

**TAB 1**

**DRAFT  
CITY COMMISSION WORKSHOP MEETING  
AUGUST 8, 2011  
5:30 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2 (entered at 5:35 p.m.)  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2

Elected Officials Absent:

Brian Williams, Commissioner, Ward 3

Staff Present:

Jim Freeman, City Clerk  
Karen Simpson, Deputy Clerk-Finance  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 5:30 p.m.

1. FY 2011-2012 BUDGET

Jim Freeman introduced Steve Hall, a representative of the City's new insurance agent, AllTrust Advantage. Mr. Hall discussed the medical insurance renewal process, which resulted in the City renewing coverage with BlueCross BlueShield. The renewal rate is 12% under the current premium, amounting to a final savings of \$94,209. The employees will see a 44% reduction in the voluntary dental coverage. Mr. Freeman stated he is very pleased with results negotiated by AllTrust Advantage.

Mayor Bryant informed Commission that since the last meeting the budget deficit of \$151,749 was reduced to a new deficit balance of \$43,961. She stated there is no capital improvement projects included in the budget. She stated that she and the department heads will continue to find reductions to balance the budget if Commission concurs with using the proposed rollback rate. Following a general discussion, Commission concurred with the millage rate being set at the rollback rate. Mayor Bryant assured Commission that staff will continue throughout the next fiscal year to identify all possible budget reductions.

A brief discussion was occurred on the need for utility rate studies, which will provide the City with the information to consider capital projects that may be necessary to maintain infrastructure.

Commission will be provided an update version of the budget before the next meeting scheduled for Monday. A decision will be made at that meeting as to whether or not future budget workshops will be necessary.

Meeting adjourned at 5:53 p.m.

Minutes approved:

James R. Freeman, City Clerk

**DRAFT  
CITY COMMISSION WORKSHOP MEETING  
AUGUST 15, 2011  
4:30 PM**

Commission Members

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2 (entered 5:10 p.m.)  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3

Staff Members Present:

Mark Barnebey, City Attorney  
Jeff Burton, CRA Executive Director  
James R. Freeman, City Clerk  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 4:30 p.m.

1. COMMUNITY REDEVELOPMENT AGENCY 2011-2015 PLAN

Mr. Burton referred to the latest version of the CRA budget. He stated the CRA Advisory Board will hold a special meeting August 25, 2011 to finalize the budget, which will then be distributed to Commission before the required deadline of September 1, 2011.

Before beginning his review of the CRA Plan, Mr. Burton informed the Commission that the City Attorney and City Planner have reviewed and approved the CRA 2011-2015 Plan. The CRA Advisory Board has also reviewed and recommended its approval. He stated that he and the attorney will meet to complete a few outstanding items on the Plan. The City Commission must approve the CRA Map before the budget can be approved and before the CRA Plan can be approved.

Mr. Burton narrated a summary presentation of the CRA Plan, which is attached hereto and made a part of these minutes. Mr. Burton concentrated the discussion on the analysis portion of the Plan.

Mr. Burton discussed the image subplan, which will disseminate information promoting programs of the CRA. He referred to the budget items that are image specific items. He spoke of surveys that will be performed to gather data to assist in building the image and possible programs/projects of the CRA.

The CRA projects for the next five years were discussed. Mr. Burton updated Commission on projects underway and suggested possible projects like constructing a model building located on 5<sup>th</sup> Street after the streetscape project is completed. He suggested the CRA could occupy the building after the current CRA lease has expired. He also discussed possible grant funds that may be available to assist in the relocation of the Police Department; an 8<sup>th</sup> Avenue Streetscape vs. repaving; the completion of park expansions underway, as well as new planned parks.

Discussion ensued on the proposed reduction in storefront grants to \$50,000 in the next fiscal year.

Mr. Burton discussed CRA budgeted funds pertaining to projects and plans contained in the CRA Plan.

Discussion ensued on reducing the storefront grant funds. Mr. Burton discussed plans to utilize the funds more in redevelopment of existing buildings vs. façade improvements. Also, the reduction of the storefront grant funds vs. the economic impact of spending funds on additional parks was discussed;

creation of gateways, parks, and the dissemination of an image of what Palmetto offers will increase the positive economic impact for the City.

