

TAB 1

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
APRIL 16, 2012
4:30 PM**

Commission Members Present

Shirley Groover Bryant, Mayor
Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Alan Zirkelbach, Commissioner-at-Large 2 (departed the meeting at 5:30 p.m.)

Staff Present

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Rick Wells, Chief of Police
Allen Tusing, Public Works Director
Deanna Roberts, Administrative Assistant

Mayor Bryant called the April 16, 2012 Workshop meeting to order at 4:32 p.m.

1. REPRESENTATIVE JIM BOYD: LEGISLATIVE UPDATE

Representative Boyd introduced his legislative aide Kathy Gallea telling Commission she has been in the district office for fourteen years and has the knowledge and experience to help the City with any needs.

The two big issues for this legislative session were redistricting and the budget. District 68, which includes Palmetto, will become District 71. In order to meet population requirements, the boundaries were moved south to include the northwestern part of Sarasota County to Ringling Causeway. It will include the Sarasota side of Longboat Key, Bird Key and parts of downtown Sarasota by Selby, as well as a portion of Siesta Key. The addition will comprise 11% of the district. It is still essentially a Manatee County district.

This year, the legislature faced a \$2 billion shortfall, and tough decisions had to be made. The University of South Florida picked up about \$2 million and MTI about \$100,000. Another \$1 billion overall was added to the budget for education. He remarked that this should be a key priority for us as a state.

Rep. Boyd stated he worked on automobile insurance or PIP reform again this year, and this year progress was made. This is a \$1 billion fraud problem in Florida, with Hillsborough County being the hardest hit. This increases automobile insurance rates for constituents. The reform rolled back the mandated coverage for PIP. You can still go to the hospital for true emergency care up to \$10,000, or with smaller injuries, you can go to your own doctor or a chiropractor with a \$2,500 cap. This should cut premiums by 10% this coming year and overall by 25% in 2014 in the PIP area. Insurance companies that do not pass on the savings to the consumer must give a rate justification.

He said that he was pleased the legislature passed the Violent Felons Bill. Violent felons caught with a firearm will receive a 10-year minimum mandatory sentence; no questions asked. This was a collaborative effort with the Attorney General, the Police Chiefs' Association, the Sheriffs' Association and prosecutors.

Mayor Bryant asked if PIP reform will be made tighter. Mr. Boyd commented that special interest groups are opposing reform, but it is good public policy that will save money. The past two years premiums were

up 66%, and if nothing had been done they would have gone up 30% this year. It will take time to see if the reforms truly make a difference. He said there was a strong sentiment for getting rid of PIP altogether, and it remains a possibility if the fraud and cost cannot be solved.

Mayor Bryant asked about internet cafes. He said that will come back to the legislature next year. From a criminal activity aspect, it is a problem for communities.

2. DISTINGUISHED BUDGET PRESENTATION AWARD

Mr. Freeman recognized Finance Director Karen Simpson and her staff for receiving the Distinguished Budget Presentation Award for the third year in a row. She accepted the award on behalf of the entire Finance staff.

Mrs. Simpson informed Commission that she hopes to get the CIP to them by August for approval in September, and she asked them to send their goals and objectives for the 2013 budget to her.

3. DISCUSSION: PROPOSED ORDINANCE FOR PORTABLE, TEMPORARY AND POLITICAL SIGNS (Attorney Barnebey)

This item will be carried forward to the 7:00 p.m. agenda for First Read.

Mr. Barnebey informed Commission that this was a revision to a small part of the sign code addressing portable, temporary and political signs. He had asked Commission at the last workshop to send comments, and he has not received any. It is ready to go to first reading.

A lengthy discussion ensued.

Commissioners expressed concern over the impact the ordinance would have on businesses during these hard economic times.

Mr. Barnebey said there are some signs now in violation of the code, and the City has not been enforcing them.

Commissioner Zirkelbach stated this tries to bring some conformity in the sign code. He encouraged Commission to find common ground so that everyone can buy into it. Commissioner Varnadore said she would like to see a change in the definition of a temporary sign, as the current definition is too broad. She opined that every business in the City would be impacted if this passes as is.

Commissioner Zirkelbach asked to meet with Mr. Barnebey prior to the next workshop to discuss language he has from other municipalities that could be added to the draft. Mayor Bryant said she had no problem with that and would like to sit in on the meeting.

