

MEMORANDUM

DATE: December 9, 1994

TO: Town Commission
FROM: Griff H. Roberts, Town Manager
SUBJECT: Special Commission Meeting

Notice is hereby given that Mayor Robert J. Farber has called a Special Commission Meeting on December 15, 1994 at 5:01 P.M. for consideration of the following items:

- I. Committee Reports and Communications
- II. Items for Consideration by the Town Commission
 1. Appointment to Code Enforcement Board to Fill Vacancy Due to Resignation of Member for Term to Expire May 1997
 2. Appointments (2) to Planning & Zoning Board to Fill Vacancies Due to Resignations of Members for Terms to Expire May 1995 and May 1996
 3. Appointment to Zoning Board of Adjustment to Fill Vacancy Due to Resignation of Member for Term to Expire May 1996
 4. Approval of Town of Longboat Key/Greer (Beer Can) Island Easements for Greer (Beer Can) Island Maintenance Dredge Project
 5. Consideration of Recommendation to Dismiss Administrative Petition and Issued Stipulation for Entry of Final Judgement in the colony Beach Groin Matters.
- III. Ordinances - Second Reading and Public Hearing
 1. Ordinance 94-28, Parks and Open Space Land Acquisition
- IV. Town Attorney Comments
- V. Town Manager Comments
- VI. Town Commission Comments
- VII. Public To Be Heard

VIII Press To Be Heard

- (* Indicates no agenda material was distributed at this time.)
- (# Indicates revision.)
- (@ Indicates postponed or requested to be postponed.)

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, a record of the proceedings will be needed. For such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Proceedings will be electronically recorded. Copies of the cassette tapes may be purchased from the office of the Town Clerk.

/dhs

MINUTES OF THE SPECIAL MEETING OF THE LONGBOAT KEY TOWN COMMISSION,
DECEMBER 15, 1994, AT 5:01 P.M.

Present: Mayor Farber, Vice-Mayor Patterson, Commissioners
Gotthainer, Drohlich, Sagman, Metz, Green

Also Town Manager Roberts, Town Attorney Persson,
Present: Town Clerk Arends, Deputy Clerk Celentano

The Special Meeting was called to order in the Longboat Key Town
Commission Chambers, 501 Bay Isles Road, at 5:01 P.M. The Special
Meeting was immediately recessed to continue the Regular Workshop
and reconvened at 5:10 P.M.

I. Committee Reports and Communications

II. Items for the Consideration of the Town Commission

It was moved by Drohlich, seconded by Patterson, to add to the
agenda, as Item 6, the approval of the conceptual plans on the
north fire station. Motion carried unanimously.

It was moved by Sagman, seconded by Green, to add to the agenda, as
Item 7, amendment to the agreement with James Durante as negotiated
by Town Attorney Persson. Motion carried unanimously.

1. Appointment to Code Enforcement Board to Fill Vacancy Due to
Resignation of Member for Term to Expire May 1997

It was moved by Gotthainer, seconded by Patterson, to appoint
Thomas Fuorrry to the Code Enforcement Board to serve the remainder
of an unexpired term to expire in 5-97. Motion carried unanimously.

2. Two Appointments to Planning & Zoning Board to Fill Vacancies
Due to Resignations of Members for Terms to Expire May 1995 and May
1996

The three nominees to the P&Z Board for a term expiring in 5-95
were: John Redgrave, Jerome Lee and Bob Burnett.

John Redgrave was appointed to the P&Z Board for a term expiring in
5-95 by the following votes on written ballots: For Redgrave -
Farber, Gotthainer, Green, Metz, Patterson, Sagman; For Lee -
Drohlich.

The two nominees to the P&Z Board for a term expiring in 5-96 were:
Jerome Lee and Bob Burnett.

Jerome Lee was appointed to the P&Z Board for a term expiring in
5-96 by the following votes on written ballots: For Lee - Drohlich,
Farber, Sagman, Green; For Burnett - Gotthainer, Patterson, Metz.

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3. Appointment to Zoning Board of Adjustment to Fill Vacancies Due to Resignations of Members for Terms to Expire in May 1995 and May 1996

The two nominees to the ZBA for a term expiring in 1996 were Bob Burnett and Gail Levin.

Bob Burnett was appointed to the ZBA for a term expiring in 5-96 by the following votes on written ballots: For Burnett - Drohlich, Farber, Gotthainer, Metz, Sagman; For Levin - Green, Patterson.

Gail Levin was appointed by unanimous consent to serve on the ZBA for a term expiring in 5-95.

