

Palmetto City Commission  
July 25, 2005 7:00 PM

Elected Officials present:

Larry Bustle, Mayor  
Brian Williams, Vice Mayor  
Eric Ball, Commissioner  
Tamara Cornwell, Commissioner  
Mary Lancaster, Commissioner  
Tambra Varnadore, Commissioner

Staff and others present:

Michele Hall, Attorney  
Chief Garry Lowe  
Chris Lukowiak, Public Works Director  
Frank Woodard, Deputy Public Works Director  
Jessica McCann, City Planner Consultant, ZNS  
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 7:02 PM.

Mayor Bustle delivered an invocation, followed by the Pledge of Allegiance to the United States Flag.

1. AGENDA APPROVAL

Item #5, Contract Approval-GLE Associates, Inc. was deleted from the agenda.

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 5-0 to approve the July 25, 2005, 7:00 PM agenda as amended.

2. CONSENT AGENDA

A) Special Function Permits: Palmetto Historic Commission

1. Ice Cream Social - August 6, 2005
2. Old Fashioned Toy Social - September 3, 2005

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 5-0 to approve the July 25, 2005 Consent Agenda.

3. PUBLIC HEARING - ORDINANCE NO. 05-860

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A MODIFICATION TO THE GENERAL DEVELOPMENT PLAN FOR PALMETTO RETAIL CENTER, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDPM 05-02 Palmetto Retail Center, Kendar Marsac LLC, PID # 2422200059, approximately 4.3 acres)

Ms. McCann informed Commission five changes have been made to the originally approved general plan, Ordinance No. 05-855, as follows:

- Convenience store was reduced to 4,060 square feet from 6,020 square feet
- Parking spaces bordering 26th Street West have been reduced
- The car wash has been relocated at an angle to allow for better traffic flow
- Fuel dispensers have been reduced to five from eight
- Parking lot landscaping has been increased by approximately 1,000 square feet

Ms. McCann requested Commission add a stipulation to the motion that all DRC comments and concerns must be addressed prior to construction plan sign off.

Brett Neverell, a consultant representing Exxon Mobil Oil Corporation and the developer, requested approval of the modifications to the general development plan. He discussed the changes cited by Ms. McCann and informed Commission no other changes have been made to the original development plan.

Mayor Bustle opened the public hearing.

Larry Spellman, 5700 Bayshore Rd., spoke in opposition of the project. He opined the public notice was not properly displayed and the area did not need another car wash. Sharon Faulkner spoke in opposition of the project. She cited traffic issue when exiting Holy Cross after a service. Ms. McCann responded the public notice was displayed in the customary manner. She also confirmed a traffic study that included Holy Cross was performed prior to the original approval of the general development plan.

Mayor Bustle closed the public hearing.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Ordinance No. 05-860 with the stipulation all DRC comments will be addresses prior to construction plan sign off.

#### 4. RESOLUTION NO. 05-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE ISSUANCE OF A PROMISSORY NOTE OF THE CITY IN THE PRINCIPAL AMOUNT OF \$6,500,000.00 TO PROVIDE FUNDS TO FINANCE IMPROVEMENTS TO THE CITY'S WATER, WASTEWATER, WASTEWATER REUSE AND STORMWATER SYSTEMS, ROADWAY IMPROVEMENTS AND RECREATIONAL FACILITIES IMPROVEMENTS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A PROMISSORY NOTE AND A LOAN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 5-0 to adopt Resolution No. 05-40.

#### 5. APPROVAL - MANATEE COUNTY CABLE TELEVISION CONSORTIUM INTERLOCAL AGREEMENT

The Board of County Commissioners of Manatee County and several municipalities will participate in a cable television consortium to accomplish joint administration of cable television franchising authority within Manatee County.

MOTION: Mr. Ball moved, Ms. Cornwell seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Interlocal Agreement to Create a Manatee County Cable Television Consortium.

#### 6. SURPLUS PROPERTY APPROVAL

The Police Department is requesting the Commission declare seven vehicles as surplus property to adhere to the fleet maintenance rotation plan. Four vehicles will be auctioned to the highest bidder and three vehicles will be donated to the Police Academy at Manatee Technical Institute.

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried 5-0 to classify the Police Department vehicles as presented surplus property and approve their disposition as recommended by Chief Lowe.

