

Palmetto City Commission
January 23, 2006 7:00 p.m.

Elected Officials Present:

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

Elected Officials Absent:

Mary Lancaster, Vice Mayor

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 7:01 p.m., offered an invocation, followed by the Pledge of Allegiance to the United States Flag.

Persons expecting to address Commission were sworn-in.

PUBLIC COMMENT:

Dave Hecker, 345 12th Ave. W., informed Commission some parents of children attending Palmetto Elementary School were concerned the school may be moved out of the City. He asked that his comments concerning the topic be submitted at the joint meeting with the School Board. Mayor Bustle advised Mr. Hecker the meeting is a public meeting at Palmetto Elementary, scheduled for February 8, 2006 at 5:30 pm.

Bill Bell inquired about the status of the stop sign issue at 5th St. and 18th Avenue he brought to Commission at a previous meeting. Mr. Lukowiak informed Commission he had this date received a traffic study performed by the City's engineer, who determined a stop sign is not warranted at the location; 700 trips revealed 22 speeding instances. Chief Lowe confirmed the site is being monitored by law enforcement but no citations have been issued to date.

1. AGENDA APPROVAL

Mayor Bustle informed Commission item #3, Public Hearing – Ordinance No. 05-874, was being removed because it requires all Commissioners to be in attendance to be considered. The ordinance was to have been changed to be a first reading because of significant changes. It was determined two Commissioners would have to be recused, so the decision was made to remove the item.

Mayor Bustle suggested the addition of the inclusionary housing ordinance for first reading and advertising approval; because of significant changes, the ordinance must be re-advertised for a public hearing. Attorney Hall discussed the community meetings held which resulted in a conceptual change; no basic findings of the Commission have been changed. Mrs. Lukowiak explained the changes made were the issues reviewed with Commission at the last meeting.

Commission desired a workshop meeting to review the proposed ordinance before its first reading. The item was placed on the February 6, 2006 workshop to be carried forward to the 7:00 p.m. Commission agenda.

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 4-0 to approve the January 23, 2006 7:00 pm agenda after removing item #3.

Discussion: Mr. Williams reiterated his comments at the 4:00 meeting concerning Mrs. Lancaster's absence for the vote on item #4, Waterfront District Development Plan Adoption. Ms. Cornwell voiced her concern the public in attendance at the 4:00 workshop meeting did not have the ability to see the presentation because of mechanical difficulties. Mayor Bustle discussed the fact the information presented at the 4:00 meeting is the same information presented to the public after Phase II of the project.

MOTION: Mr. Williams moved and Ms. Cornwell seconded to amend the agenda to move item #4, Waterfront District Development Plan Adoption to the February 6, 2006 meeting.

Discussion: Ms. Varnadore stated she felt that if Mrs. Lancaster did not have a strong enough opinion about the topic to voice it, and given the fact items have already been moved to the February 6, 2006 agenda, Commission may be backlogging items. Ms. Cornwell commented on the fact Mrs. Lancaster did not have an opportunity to review this agenda, thus her reason to second the motion. Mrs. Lukowiak confirmed Mrs. Lancaster reviewed the information that was presented at the December 14, 2005 meeting in detail with her and then opted not to attend the December 14, 2005 meeting. Mrs. Lukowiak assured Commission the information under discussion is less detailed than the information reviewed at the joint meeting held December 14, 2005 between CRA, P&Z, and the Commissioners. Roberts of Rule of Order was reviewed concerning the readmission of the topic should Commission approve the Plan and Mrs. Lancaster voiced an objection.

Mayor Bustle called for the vote on the motion to amend the agenda. Mr. Williams and Ms. Cornwell voted in favor of the motion. Mr. Ball and Ms. Varnadore voted no. Motion failed.

Mayor Bustle called for the vote on the motion to approve the agenda. Motion to approve the agenda, with the deletion of item #3, carried 4-0.

2. CONSENT AGENDA

- A) Minutes: Commission meetings of January 9, 2006
- B) Special Function Permits: Palmetto Historic Commission Valentine Social
Church World Services Crop Walk

MOTION: Mr. Ball moved, Mr. Williams seconded to approve the January 23, 2006 Consent Agenda.

Discussion: Ms. Cornwell corrected the 4:00 January 9, 2006 minutes to reflect Mayor Bustle will nominate the law firm of Dye, Deitrich, Prather, Petruff & St. Paul as City Attorney, rather than Michele Hall.