Mr. Burton informed the Commission that he has met with county representatives regarding additional parking at the boat ramp. He suggested that rather than using WCIND grant funds to purchase the vacant property across from the ramp for parking as proposed by the county personnel, it would be more economically positive to use that vacant property and the vacant Shell station property, and place a mixed-use building on the front of the property, with parking behind the building. He stated that in order to consider that type of project, the Commission would have to add the property to the CRA Plan as a possible project. Commission concurred with Mr. Burton's suggestion, and the Plan will be amended.

Commissioner Zirkelbach discussed two books authored by Dr. Richard Florida, whom he spoke with at the Florida League of Cities conference. Discussion ensued on removing incentives and spending the funds on creating a City that draws people, and spending the funds on city-owned assets, i.e. parks, infrastructure and technology that will draw people to the downtown. Commissioner Zirkelbach alluded to the fact that Dr. Florida may be willing to attend a meeting to discuss the data he has collected over a long span of time. Mr. Burton was asked to contact Dr. Florida about the possibility of meeting with Commission. If the meeting or teleconference can be arranged with Dr. Florida, it was suggested that an invitation to attend the meeting should be extended to surrounding municipalities.

Mr. Burton stated it would be helpful for Commission to approve the tentative CRA Map, which can continue to be finalized during the process leading up to the adoption of the CRA Plan.

## 2. COMMUNITY REDEVELOPMENT AGENCY MAP

Mr. Burton reviewed the tentative CRA Map. He discussed the additions that have occurred over the course of the map's development. Discussion ensued on various pieces of property that were added, amended, removed or not included. Mr. Burton was asked to verify the annexation of the property north of the RaceTrack, and to provide information when Riviera Dunes may be removed from the Map. The item will be moved forward to the 7:00 agenda for Commission action.

Meeting adjourned at 6:55 p.m.

Minutes approved:

James R. Freeman  
City Clerk

**DRAFT  
CITY OF PALMETTO  
CITY COMMISSION MEETING  
AUGUST 15, 2011  
7:00 PM**

Commission Members

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3

Staff Present:

Mark Barnebey, City Attorney  
Jeff Burton, CRA Executive Director  
James R. Freeman, City Clerk  
Lorraine Lyn, City Planner  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 7:00 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

Mayor Bryant recognized City Attorney Mark Barnebey as the recipient of the Manatee County Bar Community Service Leader Award.

PROCLAMATION: Children's Summit Day – August 27, 2011  
Accepting: Lynn Anderson, Human Services Analyst & Summit Committee Chair

Women's Equity Day – August 26, 2011  
Accepting: Dorothy Middleton, Dr. Mona Jain and  
Bradenton Council Woman Marianne Barnebey  
Manatee and Sarasota Commissions on the Status of Women

Swearing-in of all persons intending to address City Commission.

Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

**MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the August 15, 2011 7:00 PM Agenda, with removal of item #7.**

2. CONSENT AGENDA APPROVAL

**A) CITY CLERK'S OFFICE**

1. Minutes: August 1, 2011
2. Special Litigation Billing: Kirk Pinkerton  
Persson & Cohen
3. Manatee River Fair Association License Agreement for Exhibitors
4. Budget Resolution 2011-23: Police Department budget amendment to transfer

funds from Reserves for Law Enforcement for special investigation for final DNA testing expenses.

5. FY2011 Audit Engagement Letter with Mauldin & Jenkins (fka CPA Associates)
6. School Board of Manatee County Agreement to extend the initial agreement allowing the City's continued storage of personal equipment in a building the School Board purchased from the CRA.

**B) POLICE DEPARTMENT**

1. Contract Renewal: Lex's Automotive and 4-Wheel Drive Repair, Inc.
2. Declaration of PD vehicles #623, 627 and 638 as surplus property and authorize consignment to Tampa Machinery Auction for auction.

