

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
MAY 7, 2012  
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.*

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516 8<sup>th</sup> 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  
Tamara Cornwell, Commissioner-at-Large 1  
Alan Zirkelbach, Commissioner-at-Large 2  
Charles Smith, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2**

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*Anyone wishing to speak before the City Commission or the CRA Board must complete the Speakers Card prior to the meeting, stating name, address and topic to be addressed. Speakers making public comment will be sworn-in. All comments will be limited to two minutes.*

Call to order, followed by a Moment of Silence and the Pledge of Allegiance.

PROCLAMATION: Letter Carriers Day  
Accepting: Palmetto Postmaster Al Davis  
  
Healthy Teens  
Accepting: Mary Ann Legler, MSN, MA, ARNP, BC  
Chair, Healthy Teens Coalition of Manatee County

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

Non-agenda Item Public Comment: Comments shall be limited to two minutes. Commission does not generally take action on any matter raised during these public comments, but may direct the matter to be placed on the agenda of a future meeting, if appropriate.

**1. CITY COMMISSION AGENDA APPROVAL**

**Action Request: Motion to approve the May 7, 2012 Agenda.**

2. CONSENT AGENDA APPROVAL

**A. CITY CLERK'S OFFICE**

1. Minutes: April 16, 2012 (TAB 1)
2. Legal Fees from Bryant Miller Olive (TAB 2)
3. Kirk Pinkerton March Legal Fees from Kirk Pinkerton (TAB 3)
4. Resolution No. 2012-11 amending the budget to recognize the contribution to UNIDOS and allocate revenue from a Police Department seizure (TAB 4)
5. Resolution No. 2012-12 amending the budget to allocate the Veolia annual maintenance refund to the WWTP Lift Station Upgrade CIP project (TAB 5)
6. Approval of a 36-month Purchase Order with SaraMana Business Products for a new City Hall copier in a total amount of \$9,468 plus maintenance based on usage (TAB 6)
7. Annual renewal of the Physio-Control Technical Service Support Agreement to March 31, 2013, at a cost of \$867.00. The Agreement covers three automatic external defibrillators; one located in each department of the City. (TAB 7)
8. Special Function Permit: First Fridays-ratification of decision to allow closure Of the 900 block of 5<sup>th</sup> Street (TAB 8)

**B. PUBLIC WORKS DEPARTMENT**

1. Award of the July 4<sup>th</sup> fireworks display bid to Bell's Fireworks Display Co. Inc.; approve and authorize the Mayor to execute a contract with Bell's Fireworks Display Co., Inc. in an amount not to exceed \$29,500, with the option to renew for two one-year terms upon approval by City Commission. (TAB 9)
2. Accept and authorize the Mayor to execute the FDOT Highway Lighting Maintenance and Compensation Agreement #AM860 FY2013 renewal in an amount of \$46,262.61 (TAB 10)

**Action Request: Motion to approve the May 7, 2012 Consent Agenda.**

3. PUBLIC HEARING: ORDINANCE NO. 2012-03 (J. Freeman) (TAB 11)  
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 22, PERSONNEL, ARTICLE V, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-171, DEFINITIONS; AMENDING SECTION 22-174, FINANCES AND FUND MANAGEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

**Action Request: Motion to adopt Ordinance No. 2012-03.**

4. APPEAL OF CODE ENFORCEMENT LIEN 505 11<sup>TH</sup> ST. DR. W. (J. Freeman) (TAB 12)  
The purchaser of the outstanding property tax deed for the property subject to the Code Enforcement lien is appealing Commission for a reduction.

**Action Request: Motion to approve an amount to satisfy City liens levied against property identified as 505 11<sup>th</sup> St. Dr. W.**

5. REQUEST FROM PALMETTO ROTARY FOR BEER SALES ON JULY 4<sup>TH</sup> (J. Freeman) (TAB 13)

**Action Request: Motion to approve/deny Palmetto Rotary Club the exclusive right to sell beer and wine during the July 4<sup>th</sup> festival.**

6. CLAIM IN REGARD TO THE BP OIL SPILL (M. Barnebey) (TAB 14)

Engagement and Contingency Fee Agreement to retain "special counsel" to file suit recover damages that may have been sustained in the Deepwater Horizon oil spill incident.

