

Palmetto City Commission
April 17, 2006 7:00 p.m.

Elected Officials Present:

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

Staff and Others Present:

James R. Freeman, City Clerk
Chris Lukowiak, Public Works Director
Chief Garry Lowe
Tanya Lukowiak, CRA Executive Director
Michele Hall, City Attorney
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 7:03 pm. He offered an invocation, followed by the Pledge of Allegiance.

Mayor Bustle read a proclamation declaring April 16-22, 2006 as Volunteer Week. Accepting the proclamation was Amy Van Dell, Director of Public Relations for Bright House. Ms. Van Dell recognized several Bright House employees accompanying her for their efforts.

Swearing in of persons speaking to Commission was completed.

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Ms. Varnadore seconded and motion carried 5-0 to approve the April 17, 2006 7:00 PM agenda, with item #4 removed.

2. CONSENT AGENDA

- A) Minutes of April 3, 2006 Commission meetings
- B) March Check Register

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the April 17, 2006 Consent Agenda.

3. PUBLIC HEARING – ORDINANCE NO. 06-883 (07:20)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING SECTION 6-2 OF THE CITY OF PALMETTO'S CODE OF ORDINANCES, ADOPTING OF COUNTY ANIMAL CONTROL ORDINANCE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bustle opened the public hearing. After no public comment, Mayor Bustle closed the public hearing after public comment.

Discussion ensued on the portion of Manatee County Ordinance 06-18 pertaining to barking dogs. Staff was instructed to contact Manatee County to determine if the City must adopt the ordinance in its entirety or if it will be enforced by the County's animal control division if City Commission strikes the section pertaining to barking dogs

Mayor Bustle reopened the public hearing.

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried 5-0 to continue the public hearing for Ordinance No. 06-883 to May 1, 2006.

5. STORMWATER USER FEE STUDY (33:03)

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried 4-1 to approve and authorize the Mayor to execute a Stormwater User Fee Study contract with Burton & Associates, in an amount not to exceed \$24,990. Ms. Varnadore voted no.

6. INTERLOCAL AGREEMENT FOR THE REDESIGNATION OF THE METROPOLITAN PLANNING ORGANIZATION (33:40)

Section 339.175, Florida Statutes, required the MPO to execute an updated Interlocal Agreement which identifies the responsibilities of each member entity. This Agreement will replace the Agreement executed February 23, 1994.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Interlocal Agreement for the Redesignation of the Sarasota/Manatee Metropolitan Planning Organization.

7. RESOLUTION NO. 06-14 (34:31)

Resolution No. 06-14 authorizes the disposition of City property by an auction scheduled for April 29, 2006. Exhibit A of the Resolution contains City property that is declared to be surplus, and which will be sold to the highest bidder.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, DECLARING CERTAIN PROPERTY OWNED BY THE CITY OF PALMETTO TO BE SURPLUS AND AUTHORIZING ITS SALE OR DISPOSAL.

Mr. Woodard requested the list of surplus property attached to Resolution No. 06-14 be amended to include two pumps from the wastewater treatment plant.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 06-14.

8. CPA ASSOCIATES PROFESSIONAL SERVICES RENEWAL (45:00)

CPA Associates, the City's independent auditor, requests a three year renewal of the agreement for auditing services as provided for in the original agreement dated August 12, 2003.

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 5-0 to approve and authorize the Mayor to execute a three-year extension with CPA Associates for audit services during FY06, FY07 and FY08, for an estimated amount of \$47,000 per year.

9. DEPARTMENT HEADS' COMMENTS

Chief Lowe

The Easter holiday was uneventful.

Wal Mart will open May 17, 2006.

Mr. Freeman

Confirmed the Commission workshop meeting scheduled for Monday, April 24, 2006, will begin at 5:00 pm. Commission discussed concerns related to the issue, after which it was consensus to make the meeting a special meeting so a voted can be taken and the issue finalized.

Mr. Lukowiak

Referring to the memo distributed to Commission regarding a possible agreement with Palms of Terra Ceia for the maintenance of the median on 23rd Street, Mr. Lukowiak informed Commission the City will have approximately \$500 in start up costs, after which the full maintenance will be assumed by the development.

Manatee County has contacted Public Works concerning potable water overages on three separate occasions. He is attempting to arrange for an audit to identify the possible cause of the overages.

