

**PALMETTO CITY COMMISSION
AND
COMMUNITY REDEVELOPMENT AGENCY
May 4, 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
<http://www.palmettofl.org>

(941) 723-4570

Shirley Groover Bryant, Mayor

**Commission Members
Community Redevelopment Agency
Brian Williams, Vice Mayor, Commissioner, Ward 3
Alan Zirkelbach, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Mary Lancaster, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2**

Anyone wishing to speak before the City Commission or the CRA Board 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.

PROCLAMATION: National Safe Boating Week
Accepting: Bill Osolin, Flotilla Commander and Dee Kermode, Public Affairs Officer, USCG Auxiliary Flotilla 8-5 Palmetto

National Day of Prayer

Swearing-in of all persons intending to address City Commission or the CRA Board.

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

CITY COMMISSION MEETING ORDER OF BUSINESS

1. CITY COMMISSION AGENDA APPROVAL

Action Request: Motion to approve the May 4, 2009 7:00 p.m. agenda.

2. CITY COMMISSION CONSENT AGENDA

A) Minutes: April 20, 2009 (TAB 1)
B) Fisher & Phillips, LLP Legal Billing (TAB 2)
C) Special Function Permit: July 4th Celebration (TAB 3)

Action Request: Motion to approve the May 4, 2009 Consent Agenda.

3. PALMETTO ELEMENTARY SCHOOL UPDATE (M.

4. PUBLIC HEARING: ORDINANCE NO. 08-978 (T. McCollum) (TAB 4)
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. Close public hearing after public comment.

Action Request: Motion to adopt/deny Ordinance No. 08-978.

5. PUBLIC HEARING: ORDINANCE NO. 08-979 (T. McCollum) (TAB 5)
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. Close public hearing after public comment.

Action Request: Motion to adopt/deny Ordinance No. 08-979.

6. PUBLIC HEARING: ORDINANCE NO. 09-991 (T. McCollum) (TAB 6)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A 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 04-403 GDP-II, Holy Cross Manor II/Diocese of Venice, 520 26th St. W., approximately 4.01 acres).

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt/deny Ordinance No. 08-991.

7. JACKSON PARK SANITARY SEWER EASEMENT (A. Tusing) (TAB 7)
The Jackson Park drainage pond has been completed and the City reimbursed by the County. Manatee County is requesting a permanent twenty foot sanitary sewer easement along the west side of City property for maintenance purposes.

Action Request: Motion to approve and authorize the Mayor to execute the Permanent Sanitary Sewer Easement for the Jackson Park drainage pond, PID #24583.0000/7, COP Job No. 03-369.

8. TROPIC ISLES CO-OP, INC. DRAINAGE EASEMENT (A. Tusing) (TAB 8)
Stormwater improvements along 13th Street include two outfalls behind the Tropic Isles community center building. Tropic Isles Co-Op has granted the City a permanent drainage easement through its property.

Action Request: Motion to accept the Tropic Isles Co-Op, Inc. Permanent Drainage Easement, PID #292550030, COP Job No. 07-568.

9. PROPERTY DAMAGE RELEASE (M. Barnebey) (TAB 9)
Release of any claims relating to an accident referenced as MCSO#2008-65508 upon receipt of funds for property damage against a police vehicle.

Action Request: Motion to approve and authorize the Mayor to execute the Release of Claims, MCSO#2008-65508.

10. RIVERSIDE DRIVE AT 8TH AVENUE IMPROVEMENTS (J. Freeman) (TAB 10)
City Commission approval of project approved by the CRA Board on April 14, 2009. Reconfiguration of traffic pattern prohibiting left turns onto 8th Avenue from Riverside and prohibiting the crossover of 8th Avenue from Riverside Dr.

Action Request: Motion to approve the Riverside Drive at 8th Avenue Improvement project and allocate funds to the project not to exceed \$300,000.

11. HABEN BOULEVARD GATEWAY PROJECT (J. Freeman) (TAB 11)
City Commission approval of project approved by the CRA Board on April 14, 2009. Construction of a roundabout at the 90° turn on Haben Blvd.

Action Request: Motion to approve the Haben Boulevard Gateway Project and allocate funds not to exceed \$990,000.

12. 8th & 9th ST. AT 4th AVE. W. INFRASTRUCTURE IMPROVEMENTS (J. Freeman) (TAB 12)
City Commission approval of project approved by the CRA Board on October 21, 2008. Replacement of an aluminum storm drain system in Ward 3.

Action Request: Motion to approve the 8th and 9th Streets at 4th Avenue West infrastructure project and allocate funds not to exceed \$435,572.

13. EDENFIELD PROPERTY SITE ASSESSMENT (J. Freeman) (TAB 13)
City Commission approval of project approved by the CRA Board on April 14, 2009. Phase I for the development of a site assessment plan and Phase II for the completion of the site assessment.

Action Request: Motion to approve Phase I and II of the Edenfield Property site assessment not to exceed \$116,710.

14. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 09-992 (M. Barnebey) (TAB 14)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO REVISE THE REQUIREMENTS FOR THE DISPOSITION OF SURPLUS PROPERTY BY THE CITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 09-992 for advertising and schedule a public hearing May 18, 2009.

15. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 09-993 (M. Barnebey) (TAB 15)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, VACATING 15TH AVENUE DRIVE WEST RIGHT-OF-WAY BETWEEN THE NORTH RIGHT-OF-WAY LINE FOR 10TH STREET WEST AND THE SOUTH RIGHT-OF-WAY LINE FOR 12TH STREET WEST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 09-993 for advertising and schedule a public hearing May 18, 2009.

16. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 09-994 (M. Barnebey)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, VACATING THE 8TH STREET WEST RIGHT-OF-WAY WEST BEGINNING 217.5 FEET EAST OF THE EASTERN RIGHT-OF-WAY LINE FOR 10TH AVENUE WEST TO THE EASTERN RIGHT-OF-WAY LINE FOR 9TH AVENUE WEST; VACATING 9TH AVENUE WEST FROM THE SOUTHERN RIGHT-OF-WAY OF 9TH STREET WEST TO THE SOUTHERN RIGHT-OF-WAY LINE FOR 8TH STREET WEST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 09-994 for advertising and schedule a public hearing May 18, 2009.

Recess the May 4, 2009 City Commission meeting to open the CRA Board meeting.

Reconvene the May 4, 2009 City Commission meeting.

17. DEPARTMENT HEADS' COMMENTS

18. MAYOR'S REPORT

19. COMMISSIONERS' COMMENTS

20. PUBLIC COMMENTS FOR CITY COMMISSION

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

21. ADJOURNMENT

If any person desires to appeal any decision of the City Commission, the CRA, 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: April 29, 2009