

Palmetto City Commission
January 5, 2009 7:00 p.m.

Elected Officials Present:

Shirley Bryant, Mayor
Tambra Varnadore, Vice Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Brian Williams, Commissioner
Alan Zirkelbach, Commissioner

Staff Present:

Mark Barnebey, Special Counsel
James R. Freeman, City Clerk
Tanya Lukowiak, CRA Director
Garry Lowe, Chief of Police
Tom McCollum, Interim Planner, ZNS
Allen Tusing, Interim Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 7:00 pm. Chief Garry Lowe gave the invocation, followed by the Pledge of Allegiance.

Swearing-in of all persons intending to address City Commission.

There was no public comment on non- agenda items.

1. AGENDA APPROVAL

Mayor Bryant requested that the agenda be modified to add the acceptance/denial of property Manatee County proposes to transfer to the City that was discussed at the 5:00 meeting and the extension of department head terms.

MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the January 5, 2009 7:00 agenda, with the two additions.

2. CONSENT AGENDA

- A) Minutes: December 15, 2008
- B) Noise Exception Permit: Palmetto Church of the Nazarene
- C) Martin Luther King, Jr. Day Events (Waiver of portion of fees)

MOTION: Commissioner Lancaster moved, Commissioner Cornwell seconded and motion carried 5-0 to approve the January 5, 2009 Consent Agenda.

3. PUBLIC HEARING: CONDITIONAL USE PERMIT 08-05

Application of Value Pawn for a Conditional Use Permit for an electronic message center sign at 908 8th Ave. W.

Mayor Bryant opened the public hearing.

Alan Nelson, representative of Value Pawn and Jewelry, requested approval of an LED sign at the business location. Mr. Nelson gave reasons why the sign would be beneficial to the business. Attorney Barnebey informed Commission that he did not believe Commission could approve the request at this time because the Downtown Design Guidelines (DDG) adopted by Ordinance 07-930, which requires that improvements to existing development comply with the DDG; the sign provisions of the DDG state it is inappropriate to have a sign using LED or changeable copy.

Attorney Barnebey further informed Commission he has spoken with the applicant concerning the matter. After a brief discussion of the intent of the DDG, Attorney Barnebey opined the DDG is regulatory. He stated that it may be appropriate for Commission to discuss if the provision in the ordinance is appropriate.

Attorney Barnebey advised Commission that action could be taken on the matter or it could be continued to a date certain. Continuation of the topic would mean a new application would not have to be submitted and additional advertising would not be required.

Sandy Bargfrede, Value Pawn and Jewelry, expressed disappointment that she has been given erroneous information throughout the process. She commented on the P&Z approval, existing signs in the downtown, and the expanding digital use. She stated she was not notified of this meeting and also requested notification of all future meetings where the topic would be heard.

MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to continue the Conditional Use Permit 08-05 for Value Pawn and Jewelry, 908 8th Ave. W. matter to May 18, 2009 at 7:00 p.m. or as soon thereafter as it can be heard in these chambers.

The item will also be placed on the May 18, 2009 workshop agenda.

4. PUBLIC HEARING: ORDINANCE NO. 08-978

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 RES-14 (RESIDENTIAL 14 UNITS PER ACRE) TO PD (PLANNED DEVELOPMENT); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-08-05 Charles Palmer and Jonathan Shute, PID # 2778600003, approx. 0.3+/-acres).

Mayor Bryant opened the public hearing. She announced that the applicant has requested that the item be continued and stated that public comment would be accepted at this time or comment could be delayed until the topic is heard by Commission.

Ray Frazier spoke in opposition of the project.

MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to continue the public hearing for Ordinance No. 08-978 to February 2, 2009.

5. PUBLIC HEARING: ORDINANCE NO. 08-979

AN ORDINANCE 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 RM-6 (RESIDENTIAL MULTI-FAMILY) TO PDH (PLANNED DEVELOPMENT HOUSING); APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR A SINGLE FAMILY RESIDENTIAL PROJECT DEPICTING SIX (6) UNITS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-GDP-08-05 Charles Palmer and Jonathan Shute, PID # 2778600003, approx. 0.3+/- acres).

Mayor Bryant opened the public hearing. She announced that the applicant has requested that the item be continued.

MOTION: Commissioner Cornwell moved, Commissioner Williams seconded and motion carried 5-0 to continue the public hearing for Ordinance No. 08-979 to February 2, 2009.

Mr. Freeman confirmed with Commission that the item will be placed on the January 26, 2009 workshop agenda, as the applicant would like to present the planned project to Commission.