Mr. Barnebey explained that since the signs are temporary they must have time frames. Without them, they become permanent signs.

Following comments from Commissioner Cornwell, Mr. Barnebey said that if there is no objection he will add a provision that allows for temporary commercial signs for sponsors of schools on exterior fencing at the schools.

Commissioner Varnadore said she does not support moving the ordinance forward for advertising. Based on tonight's comments, it could be reworked and Commissioner Zirkelbach may have some helpful language to add.

Mayor Bryant asked Commissioners to let her know what types of signs they find objectionable as they drive through the city. She will meet with Mr. Barnebey and Commissioner Zirkelbach. She would like to take a look at the International Sign Code as well. Commissioner Varnadore asked for a copy.

Mr. Barnebey reported the rest of the sign code has been worked by staff and sent to his office. It will go to the Planning and Zoning Board next for review, but political signs will have to be addressed now. He said this could go to first reading next meeting. He commented that it would not take effect right away. There would be a grace period so that businesses could get prepared for it.

There was consensus not to move it forward to the 7:00 p.m. meeting tonight. It will be brought back at the next meeting.

County Commissioner Whitmore was present at the meeting. Mrs. Varnadore asked if the ball field meeting had been rescheduled.

Mayor Bryant said the meeting has not been rescheduled, but she has had communication with the County and they are waiting on the conceptual plan. Mrs. Varnadore expressed concern that the fields would not be ready for spring baseball next year.

Commissioner Whitmore thanked Commission for the last work session. The question came up at that meeting whether the County had ever taken a formal vote on 7th Street. She found no record, so she made a motion that the County support the extension of 7th and the motion was approved 4-3. So, the County has made a policy statement and the City can move forward.

Meeting adjourned at 6:06 p.m.

Minutes approved:

James R. Freeman, City Clerk

**Draft Minutes
CITY COMMISSION MEETING
AND SPECIAL CRA BOARD MEETING
APRIL 16, 2012
7:00 PM**

Commission Members Present

Shirley Groover Bryant, Mayor
Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Alan Zirkelbach, Commissioner-at-Large 2 (entered the meeting at 8:33 p.m.)

Staff Present

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Rick Wells, Chief of Police
Allen Tusing, Public Works Director
Deanna Roberts, Administrative Assistant

Mayor Bryant called the April 16, 2012 meeting to order at 7:00 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

Eric Gilbert, Chair, Planning and Zoning Board, which also serves at the Tree Board, accepted a National Arbor Day Proclamation. Mr. Gilbert thanked the Commissioners for their support and for making Palmetto a Tree City. He also thanked staff and the Parks Department for all their hard work.

All persons intending to address City Commission were duly sworn.

1. CITY COMMISSION AGENDA APPROVAL

MOTION: Commissioner Varnadore moved, Commissioner Smith seconded, and motion carried unanimously to approve the April 16, 2012 Agenda with the removal of Item 3.

2. CONSENT AGENDA APPROVAL

A. CITY CLERK'S OFFICE

1. Minutes: April 2, 2012
2. Special Function Permit North Manatee Kiwanis 5K Challenge Oct. 6, 2012
3. One-year renewal of professional audit services contract with Mauldin and Jenkins
4. One-year contract Renewal with Management Services, Inc. d/b/a Baycare Behavioral Health for Employee Assistance Program (EAP) services.

B. PUBLIC WORKS DEPARTMENT

1. Approval of FDOT Traffic Signal Maintenance and Compensation Agreement Exhibit A for 2012-2013 funding totaling \$18,546.67

C. POLICE DEPARTMENT

1. Approval of \$2,000 partnership between City of Palmetto Police Department and UNIDOS Future Leaders Academy Program
2. Motion to approve settlement related to vehicle seized by Palmetto Police

MOTION: Commissioner Varnadore moved, Commissioner Williams seconded, and motion carried unanimously to approve the April 16, 2012 Consent Agenda with the removal of items C1 and C2, pulled for discussion as requested by Commissioner Williams.