An outside firm has assumed the utility billing for the Colonial Mobile Club and Palm Bay Park. Mr. Tannebaum, the owner of both parks, stated he realizes when he contracted with the private firm there would be costs to the residents and he has agreed to not raise the rents for two years.

The quote for the traffic study has arrived and the City's portion amounts to \$88,000.

Attorney Hall

She will be in the City Monday and Thursday and Edward Conrad on Tuesday and Wednesday, and Friday if necessary.

Referring to the attainable housing ordinance and the payment in lieu clause, requested consensus on retain the clause in the ordinance. Attorney Hall suggested individual meetings with Commissioners may alleviate the need to workshop the item. It was consensus of Commission to place the item on the May 1, 2006 workshop agenda.

10. MAYOR'S REPORT

Because Phase II of the Fawley Bryant Spatial Needs Study recently approved was site specific to Palmetto Elementary School, the study has been delayed until Fawley Bryant can attend a subsequent Commission meeting for a presentation. In the meantime a study of the Golddome building or any other site will be delayed. The owners of Golddome building are actively pursuing a new lease; one potential company may mean 150 new jobs.

11. COMMISSIONERS' COMMENTS

Mr. Williams

Discussed his observations concerning the moving of items from the 4:00 agenda straight to the 7:00 agenda, and his opinion a policy be set regarding the issue. He opined a super majority vote at the 4:00 meeting is necessary to move an item directly to the 7:00 agenda. He also stated he would like Commission's involvement in the preparation of the 4:00 agendas, based on suspense log items. Discussion ensued on the topic. Items the Mayor and staff propose to move forward will be noted on the 4:00 agenda and placed on the 7:00 agenda. Commission will then approve or amend the agenda by vote at the 7:00 meeting.

MOTION: Mr. William moved, Mrs. Lancaster seconded and motion carried 5-0 that an item will not moved forward from 4:00 to 7:00 unless requested by the Mayor staff and voted on by Commission.

Reported he had the opportunity to out with the Police Department. Stated the City has a lot of young officers who are doing a tremendous job. Discussed the traffic circle for a bus turn around at Wal Mart and a chain length fence meeting a block wall fence protecting a stormwater retention area in which an 8' boat is located; the fencing is to prevent pedestrian traffic in the area.

A presentation of lighted crosswalks will be scheduled.

Mrs. Lancaster

The speeding in Jackson Park is being addressed by staff. Speed limit signs have been ordered, the traffic counter has been collected and the data will be analyzed so staff can make a recommendation to alleviate speeding in the area. Mrs. Lancaster stated she wants to see the

traffic slowed or sidewalks provided so the residents in the area can safely enjoy their neighborhood.

The Great Palmetto Clean Up and Multicultural Festival in Sutton Park is Saturday, April 22, 2006.

Ms. Cornwell

Requested clarification on whether or not a single family home is required to have an enclosed garage. Attorney Hall read Sec 6.15, Parking Requirements, verbatim from the Code; all residential uses require two hardened parking spaces; ER, RS1,2 and 3 require that 1 of the spaces be a garage or carport. Ms. Cornwell stated the City needs to look forward and ensure parking is addressed, review substandard parking in the City, and include parking in the matrix for attainable housing. Mr. Hartman stated parking is a fundamental issue handled in the planning and zoning process. The traffic study will also address the issue. Suggested staff should investigate how other cities are addressing parking issues.

The new playground equipment is installed at Palmetto Estuary.

Ms. Varnadore

Stated she has had the opportunity to be in contract with each department of the City concerning resident's calls. She thanked staff for an excellent in responding to her inquiries.

Inquired how residents go about having old tires picked up by Waste Management. Mr. Lukowiak will provide the name and phone number of the individual to contact. Mr. Lukowiak stated two City employees will man the collection sites during the clean up event.

Chief Lowe is compiling the requested residential traffic citation information.

Mr. Ball

Reported he has distributed the medial files concerning environmental traffic calming.


Commented on the financial information provided by Manatee Players, stating ticket sales declines during FY2005; 31% empty seats during FY2004 and 36% empty seats during FY2005. It is an important statistic when considering the efficient use of the theatre is declining with more performances.

Requested Commission be supplied a flyer on the Multi-cultural Festival.

Attorney Hall explained she has instructed staff that when sending Commissioners a group email a statement of "Please do not reply to this email." Be included to ensure compliance with the Sunshine Law.

Meeting adjourned at 8:55 pm.

Minutes approved: May 1, 2006


James R. Freeman
City Clerk