

Palmetto City Commission
July 31, 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
Michele Hall, City Attorney
Tanya Lukowiak, CRA Executive Director
Frank Woodard, Deputy Public Works Director
Ric Hartman, Planning Supervisor/Zoning Administrator
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 7:05 p.m. He opened the meeting with an invocation followed by the Pledge of Allegiance.

Mayor Bustle read a proclamation declaring August 6 – 12, 2006 as National Stop on Red Week in the City. Accepting the proclamation was President Melissa Wandall and Vice President Lori Melman of STOP! Red Light Running Coalition of Florida. After brief comments from Ms. Wandall, City Commission instructed Public Works and the Police Department to place the City's light bar message boards at the north and south entrances to the City.

All persons wishing to speak before City Commission at the meeting were sworn in.

PUBLIC COMMENT: Scott Bryant and Rachel Ward individually addressed Commission regarding a property line dispute at 1317 6th St. W., regarding the placement of a fence that created a zero lot line and denied access to the side of the house, blocking a window. Also mentioned was a survey they consider may be incorrect. Mayor Bustle and Mr. Lukowiak advised Commission they have visited the site and the issue is a dispute between neighbors; the fence was legally permitted. Attorney Hall confirmed the matter is a civil issue.

1. AGENDA APPROVAL

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and the motion carried unanimously to approve the July 31, 2006, 7:00 PM agenda.

2. CONSENT AGENDA (20:32)

A) Special Function Permit: Regatta Pointe Marina Boat Show

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried unanimously to approve the July 31, 2006 Consent Agenda.

3. JOINT PROJECT AGREEMENT 17TH STREET UTILITY RELOCATIONS (23:00)

Mr. Lukowiak informed the Commission the City utilities on 17th Street must be relocated to allow Manatee County to make roadway improvements to 17th Street from US 41 to Business 41. Commission discussed the need to ensure adequate plans have been made for traffic leaving Lincoln Middle School and traveling east to US Highway 41.

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded to approve and authorize the Mayor to execute the Joint Agreement Between Manatee County and the City for Construction of City Facilities Along 17th Street West From Business 41 to 2nd Avenue West, in an amount not to exceed \$200,00.00.

Discussion: Attorney Hall advised the Commission that execution of the agreement will legally bind the City to pay the entire cost of the City's portion of the utility relocation. Mr. Lukowiak confirmed the estimate of \$200,000 was included for budget purposes, there is the possibility the project may be more costly. He also confirmed the City must move the utilities because 17th Street is a county road and they are located in county right-of-way. He discussed the possibility of using the Jackson Park project as a credit against the 17th Street project.

Motion on the floor carried 5-0.

4. STREET BOUNDARY SURVEY SERVICES (36:17)

Mr. Lukowiak informed Commission Manatee County has agreed to the transfer of jurisdiction of certain roads, provided surveys are obtained by the City. Attorney Hall confirmed the transfer of jurisdiction is pursuant to State Statute, which requires the survey. She informed Commission the transfer of Hasko Road was by deed and has been completed. She requested that Mr. Lukowiak confirms the need to obtain a survey for that particular road. The project will be funded from Road and Bridge and will be adjusted accordingly if the Hasko Road survey is not done.

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 5-0 to approve and authorize the issuance of a PO to Leo Mills & Associates, Inc. for survey services for 24th Avenue West, 27th Avenue West, 21st Street West and Hasko Road, in an amount not to exceed \$9,500.

5. US 301 UTILITY EXPANSION ENGINEERING PHASE (41:50)

Mr. Lukowiak discussed the proposal, which is to approve additional engineering services required to design, permit and construct potable water lines from Hasko Road to east of Canal Road and through Moorhead Business Park, and a reclaimed water main from Haben Blvd. east to Canal Road. He confirmed the letter extending the ZNS contract for an additional 90 days has been executed. He explained the project was originally named Eastside Master Lift Station and has \$1.5 million remaining of a \$2.1 million budget. Mr. Lukowiak referred to the Sanctuary Cove Utility Agreement which will recoup some of the expenses of this project.

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 5-0 to approve and authorize the Mayor to execute Professional Services Supplemental Authorization with City Engineer ZNS for the US 301 Utility Expansion Project, in an amount not to exceed \$147,800.