6. PUBLIC HEARING: ORDINANCE NO. 08-980

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR PARCEL 9 OF THE RIVIERA DUNES MASTER DEVELOPMENT PLAN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP 08-06 Beach Townhomes Investors, LLC, PID# 2581600959, approx. 1.31± acres).

Mayor Bryant opened the public hearing. She announced the applicant has requested a continuation of the item.

Staff informed Commission that a representative of the applicant has stated they requested additional time to research issues that have arisen concerning the project and a possible land swap for the project is being considered.

Attorney Barnebey confirmed that Commission may deny any continuation, which will mean the applicant will have to begin the process over, including the additional expense, or the continuation to a date certain can be granted. He stated it would be appropriate to accept comment at this time.

The following individuals spoke in opposition of the event: Jaime Mead, Steve Haeffele, Bill Horton, Virginia A. Dorris and Michael Strink. During the comments a power point presentation and an artist's rendering of the Bel Mare project were entered into the record. Points of opposition cited were the building heights, the obstruction of view, the decline in property value, and the fact the proposed project is different from what was portrayed when the individual's properties were purchased. In addition, Mr. Haeffele stated an access easement for fire purposes through Bel Mare garage has not been granted. Mr. Strink also commented on the fact that the original general development plan (GDP) was approved prior to any resident's occupancy. He stated the homeowners have initiated the talks with and are willing to work with the Chicago group on a possible land swap and remedy to the issues that have been raised.

Commissioner Zirkelbach requested that a Notice to Buyers be provided Commission before the topic returns to Commission.

Also entered into the record were a letter of opposition from Gary Tucker and a letter from Lifestyle Properties, the sales agent for the Bel Mare project, listing the sales material that was provided to prospective purchasers.

Commissioner Zirkelbach commented on the fact the project had let lapse an approved site plan that contained building with roofs of 40'. Interim Planner Tom McCollum confirmed the information, stating the roofs were flat with porches on the top of the roof. He also stated the proposed project contains three off-set buildings vs. the previously approved one building, with pitched roofs rather than flat.

Commissioner Cornwell commented on discrepancy in the building height between the Development Review Committee and Planning and Zoning Board minutes. Mr. McCollum will provide a report to Commission.

Commissioner Williams inquired if a GDP can expire. Attorney Barnebey confirmed it can. He also discussed the project being part of a DRI, which will require research to determine if a Notice of Proposed Change is appropriate. Commissioner Williams also commented on the emergency access through the garage, and the fact it may not be granted. He opined that based on the inconsistencies in the provided information and the Planning and Zoning Board denial, he was prepared to deny the continuation. Mr. Strink opined that because the development was Phase IV of the Bel Mare project, emergency access may be an oversight.

Commissioner Varnadore agreed that in fairness to all involved parties and the inconsistencies in the provided information, that the continuation should be denied. She opined that if the land swap is negotiated, the applicant would probably have to start over. Mr. Collum confirmed that it appears the project was noticed on the triangular property that was presented. Attorney Barnebey confirmed that if the project is located on a different piece of land, the project would have to be re-advertised. Staff confirmed that the applicant will be notified if the continuance is denied.

MOTION: Commissioner Williams moved, Mr. Zirkelbach seconded and motion carried 5-0 to close the public hearing.

MOTION: Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to deny Ordinance No. 08-980 based on the findings it is inconsistent with the Comprehensive Plan, the Zoning Code and the testimony and evidence presented into the record today.

7. PUBLIC HEARING: ORDINANCE NO. 08-981

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF PALMETTO; PROVIDING FOR AMENDMENT OF CITY BOUNDARIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (AN-08-06 – R&W Gulfcoast Properties, LLC. PID # 2578000008, approximately 1.38+/- acres).

Mayor Bryant opened the public hearing.

Will Robinson, representing the applicant Wholesale Landscaping and Supply, stated the application meets appropriate statutory requirements for annexation into the City, and that no new development is planned at this time.

Mr. Tusing confirmed that all utility services are available to the property, the applicant is wishing to obtain the sanitary sewer services and that there will be no adverse impact on the system. The property houses only bulk landscaping supplies; there are no drainage issues.

Commissioner Varnadore commented on past incidents where development has occurred on a piece of annexed property without Commission review and approval. Mr. McCollum stated that if a use different from what the proposed zoning would permit is requested then the new use would have to be approved by Commission. He confirmed that the proposed zoning category is consistent with the current use and is the best category.

