

PALMETTO CITY COMMISSION
MARCH 3, 2008 - 7:00 PM

PLEDGE OF PUBLIC CONDUCT
We may disagree, but we will be respectful to one another.
We will direct all comments to issues.
We will avoid personal attacks.

516 8th Avenue, West
Palmetto, Florida

(941) 723-4570
www.palmettofl.org

Larry Bustle, Mayor

Commission Members

Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Eric Ball, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Mary Lancaster, Commissioner, Ward 1
Brian Williams, Commissioner, Ward 3

Anyone wishing to speak before the Commission must sign in and be sworn-in prior to the meeting, stating name, address and topic to be addressed. All comments will be limited to two minutes.

Invocation by Pastor Cory Brinson, Spiritual House of Praise, followed by the Pledge of Allegiance to the United States Flag.

Swearing-in of all persons speaking to Commission.

PUBLIC COMMENT (non-agenda items): Comments will be limited to two minutes.

ORDER OF BUSINESS:

1. AGENDA APPROVAL

Action Request: Motion to approve the March 3, 2008 7:00 PM agenda.

2. CONSENT AGENDA

A) Minutes: February 18, 2008 (TAB 1)
B) Noise Exception & Temporary Use Permit: El Molcajetes (Cinco de Mayo) (TAB 2)
C) Special Function Permit: Palmetto High Class of 98 Reunion (TAB 3)
Spring Classic

Action Request: Motion to approve the March 3, 2008 Consent Agenda.

3. SPECIAL FUNCTION PERMIT: JULY 4TH CELEBRATION (C. Lukowiak) (TAB 4)

Action Request: Motion to approve the July 4th Celebration Special Function Permit.

4. SPECIAL FUNCTION PERMIT: KID'S FISHING TOURNAMENT (C. Lukowiak) (TAB 5)
Submittal for approval of the city's co-sponsorship of the Kid's Fishing Tournament.

Action Request: Motion to approve/deny the Kid's Fishing Tournament Special Function Permit.

5. SPECIAL FUNCTION PERMIT: VFW 2488 EASTER EGG HUNT FOR PALMETTO ELEMENTARY SCHOOL (C. Lukowiak) (TAB 6)
Submittal of the SFP for waiver of the park rental fees so VFW 2488 can host the annual Easter egg hunt for students at Palmetto Elementary.

Action Request: Motion to approve/deny the VFW 2488 Easter Egg Hunt Special Function Permit.

6. SPECIAL FUNCTION PERMIT: GREAT PALMETTO CLEAN UP/MULTI-CULTURAL FESTIVAL (C. Lukowiak) (TAB 7)

Action Request: Motion to approve/deny the Great Palmetto Clean Up/Multi-Cultural Festival Special Function Permit.

7. PUBLIC HEARING: ORDINANCE NO. 08-960 (J. Freeman) (TAB 8)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA AMENDING THE CITY CODE OF ORDINANCES PERTAINING TO OCCUPATIONAL LICENSES; PROVIDING FOR REPLACEMENT OF THE TERMS "OCCUPATIONAL LICENSE TAX" AND "OCCUPATIONAL LICENSE FEE" WITH "LOCAL BUSINESS TAX, AND THE TERM "OCCUPATIONAL LICENSE" WITH "LOCAL BUSINESS TAX RECEIPT," THROUGHOUT THE CITY'S CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CHAPTER 19, ARTICLE II OF THE CITY CODE OF ORDINANCES ; PROVIDING FOR ENACTMENT OF A NEW CHAPTER 19, ARTICLE II; PROVIDING FOR PAYMENT OF LOCAL BUSINESS TAX AND ISSUANCE OF A RECEIPT; PROVIDING FOR A DETERMINATION OF CLASSIFICATION; PROVIDING FOR A TERM AND EXPIRATION DATE; PROVIDING FOR POSTING OF BUSINESS TAX RECEIPT; PROVIDING FOR TRANSFER AND CHANGE OF OWNERSHIP OF BUSINESS; PROVIDING FOR REVOCATION OF BUSINESS TAX RECEIPT; PROVIDING FOR APPROVAL OF ZONING AND BUSINESS DEPARTMENTS; PROVIDING FOR PROCESSING AND REGULATORY FEES; PROVIDING FOR APPEAL; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SCHEDULE OF LOCAL BUSINESS TAX AMOUNTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Action Request: Motion to adopt Ordinance No. 08-960.

