

PALMETTO CITY COMMISSION
MAY 19, 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: National Public Works Week – May 18 – 24, 2008
Accepting: Chris Lukowiak, Public Works Director

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

ORDER OF BUSINESS:

1. AGENDA APPROVAL

Action Request: Motion to approve the May 19, 2008 7:00 agenda.

2. CONSENT AGENDA

A) Minutes: April 21, 2008 (Corrected), April 28, and May 5, 2008 (TAB 1)
B) Noise Ordinance Permit Exception: Bradenton Yacht Club (TAB 2)

Action Request: Motion to approve the May 19, 2008 Consent Agenda.

3. PUBLIC HEARING – ORDINANCE NO. 08-968 (J. Freeman) (TAB 3)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO AMENDING CHAPTER 22, PERSONNEL, ARTICLE IV, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-81, DEFINITIONS; AMENDING SECTION 22-89, VESTING; AMENDING SECTION 22-90, OPTIONAL FORMS OF BENEFITS; DELETING SECTION 22-106, REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 08-968.

4. 2008 ELECTION SERVICES AGREEMENT (J. Freeman) (TAB 4)

Election Services Agreement with Supervisor of Elections Robert (Bob) Sweat to conduct the November, 2008 city election.

Action Request: Motion to approve and authorize the City Clerk to execute the 2008 Election Services Agreement with Robert Sweat Supervisor of Elections.

5. APPOINTMENT OF CANVASSING BOARD (J. Freeman) (TAB 5)

Pursuant to the Code of Ordinances Section 12-10, the Commission must appoint of Canvassing Board before any election.

Action Request: Motion to appoint the Canvassing Board for the 2008 City Election, consisting of the Mayor, City Clerk and Supervisor of Elections.

6. RESOLUTION NO. 08-16 (J. Freeman) (TAB 6)

Budget resolution amendment to fund the Financial Advisor's contract approved by City Commission April 21, 2008.

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. 08-16.

7. CDBG URBAN COUNTY PROGRAM (T. Lukowiak) (TAB 7)

Discussion to determine if the City should accept Manatee County's offer to join in the CDBG Urban County Program for fiscal years 2009-2010.

Action Request: Motion to decline Manatee County's offer to join with them in the CDBG Urban County application.

8. APPOINTMENT: ENTERPRISE ZONE DEVELOPMENT AGENCY (T. Lukowiak) (TAB 8)

Appointment of Code Enforcement Director Bill Strollo to serve as an additional City representative to the Enterprise Zone Development Agency.

Action Request: Motion to appoint Code Enforcement Director Bill Strollo as a City representative to the Enterprise Zone Development Agency.

9. CORVUS INTERNATIONAL IMPACT FEE REFUND (J. Freeman) (TAB 9)

Update to the May 5, 2008 discussion to advise Commission of the available funding for the impact fee refund to Corvus International.

Action Request: Motion to approve and authorize staff to refund the impact fees to Corvus International in an amount not to exceed \$117,203.

10 DISCUSSION: VERIZON CELL TOWER (J. Freeman) (TAB 10)

Staff will update Commission on the proposed location of a monopole cell tower at Hidden Lake Park.

11. DISCUSSION: PALMETTO PALMS FORECLOSURE (J. Freeman) (TAB 11)
Staff seeks direction on how to proceed with the Palmetto Palms Foreclosure issue.

12. DISCUSSION: WASTE MANAGEMENT FUEL INCREASE (J. Freeman) (TAB 12)
Discussion of Waste Management's petition for amendment to their franchise agreement to account for rising fuel costs via a rate increase to the City.

13. 1st READ & ADVERTISING APPROVAL: ORDINANCE 08-969 (B. Schmitt) (TAB 13)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING CERTAIN REAL PROPERTY INTO 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-08-04 – Christopher & Tanya Lukowiak. PID # 2607800109, approximately 0.44 acres).

Action Request: Motion to approve Ordinance No. 08-969 for advertising and schedule a public hearing June 2, 2008.

14. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-970 (B. Schmitt) (TAB 14)
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-6 – RESIDENTIAL 6 UNITS PER ACRE (COUNTY), TO – RES-6, RESIDENTIAL 6 UNITS PER ACRE (CITY); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-08-04 Christopher & Tanya Lukowiak., PID # 2607800109, approximately 0.44 acres).

Action Request: Motion to approve Ordinance No. 08-970 for advertising and schedule a public hearing June 2, 2008.

15. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-971 (B. Schmitt) (TAB 15)
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 RSF-4.5 (Residential Single Family-4.5 units per acre) (County) TO RS-2, Residential Single Family-4.36 units per acre (City); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-08-04, Christopher & Tanya Lukowiak., PID # 2607800109, approximately 0.44 acres).

Action Request: Motion to approve Ordinance No. 08-971 for advertising and schedule a public hearing June 2, 2008.

16. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-972
(Tom McCollum, ZNS)

(TAB 16)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PDMU (PLANNED DEVELOPMENT-MULTI-USE); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; APPROVING AN AMENDED GENERAL DEVELOPMENT PLAN FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP 05-08 Sanctuary Cove Residential Partners, L.L.C./ Sanctuary Development Partners East, L.L.C./Sanctuary Development Partners, LLC/Manatee Island Partners, LLC, PID # 1015725159, # 1015725259, # 1015725209, # 2607800159, # 1016400359, and # 1016400409,, approx. 227.52 acres).

Action Request: Motion to approve Ordinance No. 08-972 for advertising and schedule a public hearing June 2, 2008.

17. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-973
(Tom McCollum, ZNS)

(TAB 17)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PDMU (PLANNED DEVELOPMENT-MULTI USE); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0802, Sanctuary Development Partners, L.L.C. and Sanctuary Development Partners East, L.L.C., PID # 1016400359 and # 1016400409 respectively, approx. 8.44 acres).

Action Request: Motion to approve Ordinance No. 08-973 for advertising and schedule a public hearing June 2, 2008.

18. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-974
(Tom McCollum, ZNS)

(TAB 18)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PDMU (PLANNED DEVELOPMENT-MULTI USE); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0803, Sanctuary Development Partners, L.L.C. PID # 2607800159, approx. 1.15 acres).

Action Request: Motion to approve Ordinance No. 08-974 for advertising and schedule a public hearing June 2, 2008.

19. DEPARTMENT HEADS' COMMENTS

20. MAYOR'S REPORT

21. COMMISSIONERS' COMMENTS

22. 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.

23. 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: MAY 14, 2008