

Palmetto City Commission
December 19, 2005 7:00 p.m.

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, City Attorney
Chief Garry Lowe
Chris Lukowiak, Public Works Director
James R. Freeman, City Clerk
Tanya Lukowiak, CRA Executive Director
Ric Hartman, Planning supervisor/Zoning Administrator
Frank Woodard, Deputy Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 7:00 p.m. and offered an invocation, followed by the Pledge of Allegiance to the United States Flag.

Presentation: Employee of the Year

Mayor Bustle presented certificates to the following named Employee of the Year recipients:

Nixa Haisley, Chris Metzger, Lupe Cantu, George Fountain, Fletcher Mobley,
Ray Moreno, Jeff Scott, Geoff Seger, Gracie Johnson and Diane Ponder

Individuals addressing Commission were sworn in.

PUBLIC COMMENT: William E. Bell, 1810 5th St. W., requested Commission consider the reinstallation of a stop sign at 5th Street and 18th Avenue, citing safety issues of numerous children in the area as the need for the signage. The sign was installed in error, a traffic study did not warrant it at the location so it was removed. Staff will revisit the subject and contract Mr. Bell with the conclusions of the new traffic study which will take into consideration the children in the vicinity.

ORDER OF BUSINESS:

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Ms. Varnadore seconded and motion carried 5-0 to approve the December 19, 2005 7:00 p.m. agenda.

2. CONSENT AGENDA

- A) Minutes: Commission meetings of November 28 and December 5, 2005
- B) November Check Register
- C) Special Function Permit: MLK Day Parade
New Year's Eve Party (Tony Toledo)

Mr. Williams commented on the December 5, 2005 4:00 p.m. minutes regarding the storm water discussion to clarify Ms. Hall's changes to the proposed ordinance were made as a result of his phone call to her and their discussion.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the December 19, 2005 Consent Agenda.

3. MANATEE COUNTY PUBLIC LIBRARY – PALMETTO BRANCH (24:41)

A Special Function Permit allowing the Manatee County Bookmobile to park on 10th Avenue during the Palmetto Library renovation was approved in May. Because of the delay in the project, Manatee County is requesting an extension of the approved time to December 2006.

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried 5-0 to approve the Special Function Permit time extension to expire December 2006.

Discussion: Commission discussed the new Palmetto Library have a seamed metal roof vs. a barrel tile roof. Mr. John VanBerkel confirmed the building will be outfitted for wi-fi accessibility during construction; if Manatee County approves a policy current under review, the service will be available when the library reopens. Mr. VanBerkel also confirmed the metal roof, if approved by Manatee County, will be at the canopy and entrance, to prevent interference with computers.

MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to authorize the Mayor to write a letter to Manatee County requesting they reconsider the proposed roof design to include a seamed metal roof for the Palmetto Library, to enhance its compatibility with existing structures.

Mayor Bustle requested Mr. VanBerkel relay the message concerning the roof's design to the appropriate County personnel. Mr. VanBerkel agreed.

4. 1ST READING & ADVERTISING APPROVAL ORDINANCE 05-872 (29:50)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING LOCAL INCLUSIONARY HOUSING FOR MEDIAN-INCOME HOUSEHOLDS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR REQUIREMENTS; PROVIDING FOR DEVELOPER INCENTIVES; PROVIDING FOR PAYMENTS IN LIEU; PROVIDING FOR EXEMPTIONS, REDUCTIONS, AND WAIVERS; PROVIDING FOR ADMINISTRATION; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mr. Ball moved, Ms. Cornwell seconded and motion carried 5-0 to approve Ordinance No. 05-872 for advertising and schedule a public hearing January 9, 2006.

5. RESOLUTION NO. 05-64 (31:00)

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT RENEWAL FOR HIGHWAY MAINTENANCE WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, AND PROVIDING AN EFFECTIVE DATE.

MOTION: Ms. Cornwell moved, Ms. Varnadore seconded and motion carried 5-0 to adopt Resolution No. 05-64.

6. RESOLUTION NO. 05-65 (31:47)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, DECLARING LEGISLATION CONCERNING REGULATION OF BOAT DOCKS AND RELATED AMENITIES TO BE IN PROGRESS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DURATION OF LEGISLATION IN PROGRESS; DIRECTING CITY STAFF NOT TO APPROVE

ANY APPLICATIONS, PETITIONS OR REQUESTS CONCERNING BOAT DOCKS AND RELATED AMENITIES; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Lancaster moved, Ms. Cornwell seconded to adopt Resolution No. 05-65.