**Action Request:** Authorize the City to file a claim for lost revenues in regard to the BP oil spill and, if appropriate, file suit in regard to the BP oil spill and approve of the City Attorney hiring outside counsel in substantially the terms provided in the Engagement and Contingency Fee Agreement.

7. APPROVAL: US 41 GATEWAY/RIVERSIDE DRIVE/10<sup>TH</sup> AVENUE/17<sup>TH</sup> STREET CORRIDOR CONCEPTUAL PLAN (J. Burton-Carried forward from 4:00 meeting)

**Action Request:** Motion to approve the US 41 Gateway/Riverside Drive/10<sup>th</sup> Avenue/17<sup>th</sup> Street Corridor Conceptual Plan and ratify the application submitted May 4, 2012 to the Metropolitan Planning Organization for a Multimodal Emphasis Corridor 50% matching grant for Phase 1 in an approximate amount of \$1,900,000.

8. FIRST READ: ORDINANCE NO. 2012-07 (L. Lynn - Carried forward from 4:00 meeting)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE STANDARDS FOR FARM WORKER HOUSING AND BOARDING/ROOMING HOUSES AS CONDITIONAL USES IN THE RM-5 AND RM-6 ZONING DISTRICTS; REMOVING BOARDING/ROOMING HOUSES AS A PERMITTED USE IN THE CN AND CG ZONING DISTRICTS; AMENDING GENERAL STANDARDS FOR CONDITIONAL USES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request:** Motion to schedule a public hearing for Ordinance No. 2012-07 for May 21, 2012.

9. FIRST READ: ORDINANCE NO. 2012-04 (M. Barnebey-Carried forward from 4:00 meeting)(TAB 15)

AN ORDINANCE OF THE CITY OF PALMETTO FLORIDA AMENDING THE SIGN CODE, ARTICLE III OF CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO REVISING THE REQUIREMENTS FOR POLITICAL SIGNS; UPDATING REFERENCE TO CITY DEPARTMENTS; PROVIDING FOR UNSAFE SIGN REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request:** Motion to schedule a public hearing for Ordinance No. 2012-04 for May 21, 2012.

10. PUBLIC HEARING FOR ADOPTION OF EMERGENCY ORDINANCE NO. 2012-08 (TAB 16)

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA DECLARING A MORATORIUM AS TO THE FILING AND/OR APPLICATION FOR LICENSES THE ESTABLISHMENT OF BUSINESSES KNOWN AS TEMPORARY OR PORTABLE FOOD VENDORS AS DEFINED HEREIN; PROVIDING SUSPENSION OF ANY SUCH ZONING, PERMITTING AND LICENSING; PROVIDING A TERMINATION DATE FOR THE MORATORIUM; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

**Action Request:** Motion to adopt Ordinance No. 2012-08.

11. APPROVAL: STANDARD FPL EASEMENTS FOR THE SUTTON PARK AND 5<sup>TH</sup> STREET PROJECTS (J. Burton) (TAB 17)

**Action Request:** Motion to approve the granting of the Standard FPL Easements, subject to receiving a legal description that is substantially consistent with the Sutton Park sketch and the 5<sup>th</sup> Street sketch.

Recess the City Commission meeting to open the CRA Board meeting.

Reconvene the City Commission meeting.

12. APRIL CHECK REGISTER (Informational only) (TAB 18)

13. BASEBALL FIELD UPDATE

14. ASR WELL UPDATE

15. 5<sup>TH</sup> STREET STREETScape AND SUTTON PARK PROJECTS UPDATE (TAB 19)

16. DEPARTMENT HEADS' COMMENTS

17. MAYOR'S REPORT

18. COMMISSIONERS' COMMENTS

19. ADJOURNMENT

If any person desires to appeal any decision of the City Commission, CRA Board, 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 (FS §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 forty-eight hours notice (FS §286.26). Anyone requiring reasonable accommodation for this meeting as provided for in the American 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: MAY 3, 2012