4. Approval of Town of Longboat Key/Greer (Beer Can) Island Easements for Greer (Beer Can) Island Maintenance Dredge Project
It was moved by Green, seconded by Metz, to approve easements for the Greer (Beer Can) Island Maintenance Dredge Project. Motion carried unanimously.

5. Consideration of Recommendation to Dismiss Administrative Petition and Issued Stipulation for Entry of Final Judgement in the Colony Beach Groin Matters

Pursuant to published notice, the public hearing was opened.

Dr. Murray Klauber, Colony Beach, read a letter from his attorney, W. Edward Litton, II, which read: "Colony Beach is in agreement regarding the document you have provided me in settlement of this matter and request that we execute all such documents as soon as practical. Please file a voluntary dismissal of the administrative petition to the State as soon as tomorrow. Please provide me with the original of these documents."

It was moved by Patterson, seconded by Drohlich, that the Mayor file a dismissal of the administrative petition and be authorized to execute the attached stipulation for entry of final judgment and any other documentation necessary to put these matters to an end. Motion carried unanimously on roll call vote: Patterson, aye; Drohlich, aye; Sagman, aye; Gotthainer, aye; Metz, aye; Green, aye; Farber, aye.

Dr. Klauber commended the Town Commission on their quick response to the groin issue. He stated he did not like having to pay twice for legal fees -- to defend himself and also, as a taxpayer, for the Town's defense. He reported on 11-22 in a meeting with the Town concerning the groin, after they had answered all the concerns of Seaplace and the Players Club, at the conclusion of the meeting the Town reported it had sent a letter to the State requesting an administrative hearing. He said Mr. Persson had stated nothing would be done until there was another meeting with the Colony; however, following that meeting Barbara Levin, of Davis, Persson, Smith & Darnell, incorporated their proposed conditions for the groin which they had been shown at that previous meeting, and she had also mentioned a letter was being sent from Dr. Truitt on the following day, 12-1, pleading the case. Further, he said Dr. Truitt reported at the 12-5 Town Commission Meeting that he had seen a

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copy of the State's response in Mr. Brantley's office in Tallahassee indicating it was not accepting the Colony's hydrographic monitoring plan; therefore, following the meeting Bill Bishop contacted Mr. Brantley regarding a copy of his letter and was told it had not been written yet.

Dr. Klauber also related problems he experienced with Town staff in requesting copies of the 12-5 meeting tapes and attempts to meet with the Finance Director regarding attorney fees.

Mayor Farber stated the Town Attorney had the complete support of the Town Commission and any action taken by him would be with Town Commission support. Mr. Roberts reported that before the Town Attorney proceeded in this matter he had discussed it with him and Mr. Persson had indicated his concern with the language provided in the State's permit; therefore, the Town Attorney was not operating without the Town Manager's knowledge.

No one else wished to be heard and the public hearing was closed.

6. Approval of the Architectural Rendering and Site Design for North Fire Station

It was moved by Green, seconded by Metz, to approve the architectural rendering and the site design for the north fire station. Motion carried unanimously.

7. First Amendment to James Durante Agreement

It was moved Sagman, seconded by Drohlich, to approve the first amendment to the James Durante agreement as negotiated by the Town Attorney. Motion carried unanimously.

III. Ordinances - Second Reading and Public Hearing

1. Ordinance 94-28, Parks and Open Space Land Acquisition

Ord. 94-28, amending Chapter 158 of the Code of Ordinances of the Town of Longboat Key, Florida, in Section 158.017, Parks and Open Space Land Acquisition; amending the general standard and formula for parks and open space by increasing the amount of open space lands; correcting a typographical error in the determination of the amount of land to be conveyed; providing for State certified appraisers and appraisals; providing for severability; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Metz, seconded by Patterson, to adopt Ord. 94-28 on second reading.

Pursuant to published notice, the public hearing was opened. No one wished to be heard and the public hearing was closed.

Motion carried unanimously on roll call vote: Metz, aye; Patterson, aye; Drohlich, aye; Gotthainer, aye; Sagman, aye; Green, aye; Farber, aye.

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IV. Town Attorney Comments

V. Town Manager Comments

VI. Town Commission Comments


VII. Public to be Heard

VIII. Press to be Heard

VIII. Adjournment

The Special Meeting was adjourned at 5:35 P.M.


Robert J. Farber, Mayor


Patrizia Arends, CMC/AAE, Town Clerk
Norma Celentano, CMC/AAE, Deputy Clerk

5/95

John Redgrave

LEE

R. Mtz

Bob Ingham

Redgrave

Redgrave

Sagman

Albert Greer

A. Farlow

Redgrave

Redgrave

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Redgrave

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5/96

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