Discussion: Southwest Florida Water Management District has stated the Department of Environmental Protection approved the finger canals from 21st to 26th Street. It is anticipated the ordinance governing boat docks will be completed by the middle of February.

Motion on the floor carried 4-1. Ms Varnadore voted no.

Attorney Hall confirmed from this date forward, applicants will be deemed to have received notice and applications will be held until the ordinance is completed. For applications previously accepted where notice was not received, the applicant may be able to move forward under the current ordinance.

7. RESOLUTION NO. 05-66 (35:59)

A RESOLUTION OF THE CITY OF PALMETTO, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FLORIDA LEAGUE OF CITIES' ISSUES DURING THE 2006 LEGISLATIVE SESSION.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 05-66.

8. MANATEE COUNTY AREA OPEN ROAD POLICY ADOPTION (50:37)

The Manatee County Area Open Road Policy is a multi-agency policy between the City, FDOT, FHP and other local response agencies to enhance the safety of roadways during traffic incidents.

MOTION: Ms. Varnadore moved and Mr. Williams seconded to approve and authorize the Mayor to execute the Manatee County Area Open Road Policy.

Discussion: Discussion revealed all the department heads had not read the policy.

MOTION: Ms. Varnadore moved, Mr. Williams seconded and motion carried 4-1 to continue the item until the January 9, 2006 meeting. Mr. Ball voted no.

9. CIP PROJECT AND BUDGET ADOPTION (53:50)

Carried forward from the 4:00 Workshop Meeting.

MOTION: Mr. Williams moved, Mr. Ball seconded and motion carried 5-0 to adopt the Capital Improvement Plan as presented in an amount not to exceed \$25,764,333.

10. APPROVAL FOR VEOLIA TO ADMINISTER CAPITAL IMPROVEMENT PROJECTS AT THE WASTE WATER TREATMENT PLANT (55:00)

Carried forward from the 4:00 Workshop Meeting.

MOTION: Mr. Williams moved, Mr. Ball seconded and motion carried 5-0 to approve and authorize the Director of the Department of Public Works to execute a Letter of Agreement with Veolia to establish an additional scope of services to the Veolia contract approved January 11, 2005, to administer the approved CIP projects in an amount not to exceed \$1,100,000 plus an administrative fee not to exceed 6% of the projects' costs.

Staff was requested to provide Commission a copy of the Letter of Agreement when finalized by counsel.

11. MANATEE COUNTY RADIO CONTROLLERS (56:00)

Carried forward from the 4:00 Workshop Meeting

MOTION: Mr. Williams moved, Ms. Varnadore seconded and motion carried 5-0 to approve the tentative list of improvements on the Erie Road landfill site submitted to the City by Manatee County Radio Controllers, subject to the Commission's approval, and include the list with the letter to Manatee County, attention Day Gray, as requested.

12. APPROVAL OF MUNICIPAL CODE CORPORATION CONTRACT (57:00)

Carried forward from the 4:00 Workshop Meeting.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Municipal Code Corporation contract based on the City of Deland and Paul Consulting, Inc., State Contract #973-561-04-2 for scanning and imaging services not to exceed \$21,287 plus an amount not exceed \$16,200 for hardware in a total amount not to exceed \$37,488, based on the discussion at the workshop meeting.

13. DEPARTMENT HEADS' COMMENTS

Chief Lowe

Provided Commission information as requested by Mr. Cornwell.

Regarding vehicles blocking driveways, there is an existing agreement to move vehicles and the tow trucks utilized for that purpose are inspected.

Mr. Freeman

Requested Commission determine if the February Commission meeting schedule would be changed to observe the President's Day holiday. Commission concurred to amend the schedule to hold Commission meeting February 6 and February 27. The possibility of holding three monthly workshops beginning the first of the year was discussed.

Mr. Lukowiak

Thanked the Mayor for the Employee of the Year awards.

Mr. Hartman informed Commission the boat dock meeting held December 12, 2005 with residents of Tropic Isles and Riverside Drive was successful.

Attorney Hall

The City has adopted Manatee County's animal control ordinance, which Manatee County is in the process of amending and hope to enact in January. Commission will be provided a copy of the proposed ordinance to make the determination whether or not the City will continue to fall under the jurisdiction of the County.