8. CRA BUDGET MODIFICATION (T. Lukowiak) (TAB 9)
CRA budget modification to fund associated expenses for the three-month pilot of the Palmetto Farmer's Market.

Action Request: Motion to approve the CRA budget modification for the Palmetto Farmer's Market three-month pilot program.

9. BEHAVIORAL HEALTH MANAGEMENT SERVICES, INC. d/b/a BAYCARE LIFE MANAGEMENT (J. Freeman) (TAB 10)
Approval of the agreement for the Employee Assistance Program as part of medical benefits.

Action Request: Motion to approve and authorize the Mayor to execute the Behavioral Health Management Services, Inc. d/b/a Baycare Life Management contract in an estimated amount of \$2,666 for 2008.

10. APPOINTMENT: GENERAL EMPLOYEES' PENSION PLAN TRUSTEE

Mayor Bustle)

(TAB 11)

Proposal to fill the City Commission's appointment to the Board of Trustees of the General Employees' Pension Plan.

Action Request: Motion to approve the appointment of Jim Terry to the General Employees' Pension Plan Board of Trustees, for a term ending January, 2010.

11. RESOLUTION NO. 08-07 (J. Freeman)

(TAB 12)

Budget resolution to adjust the Department of Revenue's revenue estimates.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 07-39, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2007-2008, AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution No. 08-07.

12. 1st READING & AVERTISING APPROVAL-ORDINANCE NO. 08-961

(B. Schmitt)

(TAB 13)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A ZONING ATLAS AMEDMENT FOR MANATEE RIVER COMMUNITY BANK FROM RM-6 - MULTI-FAMILY RESIDENTIAL TO CG - BUSINESS AND LIGHT COMMERCIAL; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-07-08 Manatee River Community Bank, PID # 2780900003, approx. 0.42 acres).

Action Request: Motion to approve Ordinance No. 08-961 for advertising and schedule a public hearing March 17, 2008.

13. 1st READING & ADVERTISING APPROVAL-ORDINANCE NO. 08-962

(B. Schmitt)

(TAB 14)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO CHANGE THE ZONING OF THE PROPERTY DESCRIBED HEREIN FROM CC - COMMERCIAL CORE TO PDMU - PLANNED DEVELOPMENT MULTI USE; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR A MULTI USE PROJECT DEPICTING 80 MULTI FAMILY UNITS, 21,840 SQUARE FEET OF COMMERCIAL/OFFICE, AND A PARKING GARAGE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-07-07/GDP-07-07), William L. Manfull & Heather Lee Cosgrove, PID #2747600050, approximately 1.93 acres).

Action Request: Motion to approve Ordinance No. 08-962 for advertising and schedule a public hearing March 17, 2008.

14. US 301 UTILITY EXPANSION LEG 4 (C. Lukowiak)

Proposal to extend city services along Canal Road from 12th St. E. to 17th St. E. and along US 301 from 19th Ave. E. to 750' east of the railroad. (Carried from 4:00 workshop meeting)

Action Request: **Motion to approve ZNS Engineering Change Order #3 in an amount not to exceed \$190,550, Job #04-396.**

Action Request: **Motion to approve and authorize the Mayor to execute the Westra Construction Corporation contract based on the unit prices competitively bid and awarded in the Sarasota County Bahia Vista contract, Central Hillsborough County contract, City of Clearwater Beachwalk contract, State Road 25 (US 27) contract, Sarasota County Area C contract, Pinellas North County Reclaimed Water Transmission Main contract and North County Reclaimed Water Phase 2A contract, in an amount not to exceed \$275,000, Job #04-396.**

15. DEPARTMENT HEADS' COMMENTS

16. MAYOR'S REPORT

17. COMMISSIONERS' COMMENTS

18. PUBLIC COMMENTS

Anyone wishing to speak before the City Commission must complete the Speakers Card and be sworn in prior to the meeting, stating name, address, and topic to be addressed. All comments will be limited to two minutes.

19. ADJOURNMENT

If any person desires to appeal any decision of the City Commission or of any other Board of the City, that person will 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 (F.S. 286.0105).

The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services on one working day's notice (F.S. 286.011[6]). Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact the City Clerk at 941-723-4570, fax 941-723-4576 or e-mail jfreeman@palmettofl.org or dponder@palmettofl.org.

POSTED: FEBRUARY 26, 2008