navigation District (WCIND) and the Florida Department of Environmental Protection (FDEP) to examine the tidal influences and potential causes for the filling in of the Intercoastal Waterway (ICW) in the vicinity of Longboat Pass.

5. Presentation of Regional Model for Sarasota Bay and Longboat Pass Study

Following comments by Town Manager Bruce St. Denis, Mr. Mohamad Dabees, PhD, P.E., with Humiston and Moore, presented a PowerPoint presentation on the results of the Regional Model for Sarasota Bay and Longboat Pass Study.  
(1-2212)

Mr. Rusty Chinnis, 7091 Longboat Drive East, commented on the past placement of debris in the Longboat Pass.

Mr. Angelo Furgiuele, 7000 block of Gulf of Mexico Drive, inquired as to options to mitigate the hot spots in the Longboat Pass area. Discussion ensued.

Mr. Charlie Hunsicker, Manatee County Conservation Lands Management Director, inquired as to the anticipated impact of proposed renourishment of Coquina Beach.

Commr. Webster requested that Dr. Dabees provide a printed copy of the last page of the presentation (entitled Longboat Pass Study Recommendations). Town Manager St. Denis noted that the video recording of the meeting would be available for those who wished to purchase a copy.  
(1-2715)

6. Discussion Regarding Request to Amend Peafowl Ordinance

To consider options to control the peacock population in the Village and review of previous activities/actions regarding the issue.

Town Manager Bruce St. Denis commented on the residents request for consideration to address the peacock population in the Village and advised that Town Attorney David Persson had reviewed the Town Code and the action by previous Commissions.

Mr. Michael Drake, 6821 Longboat Drive South, commented on the regulation of peafowl by previous Commissions to limit the flock to 12 birds, requested consideration for financial assistance in the culling of the flock, and supported an amendment to the Ordinance to prohibit the feeding of the peacocks. Mr. Drake estimated the current number of peacocks in the existing flock to be between 60 to 70 birds.

Mr. Rusty Chinnis, 7091 Longboat Drive East, supported the requests made by Mr. Drake to assist in the removal and prohibit the feeding of the peacocks.  
(1-3025)

Discussions were held on the options to reduce flock size, provide funding based on record of previous meetings, and the prohibition of feeding the peacocks.

Mr. Michael Drake noted expenditures to date for the removal of thirty peacocks (\$1,200) by a State licensed firm, the anticipated increase in flock size (12 to 24 annually, dependent on the number of hens remaining), and the costs to maintain the flock culling.  
(1-3284)

6. Discussion Regarding Request to Amend Peafowl Ordinance - Ordinance

Upon inquiry, Town Attorney David Persson noted the existing Ordinance includes the prohibition for any type of injury to or killing of the peafowl.

**Following comments, there was consensus to draft an Ordinance to provide for the prohibition for feeding the peacocks, to provide for funding for the culling of the flock, and to provide future annual funding for maintaining the flock size.**

Following clarification by Town Attorney Persson on the amendments required to the existing code, Town Manager St. Denis advised that a Budget amendment would be prepared to provide for the costs to cull the flock.

(1-3485)

7. Planning & Zoning (P&Z) Board Tree Subcommittee Update

To review the recommendations of the P&Z Board Tree Subcommittee.

Mr. Al Hixon, Chairman of the P&Z Board Tree Subcommittee, submitted and reviewed a revised copy of the recommendations of the subcommittee. Mr. Hixon commended the subcommittee members for their efforts. Discussions were held with Mr. Hixon on the following topics/issues:

- advisement/notification to Condominium Associations on issues being considered
- enforcement of tree regulations on private properties
- impact on existing versus new development
- statement pertaining to Staff's enforcement authority for tree protection as it currently exists versus proposed amendments
- proposed amendments to the site plan approval process
- long term impact on the protection of trees on private property/options to poll Condominium Associations for their preference relating to existing Tree Code
- existing Sarasota County ordinances relating to tree protection/request for information on Manatee County regulations
- reasonable approach to tree protection/regulations to maintain quality of life.

**There was majority consensus to not support the recommendations outlined in the subcommittee's report.**

Discussion ensued on the process to be considered and the action to be taken on the existing Tree Code, issues to be addressed in the existing regulations, and options for continued review by subcommittee with specific recommendations made to existing code with input from Town Staff.

(2-0696)

7. Planning & Zoning (P&Z) Board Tree Subcommittee Update

Upon inquiry, Mr. Hixon opined of issues to be addressed in the existing Ordinance pertaining to planting/replanting trees and personal property issues to be considered.

Following comments on the consideration of issues by Staff, Planning, Zoning, and Building Director Monica Daigle noted the role of Staff pertaining to the subcommittee meetings advising that Staff provided facts, submitted issues of concern that may need to be addressed, and interpreted the existing code. Ms. Daigle advised that Staff did not participate as a vocal member of the subcommittee, serving in the capacity of facilitator, and noted that previous draft Ordinances developed by Staff for subcommittee review could be provided for Commission consideration.

