

TAB 1

Palmetto City Commission
January 7, 2008 4:00 p.m.

Elected Officials Present:

Larry Bustle, Mayor
Eric Ball, Vice Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Brian Williams, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Tanya Lukowiak, CRA Executive Director
Michele Hall, City Attorney
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:03 pm, followed by a moment of silence for overseas military personnel and the Pledge of Allegiance.

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried 5-0 to approve the January 7, 2008 4:00 pm agenda.

2. PRESENTATION: CITY DEBT ANALYSIS

As per Commission's request, the information previously discussed at the December 17, 2007 workshop was returned to the agenda in the event Commission wished to continue the discussion.

Mr. Freeman informed Commission staff is continuing to seek assistance for capital long-term planning, and has had an initial discussion with RBC Dain Capital Markets concerning services that are available to the City. He also commented on financial policies that are being developed and will be brought to Commission for consideration, stating the General Fund Reserve Balance Policy and the Debt Policy will be completed prior to next year's budget process.

Mr. Freeman also discussed the services the City's outside auditor performs regarding the City's debt. He stated he is hesitant to request the audit firm make recommendations regarding debt thresholds and then perform an audit of the city's finances because of the lack of independence.

Mr. Freeman requested that Commission contact him with any questions they may have concerning the information presented.

3. DISCUSSION: ORDINANCE NO. 08-957

Mr. Lukowiak stated the proposed ordinance regulating the use of mobile homes and construction trailers is being brought forward for consideration to ensure consistency with the Florida Building Code. Mr. Lukowiak discussed specific examples of sites where the proposed ordinance could be applied.

Commission discussed the proposed ordinance, which will be brought back at a future meeting with the following amendments:

- Criteria for granting an extension; delete "demonstrated cause" in Sec. 21-8(c)
- Language addressing remedy when a violation occurs as the result of not removing the building at the completion of the project or expiration of a valid building permit; staff was instructed to research removal of utilities, assessment of liens against the property
- Possible increase over the \$500,000 permit threshold and/or language differentiating between a mobile home and modular building; protection against mobile homes being used as "guard" buildings in residential zoned areas

Mr. Lukowiak withdrew his request to move the item forward to the 7:00 agenda. Commission concurred.

4. DISCUSSION: COMP PLAN DENSITY ORDINANCE

Mrs. Lukowiak explained that clarification concerning density in the PD category to ensure that the 45 dwelling units per acre ratio is applicable only to the development of the Downtown Core. Attorney Hall stated changes are being made to be consistent with Ord. 06-892 (Attainable Housing) and Ord. 07-930 (Downtown Core definition). Commission requested that the proposed ordinance be brought back in track changes, that the existing ordinances documenting the proposed changes is included in the agenda packet, and that additional guidance be included in the point paper.

Mayor Bustle informed Commission the Hometown Democracy issue is not on the January 29, 2008 ballot.

Mayor Bustle also informed Commission of educational material regarding the property tax amendment on the January 29, 2008 ballot is being printed and will be mailed to each utility customer of the City. The information will also be placed on the City's website and will be available for the public at the City's fair booth.

Mayor Bustle updated Commission on the School Board's efforts to control the mold at Palmetto Elementary. He also related that another meeting between Manatee Fruit, School Board staff and City staff is scheduled for Thursday.

Meeting adjourned at 5:30 pm.

Minutes approved:

James R. Freeman
City Clerk

Palmetto City Commission
January 7, 2008 7:00 p.m.

Elected Officials Present:

Larry Bustle, Mayor
Eric Ball, Vice Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Brian Williams, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk
Deputy Chief Mike Mayer
Chris Lukowiak, Public Works Director
Tanya Lukowiak, CRA Executive Director
Michele Hall, City Attorney
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 7:07 pm, followed by a moment of silence for military personnel and the Pledge of Allegiance.