Mrs. Lukowiak

Reported Christmas in the Park was a very successful event. Approximately 500 children participated.

14. MAYOR'S REPORT

Read a portion of a proclamation issued by Marco Island recognizing the City's aid after Hurricane Wilma.

Read a portion of Alice Sutton's correspondence referring to the relocation of the veteran's memorials at the foot of the Green Bridge to Sutton Park.

Council of Governments will meet the second Monday of each month at 2:00 p.m. beginning in February. Commission voiced concern because the meetings are not being held when all elected officials can attend. Mayor Bustle commented on the meetings being established without any type of consultation.

Read complimentary correspondence from Alicia Amora regarding the recent newspaper article about the City.

December 20, 2005, the County Commission will consider the Manatee County Fair's relocation and the relocation of Palmetto Elementary to the current fairgrounds.

Encouraged Commission to study the storm water material prior to the January 9, 2006 meeting.

15. COMMISSIONERS' COMMENTS

Mrs. Lancaster

Commended the police officers responding to her recent call.

Mr. Williams

Questioned the accuracy of the fuel consumption information contained in the report distributed by Chief Lowe. Ms. Cornwell inquired about the consumption now that police officers are taking their vehicles home vs. prior to the take home privilege. She requested the information be provided in chart form for comparison purposes. Discussion ensued on the feasibility and accuracy of such information given the variable surrounding police vehicles.

Thanked the department heads for nominating the Employee of the Year recipients, further stating his opinion all the employees of the City are deserving of such recognition.

Suggested a committee of downtown business owners be created to review the proposed sign ordinance. The proposed sign ordinance will be presented to the public in much the same manner as the proposed boat dock ordinance.

Suggested allowing the P&Z Board to review the proposed historic preservation ordinance. Mayor Bustle opined that if the City is not going to give guidelines and architectural standards for development the proposed ordinance may not be necessary. He further stated there may be a need for more rigid control, especially in the historic district.

Mr. Ball

Complimented staff on the professional presentation of the *City News in Brief*.

Commented on his continued campaign with the newspapers concerning the accurate reporting of incidents that occur near the City limits.

Reported the police officers are ticketing speeders in the City; he observed a citation being paid at the courthouse.

Ms. Varnadore

Given the upcoming appointment of a City attorney, inquired when the legal services, as well as the proposed storm water ordinance not completed at the 4:00 workshop, would be brought to Commission. Commission concurred the items would be moved forward to the January 9, 2006 agenda.

Ms. Cornwell

Reported on the recent CRA meeting; a City map has been prepared for distribution; storefront applications; Enterprise Zone; Olympia Theatre; approved Water Front Plan. Mrs. Lukowiak informed Commission the Water Front Plan had been scheduled for the January 9, 2006 workshop meeting. Since the Plan has been publicly noticed and discussed, and because it has not substantially changed from Commission has seen, she stated the need to move it forward to the January 9, 2006 Commission meeting for adoption so work can begin on developing and enacting Land Development Codes. Commission concurred. Mrs. Lukowiak discussed the transfer of the Olympia Theatre to the Mr. and Mrs. Jarvis ten years ago for \$1. Because the building has not been completed, as was committed to by Mr. and Mrs. Jarvis, the CRA Board authorized and RFP to determine if their current proposal for the Olympia Theatre is reasonable – four years to complete the renovation of the building at \$4 million, provided the funds can be raised – or if there is a firm that can complete the project in a more time expedient manner. Manatee Players presented the CRA Board their new building, which is encountering some difficulty. Manatee Players may be interested in leasing Olympia Theater if they are able to acquire adjacent property.

The Mayor will make appointments to only the City boards in January.

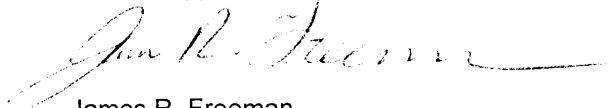
Requested an annual total gallon fuel consumption report for police vehicles.

Requested the Police Department be mindful of the children out of school for the holidays. Commented on the children on skateboards; Manatee County Parks will be contacted about the status of repairs to the skateboard park.

Commended the City's Christmas light display.

Meeting adjourned at 8:45 p.m.