**C) PUBLIC WORKS**

1. Engineering Continuing Contract extensions for one year for:
  - a. Lombardo, Foley & Kolarik, Inc. (City Engineer) to expire August 18, 2012
  - b. Wade Trim, Inc. to expire August 16, 2012
2. Award of Bid: Wastewater Treatment Plant Energy Improvements to Veolia Water in an amount not to exceed \$167,315.

Commissioner Varnadore removed item A6 for discussion.

**MOTION: Commissioner Varnadore moved, Commissioner Williams seconded and motion carried 5-0 to approve the August 15, 2011 Consent Agenda, with the removal of item A6.**

Item A6

Commissioner Varnadore questioned the insurance coverage that will be necessary according to the Agreement. Staff will confirm if the Agreement will serve as a lease, which will mean no additional coverage other than the City's policy. If it will not serve as a lease, staff will obtain the cost of a separate policy to insure the building. It was consensus of the Commission to remove the item from the Consent Agenda and bring it back to the next meeting.

3. PUBLIC HEARING: ORDINANCE NO. 2011-15

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO REVISE THE NOTICE REQUIREMENTS FOR CITY COMMISSION AND PLANNING AND ZONING BOARD; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR REAFFIRMATION AND RATIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing. Mayor Bryant closed the public hearing after no public comment.

**MOTION: Commissioner Lancaster moved and Commissioner Zirkelbach seconded to adopt Ordinance No. 2011-15.**

Discussion: Attorney Barnebey confirmed the only amendment to the ordinance is the change in the noticing requirement from 15 to 10 days, for consistency with statutory requirements. Sundays and holidays are not excluded for noticing purposes.

**Motion on the floor carried 5-0.**

4. PUBLIC HEARING: ORDINANCE NO. 2011-16

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 22-83, BOARD OF TRUSTEES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing. Mayor Bryant closed the public hearing after no public comment.

**MOTION: Commissioner Lancaster moved and Commissioner Cornwell seconded to adopt Ordinance No. 2011-16.**

Discussion: Attorney Barnebey confirmed that appointments to advisory and other boards can go up to two years and can go beyond a sitting Mayor's term. The ordinance is being amended to make it consistent with the Charter.

**Motion on the floor carried 5-0.**

5. PUBLIC HEARING: ORDINANCE NO. 2011-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 2011-09 TO APPROVE AN AMENDED GENERAL DEVELOPMENT PLAN FOR TEN SINGLE-FAMILY DETACHED DWELLING UNITS GENERALLY LOCATED AT 4009 11<sup>TH</sup> STREET COURT WEST, PALMETTO, AND LOCATED IN THE PD-H (PLANNED DEVELOPMENT-HOUSING) ZONING DISTRICT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Applicant: BMR Funding LLC, approximately 1.66 acres).

Mayor Bryant opened the public hearing.

City Planner Lorraine Lyn reviewed the history of the project, which was approved on April 18, 2011 for 12 single-family detached units on the site, with no access off 11<sup>th</sup> St. Ct. W. Since then, the applicant revised the site plan to reduce the single-family detached units from 12 to 10, thereby reducing the density from 7.2 to 6.0. Other changes to the site plan include phasing notes and the inclusion of a 4' fence around pool.

Ms. Lynn referred to Commission comments made regarding the RES-4 zoning district, the zoning to which the property could convert. She stated that only one unit could be built and still allow the single-family detached units at RES-4. The applicant is proposing a 5' separation between the units, whereas the RES-4 zoning district requires a 5' side setback. Another comment regarded when the amenities would be provided, to which the applicant has agreed to provide them during the first phase of the project

Since the last approval, the City has confirmed that 11<sup>th</sup> St. Ct. W. is a county road and it must be improved to county standards rather than city standards.

Matt Morris, project engineer, stated he and the applicant are available to answer questions.

Ms. Lyn confirmed the project was approved by the P&Z Board, concurring with staff recommendations and City Commission stipulations. She confirmed that the ordinance has been amended to reflect that 11<sup>th</sup> St. Ct. W. is a county road.

Attorney Barnebey informed Commission that the construction of improvements has not been addressed in the stipulations. Mr. Morris stated his client would like to have one model unit built, move into the next units and construct the amenities prior to the completion of the first phase. Attorney Barnebey stated Commission can include a stipulation regarding the construction of the amenities.

