

## MINUTES OF REGULAR MEETING OF LONGBOAT KEY TOWN COMMISSION, NOVEMBER 15, 1972, 8:00 P.M.

Present: Mayor Gibbon, Commissioners Jones, Kenney, Lee, Montgomery, Petrick, Ridyard

Also

Present: Town Manager Allgire, Acting Town Attorney Berteau, Town Clerk Hager

Absent: None

Meeting called to order at 8:00 P.M.

1. CORRESPONDENCE

Town Clerk Hager read a letter from Thomas A. Butler, District Director of the Small Business Administration thanking the Town of Longboat Key for making facilities available in the Town Hall for their representatives to use as office space to deal with people from the Gulf Coast area who made loans with the S.B.A. following damage of Hurricane Agnes. A Citation to the Town also accompanied the letter.

2. STREET CLOSINGS- PUBLIC HEARING

Pursuant to published notice, public hearing was opened to consider petition of the Arvida Corporation to vacate portions of Fifth Street from the southwesterly right of way line of Gulf of Mexico Drive to the northeasterly boundaries of Block 5 and 6; Florida Ave. from the southeasterly boundaries of Blocks 6 and 12 to the southeasterly terminus thereof; and Fourth Street, from the southeasterly boundaries of Blocks 6 and 12 to the southeasterly terminus thereof. Mayor Gibbon explained that this matter had been under negotiation with the Arvida Corp. for some time and also on the agenda was dedication of a pedestrian easement for the people of Country Club Shores to reach the beach, as well as allowing access for emergency vehicles. Town Clerk Hager presented Proof of Publication of Notice of the Public Hearing. Map was displayed showing the roads proposed to be vacated. John Siegel, Vice-President of Arvida Corp., accompanied by President Charles Cobb and Attorney George Dietz, stated they would answer any questions, and in answer to request of Roger Brett, demonstrated on the map exactly what would be involved. Commissioner Lee stated he wanted to go on record as being in favor of the street vacatings although he had in past made statements in opposition. He stated that in Arvida's SeaPlace development they had deducted almost 1800 feet or nearly two acres for streets, and in light of this he could see no purpose to be served in retaining these streets which went nowhere. Further, that Arvida was to be commended for the way they had laid out their new plan. Commissioner Ridyard stated he was in favor of the closing inasmuch as the easement would be dedicated which would at last give people in Country Club Shores access to the Gulf. Two unidentified members of the audience made comments in favor of the petition. No one else wished to be heard and the hearing was closed.

3. PROPOSED ORDINANCE (231) WATER BUDGET - PUBLIC HEARING

Pursuant to published notice, for which Proof of Publication was displayed by Town Clerk Hager, Public Hearing was opened to consider proposed Ordinance No. 231 adopting a water budget for the Town. Mr. Hager read a letter from Consulting Engineers Smally, Wellford & Nalven approving the proposed budget and recommending its adoption. Mayor Gibbon briefly explained the proposed budget. Mr. Ted Sedwick asked a question,

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no one else wished to be heard, and the hearing was closed. At the direction of the Commission, Ordinance No. 231, adopting a budget for the Municipal Water System for the Town for the fiscal year beginning January 1, 1973 and ending December 31, 1973; making appropriations for the purpose of meeting expenses and expenditures in said budget; and providing that ordinance shall be effective immediately upon passage, was placed on second reading by title only. It was moved by Kenney, seconded by Montgomery that the ordinance be passed on second reading and finally adopted. Motion carried. Jones, aye; Kenney, aye; Lee, aye; Montgomery, aye; Petrick, aye; Ridyard, aye; Gibbon, aye.

#### 4. EASEMENT DEDICATION ACCEPTED

Commissioner Kenney explained that the easement from the Arvida Corp. was a 30 foot easement for a shell road varying in width from 5 or 6 feet to 15 feet, running from Gulf of Mexico Drive to the Gulf, and alongside of a private road which Arvida will build, with a jog in it and running to the Gulf from the end of that street. It would be for the use of residents of Country Club Shores and their guests. There would be no provision for motorized vehicles except access for Town emergency vehicles. It was moved by Kenney that the easement be accepted as presented. Procedure was discussed, and Arvida Attorney Dietz suggested that the Town first adopt the resolution vacating the streets, then Arvida would tender the easement to Commissioner Kenney on behalf of the Country Club Shores Association, and the Town could then accept its license for access by emergency vehicles.