Minutes approved: January 9, 2006



James R. Freeman
City Clerk

**CIP FY2006 - 2010
Scheduling Sheet**

	Project Number	Estimated Projects Costs	Tab	Original Budget Sep. 2004	Sep-05 Project Cost	Incurred Costs Totale Sep-05	Estimated Fiscal Year 2006	Estimated Fiscal Year 2007	Estimated Fiscal Year 2008	Estimated Fiscal Year 2009	Estimated Fiscal Year 2010	Totals	General Fund	Streets Fund	Water Fund	Sewer Fund	ReUse Fund	Stwater Fund	Sum
near complete	4392	7th, 6th & 5th Streets West	U12	3,302,372	4,293,381	4,267,660	25,721	-	-	-	-	4,293,381	-	1,550,668	849,351	843,068	688,910	361,384	4,293,381
near complete	4418	City Fiber Optic Ring	AP1	450,000	407,100	362,089	45,011	-	-	-	-	407,100	407,100	-	-	-	-	-	407,100
in progress	3369	Jackson Park Drainage	DS1	200,000	300,000	18,619	181,381	100,000	-	-	-	300,000	-	-	-	-	-	300,000	300,000
in progress	4385	ADA compliance 5-year plan	AP2	200,000	356,000	18,044	137,956	100,000	-	-	-	356,000	356,000	-	-	-	-	-	356,000
in progress	4396	US 301 Future Utility Expansion	U19	500,000	2,168,310	68,310	2,100,000	-	-	-	-	2,168,310	-	-	525,000	1,118,310	525,000	-	2,168,310
in progress	4397	Street Resurface 5-year Plan including parks	SR4	1,500,000	1,500,000	191,922	300,000	300,000	300,000	208,078	200,000	1,500,000	-	1,500,000	-	-	-	-	1,500,000
in progress	4398	Sidewalk Replacement 5-year Plan	SR3	250,000	700,000	96,260	253,740	100,000	100,000	100,000	50,000	700,000	-	700,000	-	-	-	-	700,000
in progress	5435	17th St. Utility Relocation (county)	17th	350,000	350,644	23,644	227,000	100,000	-	-	-	350,644	-	-	212,946	137,698	-	-	350,644
in progress	5903	Historical Park	HIST	200,000	200,000	41,046	111,954	47,000	-	-	-	200,000	200,000	-	-	-	-	-	200,000
in progress	5904	ASR Development 5-year Plan	U13	2,500,000	2,384,197	44,197	100,000	2,000,000	130,000	110,000	-	2,384,197	-	-	-	-	2,384,197	-	2,384,197
in progress	5908	System G-1 (Overflow)	DS6	100,000	380,794	64,794	316,000	-	-	-	-	380,794	-	-	-	-	-	380,794	380,794
in progress	4389/4407	I & I Program	UII	600,000	900,000	328,893	311,107	100,000	100,000	60,000	-	900,000	-	-	-	900,000	-	-	900,000
contracted	5481	System D-3 (Palmetto MHC)	DS3	115,000	155,000	-	155,000	-	-	-	-	155,000	-	-	-	-	-	155,000	155,000
contracted	5902	Fuel Tank Upgrade (FDEP mandate)	PW5	220,000	140,000	-	140,000	-	-	-	-	140,000	140,000	-	-	-	-	-	140,000
contracted	5919	City Center Phase I	CC	40,000	44,000	19,000	25,000	-	-	-	-	44,000	44,000	-	-	-	-	-	44,000
contracted	5920	GIS Digial Mapping	GIS	65,000	65,000	-	65,000	-	-	-	-	65,000	-	-	30,000	35,000	-	-	65,000
contracted	6901	System E-3 (Cemetery)	DS3	677,000	380,000	-	380,000	-	-	-	-	380,000	-	-	-	-	-	380,000	380,000
contracted	6902	System D-4 (Palmetto MHC)	DS4	600,000	422,000	-	422,000	-	-	-	-	422,000	-	-	-	-	-	422,000	422,000
contracted	6903	System D-5 (15th Street West)	DS5	400,000	560,000	-	560,000	-	-	-	-	560,000	-	-	-	-	-	560,000	560,000
contracted	6910	WWTP	WWTP	1,100,000	1,100,000	-	1,100,000	-	-	-	-	1,100,000	-	-	-	1,100,000	-	-	1,100,000
