

TAB 1

Palmetto City Commission
Workshop Meeting
October 26, 2009 6:00 p.m.

Elected Officials Present:

Shirley Bryant, Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Alan Zirkelbach, Commissioner

Elected Officials Absent:

Brian Williams, Vice Mayor

Staff Present:

James R. Freeman, City Clerk
Chief Garry Lowe
Tom McCollum, Interim City Planner
Scott Rudacille, Attorney
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 6:00 pm.

1. DISCUSSION: 2030 COMPREHENSIVE PLAN

Mr. McCollum confirmed the Comp Plan under discussion has been updated through the last meeting. Commissioner Zirkelbach confirmed the Plan contained all the discussion items he had noted. Commissioner Varnadore reserved comment due to the fact the material distributed at a meeting where she was absent was not delivered to her in time for her review.

Discussion ensued on the proposed Recreation Resort language for the Land Use category that was contributed to by Misty Cervia, King Engineering, and who represents Bill Manfull. Mr. McCollum opined the language as written is adequate. He stated that he felt it best fit in the UP District, to allow Commission review and approval during the site plan process. He also confirmed that the Zoning Code will also have to be amended to implement a recreational use, if approved. Attorney Barnebey concurred, stating the definition would be included in Chapter One of the Comp Plan and a definition would be included as a possible use in the UP District.

Ms. Cervia addressed Commission regarding possible amenities that could be included in a resort and confirmed there could be businesses and/or amenities that will be open to the public. Mr. McCollum confirmed that there will be a maximum ten units per acre, whether travel coaches or structures.

Staff was instructed to establish a process whereby all ancillary issues would be adequately addressed during the DRC review of the project.

Commissioner Varnadore stated she would not support the language as written, as it is too broad.

Attorney Barnebey suggested the definition be amended to read as follows:

A parcel or parcels of land containing amenities designed to attract and accommodate tourists and seasonal residents. A Recreational Resort may be a Single, Mixed or Multiple Use project, and primary land uses shall include one or more of the following: residential dwelling units, lodging facilities such as recreational vehicle (RV) sites, hotels, villas, and cabins. Accessory land uses may be allowed within the category to include golf courses, athletic courts, marinas, boat storage, boat docks and ramps, fishing piers, boardwalks, eating and drinking

4. PUBLIC COMMENT

None

Commissioner Lancaster stated for the record that the allegations that have been made and printed against her are "very untrue".

Meeting adjourned at 8:09 pm.

Minutes approved:

James R. Freeman
City Clerk

DRAFT
PALMETTO CITY COMMISSION
WORKSHOP AGENDA
November 16, 2009 – 4:30 PM

Elected Officials Present:

Shirley Bryant, Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Alan Zirkelbach, Commissioner
Brian Williams, Vice Mayor

Staff Present:

Mark Barnebey, City Attorney
James R. Freeman, City Clerk
Chief Garry Lowe
Allen Tusing, Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 4:36 pm. A Moment of Silence was observed, followed by the Pledge of Allegiance.

1. REVIEW: 2010 CAPITAL IMPROVEMENT PLAN

Mr. Tusing presented an initial review of the proposed 2010 CIP, stating the projects will change over the five-year period. Funding sources will have to be located, as currently the Plan is over budget.

Discussion ensued on the following proposed projects:

10th St. Resurfacing is funded through stimulus funds. Bids will be opened December 2, 2009.

23rd Street project includes \$104,000 for engineering in the RFP; it is anticipated construction amounts to \$1.5 million. \$1 million is available for the road; ball fields will be funded separately. Manatee County has committed to the project. The School Board has indicated that they will fund through intangible items; the cost of the soil being used in the construction of the school will contribute to the project. Funding will be available before construction of the ball fields begin. RFP will go out within the next week, with response due in 21 days but, that does not commit the City to construct the project at this time.

10th & 14th Ave. is funded through MPO. Three legs of the project will be done by the City; the School Board is responsible for one piece of the project.

10th Ave. & 10th St. is funded through MPO.

Mayor Bryant referred to the status report on the current projects distributed to Commission. The 8th & 9th Street projects will be better described to properly identify the CRA project. Staff was requested to add estimated total costs and YTD cost columns to the report.

ADA Compliance is an on-going annual project.

Little League complex broken into two years for funding purposes.

