

**PALMETTO CITY COMMISSION
DECEMBER 15, 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 34221

(941) 723-4570
<http://www.palmettofl.org>

Shirley Groover Bryant, Mayor

Commission Members

**Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Alan Zirkelbach, 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 City 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 David Smiley, Providence Presbyterian Church of Palmetto, followed by the Pledge of Allegiance.

Swearing-in of all persons intending to address City 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 December 15, 2008 7:00 agenda.

2. CONSENT AGENDA

A) Minutes: December 1, 2008
B) November Check Register

(TAB 1)
(TAB 2)

Action Request: Motion to approve the December 15, 2008 Consent Agenda.

3. PUBLIC HEARING: CONDITIONAL USE PERMIT 08-05 (B. Schmitt)

(TAB 3)

Application of Value Pawn for a Conditional Use Permit for an electronic message center sign at 908 8th Ave. W.

Open public hearing. Close public hearing after public comment.

Action Request: Motion to approve/deny Conditional Use Permit 08-05 for Value Pawn and Jewelry, 908 8th Ave. W.

4. CRA BOARD

Item carried forward from the 4:00 workshop agenda for possible Commission action.

5. APPROVAL: 2009 PLANNING AND ZONING BOARD APPOINTMENTS (Mayor Bryant) (TAB 4)

Action Request: Motion to approve the 2009 Planning and Zoning Board member appointments of Charlie Ugarte and Christopher Moquin to a term ending January 2012 and alternate members Eric Gilbert and Jim Pastor to a term ending January 2010.

6. APPROVAL: 2009 CODE ENFORCEMENT BOARD APPOINTMENTS (Mayor Bryant) (TAB 5)

Action Request: Motion to approve the 2009 Code Enforcement Board member appointments of Scott Dougherty and Robert Rotondo to a term ending January 2012 and alternate member William E. Collins to a term ending January 2012.

7. APPROVAL: 2009 NUISANCE ABATEMENT BOARD APPOINTMENTS (Mayor Bryant) (TAB 6)

Action Request: Motion to approve the 2009 Code Enforcement Board member appointments of Scott Dougherty and Robert Rotondo to a term ending January 2012 and alternate member William E. Collins to a term ending January 2012.

8. RATIFICATION OF GENERAL EMPLOYEES' PENSION PLAN BOARD OF TRUSTEES' APPOINTMENTS (J. Freeman) (TAB 7)

Pursuant to City Code Sec. 22-83 Commission shall ratify, as a ministerial duty, the General Employees' Pension Plan Board of Trustees' appointments of the sixth and seventh trustees.

Action Request: Motion to ratify the General Employees' Pension Plan Board of Trustees' appointment of Ellen Leonard and Allen Tusing as the sixth and seventh trustees to a term ending January 2012

9. RESOLUTION NO. 08-38 (A. Tusing) (TAB 8)

Resolution No. 08-38 authorizes the Mayor to execute a Florida Department of Transportation Maintenance Agreement for certain median islands, interchange areas and rights-of-way.

A RESOLUTION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING EXECUTION OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION MAINTENANCE AGREEMENT #BDM25, FM424087-1-78-01; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution No. 08-38.

10. RESOLUTION NO. 08-39 (J. Freeman) (TAB 9)

Budget amendment to recognize additional revenue from the Florida Department of Transportation Maintenance Agreement.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution No. 08-39.

11. RESOLUTION NO. 08-40 (J. Freeman) (TAB 10)
Resolution 08-40 formalizes the City's current practice concerning public participation at City Commission meetings.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ADOPTING CITY COMMISSION POLICY #09-02 ESTABLISHING RULES OF PROCEDURES FOR CITIZEN PARTICIPATION AT CITY COMMISSION PUBLIC AND WORKSHOP MEETINGS; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution No. 08-40

12. APPROVAL: DIVISION OF EMERGENCY MANAGEMENT GRANT (A. Tusing) (TAB 11)
A) Approval of a State of Florida Division of Emergency Management 50% matching grant and establishment of the budget to recognize the grant revenue for the purchase and installation of six garage doors to harden the Public Works fleet maintenance building.