Ms. Cornwell corrected the 7:00 January 9, 2006 minutes to reflect Mrs. Lancaster commended Ms. Varnadore for looking out for employees on the July 3, 2006 meeting date issue.

Motion on the floor carried 4-0.

3. WATERFRONT DISTRICT DEVELOPMENT PLAN ADOPTION (29:26)

The Waterfront District Development Plan was discussed at the 4:00 meeting and moved forward for Commission action.

MOTION: Mr. Ball moved and Ms. Varnadore seconded to adopt the Waterfront District Development Plan.

Discussion: Ms. Cornwell confirmed with Commission the Waterfront District Development Plan was being adopted with the understanding changes can, and probably will be made as the Plan moves forward in development. Mrs. Lukowiak confirmed the Plan does not override any existing City requirements or approvals; the Plan is a unified vision.

PUBLIC COMMENT: Jon Moore, a resident of Palmetto informed Commission of his credentials as an architect with a master's degree from UCLA in architecture and urban design, and one of the first architects accredited in the Federal Environmental Sustainability Program. Mr. Moore discussed his observations concerning areas of the Plan. He urged Commission to adopt the Plan with the following caveats:

1. Plan be expanded to include 7th Avenue from Riverside to 9th Street
2. Plan provide for higher densities
3. Plan provide for developer incentives as required by the original RFP

Commission commented on Mr. Moore's observations, and requested Mr. Moore submit them in writing to Mrs. Lukowiak so they may be discussed at the February CRA meeting. Mrs. Lukowiak will also provide the consultant preparing the study a copy of Mr. Moore's comments.

Mayor Bustle called for a vote for the motion on the floor. Motion carried 4-0.

4. RESOLUTION NO. 06-02 (53:43)

Resolution No. 06-02 approves participation in the Florida League of Cities Master Lease Program to fund the lease/purchase of vehicles approved in the FY 2006 budget, and authorizes the Mayor to execute the Banc of America Leasing & Capital, LLC lease documents.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE/PURCHASE AGREEMENT WITH BANC OF AMERICA LEASING & CAPITAL, LLC; AUTHORIZING A LEASE OF EQUIPMENT THEREUNDER; AUTHORIZING THE EXECUTION OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO COMPLETE THE TRANSACTIONS CONTEMPLATED HEREBY; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 4-0 to adopt Ordinance No. 06-02.

5. RESOLUTION NO. 06-03 (1:02:05)

Resolution No. 06-03 authorizes the continuation of the City's Section 125 flexible benefits plan provided to City employees electing dependent health insurance.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO TO PROVIDE EMPLOYEES CERTAIN PRE-TAX BENEFIT OPTIONS, TO AUTHORIZE AN IRS SECTION 125 FLEXIBLE BENEFIT PLAN, AND PROVIDE AN EFFECTIVE DATE.

MOTION: Ms. Cornwell moved, Ms. Varnadore seconded and motion carried 4-0 to adopt Resolution No. 06-03.

6. RESOLUTION NO. 06-05 (1:02:49)

Resolution No. 06-05 supports Manatee County's efforts to levy an additional tax on motor fuel.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, SUPPORTING THE COUNTYWIDE LEVY OF AN ADDITIONAL TAX ON MOTOR FUEL TO PROVIDE FUNDING FOR ELIGIBLE TRANSPORTATION PROJECTS.

MOTION: Mr. Ball moved, Ms. Cornwell seconded and motion carried 4-0 to adopt Resolution No. 06-05.

7. 2006 APPOINTMENTS (1:08:47)

Following discussion and modification of the proposed appointments to outside organizations, Mayor Bustle's finalized 2006 appointments were as follows:

Planning & Zoning

Charlie Ugarte, Devin Harms and Barbara M. Jennings

Code Enforcement Board

Jim Bailey and Scott Dougherty

Community Redevelopment Agency

Alan Zirkelbach

Police Officers' Pension Board of Trustees

Eric Ball and Gerald White

Outside Organizations

Library Board of Trustees	Edie Bustle
Economic Development Council	Larry Bustle
Metropolitan Planning Organization	Larry Bustle
Manasota League of Cities	Larry Bustle
Alternate Representative	Brian Williams
Enterprise Zone Development Agency	Eric Ball and Garry Lowe
Manatee Opportunity Council	Mary Lancaster
Tampa Bay Regional Planning Council	Larry Bustle
Florida League of Cities	Larry Bustle
Manatee County Fair Board	Tamara Cornwell
Manatee County Riverwalk	Tamara Cornwell
Manatee Water Alliance	Eric Ball
Technical Advisory Committee	Chris Lukowiak

MOTION: Ms. Cornwell moved, Mr. Ball seconded and motion carried 4-0 to approve the 2006 appointments as modified.