Mayor Bryant read the Community Redevelopment Area [9J-5.006(3)(b)2.] Policy 1.2.4 into the record, stating staff's statement, "This site is located within the CRA and may qualify for storefront grant money if improvements are proposed in the future," may not be accurate. Mr. Robinson acknowledged the statement may not be correct and that his client's application is not contingent upon the statement.

Mayor Bryant closed the public hearing.

MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 5-0 to approve Ordinance No. 08-981.

8. PUBLIC HEARING: ORDINANCE NO. 08-982

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 INDUSTRIAL LIGHT (IL-COUNTY), TO HEAVY COMMERCIAL/INDUSTRIAL (HCOMIND-CITY); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-08-06 – R&W Gulfcoast Properties, LLC. PID # 2578000008, approximately 1.38+/- acres).

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

MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve Ordinance No. 08-982.

9. PUBLIC HEARING: ORDINANCE NO. 08-983

AN ORDINANCE 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 LIGHT MANUFACTURING (LM-County) TO COMMERCIAL HEAVY INDUSTRIAL (CHI-City); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-08-06 – R&W Gulfcoast Properties, LLC. PID # 2578000008, approximately 1.38+/- acres).

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

MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve Ordinance No. 08-983.

10. PUBLIC HEARING: ORDINANCE NO. 08-984

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 2, SECTION 2-26 OF THE CODE OF ORDINANCES TO REVISE THE MEETING SCHEDULE FOR THE CITY COMMISSION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Freeman called attention to one typographical error in the body of the ordinance.

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

MOTION: Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve Ordinance No. 08-984 as corrected by Mr. Freeman.

11. APPROVAL: BACKGROUND CHECK POLICY

Attorney Barnebey informed Commission that the draft of the Background Check Policy before them reflected the addition of references that an arrest for a crime listed on Exhibit A will be considered on a case-by-case basis; automatic suspension with pay will occur until appropriate action can be taken.

Attorney Barnebey made one further change to second paragraph on page 4 of the Policy, by amending the second sentence to read "All convictions or arrests for a crime listed on Exhibit A will be reviewed by the Human Resources Director in consultation with the appropriate Department Head and City Attorney."

Commissioner Williams opined that the individuals making a recommendation should also include the Mayor and Attorney. Attorney Barnebey opined that before any decision is made it will require action by the Department Head, Human Resources Director, Mayor and Attorney; therefore, he did not recommend amending the policy as stated.

Commissioner Cornwell inquired who would be notified if an arrest occurs outside the City if the Police Department is not notified. Mr. Freeman stated FDLE would get a report back from the company doing the background checks. Chief Lowe stated that if the arrest occurs outside the City and the employee does not self-report, the Personnel Policy would prevail. Lt. Tyler stated that most law enforcement agencies will not notify the City should a City employee be arrested in

their jurisdiction. He suggested that consideration should be given to screening on an annual basis.

Attorney Barnebey stated that all employees must be aware of the policy, and recommended documenting the way the policy was distributed. Discussion ensued on requiring all employees to be fingerprinted. Attorney Barnebey advised mandatory fingerprinting is a different level of review above what is being implemented in the policy; it probably will not be an issue but must be researched.

Commissioner Varnadore stated she would like to move forward with the Background Check Policy as stated; it can be amended in the future.

Mr. Freeman confirmed that the policy was submitted to the Personnel Committee and feedback was provided to Attorney Barnebey. He further stated his employees know the policy has been considered by Commission, but he has not reviewed the policy with his staff.

Commissioner Lancaster stated that if she votes to adopt the policy she is agreeing to everything in the policy, and she does not.

MOTION: Commissioner Varnadore moved, Commissioner Williams seconded and motion carried 4-1 to approve the Background Check Policy as modified by Mr. Barnebey. Commissioner Lancaster voted no.

12. APPROVAL: DEP GRANT-AGREEMENT NO. LP8966

A) State of Florida DEP \$500,000 grant to further improve the I&I Program. Mrs. Lukowiak stated the State funding was appropriated by the Legislature; if the funding is removed from the State's budget, the City will be notified. She also stated she feels that City expenditures from July 2008 will be allowed as reimbursable projects; there is no guarantee.

MOTION: Commissioner Cornwell moved, Commissioner Williams seconded and motion carried 5-0 to approve and authorize the Mayor to execute the State Financial Assistance Agreement, DEP Agreement No. LP8966, providing a minimum match not to exceed \$166,667.

B) RESOLUTION NO. 09-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 5-0 to adopt Resolution No. 09-01.

