

Palmetto City Commission
August 7, 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
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 7:02 p.m. He gave an invocation, followed by the Pledge of Allegiance.

Mayor Bustle read a proclamation declaring August 19, 2006 at Women's Equity Day in the City. Accepting the proclamation were Dr. Mona Jain and Mary Runnells, Charter Members of the Manatee Commission on the Status of Women.

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

PUBLIC COMMENT: Vivian Jones addressed Commission concerning the continuing plumbing problem she is experiencing surrounding the stack inspected and approved by the City. Staff confirmed Public Works addressed the problem after Mrs. Jones' last comments concerning the topic, and it was again found to be on her property. Mayor Bustle instructed Mr. Lukowiak to access the Building Department's files for building permits and inspection records and contact the plumber concerning the issue.

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 5-0 to approve the August 7, 2006 7:00 PM agenda.

2. CONSENT AGENDA (14:15)

- A) Minutes of July 24, 2006 Commission meetings
- B) Attorney Billing through June 30, 2006

Ms. Varnadore corrected the July 24, 2006 4:00 p.m. minutes to properly show her attendance.

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 5-0 to approve the August 7, 2006 Consent Agenda as amended with the correction to the July 24, 2006 4:00 p.m. minutes.

3. PUBLIC HEARING – ORDINANCE NO. 06-887 (14:57)

Ordinance No. 06-887 was read by title.

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF PALMETTO; PROVIDING

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FOR AMENDMENT OF CITY BOUNDARIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Mary Forristall, AN0601, PID #10009.0000/9, 10107.0000/1, 10108.0000/9, 10109.0000/7, 10117.0000/0 and 10118.0000/8, approximately 6.25 acres).

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

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Ordinance No. 06-887.

4. PUBLIC HEARING – ORDINANCE NO. 06-888 (16:27)

Ordinance No. 06-888 was read by title.

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A SMALL SCALE DEVELOPMENT AMENDMENT TO THE CITY OF PALMETTO COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP BY REDESIGNATING CERTAIN LANDS FROM IH (Heavy Industrial - County) to HCOMIND (Heavy Commercial/Industrial – City) PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Mary Forristall, PA0601, PID #10009.0000/9, 10107.0000/1, 10108.0000/9, 10109.0000/7, 10117.0000/0 and 10118.0000/8, approximately 6.25 acres).

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

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Ordinance No. 06-888.

5. PUBLIC HEARING – ORDINANCE NO. 06-889 (18:57)

Ordinance No. 06-889 was read by title.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO CHANGE THE ZONING OF THE PROPERTY DESCRIBED HEREIN FROM HM (Heavy Manufacturing – County) to CHI (Heavy Commercial/Light Industrial – City) PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Approximately one-mile north of the intersection of the Canal Road and U.S. 301, having PID numbers: 10009.0000/9, 10107.0000/1, 10108.0000/9, 10109.0000/7, 10117.0000/0 and 10118.0000/8 - approximately 6.25 acres total).

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

MOTION: Mr. Ball moved, Mr. Williams seconded and motion carried 5-0 to adopt Ordinance No. 06-889.

6. PUBLIC HEARING – ORDINANCE NO. 06-893 (20:45)

Ordinance No. 06-893 was read by title.

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING AND MEMORIALIZING PROCEDURES FOR USE OF CITY CEMETERIES; PROVIDING FOR AMENDMENT TO CHAPTER 9, CITY OF PALMETTO CODE OF ORDINANCES, PERTAINING TO USE OF CITY CEMETERIES; PROVIDING FOR ESTABLISHMENT OF PROCEDURES; PROVIDING FOR CREATION OF CEMETERY FEE SCHEDULE; 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.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded to adopt Ordinance No. 06-893.

Discussion: Attorney Conrad confirmed that because the cemetery spaces were conveyed by deed, there is no legal mechanism for the City to reclaim unused spaces. Ms. Varnadore questioned what will happen to the current plantings in the cemetery. Staff informed Commission that invasive vegetation that is damaging surrounding spaces, diseased trees, or trees that were incorrectly placed and now invade deed spaces will be removed, but existing plantings will not be arbitrarily removed.

Mr. Williams suggested that on page 4, the noticing requirements should amended to reflect the advertisements would be placed in a newspaper of general circulation in the City, rather than specifically naming the two local papers. Commission concurred.

Attorney Hall confirmed that Supplemental Rules & Regulations can be created and amended by the City Clerk. The Cemetery Fee Schedule will be adopted and amended by the Commission.

Motion on the floor carried 3-2. Ms. Varnadore and Mr. Williams voted no.

7. FEDERAL EQUITABLE SHARING AGREEMENT APPROVAL (47:11)

Staff seeks approval of the Justice Department's Federal Equitable Sharing Agreement that disburses forfeited property assets to participating agencies.

MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Federal Equitable Sharing Agreement.

8. PCM NETWORKING CONTRACT APPROVAL (48:04)

Commission approved entering into an agreement with PCM Networking for an IT network assessment at the July 31, 2006 Commission workshop.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve and authorize the Mayor to execute the PCM Networking contract, in an amount not to exceed \$4,675.

9. DEPARTMENT HEADS' COMMENTS (48:38)

Chief Lowe

Reported there were no incidents during the opening day of school.

Thanked everyone who participated in the National Night Out.

Reported the STOP! On Red Light conference was very well attended.

Reported two arrests have been made in the recent vehicular burglaries at the Civic Center.

Mr. Freeman

The next budget meeting is Monday, August 14, 2006.

Attorney Hall

Commented on the success of the recent Movie in the Park.

10. MAYOR'S REPORT

A quote from Fawley Bryant to evaluate the Goldome Building was received. Phase I, quoted at approximately \$22,000, will evaluate the plans for the building and perform an architectural study. Phase II, approximately \$50,000, will perform a structural study of the building, suggest a layout and determine the cost to configure the building for a City Center. The majority of the Commission voiced an opinion that the structural study should be the first evaluation. Mayor Bustle will speak with the architect to determine if there is another way to Phase the project. Mr. Lukowiak will research the possibility of using Building Department funds to hire a consultant to determine the soundness of the building before it is sold to ensure the public's safety. The topic will be brought back to Commission either for approval or authorization to issue an RFP for the study.

Mayor Bustle will advise Commission the move date of the blue house.

11. COMMISSIONERS' COMMENTS

Mrs. Lancaster


Thanked the Chief and staff for National Night Out. She stated it appears the morale of the neighborhood has improved.

Mr. Williams

Commented on the lighted crosswalks he has spoken to Commission about not being on the suspense log, nor has it been brought to Commission. Mr. Lukowiak stated he has brochures on the topic and will circulate them to Commission

Meeting adjourned at 8:15 pm.

Minutes approved: August 21, 2006



James R. Freeman
City Clerk