City Building Upgrades is a new line item; \$50,000 is generator for City Hall to accommodate the City's servers housed in the building. An automatic transfer switch will be included in the new generator to keep the City running during any power outage. Staff was requested to also look at running the new generator by diesel vs. propane and the supply of power. Mr. Freeman

discussed the City's efforts to relocate the Police dispatch IT server back to the Police Department but, opined there is a need to establish redundancy for IT services at City Hall and the Police Department.

Public Works upgrade of \$132,000 include stormwater retention and on-site treatment, lighting on the front of the building; and security.

13th St. Drainage is an area experiencing flooding. There is a possibility one-half of the project can be funded by a SWFWMD grant. The item is contained in the CIP at 100% funding by the City, as grant funds are paid at the conclusion of the project or in October 2010.

Dredging has been left in the CIP even though none was performed last year. If the 13th St project is done, dredging will be necessary in that area.

TMDL Project is a necessary project. Manatee County will be attending a City Commission meeting for the purpose of presenting information on nitrogen leveraging program.

WWTP reduced to \$195,000, and will be split between upgrades and repair & rehabilitation.

Lift station upgrades reduced to \$60,000.

I&I remains the same.

17th St. Utility Relocation: \$540,000 is the engineer estimate. The funds will not be spent in 2010, but will hold the funds until payable. Bids have come in less than the estimates by \$110,000. Manatee County will fund and the City will pay its share at the conclusion of the project.

8th & 9th St Upgrades; \$500,000 only an estimate at this time.

Telemetry Meter Improvements: Have met with the current vendor, SunState, and requested information to implement the project city-wide. Two routes are currently radio read; remaining accounts City wide proposed at \$1.1 million. Budget contains \$44,000 for the purchase of telemetry meters for new installation or replacements.

Mr. Freeman stated the CIP is proposed at \$6.6 million for 2010. \$2.459 million is unfunded, of which \$1.375 million is school and/or road. If the school and/or road projects are removed, the City is at a \$1 million delta. Mr. Tusing acknowledged this is an initial discussion to obtain opinions from Commission regarding what projects should be completed with available funding.

Commissioner Varnadore requested that staff prioritize the projects. Commission Cornwell opined all the projects are important, but creative funding and grants must be identified. Commissioner Williams opined efforts should be spent on locating funding for the \$1 million delta rather than deleting projects from the CIP.

Attorney Barnebey inquired if any projects are capacity related that will impact concurrency. If there is an impact on capacity, developers will have the ability to utilize the projects in concurrency analysis. If there is concurrence, the City would be able to use impact fees for a funding source.

2. ADJOURNMENT

Meeting adjourned at 6:00 pm.

Minutes approved:

James R. Freeman, City Clerk

DRAFT
PALMETTO CITY COMMISSION
NOVEMBER 16, 2009 - 7:00 PM


Elected Officials Present:


Shirley Groover-Bryant, Mayor
Brian Williams, Vice Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Alan Zirkelbach, Commissioner

Staff and Others Present:

Mark Barnebey, City Attorney
Jeff Burton, Interim CRA Administrator
James Freeman, City Clerk
Garry Lowe, Chief of Police
Allen Tusing, Public Works Director
Diane Ponder, Deputy Clerk-Administrator

Mayor Bryant called the meeting to order at 7:00 pm. A moment of silence was observed, followed by the Pledge of Allegiance.

 Open letter to the residents and businesses of Palmetto regarding the purchase of the CBI property was read into the record by Mayor Bryant.

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

Public Comment (non-agenda items): None

 1. CITY COMMISSION AGENDA APPROVAL

MOTION: Commissioner Cornwell moved and Commissioner Lancaster seconded to approve the November 16, 2009 7:00 PM Agenda.

 **Vote: Motion carried by unanimous vote (summary: Yes = 5).**


Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tambra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.


 2. CITY COMMISSION CONSENT AGENDA

- A) Minutes: November 5, 2009
- B) October Check Register
- C) 2010 Holiday Schedule (correct scrivener's error)
- D) Letter opposing offshore oil and gas drilling
- E) Special Function Permit: MLK Parade
- F) Special Litigation: Greene, Hamrick, Perry, Quinlan & Schermer, PA


Items D and F were removed for consideration.

MOTION: Commissioner Cornwell moved and Commissioner Lancaster seconded to approve the November 16, 2009 Consent Agenda.