13. APPROVAL: OFFICE OF GREENWAYS & TRAILS GRANT FUNDING

A) Acceptance of a grant funding to make improvements to the area connecting Hydrant Park to the Recreational Trail.

MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve and authorize the Mayor to execute the State Department of Environmental Protection Recreation Trails Project Agreement #T2830, providing an in-kind match not to exceed \$15,000.

B) RESOLUTION NO. 09-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 5-0 to adopt Resolution No. 09-03.

14. APPROVAL: BEHAVIORAL HEALTH MANAGEMENT SERVICES, INC. CONTRACT

Annual renewal of the contract to administer the City's Employee Assistance Program. Mr. Freeman stated that based on Attorney Barnebey's comments, changes to the contract were submitted to the vendor and were accepted. Mr. Freeman distributed the amended contract. Attorney Barnebey stated that with the additional changes as follows, he has no objection to the execution of the contract.:

1. Paragraph 8: Final sentence should read: "This indemnification clause is subject to limitations contained in Section 768.28, Florida Statutes, as to the employer.
2. Paragraph 13D: Section was made plural.
3. Paragraph 24: The first sentence contained in the contract was deleted.

MOTION: Commissioner Varnadore moved, Commissioner Cornwell seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Behavioral Health Management Services, Inc. d/b/a Baycare Life Management contract for a term ending December 31, 2009, in an amount not to exceed \$2,700, with Mr. Barnebey's approval and changes.

15. RESOLUTION NO. 09-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, OPPOSING A UNITED STATES POSTAL SERVICE MANASOTA AREA MAIL PROCESSING STUDY; OPPOSING ANY ACTION THAT WILL MOVE MAIL PROCESSING FROM THE MANASOTA PROCESSING AND DISTRIBUTION CENTER; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Commissioner Lancaster moved, Commissioner Williams seconded and motion carried 4-1 to adopt Resolution No. 09-02. Commissioner Zirkelbach voted no.

16. ELECTION OF VICE MAYOR

MOTION: Commissioner Varnadore moved, Commissioner Cornwell seconded and motion carried 5-0 to nominate Brian Williams as Vice Mayor.

17. 2009 OUTSIDE ORGANIZATION APPOINTMENT

MOTION: Commissioner Varnadore moved, Commissioner Williams seconded and motion carried 5-0 to approve the 2009 Outside Appointments as presented.

18. ASSIGNMENT OF LIAISON POSITIONS

MOTION: Commissioner Varnadore moved, Commissioner Lancaster seconded and motion carried 5-0 to approve the 2009 Liaison Positions.

Mayor Bryant has asked that Commissioners serve on special projects, in conjunction with the Mayor's office, as follows:

Palmetto Elementary School	Commissioner Varnadore
7th Street light extension	Commissioner Williams
Personnel Policy update	Commissioner Cornwell
Shop at Home/Local Preference	Commissioner Zirkelbach

Mayor Bryant stated that Commissioner Lancaster's project is forthcoming.

19. DEPARTMENT HEAD TERM EXTENSION

Mayor Bryant asked that the terms of the current and interim department heads be extended until such a time an advertised RFP for the City Attorney position appointment is ready for Commission's consideration.

MOTION: Commissioner Varnadore moved, Commissioner Zirkelbach seconded and motion carried 4-1 to extend all department heads and interim department heads as currently staffed to March 9, 2009. Mrs. Lancaster voted no.

20. ACCEPTANCE OF COUNTY-OWNED PROPERTY

This item was forwarded from the workshop agenda for Commission action. Discussion ensued on whether or not the City could decline acceptance of the property; statutory language suggests that the City must take the property if it is offered. Discussion also ensued on obtaining an O&E title search and environmental assessment.

MOTION: Commissioner Lancaster moved and Commissioner Zirkelbach seconded that they were willing to accept the property subject to no significant issues in regards to the title on the property and a Phase I environmental report.

Discussion ensued on the estimated cost of the title search and environmental report. Commissioner Williams disagreed with the Phase I audit.

MOTION: Commissioner Williams moved, Commissioner Varnadore seconded and motion failed 3-2 to withdraw the cost of the environmental audit. Commissioners Zirkelbach, Lancaster and Cornwell voted no.

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

21. DEPARTMENT HEADS' COMMENTS

Mr. McCollum

Opined Commission's decision to accept the property was a wise decision. He stated an environmental report may be advantageous if the property is sold in the future.

Mr. Tusing

Reported he is still researching equipment required to accept the FDOT grant. Commissioner Varnadore pointed out that the budget resolution to the grant acceptance was tabled to January 5, 2009.

