

Palmetto City Commission
January 22, 2007 7:00 p.m.

Elected Officials Present:

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

Staff and Others Present:

James R. Freeman, City Clerk
Chris Lukowiak, Public Works Director
Capt. Mike Mayer
Tanya Lukowiak, CRA Executive Director
Michele Hall, Attorney
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:02 pm, followed by a moment of silence for overseas military personnel and the Pledge of Allegiance.

Mayor Bustle recognized Code Enforcement Director Bill Strollo, recipient of the Manatee Community College Institute of Government Community Outreach Award. Mr. Strollo was one of five individuals recognized for their excellence in government.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve the January 22, 2007 7:00 pm agenda.

2. CONSENT AGENDA

A) Minutes of January 8, 2007 Commission meetings
B) Special Function Permits: Historic Commission's Valentine Social
Marc Mobley Wedding

MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the January 22, 2007 Consent Agenda with the stipulation Mr. Mobley contact his adjacent neighbor concerning the street closure.

3. PUBLIC HEARING – ORDINANCE NO. 06-911

Ordinance No. 06-911 was read by title.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PD-H (PLANNED DEVELOPMENT-HOUSING); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z 0604, CP 0601, GDP 0602 Genesis Development Partners, L.L.C. PID # 2936300209, approx. 1.64 acres).

Mayor Bustle opened the public hearing.

Dennis Bradford stated the developers of Pelican Bay are requesting approval of a request to rezone the property to PD-H and approval of a conceptual/general development plan. The plan allows for 18 multi-family dwellings, housed in a five story building over parking. The approval for one density bonus unit through attainable housing incentives is also being requested, as well as a setback variance to properly locate the building on the property. The developer proposes to supply the attainable housing units offsite, in the form of two duplexes. Mr. Bradford stated he is aware of and agrees with the stipulations staff has recommended. Staff confirmed the project has been through the P&Z Board and DRC review process and has received DRC sign-off.

Mr. Bradford reviewed the conceptual/general development plan with Commission, noting items amended by DRC comments. Commission recommended that future agenda packets include the attainable housing matrix and all DRC approvals. Commission also noted that all exhibits should be properly identified.

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

MOTION: Mr. Ball moved, Mr. Williams seconded and motion carried 5-0 to approve Ordinance No. 06-911.

4. PUBLIC HEARING – ORDINANCE NO. 06-912

Ordinance No. 06-912 was read by title.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR HARBOR SIDE AT RIVIERA DUNES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP 0603 Harbor Side at Riviera Dunes Development Partners, LLC and Riviera Dunes Retail Partners, LLC, PID #s 2581600709, 2581600759, 2581600809, 2581600859, 2581600609, 2581600319, 3133700509, approx. 12.07 acres).

Mayor Bustle opened the public hearing.

Attorney Caleb Grimes and Tim Vining were sworn-in.

Attorney Grimes stated the developers of Harbor Side at Riviera Dunes are requesting approval of a conceptual/general development plan for the site. Harbor Side is the next phase of the original DRI approved for Riviera Dunes. The plan is for two phases: Phase I contains 23,000 square feet of retail and 32 townhomes; Phase II includes 32 patio homes and 12,000 square feet of retail. Attorney Grimes reviewed the plan for the two phases, informing Commission it had received a recommendation for approval from the P&Z Board and staff.

Pursuant to a prior Commission meeting, Attorney Grimes reviewed the history of the Riviera Dunes DRI, relating to density. The DRI was originally approved with 617 residential units, 160,000 square feet of retail/commercial and 125 rooms of hotel. The current maximum approval for the DRI is 857 residential units. Upon approval of Harbor Side conceptual/general development plan, total approved residential units will amount to 771 units; total approved and reserved commercial, excluding the City's 10,000 square feet and 20,000 square feet contractually obligated to Harbor Side, remains at 23,600 square feet.