8. DEPARTMENT HEADS' COMMENTS (1:14:12)

Chief Lowe

Seven officers are taking the conversational Spanish classes being offered by the City.

Mr. Lukowiak

The City entered into an interlocal agreement with Manatee County regarding 35th Avenue Drive, West, whereby the City will install infrastructure when the county paves the street. The project was approved as part of the CIP. Manatee County has notified the City the project will commence March 1, 2006. At a subsequent meeting, Mr. Lukowiak will present a contract with Westra Construction for approximately \$428,000. Commission will be supplied the number of utility customers the City will serve. Mr. Lukowiak confirmed dialogue with the residents has not

occurred regarding any potential assessment. Mr. Lukowiak was instructed to speak with Mayor Bustle concerning the topic.

Public meetings are being arranged to present the proposed sign ordinance to City business owners. He requested Commissioners direct their constituents to contact him or Mr. Hartman regarding the topic. Commission discussed the need to look at like municipalities' ordinances and to consider the percentage of current signs that will fit into any proposed plan.

Advised Commission the parks, road, police and general government impact fees are scheduled for the February 6, 2006 agenda.

The tour of Celebration was postponed until March.

Requested Commissioners return their draft hurricane plan with their comments as soon as possible, as the final draft is completed.

North River Fire District has agreed to fund \$40,200 of the aboveground storage tank project.

Mr. Freeman

Commented on the conversational Spanish classes underway.

Rather than March, MuniCode will begin the installation and training for the records' scanning January 24, 2006.

Reported the audit has been concluded and the CAFR is being prepared. It is anticipated the audit report will be presented to Commission in March.

Reported staff is still working on the storm water ordinance issues.

Mr. Hartman

The ERA contract should be completed this week.

The dock ordinance is in final review.

Stated he would like the P&Z Board to review the sign and historical ordinances and offer their comments to Commission.

Attorney Hall

Commended staff on the fair booth.

9. MAYOR'S REPORT

Reported on the transportation issues the MPO is facing. Reported his first initiative as the newly elected MPO chairman will be to contact the Speaker of the House, Senate President and Governor Bush to suggest that rather than a sales tax holiday, the state's excess \$2.5 billion nonrecurring funds would be better spent on roads and education.

Reported he will be attending Leadership in February.

10. COMMISSIONERS' COMMENTS

Mr. Ball

Commented on the size and success of the Martin Luther King Day Parade.

Attended the Arbor Day ceremony, where an oak was planted at the waterfront park.

Ms. Varnadore

Commission agreed on the placement of the stop sign issue on the suspense log, rated medium. Mr. Lukowiak reported stop signs will be included in the City's traffic study.

Encouraged staff to put forth every legal effort to retain the blue house in the City.

Ms. Cornwell

Inquiring about a water break at the wastewater treatment plan, Mr. Lukowiak reported the break was at Waterford Palms.

Commented on the success of the bracelets during the MLK Day Parade.

Commended Mrs. Lukowiak on her diligence in manning the fair booth.

Requested Commission receive a silt box maintenance report.

Mr. Lukowiak personally thanked Ms. Cornwell for acknowledging Public Works employees.

Reported on the January CRA meeting.

Mr. Williams

Reported the fair experienced a record 200,000 attendance day on Saturday. The City has afforded the fair many services which are very much appreciated.

Congratulated Mrs. Jennings on her appointment to the P&Z Board.

Discussed crosswalk and intersection lights used in Brunswick, Georgia.

Suggested the City should consider lowering the speed limits in residential areas.

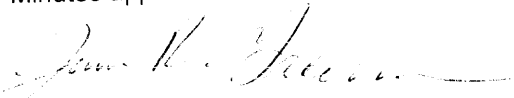
Inquired if the Horizon Bank sign has been discussed with Attorney Hall.

Commented on the recognition the City has received from the Economic Development Council and the Fair Board.

Mr. Lukowiak updated Commission on the Jackson Park project.

Meeting adjourned at 8:55 pm.

Minutes approved: February 6, 2006



James R. Freeman
City Clerk