RECOGNITION: Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting awarded to Karen Simpson, Deputy Clerk-Finance

PROCLAMATION: Tampa Bay Emergency Planning and Community Right-to-Know Awareness Week read by Commissioner Varnadore

Swearing-in of all persons speaking to Commission.

PUBLIC COMMENT: None

ORDER OF BUSINESS:

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 5-0 to approve the January 7, 2008 7:00 PM agenda with the deletion of item #12.

2. CONSENT AGENDA

A) Minutes: December 17, 2007
B) December Check Register

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the January 7, 2008 Consent Agenda.

3. SPECIAL FUNCTION PERMIT APPROVAL

Approval of the Special Function Permit for the DeSoto Grand Parade and the DeSoto Children's Parade.

MOTION: Ms. Varnadore moved, Ms. Cornwell seconded and motion carried 5-0 to approve the DeSoto Heritage Special Function Permits for the Grand Parade and the Children's Parade and to waive all fees listed that amount to approximately \$850.

4. PUBLIC HEARING - ORDINANCE NO. 07-954

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, VACATING THE EASTERLY PORTION OF 6TH STREET WEST BETWEEN BLOCKS N & Q, OF THE PLAT OF EAST PALMETTO, AS MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS; PROVIDING FOR RECORDATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (V0701 – North River Family Health Center)

Mayor Bustle opened the public hearing. After no public comment, Mayor Bustle closed the public hearing.

MOTION: Mrs. Lancaster moved, Ms. Varnadore seconded and motion carried 5-0 to adopt Ordinance No. 07-954 and accept fee simple title to the property identified in Exhibit C.

5. PUBLIC HEARING - ORDINANCE NO. 07-955

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING CHAPTER 28, ARTICLE III OF THE CITY CODE OF ORDINANCES PERTAINING TO STOPPING, STANDING AND PARKING; PROVIDING THAT PARKING MAY BE RESTRICTED TO PERMIT HOLDERS; PROVIDING THAT THE OWNER OF A VEHICLE SHALL BE PRESUMED TO BE THE VIOLATOR; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bustle opened the public hearing. After no public comment, Mayor Bustle closed the public hearing.

MOTION: Mr. Ball moved, Mr. Williams seconded and motion carried 5-0 to adopt Ordinance No. 07-955.

6. APPROVAL: HISTORIC PARK IMPROVEMENTS

The Historic Commission has identified improvements necessary to the Historic Park.

MOTION: Mr. Ball moved and Mrs. Lancaster seconded to authorize Historic Park improvements to be performed by Leo Mills & Associates, Inc. in an amount not to exceed \$3,200; Precision Boring in an amount not to exceed \$1,530; and Perkling Construction in an amount not to exceed \$890.

Discussion: Historic Commission representative Dick Pack explained why the survey was being requested; the only survey of the Park was performed in 1982 and it was performed only to locate the road through the Park. He also confirmed that last year the Commission received \$27,000 in historic grant funds. Leo Mills, Jr. confirmed that all above ground structures, as well as underground locates the City has already mapped will appear on the survey.

Motion on the floor carried 5-0.

7. APPROVAL: G&S LAWN MAINTENANCE OF MANATEE, INC.

Proposal to trim tree canopies on 4th, 5th, 6th and 7th Street to prevent damage to vehicles hitting the overhanging vegetation and to clean overgrowth and re-establish the ditch on the Edenfield Property, which will enhance the drainage of 7th Street. Funds for the two projects have been budgeted in the Parks Department. Commission instructed staff to take the necessary steps to alert the public of the tree trimming before it begins.

MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried 5-0 to approve the authorization for the trimming of the canopies and clear nuisance trees from the Edenfield property not to exceed \$10,400.

8. APPROVAL: ONECO CONCRETE WORK ASSIGNMENT #4

Proposed Oneco Concrete Work Assignment #4 is to reconstruct the retaining wall at Palmetto Mobile Home Park, Lot J37.

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 5-0 to approve and authorize the Mayor to execute Oneco Concrete & Asphalt Work Assignment #4 in an amount not to exceed \$4,200.