 **Vote: Motion made by Commissioner Cornwell and seconded by Commissioner Lancaster. Carried by unanimous vote (summary: Yes = 5).
Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tambra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.**


 **Item D:** County Commissioner Carol Whitmore stated Manatee County Board of County Commissioners and all four Island communities have signed the letter of opposition to offshore drilling. Manatee County is following Sarasota County's lead to send the letter to the legislation. Discussion ensued on information provided by Dr. Fishkind, hired by the lobbyist supporting the drilling. Manatee County and Sarasota can only stipulate no drilling in State waters (8 miles offshore).


MOTION: Commissioner Cornwell moved and Commissioner Lancaster seconded to approve Item D of the November 16, 2009 Consent Agenda.

 **Vote: Motion carried by unanimous vote (summary: Yes = 5).
Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tambra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.**

Item F: Commissioner Lancaster questioned the billing date. Attorney Barnebey confirmed the invoice was held until he was certain there were no conflicts with the billing.

MOTION: Commissioner Zirkelbach moved and Commissioner Cornwell seconded to approve Item F of the November 16, 2009 Consent Agenda.


 **Vote: Motion carried by unanimous vote (summary: Yes = 5).
Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tambra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.**


 **3. PUBLIC HEARING: ORDINANCE NO. 09-1001**
AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 29, ARTICLE VII, SECTION 29-207 OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE CITY STORMWATER MANAGEMENT SYSTEM; PROVIDING CLARIFICATION OF FEE AND RESPONSIBILITY FOR STORMWATER MANAGEMENT SERVICE AND RELATED CHANGES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Open public hearing. No public comment.

Attorney Barnebey informed Commission there are other areas that will need further clarification. He opined the areas can be incorporated into this draft rather than bringing forward a new ordinance. A continuation to 12/7 was requested.

MOTION: Commissioner Cornwell moved and Commissioner Zirkelbach seconded to continue the public hearing for Ordinance No. 09-1001 to 7:00 on December 7, 2009, or as soon thereafter as the topic may be heard.

 **Vote: Motion carried by unanimous vote (summary: Yes = 5).
Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tambra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.**

 **4. IT CONTRACT SERVICES APPROVAL**

In accordance with the purchasing policy, staff is seeking approval to continue IT services with the current vendor, BI/IT Consulting. The firm has passed all the background checks and is in the

process of becoming FDLE certified for Police Department services. The City began outsourcing the IT services in 2009; the proposed contract is for FY 2010 and is contained in the budget.


MOTION: Commissioner Williams moved and Commissioner Zirkelbach seconded to approve and authorize the Mayor to execute the BI/IT Consulting IT Services contract for FY 2010, in an amount not to exceed \$40,000.

Discussion: \$40,000 contained in the budget. Contract based on 400 hours; if necessary any additional funds will be brought to Commission for approval. Mr. Freeman confirmed there will not be a dedicated IT specialist to the Police Department if the contract, as presented, is approved.

Todd Williams, BI/IT, confirmed travel time is not billable, nor have meetings held with staff in the past been billed.

Chief Lowe stated he does not oppose the proposal, but would like a dedicated IT specialist for his department. He did acknowledge his satisfaction with the job performed by the consultant.

Mr. Freeman stated the contract and the following Managed Care contract is still a savings over what the City has experienced in the past. He discussed the IT specialists that had been on City payroll, which amounted to approximately \$145,000.

 **Vote: Motion carried by unanimous vote (summary: Yes = 5).**
Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tandra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.

5. IT MANAGED SERVICES APPROVAL

In accordance with the purchasing policy, staff is seeking approval to expand the IT managed care services to include as many PCs as possible within budget constraints with the current vendor, BI/IT Consulting.


Managed Care has been running on the City servers to proactively manage the City computers off-site. An agent resides on PC's that manages activities of the computer. This contract will put the managed care on a PC level.

Todd Williams confirmed full image backup of all servers is included in the contract. Systems will be maintained under the contract. Data on the workstations is being backed-up.

An inventory count of PC's has been completed; 60 in PD including the Coban hard-mounted vehicle computers; 24 units in City Hall; Public Works inventory is not completed. It is estimated 100 PC's will be covered under the contract.

Attorney Barnebey stated the IT contracts are separate items and could be given to two different companies.

MOTION: Commissioner Williams moved and Commissioner Lancaster seconded to approve and authorize the Mayor to execute the BI/IT Consulting Managed Care contract for FY 2010, in an amount not to exceed \$24,000.