Action Request: Motion to approve and authorize the Mayor to execute the State of Florida Division of Emergency Management Federally-Funded Subgrant Agreement in an award amount of \$14,445 and approve a cash match amount not to exceed \$14,445.

B) RESOLUTION NO. 08-41
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution No. 08-41.

13 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-978 (B. Schmitt) (TAB 12)
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-14 (RESIDENTIAL 14 UNITS PER ACRE) TO PD (PLANNED DEVELOPMENT); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-08-05 Charles Palmer and Jonathan Shute, PID # 2778600003, approx. 0.3+/- acres).

Action Request: Motion to approve Ordinance No. 08-978 for advertising and schedule a public hearing January 5, 2009.

14. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-979 (B. Schmitt) (TAB 13)
AN ORDINANCE 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 RM-6 (RESIDENTIAL MULTI-FAMILY) TO PDH (PLANNED DEVELOPMENT HOUSING); APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR A SINGLE FAMILY RESIDENTIAL PROJECT DEPICTING SIX (6) UNITS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-GDP-08-05 Charles Palmer and Jonathan Shute, PID # 2778600003, approx. 0.3+/- acres).

Action Request: Motion to approve Ordinance No. 08-979 for advertising and schedule a public hearing January 5, 2009.

15. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-980 (B. Schmitt) (TAB 14)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT;
APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR PARCEL 9 OF THE
RIVIERA DUNES MASTER DEVELOPMENT PLAN; PROVIDING FOR REPEAL OF ORDINANCES
IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE
(GDP 08-06 Beach Townhomes Investors, LLC, PID# 2581600959, approx. 1.31± acres).

Action Request: Motion to approve Ordinance No. 08-980 for advertising and schedule a public hearing January 5, 2009.

16. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-981 (B. Schmitt) (TAB 15)
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-
08-06 – R&W Gulfcoast Properties, LLC. PID # 2578000008, approximately 1.38+/- acres).

Action Request: Motion to approve Ordinance No. 08-981 for advertising and schedule a public hearing January 5, 2009.

17. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-982 (B. Schmitt) (TAB 16)
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 INDUSTRIAL LIGHT (IL-COUNTY), TO HEAVY
COMMERCIAL/INDUSTRIAL (HCOMIND-CITY); PROVIDING FOR APPLICABILITY; PROVIDING
FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-08-06 – R&W Gulfcoast
Properties, LLC. PID # 2578000008, approximately 1.38+/- acres).

Action Request: Motion to approve Ordinance No. 08-982 for advertising and schedule a public hearing January 5, 2009.

18. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-983 (B. Schmitt) (TAB 17)
AN ORDINANCE OF THE CITY OF PALMETTO, 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 LIGHT MANUFACTURING (LM-County) TO COMMERCIAL HEAVY
INDUSTRIAL (CHI-City); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING
FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-08-06 – R&W Gulfcoast
Properties, LLC. PID # 2578000008, approximately 1.38+/- acres).

Action Request: Motion to approve Ordinance No. 08-983 for advertising and schedule a public hearing January 5, 2009.

19. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 08-984
(Item carried forward from the 4:00 workshop meeting.)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 2, SECTION 2-26 OF THE CODE OF ORDINANCES TO REVISE THE MEETING SCHEDULE FOR THE CITY COMMISSION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 08-984 for advertising and schedule a public hearing January 5, 2009.

20. DEPARTMENT HEADS' COMMENTS

21. MAYOR'S REPORT

22. COMMISSIONERS' COMMENTS

23. 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.

24. 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 (Fla. Stat. §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 (Fla. Stat. §286.011(6)). Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact the City Clerk by telephone at 941-723-4570, fax 941-723-4576 or e-mail jfreeman@palmettofl.org or dponder@palmettofl.org.

POSTED: DECEMBER 10, 2008