

**PALMETTO CITY COMMISSION  
SEPTEMBER 28, 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**

**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: MTI Day  
Accepting: Mary Cantrell, MTI Director  
Maura Howl, Grants and Public Relations Specialist  
Manatee Technical Institute

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 September 28, 2009 7:00 PM Agenda.**

**2. CITY COMMISSION CONSENT AGENDA**

A) Minutes: September 14, 2009 (TAB 1)  
B) Kirk Pinkerton Special Litigation (TAB 2)  
C) Special Function Permit: Fall Art Show (TAB 3)  
D) Sarasota/Manatee MPO Tamiami Trail Brownfields Revitalization Initiative Coalition (TAB 4)

**Action Request: Motion to approve the September 28, 2009 Consent Agenda.**

3. PUBLIC HEARING – FINAL MILLAGE RATE AND FINAL FISCAL YEAR 2010 BUDGET (Mayor Bryant) (TAB 5)

**Open public hearing**

- o Discuss percentage increase/decrease in proposed tentative millage over rolled-back rate
- o Discuss specific purposes for which ad valorem revenues are being increased/decreased
- o Discuss proposed tentative budget
- o Public Comment

**Close public hearing**

RESOLUTION NO. 09-37 (to be read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF PALMETTO FOR FISCAL YEAR 2010; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-37.**

RESOLUTION NO. 09-38 (to be read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2010; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-38.**

4. RESOLUTION NO. 09-43 (Mayor Bryant) (TAB 6)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AN EXTENSION OF TIME FOR COMPLETION OF THE CHARTER REVIEW; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-43.**

5. PUBLIC HEARING: TRANSMITTAL OF ORDINANCE NO. 09-995 (T. McCollum) (TAB 7)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING ORDINANCE NO. 624 (THE CITY OF PALMETTO COMPREHENSIVE PLAN); ADOPTING AMENDMENTS TO THE FUTURE LAND USE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENT ELEMENT, AND ADDING A PUBLIC SCHOOL FACILITIES ELEMENT TO, THE CITY OF PALMETTO COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Reopen the public hearing continued on September 14, 2009 to consider transmittal of Ordinance No. 09-995. Close the public hearing after public comment.**

**Action Request: Motion to approve and authorize transmittal of Ordinance No. 09-995 to the State of Florida Land Planning Agency.**

6. PUBLIC HEARING: ORDINANCE NO. 09-999 (T. McCollum) (TAB 8)  
AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO ADD RECREATION AND AMUSEMENT SERVICES TO THE SCHEDULE OF PERMITTED AND CONDITIONAL USES; PROVIDING STANDARDS FOR USE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Action Request: Motion to adopt Ordinance No. 09-999.**

7. PUBLIC HEARING: ORDINANCE NO. 09-1000 (M. Barnebey) (TAB 9)  
AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR CONSISTENT MEASUREMENTS FROM CHURCHES AND SCHOOLS FOR ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Ordinance No. 09-1000.**

8. CODE ENFORCEMENT BOARD APPOINTMENT APPROVAL (Mayor Bryant) (TAB 10)

**Action Request: Motion to approve the appointment of Vincent T. "Tom" DeVito, Jr. to the Code Enforcement Board and Nuisance Abatement Board for a term ending January, 2011.**

9. RESOLUTION NO. 09-39 (J. Freeman) (TAB 11)  
Budget amendment for the wastewater treatment plant repair and rehabilitation project.

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. 09-39.**

10. RESOLUTION NO. 09-40 (J. Freeman) (TAB 12)  
Budget amendment to fund the Medical Reserve Fund.

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. 09-40.**

11. RESOLUTION NO. 09-41 (J. Freeman) (TAB 13)  
Budget amendment to record the sale of City and CRA properties and to transfer funds to Capital Projects.

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. 09-41.**

12. EDENFIELD PROPERTY SITE ASSESSMENT (A. Tusing) (TAB 14)  
Work Assignment #1 from PBS&J, City Engineer, for engineering services to the Preparation of Site Assessment Plan for the Edenfield Property. Research indicates the property is City owned.

**Action Request: Motion to approve and authorize the Mayor to executed the PBS&J Work Assignment No. 1, Edenfield Property-Site Assessment, COP Job No. 93-142, in an amount not to exceed \$7,543.**

13. MEMORANDUM OF UNDERSTANDING APPROVAL (Chief Lowe) (TAB 15)  
Memorandum of Understanding between the law enforcement agencies of Manatee County for the purpose of sharing radio communications.

**Action Request: Motion to approve and authorize the Mayor and Chief of Police to execute the Memorandum of Understanding, as presented.**

14. SCHOOL RESOURCE OFFICER CONTRACT APPROVAL (Chief Lowe) (TAB 16)

**Action Request: Motion to approve and authorize the Mayor and City Clerk to execute the School Board of Manatee County School Resource Officer contract.**

15. NEW JOB DESCRIPTION APPROVAL AND POSTING APPROVAL (J. Burton) (TAB 17)  
Pursuant to comments during the September 14, 2009 CRA Board meeting, Mr. Burton will discuss proposed job descriptions

**Action Request: Motion to approve the Community Redevelopment Area Strategic Plan Specialist, Community Redevelopment Area Geographic Information System Specialist and Community Redevelopment Area Recreational and Facilities Coordinator, and authorize posting of the positions.**

16. 1st READ & ADVERTISING APPROVAL-ORDINANCE 09-997 (M. Barnebey) (TAB 18)  
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PERTAINING TO THE AMENDMENT OF THE PROVISIONS RELATING TO THE REQUIREMENTS FOR AND ISSUANCE OF SPECIAL FUNCTION PERMITS; UPDATING CODE LANGUAGE FOR INTERNAL CONSISTENCY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to approve for advertising and schedule a public hearing for October 5, 2009.**

17. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

18. DEPARTMENT HEADS' COMMENTS

19. MAYOR'S REPORT

20. COMMISSIONERS' COMMENTS

21. 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.

22. 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. §286.26) 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: SEPTEMBER 24, 2009