 **Vote: Motion carried by unanimous vote (summary: Yes = 5).**
Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tandra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.

 **6. 1st READ & ADVERTISING APPROVAL: ORDINANCE 09-1002**

AN ORDINANCE 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 22-82, MEMBERSHIP; AMENDING SECTION 22-84, FINANCES AND FUND MANAGEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Ordinance amends Pension Plan to allow the investment manager to seek alternative investments up to a maximum 10% of total funds in the portfolio.

The ordinance also contains language to allow a one-time opportunity to individuals who have opted out of the pension plan to opt back into the pension, provided the transaction remains financially neutral to the Plan.

Attorney Barnebey suggested a change to the ordinance drafted by the pension attorney, to limit investments subject to Florida Statutes Sec. 215.47. He stated the proposed amendment is sufficient to address Commission's fiduciary responsibility.

Commissioner Cornwell requested that staff confirm why the School Board has limited the buy in term. Mr. Tusing confirmed the City's plan limits what prior service can be purchased by an employee.

MOTION: Commissioner Lancaster moved and Commissioner Zirkelbach seconded to approve Ordinance No. 09-1002 for advertising and schedule a public hearing December 7, 2009.

 **Vote: Motion carried by unanimous vote (summary: Yes = 5).**

Yes: Tamara Cornwell, Commissioner, Mary Lancaster, Commissioner, Brian Williams, Commissioner, Tandra Varnadore, Commissioner, Alan Zirkelbach, Commissioner.

 **7. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)**

Preparing bid documents for the project. 30-60% drawings for ball fields will be received this week.

 **8. DEPARTMENT HEADS' COMMENTS**

Attorney Barnebey

Working on items for the December 7, 2009 workshop agenda.

Mr. Tusing

10th Street bids expected December 2, 2009. Have coordinated with the school's contractor so that the City and school improvements will coincide on 10th Street.

Mr. Freeman

None

Chief Lowe

None

 **9. MAYOR'S REPORT**

Attended Habitat for Humanity event Saturday.

Attended Veteran's Day ceremony and visited VFW & American Legion.

Have discussed the get together for City employees and volunteer board members with the department heads, and is proposing the Woman's Club of Palmetto as the location. Commission concurred that she should proceed with planning the event.



10. COMMISSIONERS' COMMENTS

Commissioner Lancaster

Referred to demolition projects. Attorney Barnebey stated title work has been received and that projects will be re-noticed to comply with Statutes.



Commissioner Cornwell

Attended the Fair Board meeting; the new building will be erected in time for the fair. The City was praised for cooperation in the construction process.

Reviewed the dates of the December Commission meetings.

Thanked Chief Lowe for the showing of police vehicles in communities.



Commissioner Zirkelbach

Glad to see improvements at the fair; disappointed the project didn't involve local contractors.

Inquired why the CBI issue didn't include the same stipulations as the storefront grant. Mayor Bryant stated the same stipulations are included; they just weren't included in her letter. Referring to comments regarding the amount paid, there is more to the story of what was paid for the property than what was printed.

Ron Witt stated the charter review is almost completed.

Heard from the landlord from one of the stores in town who suggested that a compromise on alcohol sales modeled like Sarasota could be considered, and asked if the item could be placed on a workshop. Ms. Varnadore stated she is not interested in discussing the ordinance again. Mr. Williams stated he is not opposed to reviewing the ordinance, based on comments from the businesses regarding the state of the economy. Mrs. Lancaster stated the City is losing the revenue; alcohol is being used on Sunday but being purchased in the county. Commissioner Cornwell suggested a survey could be done during the fair to garner public comments regarding the topic. The item will be placed on a workshop agenda for discussion on how to proceed.



Commissioner Williams

Attended the Veteran's Day celebrations and VFW.

1700 4th Street has problems; utilities are not in renter's name.

In the 2000 block of 4th Street, mangroves have been removed and the area has been filled with rickrack. Mr. Tusing and Mr. Freeman were directed to look into the situation.

Mr. Tusing will get information on the new house being constructed.

Commented on 56 tickets issues during law enforcement sting event.

Discussed the contractor for the fair; thought trying to keep local.



Commissioner Varnadore
None

11. PUBLIC COMMENTS FOR CITY COMMISSION
None

12. ADJOURNMENT

Meeting adjourned at 8:27 pm.

Minutes approved:

James R. Freeman
City Clerk