9. APPROVAL: 2008 CITY BOARD APPOINTMENTS

Mayor Bustle informed Commission the appointments are for terms that have expired. He will bring forward recommendations for vacant positions. He discussed the Commission's appointment to the General Employee's Pension Board and a possible replacement for the Police Officers' Pension Board. Mayor Bustle will also address the liaison positions at a future meeting.

MOTION: Mr. Williams moved, Mr. Ball seconded and motion carried 5-0 to approve the 2008 City Board Appointments, as presented.

10. ELECTION OF VICE MAYOR

MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried 5-0 to elect Tambra Varnadore as Vice Mayor for the year 2008.

11. 1st READING & ADVERTISING APPROVAL-ORDINANCE NO. 08-956

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING ORDINANCE NO. 665 AND RENDERING A DEVELOPMENT ORDER PURSUANT TO SECTION 380.06, FLORIDA STATUTES, FOR RIVIERA DUNES, A DEVELOPMENT OF REGIONAL IMPACT, DRI #236; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 08-956 for advertising and schedule a public hearing January 22, 2008.

13. DEPARTMENT HEADS' COMMENTS

Attorney Hall

Reported she will carry out Commission's direction with respect to the Thornton litigation.

Mr. Freeman

Diane Ponder reported that all the Commission's historical permanent records have now been scanned into Laserfiche.

Mr. Lukowiak

Reported he will institute the stop sign removal schedule as recommended in the adopted Mobility Study.

Mrs. Lukowiak

Volunteers are still being sought to man the City's fair booth.

Stated the budget contains funding for the promotion of the Tomato Festival, and unless she is instructed otherwise, she will promote the event at the fair. Commission voiced no opposition.

14. MAYOR'S REPORT

Offered condolences to Bob Schmitt in the loss of his mother.

15. COMMISSIONERS' COMMENTS

Ms. Cornwell

January 16, 2008 at 3:00 is the scheduled Council of Governments meeting, hopefully to be held at Palmetto High School. The VIP Fair Reception is scheduled the same day at 6:00 pm, directly across the street from the school.

The fair runs January 17 – 27, 2008, with the Fair Queen being crowned January 12, 2008.

Reported she will not be able to attend the CRA Board meeting, because of the fair schedule.

Mr. Ball

Confirmed the next Commission meeting date is Tuesday, January 22, 2008.

Reported he will be out of town January 12 – 20, 2008 and will miss the Martin Luther King events.

Mrs. Lancaster

Confirmed with Public Works that 7th Avenue is complete

Reported she will contact Mrs. Sailes with Ms. Varnadore's name as the new Vice Mayor so a correct banner is available for the MLK Parade January 18, 2008.

Mr. Williams

Suggested that the median at 7th Avenue needs to be marked better.

Ms. Varnadore

Commented on the fact the county commission had met to discuss its CIP, which included new buildings at GT Bray for \$3 million.

Mr. Lukowiak confirmed the county has set aside \$300,000 for Jackson Park and will pay \$78,000 for the relocation of the sewer lines. He also stated Commissioner Brown has reported to him she is working to get the draft Interlocal agreement completed.

Deputy Chief Mayer reported the new Coban radios are working effectively and PD is looking at alternative solutions to be able to run "wants and wanted" out of the patrol cars; all videos are working.

He reported no major incidents New Year's Eve.

Mayor Bustle commented on his correspondence to the county regarding the radio controllers and paint ball. He stated he, Attorney Hall, Mr. Lukowiak and Mr. Schmitt had met with the county administrator regarding the issue, with no satisfaction. County staff's suggested the possibility of a joint meeting between the two commissions so the City could state its position on the paintball and minor modification to the landfill permit issue.

Suggested that a lock cover be placed over the cleat on the flagpole at City Hall to prevent any further tampering with the flag.

Meeting adjourned at 8:30 pm.

Minutes approved:

James R. Freeman
City Clerk