**Following comments, Mayor Lenobel noted consensus to request the Planning and Zoning Board to continue the review of the Tree Code.**

**RECESS:** 12:55 p.m. - 1:30 p.m.  
(2-0800)

8. Albritton Property Development Planning Process

To review the conceptual design process for the Albritton property, located adjacent to the Bayfront Park Recreation Center. The Town and County entered into a Memorandum of Understanding (MOU) addressing the process to be used in the site development.

Town Manager Bruce St. Denis commented on the purchase of the Albritton property by Sarasota County and the opportunity to participate in the process for development of the property and the associated costs of approximately \$50,000 in the design phase.

Discussions were held with Town Manager St. Denis and Sarasota County Community Services Parks and Recreation Director John McCarthy on the following topics/issues:

- notification to the County on the intent to proceed and agreement by the County to the proposals to be developed by the Town of Longboat Key
- provide correspondence to the Sarasota County Commission on the development process
- expectations from the County/anticipated relationship between the governmental agencies (Town and County)
- review of the "Typical Park Concept Plan Procedure" included in the Staff report
- community-based planning process for input from community (Town residents)
- advertising requirements for community meetings/notification to Homeowner/Condominium Associations/private residents
- locations of meetings to be held
- participation by Sarasota County Staff throughout the planning procedure
- option to postpone based on current financial constraints
- steps taken to date/future action to be taken/term of lease with Resort Quest

8. Albritton Property Development Planning Process - Continued

- planning time frame during fall/winter season to provide for maximum public participation
- procurement process for consultants for the project
- lead agency for planning process
- time frame for public participation.

(2-1390)

Mr. Gary Golub, 641 Kingfisher Lane, representing the Longboat Key Estates Club Association, commented on the views of the abutting property owners on the development of the property and read and submitted a letter from the Homeowner's Association concerning park development.

Commr. Clair requested that Sarasota County provide a list of the consultants that would be available for consideration. Town Manager St. Denis advised that Commission direction would be required to begin the process.

Upon inquiry, Town Manager St. Denis noted the process to be followed if the Commission directs to move forward on the project, funding options, and the funding obligations that may be incurred.

Discussions were held on the following topics/issues:

- goals established pertaining to the planning process for the property
- primary/lead organization in the process (Town versus County)
- participation by the County, RFP (Request For Proposal) process and option to "piggy-back" on County contracts
- execution of an interlocal agreement on the development of the property
- intent of County to provide the Town with a high level of input/decision making in the planning and development
- inclusion of the Bayfront property in the development plan/joint planning opportunity
- options for reimbursement from the County.

(2-1871)

**Subsequent to comments by Commr. Clair, there was consensus to make a request to the County to move forward with the Town on the planning process, including a cost-share, and to develop an agreement for reimbursement of 50% of cost incurred if the County cannot commit to funding at the present time.**

Town Manager St. Denis advised that correspondence will be drafted for the Mayor's signature to Sarasota County and suggested that a representative from the Town Commission be present when the item is scheduled for discussion at a County Commission meeting.

8. Albritton Property Development Planning Process - Continued

Upon inquiry, Mr. McCarthy reviewed the steps that could be accomplished prior to entering a contractual agreement with a consultant, to include a vision for the site based on input received from citizens.

Town Manager St. Denis commented on the retainment and opined of advantages of engaging a consultant during the beginning of the planning stages. Upon inquiry, Town Manager St. Denis reviewed funding options to include a transfer of funds from the Commission Contingency with review of reimbursement from 2009 sales tax revenues and utilization of existing sales tax, if allowable.

Commr. Clair inquired, and Town Attorney David Persson advised that he would review the parameters of the land acquisition fund to determine if funding would be available for the project.

Upon inquiry, Mr. McCarthy advised that he did not have authority to commit the County to funding at this time, noted that his Staff was willing to participate in the process if the Town wished to move forward, and confirmed the County's commitment for the park planning.

Town Manager St. Denis noted that consideration should be given to the operating costs following completion of the park and budget considerations to be determined relating to funding needs for future on-going operations.

**Subsequent to individual comments, Town Manager St. Denis reviewed the direction provided to prepare correspondence to Sarasota County with a request for shared funding (50%) and approval of County Staff time to work with the Town on the project.**

Commr. Clair requested that biographical information on the proposed consultants be forwarded to the Town for review.

**Town Manager St. Denis confirmed consensus for Commr. Spoll to represent the Town during consideration of the item by the County.**

Individual comments followed on the request for consultant information prior to the County's response and the authority for the Town Attorney to review the parameters of the land acquisition fund.

(2-2267)

9. Discussion Regarding Continuation of Visioning Plan

To discuss the process to move forward with the recommendations outlined in the Visioning Plan.

9. Discussion Regarding Continuation of Visioning Plan - Continued

Discussions were held on the development of a process for implementation of the Visioning Plan, as follows:

- on-going tasks/funding requirements
- implementation of improved referenda items
- encouraging public art in public places
- issues not being addressed at current time
- options to review items outlined in the document
- actions to be addressed/reviewed by the Planning and Zoning Board in the near future
- time frame for consideration.

