

PALMETTO CITY COMMISSION
APRIL 21, 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.

Swearing-in of all persons speaking to Commission.

PROCLAMATION: Police Week May 11-17 and Peace Officers Memorial Day May 15, 2008
Accepting: Police Chief Garry Lowe

PROCLAMATION: National Day of Prayer May 1, 2008

CONTRACTOR RECOGNITION: Veolia Water

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

ORDER OF BUSINESS:

1. AGENDA APPROVAL

Action Request: Motion to approve the April 21, 2008 7:00 agenda.

2. CONSENT AGENDA

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| A) Minutes: April 7, 2008 | (TAB 1) |
| B) Acceptance: Sanctuary Development Temporary Construction Easement | (TAB 2) |
| C) Special Function Permit: HIPPY Family Field Trip/Picnic | (TAB 3) |
| Cinco de Mayo | (TAB 4) |
| Arthritis Walk | (TAB 5) |
| Florida Historical Society | (TAB 6) |
| Ackerman Family Reunion | (TAB 7) |
| 8 th Annual Fishing Tournament | (TAB 8) |
| Manasota Mopar 2 nd Annual Car & Truck Show | (TAB 9) |
| Boy Scout Show | (TAB 10) |
| D) Noise Ordinance Exception: Paul Sanford Promotions | (TAB 11) |

Action Request: Motion to approve the April 21, 2008 Consent Agenda.

3. PUBLIC HEARING – ORDINANCE NO. 08-963 (J. Freeman) (TAB 12)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 2, SECTION 2-88 OF THE CITY CODE OF ORDINANCES PERTAINING TO LIENS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 08-963.

4. PUBLIC HEARING – ORDINANCE NO. 08-964 (J. Freeman) (TAB 13)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY REMOVING SECTIONS 8-1 THROUGH 8-25 FROM CHAPTER 8 AND RE-CODIFYING SAID PROVISIONS IN APPENDIX A, ENTITLED "FRANCHISES"; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 08-964.

5. PUBLIC HEARING - ORDINANCE NO. 08-965 (B. Schmitt) (TAB 14)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF PALMETTO; PROVIDING FOR AMENDMENT OF CITY BOUNDARIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (AN-08-01 – Sunnydale Properties, LLC. PID #'s 2436200006, 2435900002, 2436500009, approximately 0.89 acres).

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 08-965.

6. PUBLIC HEARING - ORDINANCE NO. 08-966 (B. Schmitt) (TAB 15)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A SMALL SCALE DEVELOPMENT AMENDMENT TO THE CITY OF PALMETTO COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP BY REDESIGNATING CERTAIN LANDS FROM RES-9 – RESIDENTIAL 9 UNITS PER ACRE (COUNTY), TO – RES-10, RESIDENTIAL 10 UNITS PER ACRE (CITY); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-08-01 Sunnydale Properties, LLC., PID#'s, 2436200006, 2435900002, 2436500009 approximately 0.89 acres).

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 08-966.

7. PUBLIC HEARING - ORDINANCE NO. 08-967 (B. Schmitt) (TAB 16)
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 GC (General Commercial) (County) TO RM-6, Residential Multi-Family -10 units per acre (City); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-08-01, Sunnydale Properties, LLC., PID #'s 2436200006, 2435900002, 2436500009, approximately 0.89 acres).

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 08-967.

8. PUBLIC MEETING REGARDING STOP SIGN REMOVAL (C. Lukowiak) (TAB 17)
Public meeting to gather public comment regarding the proposed stop sign removal program.

Open public meeting. Close public meeting after public comment.

9. APPROVAL: REGATTA POINTE MARINA SUBLEASE AMENDMENT (J. Freeman) (TAB 18)
Second amendment to the Regatta Pointe Sublease to clarify sublease's legal description of submerged lands and the calculation and payment of compensation of the annual rental fee to the state, to ensure consistency with the Amended and Restated and Modified Submerged Land Lease between the City and the Department of Environmental Protection.

Action Request: Motion to approve and authorize the Mayor to execute the Second Amendment to Agreement of Sublease with VanDerNoord Partners and Regatta Pointe Investments, LLC.

10. RESOLUTION NO. 08-13 (J. Freeman) (TAB 19)
Budget amendment to move funds within the CIP to increase the budget associated with the return activation sludge (RAS) pumping station.

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. 08-13

11. RESOLUTION NO. 08-14 (J. Freeman) (TAB 20)
Budget amendment to reduce the estimated revenue collected from criminal fines and amend the corresponding Police Department expense budget.

Action Request: Motion to adopt Resolution No. 08-14.

12. APPOINTMENT APPROVAL (Mayor Bustle) (TAB 21)
Appointment of Emilio Morales to fill an alternate position on the Planning and Zoning Board.

Action Request: Motion to approve the appointment of Emilio Morales as an alternate member of the Planning and Zoning Board for a term ending January, 2009.

13. CONTRACT APPROVAL: TWENTY FIRST CENTURY COMMUNICATIONS, INC.

(C. Lukowiak)

(TAB 22)

Subscription to a stand-alone Reverse 911 Call System for communication with City residents of potential emergency events.

Action Request: **Motion to approve and authorize the Mayor to execute a Universal Communications System Agreement with Twenty First Century Communications, Inc. for a three-year term in an amount not to exceed \$4,600.**

14. CONTRACT APPROVAL: WESTRA CONSTRUCTION (C. Lukowiak)

(TAB 23)

Construction and engineering approval for the US 301 Future Utility Expansion, Canal Road-Leg 2 and US 301 Utility-Leg 4.

Action Request: **Motion to approve and authorize the Mayor to execute the Agreement for General Construction Services with Westra Construction Corporation in amount not to exceed \$275,000 and the ZNS Engineering, LC Change Order #3 in an amount not to exceed \$190,550 for the US 301 Future Utility Expansion, project #04-396.**

15. INSTALLATION OF HANDICAPPED PARKING SPACES (C. Lukowiak)

(TAB 24)

Proposed project to install handicapped parking spots; one at the library and three downtown locations.

Action Request: **Motion to approve the installation of handicapped parking spaces, in an amount not to exceed \$6,400, project #04-4385.**

16. APPROVAL: THORNTON SETTLEMENT-CASE #2004-CA-5145 (M. Hall)

(TAB 25)

Settlement Agreement in the City of Palmetto v. Roy Thornton, et al, litigation.

Action Request: **Motion to approve and authorize the Mayor to execute the Roy Thornton Agreement, Case #2004-CA-5145.**

17. CONTRACT APPROVAL: RBC DAIN RAUSCHER, INC. (J. Freeman)

(Carried forward from 4:00) Contract to retain the services of an independent Consultant/Financial Advisor to assist with long term capital planning, debt analysis and investments.

Action Request: **Motion to approve and authorize the Mayor to execute the Financial Advisory Services Agreement with RBC Dain Rauscher, Inc., in an amount not to exceed \$6,000.**

18. DEPARTMENT HEADS' COMMENTS

19. MAYOR'S REPORT

20. COMMISSIONERS' COMMENTS

21. 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.

22. 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: APRIL 16, 2008