MOTION: Commissioner Varnadore moved, Commissioner Cornwell seconded and motion carried 5-0 to defer Resolution 08-38 to a date certain as staff obtains further information.

Mr. Freeman

The joint Commission/CRA meeting is scheduled for January 13, 2008 at 5:30 pm. Mr. Freeman requested, time permitting, the addition of an IT item on the agenda. Commissioner Cornwell reported that she has a Fair Board conflict on that date that has been standing for a year.

The Verizon cell tower issue, 7th Avenue Cottage project presentation and the local preference issue will be on the January 26, 2009 workshop agenda.

The quarterly budget meeting is scheduled for January 27, 2009.

Reported there were noise issues in the Oakridge area. Staff met with the Mayor; Code Enforcement staff and/or patrol will be working a couple of hours on some Saturdays in the coming months. He reported he has directed Code Enforcement personnel that a 24-hour response to incoming calls is expected. Staff will research a possible four day work week for Code Enforcement.

Chief Lowe

Stated his department has taken appropriate measures for the situation discussed by Mr. Freeman not to occur again. He has spoken with Lou Eurice, who will speak with the offending tenant. Reviewed the accomplishments of the Robbery Task Force and his sworn officers over the past four weeks.

Mayor Bryant reported on her meeting with the department heads and Mr. Stollo. She also discussed the Police Department web site issues that are being addressed.

Attorney Barnebey

Review of the sign ordinance has begun; looking at the status of the EAR based Comp Plan amendment and adult entertainment ordinance.

22. MAYOR'S REPORT

No report.

23. COMMISSIONERS' COMMENTS

Mr. Zirkelbach

In lieu of time, withheld comments.

Ms. Cornwell

Reported guns being fired in her neighborhood on New Year's Eve; PD received no calls. Suggested utilizing City resources for education on the topic.

Inquired if the movie had been ordered for showing during Cinco de Mayo. Mrs. Lukowiak stated the Movie in the Park has been suspended until funding can be approved by Commission January 26, 2009; Waste Management will have to agree to provide the popcorn and drinks. Casper has been paid for and can be used within a year of renting the movie. Volunteers are being sought to man the event.

Mr. Williams

Reported a JPC meeting January 6, 2009, and commented on the organization not being included in the appointments. It was consensus of Commission to reappoint Mr. Williams as the JPC liaison; the appointment list will be amended.

Reported he is not receiving notification when department heads are going out of town.

Thanked Sgt. Taylor for quickly addressing the solicitation that was occurring on street corners.

Discussion ensued on the police vehicle video cameras that are not working. Mr. Freeman stated the problem falls within the IT issue. Mayor Bryant asked that Commission consider allowing staff to move forward with exploring how to resolve the issue. Mr. Freeman requested permission to use \$10,000 out of the salary line item of the IT position that will not be filled to explore resources that are available to resolve the IT issues city-wide. Commission concurred that Mr. Freeman moved forward with Mayor Bryant's oversight to obtain the information. Commissioner Varnadore requested she be provided a report on the situation.

Ms. Varnadore

Suggested that the email sent in March regarding ex-parte communication be reviewed by Commission.

Requested that the sign ordinance be brought forward as soon as possible. She stated staff and the Mayor should discuss how enforcement of the current ordinance is being handled.

Mayor Bryant noted that the Police Department grounds and building are being addressed by staff.

Mrs. Lancaster

Discussed the noise issue that happened in Oakridge. She commented on the ordinance governing noise; calls that were made to the Captain and the Code Enforcement Director. Chief Lowe assured Commissioner Lancaster that like situations will be properly addressed in the future. She thanked Mayor Bryant and Commissioner Williams for their help in trying to resolve the problem.

Stated she is still unclear on Commissioner Williams' comments regarding the CRA Executive Director's contract; the contract is the same as the past renewals, each for three years; the contract was signed December 13, 2007; the liaison received agenda packets; disability pay. Commissioner Williams voiced how he interpreted the disability provision; the City would be making up the difference between the disability pay so the director would receive her entire salary. It was suggested comments should be withheld until the joint meeting. Commissioner Lancaster stated she hoped the liaisons to the different departments would be required to bring back a report to Commission from the various meetings.

24. PUBLIC COMMENTS

No public comment.

MOTION: Commissioner Varnadore moved, Commissioner Lancaster seconded and motion carried 5-0 to adjourn the meeting at 10:20 p.m.


James R. Freeman
City Clerk