Commission discussed the conceptual/general development plan presented by Attorney Grimes and Tim Vining. Staff recommends approval of the variance requests, and approval of the plan with stipulations.

Attorney Grimes called attention to the attainable housing stipulation, stating his opinion that these particular 40 units are vested, given the original approval date of the DRI and the stipulation should not apply. He informed Commission his conversations with staff and Attorney Hall led him

to believe they concurred. He noted the public hearing date in the ordinance should be changed. It was also noted the exhibits should be properly labeled.

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

Motion: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve Ordinance No. 06-912.

5. PUBLIC HEARING – ORDINANCE NO. 06-913

Ordinance No. 06-913 was read by title.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR BELLA PONTE CONDOMINIUMS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP 0604 Riviera Dunes Retail Partners, LLC, PID # 2603633353, approx. 12.52 acres).

Mayor Bustle opened the public hearing.

Planning Consultant Bob Schmitt gave a brief description of the project, explaining it is not part of the Riviera Dunes DRI, but does have PD-MU zoning. It is a project of 109 multi-family units on 12.5 acres, a density of 9.31 units per acre. The design theme will be the same as Riviera Dunes. A portion of the parcel on the north side of 7th Street will remain as a preservation or stormwater area.

Walt Smith of Lynn Townsend and Associates stated he is in total agreement with the stipulations placed on the project. He and Lynn Townsend Burnett reviewed the plan with Commission.

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

MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve Ordinance No. 06-913.

6. APPROVAL OF SOLE SOURCE PURCHASE

Captain Mayer stated the Police Department is seeking approval of a sole source purchase of ten MDC/in-car video systems from Coban Research Technologies, Inc. The FY07 budget contains a line item in the IT Department of \$95,000; the balance will be taken from the Communications-Radio Maintenance account. It is the Police Department's plan to purchase ten systems per year until all patrol cars are outfitted with the equipment.

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried 5-0 to approve a sole source purchase of ten Mobile Data Computer and digital in-car video systems from Coban Research Technologies, Inc., in an amount not to exceed \$97,053.

7. RESOLUTION NO. 07-02

Florida League of Cities requests that the City adopt a resolution that supports the League's key priority issues.

A RESOLUTION OF THE CITY OF PALMETTO, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING ISSUES DURING THE 2007 LEGISLATIVE SESSION.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 07-02.

8. RESOLUTION NO. 07-03

Resolution No. 07-03 establishes the budget for the 2007 Regatta Pointe lease renewal. Resolution No. 07-03 was read by title.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 06-33, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2006-2007, AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Williams commented on the lease amount of \$62,000 the State will receive vs. the \$1,000 the City will receive. He encouraged each Commissioner to speak with Attorney Hall, as there may be items in the sublease available to the City. Attorney Hall stated the City is not in a position to deny renewal, as the original submerged land lease contained an automatic 25 year renewal upon notification, which occurred during the prior city clerk's tenure.

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 4-1 to adopt Resolution No. 07-03. Mr. Williams voted no.

9. RESOLUTION NO. 07-04

Resolution No. 07-04 establishes the reduced revenue budget for stormwater user fees. Resolution No. 07-04 was read by title.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 06-33, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2006-2007, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried 5-0 to adopt Resolution No. 07-04.

10. RESOLUTION NO. 07-05

Resolution No. 07-05 approves and authorizes the Mayor to execute Schedule 1 to the Equipment Master Lease Agreement approved by City Commission January 8, 2007. Schedule 1 leases/purchases equipment approved in the FY07 budget.

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 PUBLIC CAPITAL CORP; 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. Cornwell seconded and motion carried 5-0 to adopt Resolution No. 07-05.

11. 2007 BOARD APPOINTMENTS

Mayor Bustle's 2007 appointments of citizens volunteering to serve on City Boards and the Mayor, Commission and staff appointments to outside organizations.

MOTION: Ms. Cornwell moved, Mr. Ball seconded and motion carried 5-0 to approve Mayor Bustle's 2007 Board Appointments as presented.