Mayor Bryant closed the public hearing.

Attorney Barnebey read stipulation #7 to Ordinance No. 2011-17 as follows:

Prior to the second certificate of occupancy, all infrastructure and private recreational improvements shall be completed or a performance security shall be provided for the benefit of the City, with an improvement agreement, approved by the City Attorney, for completion of such improvements within one year.

**MOTION: Commissioner Williams moved and Commissioner Zirkelbach seconded to approve Ordinance No. 2011-17 with stipulation #7.**

Discussion: Attorney Barnebey confirmed that construction of the amenities must be completed within one year, irrespective of any unit sales, based on Commission concerns that they must be in place beyond construction of the first unit. The one year time limit would run from 12 months of the posting of the security and agreement, at the time of the second certificate of occupancy.

Mr. Morris agreed to the new stipulation.

**Motion on the floor carried 5-0.**

6. PUBLIC HEARING: ORDINANCE NO. 2011-18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO REMOVE THE SPECIAL PERMIT EXCEPTION TO THE CITY'S NOISE RESTRICTIONS; ADDING EXCEPTIONS TO THE NOISE LIMITATIONS FOR NOISE GENERATED AT THE MANATEE COUNTY FAIR AND GOVERNMENTALLY HELD EVENTS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff corrected the title of the ordinance, as was advertised, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO REMOVE THE SPECIAL PERMIT EXCEPTION TO THE CITY'S NOISE RESTRICTIONS; ADDING EXCEPTIONS TO THE NOISE LIMITATIONS FOR SPECIFIC EVENTS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Staff read into the record a letter from Jane Hunter opposing the removal of the noise exception permit.

Chris Humphrey inquired if it is legal to exempt government events from the noise ordinance. Attorney Barnebey opined that the ordinance is legal as drafted but, Commission has the option to also make additional exceptions.

Attorney Barnebey confirmed that carnivals, fairs and governmental events are exempted. If Commission wishes to consider other exemptions, they can do so during this hearing. He further confirmed that all other events will have to comply with the noise ordinance.

Mayor Bryant closed the public hearing.

Discussion ensued on the adoption of the ordinance allowing law enforcement to uphold the law for events being held throughout the City. Parades would have to comply with the ordinance as written.



**MOTION: Commissioner Williams moved and Commissioner Zirkelbach seconded to adopt Ordinance No. 2011-18.**

Discussion: Attorney Barnebey referred to the 11 criteria in the ordinance that would be used if complaints are received. He also discussed how "reasonableness" would be applied to determine a violation.

**Motion on the floor carried 5-0.**

7. COMMUNITY REDEVELOPMENT AGENCY 2011-2015 PLAN

Item carried forward from the workshop meeting was removed from the agenda.

8. COMMUNITY REDEVELOPMENT AGENCY MAP

Commissioner Varnadore departed the meeting.

Mr. Burton reviewed the map that was discussed at the workshop, which is attached hereto and made a part of these minutes. The red and purple areas contained in the map will be incorporated into the CRA District. Attorney Barnebey reminded Commission that they are approving only a tentative map. Mr. Burton stated the Map must be approved before completing the CRA Plan.

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 4-0 to approve the tentative Community Redevelopment Agency Map.**

Commission concurred with Mayor Bryant's request to hear item #11 before the CRA meeting.

Commissioner Varnadore returned to the meeting.

11. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE

North American Little League Vice President Derek Goforth informed Commission he had met with County Commissioner Bustle and other people involved with the county commission regarding the ball field status. Mr. Goforth inquired about the possibility of renovating Blackstone Park by downsizing two adult fields to little league status, which would then allow for construction of two additional little league fields. He stated Cindy Turner, Manatee County Parks & Recreation, estimated it would cost \$700,000 to build the two fields. He felt this could be a solution in the near term, stating that if the issue remains unresolved much longer there will be no North American Little League. He stated other leagues are unwilling to play them because of the lack of regulation fields, which creates safety issues. Mr. Goforth requested that the City Commission contact the county personnel to support the renovation and also assist with the City's available funding. He stated the little league is willing to accept this option because the "perfect option" is too far away and it may be too late.