#### 5. STREETS VACATING RESOLUTION

At the direction of the Commission, Resolution was read vacating and closing all of the streets, roads, avenues or alleys reflected on the plat of Olive's Subdivision lying westerly of Gulf of Mexico Drive (S.R. 789) not heretofore vacated and closed, including without limitation: Fifth St. from the southwesterly right of way line of Gulf of Mexico Drive to the northeasterly boundaries of Block 5 and 6; Florida Ave. from the southeasterly boundaries of Blocks 6 and 12 to the southeasterly terminus thereof; Fourth St. from the southeasterly boundaries of Blocks 6 and 12 to the southeasterly terminus thereof. It was moved by Lee, seconded by Montgomery that the resolution be adopted. Motion carried unanimously.

#### 6. EASEMENT & LICENSE AGREEMENT TENDERED

Attorney George Dietz tendered to Commissioner Kenney, as a representative of the residents associations, a pedestrian walkway easement duly executed by Arvida Corp. Mr. Dietz on behalf of Arvida Corp. then tendered to Mayor Gibbon Letter of Agreement in relation to the license for use of portions of the easement for emergency vehicles. It was moved by Ridyard, seconded by Montgomery that the license from Arvida Corp. be accepted. Motion carried unanimously.

#### 7. PLOT PLAN APPROVED

Plot plan was presented for LaPlaya Condominium by Warrior Investment Corp. between Longboat Harbor Towers and Seaside Motel. Building Inspector Bianchi stated the plan was for 21 units, it had been checked out, and he was submitting it for approval. It was moved by Lee, seconded by Kenney that the plan be approved. Motion carried unanimously. (NOTE: the above action apparently duplicates action taken at the November 1 meeting.)

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8. PLOT PLAN & TEMPORARY USE PERMIT APPROVED

Plot plan was presented for Sea Place by Arvida. Building Inspector Bianchi stated there would be 500 units with a total acreage of 39.77, with roadways deducted of 1.86 acres, for a total of 37.91 acres, density of 13.2 units per acre. It had previously been referred to the Town's engineers and Town Attorney. Acting Town Attorney John Berteau stated a letter had been received from the Arvida Corp. stating that upon approval of the plan a 20 foot easement would be given to the Town for water and sewer lines and would convey to the Town water and sewer lines upon completion of municipal systems. Town Manager Allgire reported the engineers had checked the plans and stated that minor differences had been discussed with the developer and were in the process of correction, so they recommended approval. It was moved by Montgomery, seconded by Lee that the plan be approved and the letter to Counsel be noted and accepted. Motion carried unanimously.

It was moved by Petrick, seconded by Kenney that a Temporary Use Permit for use of an existing building as a sales office for SeaPlace be approved. Motion carried unanimously.

9. UTILITIES TAX REPEAL ORDINANCE AUTHORIZED

It was moved by Kenney, seconded by Lee that the Town Attorney be instructed to draft an ordinance terminating the utilities tax. Motion carried unanimously.

10. TAX REPEAL INTENT RESOLUTION


It was moved by Kenney, seconded by Petrick to adopt as a resolution the following motion: BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY that the Commission declare its intent to repeal the Utilities Tax by Ordinance to be approved at the second meeting in December. Motion carried unanimously.

11. SPECIAL MEETING CALLED

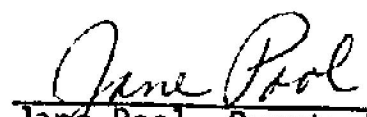
It was moved by Montgomery, seconded by Ridyard and carried unanimously that a special meeting be held November 21 at 4:00 P.M.

12. ADJOURNMENT

The meeting was adjourned.

  
Samuel Y. Gibbon, Mayor

Items 1 through 8 of these minutes were produced from a tape of the proceedings of the Town Commission November 15, 1972, and the remainder of the Items were dictated from notes of the Town Clerk.

  
Jane Pool, Deputy Town Clerk

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