12. REDUNDANT INTERNET CONNECTION

This topic was tabled by Commission on October 2, 2006. Staff is requesting it be removed from the table and that Commission approves and authorizes the Mayor to execute a three year contract with Bright House to supply an Internet connection. The annual contract amount is \$6,720, which has been budgeted. The remaining annual payments will be appropriately budgeted.

MOTION: Mr. Ball moved, Mr. Williams seconded and motion carried 5-0 to remove the Redundant Internet Connection issue from the table.

MOTION: Mr. Ball moved, Ms. Cornwell seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Advanced Broadband Services Agreement with Bright House Networks, LLC, in an amount not to exceed \$20,160.

13. DEPARTMENT HEADS' COMMENTS

Mr. Freeman

The cemetery ordinance update will be brought to Commission in February.

Captain Mayer

The mock accreditation is scheduled for January 30th through February 1st.

Attorney Hall

Thanked the Commission for her appointment.

Requested the proposed lien ordinance be given a high priority on the Suspense Log.

14. MAYOR'S REPORT

Briefed the Commission on the MPO meeting.

For February and March, the Council of Governments will meet on the 3rd Wednesday of each month.

Informed Commission he is attempting to coordinate a joint meeting with the Board of County Commissioners. In the meantime, he is planning to meet with Commissioner Stein concerning the issues with the parks north of Manatee River. He also suggested the Department Heads select their first level supervisors they wish to attend a meeting with county administrative staff. There are plans on the county's part to move forward with the aquatic center at Blackstone Park.

Commented on staff that has been manning the City's fair booth.

Discussed placing a public survey card concerning retaining Palmetto Elementary at its present site in the utility bills.

15. COMMISSIONERS' COMMENTS

Ms. Cornwell

Reported an instance when a school crossing guard was not at the intersection of 8th Avenue and 10th Street. Suggested the Police Department could do a presentation at school to educate students on safely crossing streets at intersections.

Discussed the proposed assisted living facility near Zirkelbach's office. Staff confirmed the issue has not been to P&Z. Attorney Hall was asked to provide Commission information concerning the topic prior to the next meeting.

Requested the Police Department contact each Commissioner with an update concerning the recent church shooting.

Requested staff determine if an identification code for individuals having the alarm code to City Hall can be established with the alarm company in the event a wrong alarm code is used.

Updated the Commission on the recent CRA meeting; SHIP applications that have been approved; costs of normal construction.

Mr. Ball

Reported on the excellent IMO training he recently attended. His attendance at the training again gives him the opportunity to comment on the competence of City staff, the Mayor's performance, and the cooperation between Commissioners.

Mrs. Lancaster

Reported on the demolished home on 17th Street and the home that will be built by SHIP funds. Commended Mrs. Lukowiak on the CRA's success in educating the community on the SHIP program.

Captain Mayer confirmed the Police Department is targeting several areas in the City.

Mr. Williams

Opined the Nuisance Abatement Board can be an effective tool and needs to be established as quickly as possible.

When projects are being presented to Commission for approval, information such as DRC minutes and any matrix for credits should be part of the agenda packet.

Suggested a meeting on the pier may be in lieu of a workshop.

Attendance at the fair is above last year.

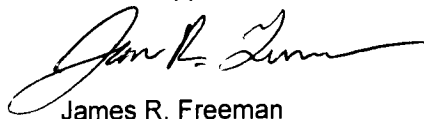
Ms. Varnadore

Commented the minutes stated the CIP would be on the 4:00 agenda. Staff stated it is anticipated the update is scheduled for February 5, 2007.

The appointment of the City Attorney is available February 1, 2007. Ms. Varnadore inquired if there is a contract and who will review the document. Attorney Hall stated here intention to do a letter of agreement.

Meeting adjourned at 10:10 pm.

Minutes approved: February 5, 2007



James R. Freeman
City Clerk