Mayor Bryant stated that if City Commission is in agreement, she will ask the county commission to bring this topic forward as a discussion point with Parks & Recreation. She further stated the City has the funding that can be dedicated to the project. After a general discussion regarding the county's responsibility in providing the fields to the level of all other fields in the county, Commission concurred with Mayor Bryant's request to contact the county commission regarding the topic.

Mayor Bryant recessed the City Commission at 8:10 p.m.

Mayor Bryant reconvened the City Commission meeting at 8:55 p.m.

10. JULY CHECK REGISTER (Informational purposes only)

#### 11. SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT GRANT APPROVAL

**MOTION:** Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve and allow the Mayor to execute the Southwest Florida Water Management District Grant Agreement relating to the 5<sup>th</sup> Street Streetscape project that was received, considered and discussed during the CRA Board meeting, subject to the Mayor and City Attorney approval.

#### 12. ASR WELL UPDATE

The permit application has been signed and the package will be reviewed one more time before submission to DEP.

#### 13. DEPARTMENT HEADS' COMMENTS

##### Mr. Freeman

A change summary of the budget has been provided in version three of the budget. He reviewed the changes staff has been made, reporting the General Fund and all Enterprise Funds are in a balanced position, based on the assumptions currently in place. He suggested cancelling the August 16, 22 and 23, 2011 meeting dates to allow the CRA Advisory Board to have its final review of the CRA budget, after which a final version of the FY2012 budget will be reviewed at the August 29, 2011 budget workshop. Commission concurred.

Discussion ensued on the solar panels Mr. Freeman discussed at the last meeting. The installation company is offering a zero lease, and after five years, the panels will be donated to the City. Mr. Freeman reported he was unable to locate any cities that have installed the panels on building rooftops. He explained the City must respond within the next 15 days if we are interested in the program and are willing to incur the expense associated with receiving certification from a structural engineer that the roofs of City buildings can withstand the weight of the panels. Discussion ensued on ground-mounted panels, the age of the roofs and what possible energy savings the City would realize. Commission committed to a physical site inspection only.

Mayor Bryant commented on the new City Hall lighting, stating it was installed by the safety grant not the energy efficiency grant.

##### Chief Wells

Reported crime stats are down 28% for the first half of the year, after being up the first half of last year. A press release will be issued when the final report is received.

##### Attorney Barnebey

Referring to the Jackson Park condemnation where the City acquired five parcels, the final settlement proposal has been received and his office is evaluating the offer. The outstanding tax deeds on the Rutledge were purchase and foreclosure on the outstanding liens will begin. His office is working on a number of contracts and ordinances.

#### 14. MAYOR'S REPORT

Reported Commission Varnadore has agreed to be a team leader for the September 24, 2011 Manatee Glens Walk for Life.

She asked that if possible, Commissioners post flyers for the Children's Summit on August 27, 2011.

15. COMMISSIONERS' COMMENTS

Ms. Cornwell

Discussed the cities recognized at the Florida League of Cities conference for stewardship, opining that she hopes the City will apply next year because the City's projects would have won the recognition this year.

First day of school is August 22, 2011 – the Police Department is ready.

Mr. Tusing stated he had replied to the questions from the Historic Commission.

Mr. Williams

Mayor Bryant will issue a reminder to Mr. Pendley regarding the report he was going to furnish on the traffic issues Palmetto Elementary experienced at the end of last year.

Ms. Varnadore

She attended the last meeting of the year for the Finance & Taxation Committee at the conference. She stated it is her understanding that the cap limiting millage rate increases was not passed; it can be taken up by committee again next year. She reported she focused her time on pension issues. She will provide a copy of the materials she gathered so they can be distributed to everyone.

She commented on the little league issue, stating she hopes the City of Palmetto residents don't have to suffer. Mayor Bryant stated she will continue with the meetings; all entities involved are in attendance and are aware of the situation.

Meeting adjourned at 9:25 p.m.