Mr. Williams asked which line item the funds for C1 and C2 are coming from. Mr. Freeman said the Police Department asked that funds come from a special law enforcement trust fund. Finance Director Karen Simpson explained that this is an equity reserve fund with a balance of \$4,300. Judgments and fines collected of \$4,500 will be added to the \$4,300. The \$2,000 for the Unidos partnership will be included in a budget amendment to come back to Commission.

MOTION: Commissioner Williams moved, Commissioner Smith seconded, and motion carried unanimously to approve Items C1 and C2 on the Consent Agenda.

3. 1st READ: ORDINANCE NO. 2012-04

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE SIGN CODE, ARTICLE III OF CHAPTER III OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO REVISING THE REQUIREMENTS FOR PORTABLE, TEMPORARY AND POLITICAL SIGNS; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 3 was withdrawn from the agenda.

Mayor Bryant recessed the City Commission meeting to open the Special CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:33 p.m.

4. AWARD OF PROPOSAL FOR THE 5th STREET WEST REVITALIZATION

MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded, and motion carried unanimously to award the 5th Street West Revitalization RFP to NDC Construction Company for an amount of \$1,344,494, as approved by the CRA Board this evening, and authorize the Mayor to execute the contract between NDC Construction Company and the City of Palmetto.

MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded, and motion carried unanimously to approve \$90,000 for unforeseen costs associated with the 5th Street West Revitalization RFP to be used if needed, as approved by the CRA Board this evening, and approved in accordance with the contract document between NDC Construction Company and the City of Palmetto.

MOTION: Commissioner Williams moved, Commissioner Zirkelbach seconded, and motion carried unanimously to approve \$73,000 for unforeseen costs associated with the Sutton Park project to be used if needed and approved by the Mayor, and to authorize the Mayor to approve an amendment to the contract with Stellar revising Section 7.1.1.

5. MARCH CHECK REGISTER (Informational only)

6. BASEBALL FIELD UPDATE

Mayor Bryant informed Commission that she has spoken to County Administrator Ed Hunzeker who is gathering more information about the baseball field site and will get back to her.

7. ASR WELL UPDATE

Mr. Tusing advised Commission that there will be a public hearing in Chambers at 11:00 a.m. tomorrow morning with FDEP regarding the ASR permit, and on Thursday at 10:00 a.m. with SWFWMD at their Sarasota office regarding funding. Currently the City of Palmetto is ranked 1A for the project.

8. DEPARTMENT HEADS' COMMENTS

Allen Tusing – He said a comment was made that the contracts used on 5th Street and Sutton Park would become the norm. His office will continue to use itemization bids which Commission and the City Attorney have already approved.

Jim Freeman - Asked to modify the contract with DSM with respect to IT virtualization. The contract called for 50% for equipment and 50% on completion. The contractor has asked to have the remaining 50% paid

in two installments of 25%. This only pertains to the timing of the payments. The budget remains the same.

MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded, and motion carried unanimously to modify the contract with the City of Palmetto and DSM to allow payment of 25% of the contract amount payable now with remaining 25% due at contract completion, with no change to the contract.

Mr. Freeman informed Commission that he has been advertising Diane's position and has received several resumes. He expects to begin interviewing next week and have the position filled by May 1.

Chief Wells - No comments

Mark Barnebey - Reported on the City of Palm Bay case regarding code enforcement liens. It will be awhile before a decision is handed down. If this case goes in favor of the City, it will help our code enforcement; if not, those mortgages recorded before our liens take priority, and we will lose all of those liens.

9. MAYOR'S REPORT

Mayor Bryant reported that she attended a Gulf Coast Latin Chamber of Commerce luncheon at the Palmetto Library. Also, spoke at the Women's Council of Realtors and got positive feedback on things going on in the City. She gave a lot of credit to Commission and staff.

Reminded the Commission of the Ward 1 Community Meeting, April 24, 7:00 p.m. at Bible Baptist Church.

10. COMMISSIONERS' COMMENTS

Commissioner Varnadore - No comments

Commissioner Williams - Asked the status of an assistant at Public Works. Mr. Tusing said he is shooting for May 1.

Commissioner Zirkelbach - Commented on the two great projects coming up in the City with two great contractors. He is proud of the good things happening in the City. He offered his assistance to Mr. Tusing should he need anything, at no cost.

11. ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

Minutes approved:

James R. Freeman, City Clerk