6. INTERIM CITY PLANNER SERVICES AGREEMENT (47:04)

Agreement proposes Robert M. Schmitt/Land Planning Associates, Inc. to serve as the City's interim planner effective August 1, 2006 until such time the Planner position is filled.

MOTION: Ms. Cornwell moved, Mr. Ball seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Interim City Planner Services Agreement Between Robert M. Schmitt/Land Planning Associates, Inc. and City of Palmetto.

7. RESOLUTION NO. 06-25 (50:47)

July 17, 2000 City Commission approved Resolution 00-13 that transferred ownership of City surplus property. Resolution 06-25 corrects a scrivener's error in Resolution 00-13 to correctly identify the property's dimension as 40 feet by 95 feet.

Attorney Hall read Ordinance No. 06-25 by title.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR CORRECTION OF A CLERICAL ERROR IN RESOLUTION NO. 00-13, PERTAINING TO PI#26477.0005/9, FORMALLY PI#26479.0000/6; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 06-25.

8. 1st READING & ADVERTISING APPROVAL – ORDINANCE NO. 06-899 (51:41)

Carried forward from the 4:00 workshop meeting.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF ARTICLE XII OF THE CITY ZONING CODE PERTAINING TO THE PLANNING AND ZONING BOARD; PROVIDING FOR ESTABLISHMENT AND COMPOSITION OF SAID BOARD; PROVIDING FOR POWERS AND DUTIES OF SAID BOARD; PROVIDING FOR RULES AND PROCEDURES GOVERNING SAID BOARD; PROVIDING FOR APPEAL OF DECISIONS OF SAID BOARD; PROVIDING FOR REPEAL OF ARTICLE XIII OF THE ZONING CODE PERTAINING TO THE BOARD OF ADJUSTMENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 5-0 to approve Ordinance No. 06-899 for advertising and schedule a public hearing August 21, 2006.

9. DEPARTMENT HEADS' COMMENTS

Chief Lowe

National Night Out is August 1, 2006 at 11th Street and 3rd Avenue beginning at 5:30 PM and 7:00 – 9:00 at Palmetto Youth Center.

Palmetto Police Department will be participating in the National Stop on Red Week events.

Mr. Freeman

Commission will be notified if the Agenda books are not ready for delivery on Wednesday.

Mr. Hartman

Stated it has been an honor working for the City; thanked the Mayor, Commission and staff that supported him.

10. MAYOR'S REPORT

Stated he was unable to confirm there are any structural problems with the Goldome building. The proposed Fawley Bryant Spatial Needs Study will include an evaluation of the structural integrity of the building. Informed Commission all the property is included in the sales price of the building, which lowers the square footage cost to approximately \$114.

MOTION: Mr. Williams moved, Ms. Varnadore seconded and motion carried 5-0 to authorize the Mayor to move forward with the agreement with Fawley Bryant for the Phase II evaluation of the Goldome building, in an amount not to exceed \$20,000.

The Olympia Theater court date is September 26, 2006, 8:30 am in the Manatee County Courthouse with Judge Dubensky presiding.

11. COMMISSIONERS' COMMENTS

Mr. Ball

Stated he would attend National Night Out activities.

Ms. Varnadore

Thanked Mr. Hartman for his service to the City.

The Palmetto Historical Commission's Summer Social is Saturday, August 5, 2006 where there will also be a scholastic book fair.

Ms. Cornwell

Wished Mr. Hartman well in his new position.

Informed Commission she would be unable to attend the National Night Out and Summer Social because of personal commitments.

The process for individuals interested in serving on advisory boards was discussed.

Suggested that the City needs to develop procedures that will prevent fence lot line issues as discussed in the public comment portion of the meeting. Mrs. Lukowiak stated that the City plat sheets did not correctly represent Ward 1 and many surveys had to be redone for the ward's infrastructure project. Attorney Hall stated Commission could consider an ordinance that requires a minimum distance between structures.

Mrs. Lancaster

Thanked Mr. Hartman for his service to the City.

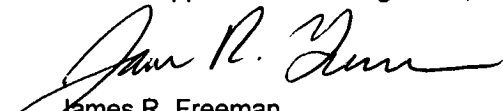
Mr. Seger will contact Mrs. Lancaster regarding a Special Function Permit for the Sickle Cell Foundation's concert on September 1, 2006.

Mr. Williams

No comments.

Meeting adjourned at 8:20 p.m.

Minutes approved: August 21, 2006


James R. Freeman
City Clerk