7. RESOLUTION NO. 05-41

A RESOLUTION OF THE CITY OF PALMETTO, FLORIDA, REQUIRING THAT OATHS BE ADMINISTERED TO ALL PERSONS WHO APPEAR BEFORE THE CITY COMMISSION AND OTHER BOARDS AND CITY MEETINGS, TO AFFIRM THE TRUTHFULNESS OF THE EVIDENCE PRESENTED; SETTING FORTH A FORM OF OATH TO BE ADMINISTERED; ESTABLISHING ALTERNATIVE PENALTIES FOR THE VIOLATION OF THE TERMS OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried 5-0 to adopt Resolution No. 05-41.

8. DEPARTMENT HEADS' COMMENTS

Mr. Lukowiak

Requested that Commissioners refer their questions concerning staff or Public Works issues directly to him prior to speaking with outside contractors.

Requested Commission review the hurricane emergency preparedness plan and supply any comments.

Mr. Lowe

Officer Metzger has reported back to work.

Attorney Hall

Requested a shade meeting to discuss the Thornton litigation. Meeting was scheduled for August 15, 2005 beginning at 6:00 PM.

Received the Sovereign Submerged Land Lease for Regatta Pointe Marina. There is one small language change to be made before presentation to Commission.

9. MAYOR'S REPORT

Mayor Bustle updated Commission on the MPO meeting held this date. The MPO approved the priority lists for the congestion management enhancement and special projects. In the congestion management segment, the City's Haben Blvd. project and 10th Street turn lane widening were ranked first and second. The priority lists will be forwarded to FDOT for future funding. The City submitted two projects under the MPO's TRIP project program; the Haben Blvd. extension into 12th Avenue was declared ineligible (not in the regional system consisting of Charlotte and Polk counties) and the 8th Avenue and Riverside Drive was approved by MPO and will be submitted for regional review. A TRIP ad hoc committee was formed to work with Charlotte and Polk counties to coordinate the ranked listings.

10. COMMISSIONERS' COMMENTS

Ms. Cornwell

A memorial service for retired employee Miriam Burnett is scheduled for Tuesday at 10:00 AM. Mayor Bustle will present a proclamation at the service recognizing Mrs. Burnett's dedication to the City.

School opens August 8, 2005 with new times. The Police Department will assist in traffic control. They will also attempt to speak with new students at Trace Apartments and Oakridge regarding designated crosswalks and pedestrian safety.

Requested email reminders about the scheduled budget meetings.

Referencing CRA's ability to contribute funding for growth related issues, CRA Executive Director Tanya Lukowiak has advised it will be difficult to get CRA Board approval to fund maintenance projects that may be attributed to growth. A survey has not been completed to determine if other municipalities use a formula to allocate funds to growth projects.

Mr. Ball

A preconstruction meeting with WalMart representatives and DOT is scheduled Thursday at 10:00 am.

Stated he was very pleased with the Waterfront Community Plan, as its purpose is to preserve the important things in Palmetto in the face of growth.

Mrs. Lancaster

Informed Commission she will not be able to attend the August 13, 2005 budget meeting.

Suggested Ms. Cornwell speaks with Ms. Lukowiak regarding the scope of services for CRA.

Mr. Williams

Discussed WalMart's stated intention to save some of the mature oaks on the property. Inquired if anyone is monitoring the trees being removed.

Stated his belief the waterfront plan is a good plan. Requested CRA make a presentation of the plan at a City Commission meeting. Mrs. Lancaster confirmed CRA intends to make the presentation.

The Fair Board has entered into a base agreement with the School Board to trade/sell properties. The School Board needs to break ground for a new school on the fairground property by 2006. He encouraged the City to move forward with a plan to relocate to the Palmetto Elementary school site for a City center.

Ms. Varnadore

Commented on the parked car issue discussed at a prior meeting, inquiring if staff had any information concerning the issue.

Commission established the following Commission meetings

August 1, 2005 4:00 and 7:00 Commission meetings  
August 8, 2005 4:00 budget workshop  
August 13, 2005 10:00 budget workshop  
August 15, 2005 4:00 and 7:00 Commission meetings  
August 22, 2005 – reserved  
August 29, 2005 4:00 and 7:00 Commission meetings  
September 10, 2005 10:00 Commission meetings-1st budget hearing  
September 12, 2005 - reserved  
September 19, 2005 Commission meetings-final budget hearing

Meeting adjourned at 8:15 PM.

Minutes approved: August 15, 2005

  
James R. Freeman  
City Clerk