FY 2006	4394	Install re-use lines (City Wide)	UI5	2,300,000	2,300,000	986,260	238,000	238,000	300,000	300,000	300,000	2,300,000	-	-	-	-	2,300,000	-	2,300,000
FY 2006	5906	Lift Stations # 2,3,4,6,7	CS7	366,800	800,000	-	300,000	500,000	-	-	-	800,000	-	-	-	800,000	-	-	800,000
FY 2006	5909	26th Avenue & 10th Street West	DS7	128,000	115,000	-	115,000	-	-	-	-	115,000	-	-	-	-	-	115,000	115,000
FY 2006	5912	DPW & CH Break rooms, CH doors and AC	PW1	30,000	65,000	-	65,000	-	-	-	-	65,000	21,000	-	22,000	22,000	-	-	65,000
FY 2006	5913	City Wide Security	PW3	30,000	300,000	-	300,000	-	-	-	-	300,000	60,000	40,000	100,000	100,000	-	-	300,000
FY 2006	5916	TMDL Program (mandate)	TMDL	500,000	500,000	-	50,000	150,000	100,000	100,000	100,000	500,000	-	-	-	-	-	500,000	500,000
FY 2006	5917	Estuary Park Development - Grant	EST	600,000	600,000	150,000	50,000	400,000	-	-	-	600,000	600,000	-	-	-	-	-	600,000
FY 2006	5921	Riverside Sea Wall - Grant	RSW	366,000	366,000	-	366,000	-	-	-	-	366,000	-	366,000	-	-	-	-	366,000
FY 2006	5924	Recreational Trail at Riviera Dunes - Grant	RecTrail	225,000	225,000	-	225,000	-	-	-	-	225,000	225,000	-	-	-	-	-	225,000
FY 2006	6909	35th Ave. Dr. (provide utilities)	35AV	400,000	400,000	-	400,000	-	-	-	-	400,000	-	50,000	100,000	100,000	50,000	100,000	400,000
FY 2006	6911	City Commission Chambers Interface System	IS	30,000	30,000	-	30,000	-	-	-	-	30,000	30,000	-	-	-	-	-	30,000
FY 2006	6912	Traffic Movement Analysis		150,000	150,000	-	150,000	-	-	-	-	150,000	-	150,000	-	-	-	-	150,000
future	4400	PPD Pond (redirection of outfall)	DS2	150,000	150,000	-	-	50,000	50,000	50,000	50,000	150,000	-	-	-	-	-	150,000	150,000
future	5907	Regional Network - Reuse	UI8	300,000	300,000	-	-	150,000	150,000	-	-	300,000	-	-	-	-	300,000	-	300,000
future	7901	North side Master Lift Station	CS8	677,200	677,200	-	-	-	677,200	-	-	677,200	-	-	-	677,200	-	-	677,200
future	5911/6904/6905	CS-1, 4, 6 Reline/replace sewer lines	CS1,4,6	1,241,500	1,241,500	-	-	1,241,500	-	-	-	1,241,500	-	-	-	1,241,500	-	-	1,241,500
complete	4403	Holy Cross Water Main		45,000	45,000	45,000	-	-	-	-	-	45,000	-	-	45,000	-	-	-	45,000
complete	4417	Audio & Video (City Hall) COMPLETE	AP3	55,000	53,827	-	-	-	-	-	-	53,827	53,827	-	-	-	-	-	53,827
complete	5472	5th & 5th Pump Station-COMLETE		67,000	66,080	66,080	-	-	-	-	-	66,080	-	-	-	66,080	-	-	66,080
complete	5480	7th Av & 5th St intersection - COMPLETE		75,000	73,300	73,300	-	-	-	-	-	73,300	-	-	-	73,300	-	-	73,300
complete	5922	County Improvements to Lincoln Park - Grant - Complete	Lincoln	300,000	300,000	300,000	-	-	-	-	-	300,000	300,000	-	-	-	-	-	300,000
complete	5923	Hidden Lake Park Improvements - Grant	Hidden	200,000	200,000	-	-	-	-	-	-	200,000	200,000	-	-	-	-	-	200,000
Total Estimated Costs				25,764,333	7,418,944	9,245,870	5,576,500	1,267,740	1,605,278	650,000	25,764,333	2,636,927	4,356,668	1,884,297	7,214,156	6,248,107	3,424,178	25,764,333	

*Approved by City Council
December 1, 2005*