Minutes approved:

James R. Freeman  
City Clerk

**DRAFT  
CITY COMMISSION MEETING  
AUGUST 29, 2011  
5:30 PM**

Commission Members Present:

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Karen Simpson, Deputy Clerk-Finance  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 5:30 p.m., followed by a Moment of Silence, followed by the Pledge of Allegiance.

1. INSTALLATION OF PHOTOVOLTAIC (PV) PANELS (J. Freeman)

Mr. Freeman discussed the proposed zero cost 5-year lease between DCS Energy and the City for the solar panels that will be installed on City building roofs. At the end of the lease the equipment will be donated to the City. The estimated costs to the City per installation site would be structural engineering at \$3,000 - \$4,000 and \$400 for an FPL meter. After a site inspection by DCS, only City Hall and the Police Department qualified for a roof top mount; Mr. Tusing elected not to participate at the Public Works yard for a ground mount system because of the lack of space. The potential energy savings for the City would be \$3,000 to \$4,000 per year.

Attorney Barnebey confirmed he had reviewed the contract and had concerns regarding any potential litigation having to be filed in Connecticut and the City being responsible for any damages to the building's roofs. Mr. Freeman explained that because the contract has been approved by the Department of Treasury (the grant funding agency), any amendments could not be made by the September 1, 2011 deadline for the grant application.

Mr. Freeman stated he has spoken with Manatee County Facilities Manager Darrell Blair, who performed due diligence on the proposed project before Manatee County approved the installation of the panels on 26 of its buildings. Mr. Freeman read an excerpt from a letter from a church in Connecticut regarding its participation in the program, using the same vendor.

Discussion ensued on the particulars of the contract, with Commissioners voicing their individual reasons to support the project or their concerns regarding the project.

**MOTION: Commissioner Cornwell moved and Commissioner Zirkelbach seconded to approve and authorize the Mayor to execute two contracts with DataComm Services, LLC dba DCS Energy for the installation of photovoltaic panels at City Hall and the Police Department. The vote on the motion failed 3-2, with Commissioners Lancaster, Varnadore and Williams voting no.**

It was consensus of Commission for staff to continue to pursue the concept by looking at different programs and grants that might be available.

Mayor Bryant informed Commission that she and Mrs. Ponder were approached about the possibility of closing 10<sup>th</sup> Ave. W. for the First Friday on 5th event. Because the application timelines have not been met by the additional businesses, she inquired if Commission would allow the department heads to determine if the closure would be permitted. Attorney Barnebey read Section 19-0176 of the Code, which gives guidelines for approving special function permits if the City Commission is not able to vote or meet prior to the event. Commission agreed to allow the department heads to review the application and follow the established guidelines regarding this application. Mrs. Ponder was instructed to contact the applicant to inform her how to proceed with the application. Commission cautioned that if the event were not on-going, they would not be inclined to set a precedent by suspending established application guidelines.

## 2. CITY OF PALMETTO FY 2011-2012 BUDGET

Mr. Freeman briefly reviewed the changes that have been made to the budget since the last meeting. Version 4 of the proposed budget presents a balanced budget for General Fund and the Enterprise Funds, some of which have a small surplus. Mr. Freeman stated staff is prepared to move the proposed budget forward for tentative approval on September 12, 2011 and final approval on September 26, 2011.

The only area of discussion centered on the fairs and festivals line item in the CRA budget. It was suggested that a policy be adopted that if funds are not used in one particular event line item, those funds cannot be automatically transferred to another event. Mr. Freeman explained that a customary mid-year reallocation budget resolution was adopted moving unused funds from one event to the July 4<sup>th</sup> event. He suggested that it may be advantageous to provide Commission with more detailed information during an event's planning stages.

Mr. Freeman confirmed that while the budget contains funds for a water rate study, he has no intentions of pursuing such study without City Commission approval of a contract for that purpose.

Mrs. Simpson informed Commission that one change since Version 4 was prepared has occurred. The vacant dispatcher position has been filled at a step lower than projected in the budget.

Mrs. Simpson confirmed that the salary for the CRA Executive Director was not changed from the previously approved amount. Last year's budget contained approximately eleven months, not a full year.

Meeting adjourned at 6:30 p.m.

Minutes approved:

James R. Freeman  
City Clerk