**Following comments, there was consensus to postpone determination on issues to be prioritized following consideration/review of the Budget for Fiscal Year 2008-2009.**

Town Manager St. Denis advised that the items would be placed on an Agenda in the fall. (2-2897)

10. Discussion of Future Goals & Objectives Meetings Format

To consider the Goals and Objective (G&O) meeting process.

Town Manager St. Denis noted the recently completed G&O meeting on April 9, 2008, past and present public participation, and the request to place the issue of the Goals and Objectives process on a workshop agenda for consideration.

Discussions were held on the option to incorporate the Community Leaders presentation with the Commission deliberation portion of the meeting, options to eliminate the G&O meetings, inclusion of public input in the determination of a revised (or eliminated) meeting process, and options to reformat the process to utilize the Visioning Plan (see Item 9 earlier this meeting) in lieu of the G&O meeting process.

**Following comments, there was consensus to combine the two meetings (morning with Community Leaders and afternoon Town Commission deliberation) into one meeting.**

Town Manager St. Denis advised that the meetings will be combined. Individual comments followed on the advertising/publication of the new process with an invitation for Community Leaders to remain for the Commission discussion portion and to request that issues be provided in writing and in advance of the meeting. (2-3279)



11. Cost Estimate for Placement of Bronze Plaque Honoring Veterans

To review the cost estimates for placement of a plaque at the base of the flagpole at Town Hall in recognition of American Veterans.

Town Manager Bruce St. Denis commented on the estimated cost between \$1,500 to \$2,000 for the purchase of a plaque for placement on the base of the flagpole at Town Hall.

Commr. Spoll noted that Mr. Burt Rosenfield, resident of the Water Club, had offered to donate fifty percent funding towards the cost of the plaque.

**Subsequent to comments, there was consensus to authorize the purchase and placement of a plaque.**

**Following comments, there was majority consensus to accept the offer from Mr. Rosenfield and to authorize correspondence for the Mayor's signature thanking Mr. Rosenfield for his donation.**

Commr. O Connor acknowledged the suggestion for the plaque received from Michael Lendrihas.  
(2-3552)

12. Anna Maria Island Bridge Alternatives Survey

To consider responding to the Florida Department of Transportation's (FDOT) Project Development and Environment (PD&E) Study Survey regarding replacement options for the Anna Maria Island Bridge on State Road 64.

**Subsequent to comments by Town Manager Bruce St. Denis, there was consensus to draft a Resolution in support of a fixed span bridge and to authorize Commissioners to respond to the survey distributed based on their individual support/position.**

Town Manager St. Denis advised that a Resolution would be placed on the May Regular meeting agenda for consideration.  
(3-0080)

**TOWN COMMISSION COMMENTS**

A. Public Safety

Commr. Clair noted a request for discussion pertaining to Joint Meeting with Sarasota County on Monday, April 21, 2008, and reviewed the previous requests from Sarasota County for dedication of funds for expansion of criminal justice facilities.



**TOWN COMMISSION COMMENTS** - Continued

**A. Public Safety** - Continued

Police Chief Al Hogle provided statistics from January 2004 through September 2007 for Manatee and Sarasota Counties, noted the average number of detainment, and commented on the services provided by Sarasota and Manatee County Sheriff offices.

Chief Hogle advised that, when needed, assistance is usually provided by surrounding municipalities, although both Sheriff s offices would be available if needed.

Commr. Clair commented on the allocation of services outlined and issues to be raised at the joint meeting relating to dedicated funding. Individual comments followed.  
(3-0325)

**B. Public Works/Public Safety**

Commr. Clair inquired, and Town Manager Bruce St. Denis advised that the gas tanks at the closed station on the north end of Longboat Key had been pumped down.  
(3-0340)

**C. Legislation**

Commr. Clair inquired on the consideration of information being provided relating to the legislative action being taken/under consideration by the State.

Town Manager St. Denis advised that the Florida League of Cities is providing updated information and noted that Finance Director Thomas Kelley has been kept apprised of the issues and has made contact on issues requiring clarification.

**D. Emergency Planning**

Commr. Clair inquired, and Town Manager Bruce St. Denis advised that the Emergency Response Plan is reviewed on an annual basis and adjustments are made on an as needed basis relating to consultants and debris management.

Town Manager St. Denis noted that the Town has been preapproved by FEMA (Federal Emergency Management Agency) for a special program to receive funding at the time of the event in lieu of funding reimbursement.

**TOWN ATTORNEY COMMENTS** -No items were presented.

**TOWN MANAGER COMMENTS** - No items were presented.

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

**ADJOURNMENT**

**Mayor Lenobel adjourned the April 17, 2008, Regular Workshop at 2:46 p.m.  
(3-0440)**

/s/ Trish Granger  
Trish Granger, Interim Town Clerk

/s/ Hal Lenobel  
Hal Lenobel, Mayor

Minutes Approved: 05/05/2008