

**PALMETTO CITY COMMISSION  
JANUARY 5, 2009 - 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, 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 January 5, 2009 7:00 agenda.**

2. CONSENT AGENDA

A) Minutes: December 15, 2008 (TAB 1)  
B) Noise Exception Permit: Palmetto Church of the Nazarene (TAB 2)  
C) Martin Luther King, Jr. Day Events (Waiver of portion of fees) (TAB 3)

**Action Request: Motion to approve the January 5, 2009 Consent Agenda.**

3. PUBLIC HEARING: CONDITIONAL USE PERMIT 08-05 (Planning) (TAB 4)

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

4. PUBLIC HEARING: ORDINANCE NO. 08-978 (Planning) (TAB 5)  
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).

**Open public hearing.**

**Action Request: Motion to continue the public hearing for Ordinance No. 08-979 to February 2, 2009.**

5. PUBLIC HEARING: ORDINANCE NO. 08-979 (Planning) (TAB 6)  
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).

**Open public hearing.**

**Action Request: Motion to continue the public hearing for Ordinance No. 08-979 to February 2, 2009.**

6. PUBLIC HEARING: ORDINANCE NO. 08-980 (Planning) (TAB 7)  
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).

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to approve/deny Ordinance No. 08-980.**

7. PUBLIC HEARING: ORDINANCE NO. 08-981 (Planning) (TAB 8)  
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).

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to approve/deny Ordinance No. 08-981.**

8. PUBLIC HEARING: ORDINANCE NO. 08-982 (Planning) (TAB 9)  
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).

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to approve/deny Ordinance No. 08-982.**

9. PUBLIC HEARING: ORDINANCE NO. 08-983 (Planning) (TAB 10)  
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 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).

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to approve/deny Ordinance No. 08-983.**

10. PUBLIC HEARING: ORDINANCE NO. 08-984 (J. Freeman) (TAB 11)  
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.

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to approve/deny Ordinance No. 08-984.**

11. APPROVAL: BACKGROUND CHECK POLICY (M. Barnebey) (TAB 12)  
Policy development regarding background checks for all City employees.

**Action Request: Motion to approve the Background Check Policy**

12. APPROVAL: DEP GRANT-AGREEMENT NO. LP8966 (A. Tusing) (TAB 13)  
A) State of Florida DEP \$500,000 grant to further improve the I&I Program.

**Action Request: Motion to approve and authorize the Mayor to execute the State Financial Assistance Agreement, DEP Agreement No. LP8966, providing a minimum match not to exceed \$166,667.**

B) RESOLUTION NO. 09-01  
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. 09-01.**

13. APPROVAL: OFFICE OF GREENWAYS & TRAILS GRANT FUNDING (A. Tusing) (TAB 14)  
A) Acceptance of a grant funding to make improvements to the area connecting Hydrant Park to the Recreational Trail.

**Action Request:** Motion to approve and authorize the Mayor to execute the State Department of Environmental Protection Recreation Trails Project Agreement #T2830, providing an in-kind match not to exceed \$15,000.

B) RESOLUTION NO. 09-03

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. 09-03.

14. APPROVAL: BEHAVIORAL HEALTH MANAGEMENT SERVICES, INC. CONTRACT (J. Freeman) (TAB 15)  
Annual renewal of the contract to administer the City's Employee Assistance Program.

**Action Request:** Motion to approve and authorize the Mayor to execute the Behavioral Health Management Services, Inc. d/b/a Baycare Life Management contract for a term ending December 31, 2009, in an amount not to exceed \$2,700.

15. RESOLUTION NO. 09-02 (J. Freeman) (TAB 16)  
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, OPPOSING A UNITED STATES POSTAL SERVICE MANASOTA AREA MAIL PROCESSING STUDY; OPPOSING ANY ACTION THAT WILL MOVE MAIL PROCESSING FROM THE MANASOTA PROCESSING AND DISTRIBUTION CENTER; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

**Action Request:** Motion to adopt Resolution No. 09-02.

16. ELECTION OF VICE MAYOR

17. 2009 OUTSIDE ORGANIZATION APPOINTMENT (Mayor Bryant) (TAB 17)

**Action Request:** Motion to approve the 2009 Outside Appointments as presented.

18. ASSIGNMENT OF LIAISON POSITIONS (TAB 17)

**Action Request:** Motion to approve the 2009 Liaison Positions.

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 (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](mailto:jfreeman@palmettofl.org) or [dponder@palmettofl.org](mailto:dponder@palmettofl.org).

POSTED:        DECEMBER 31, 2008