

Palmetto City Commission  
February 2, 2009 7:00 p.m.

Elected Officials Present:

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

Staff Present:

Mark Barnebey, Interim City Attorney  
James R. Freeman, City Clerk  
Garry Lowe, Chief of Police  
Tanya Lukowiak, CRA Executive Director  
Allen Tusing, Interim Public Works Director  
Frank Woodard, Deputy Director of Project Management & Engineering  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 7:15 pm. Commissioner Zirkelbach gave the invocation, followed by the Pledge of Allegiance.

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

PRESENTATION: Andy Hanson, Florida League of Cities Florida Municipal Trust Account Representative, presented a 2006 property insurance catastrophic reserve refund of \$42,281 to Mayor Bryant.

PUBLIC COMMENT (non-agenda items):

Pastor Cesar Garcia spoke to Commission about his congregation's fundraising events. Mayor Bryant requested a meeting with Pastor Garcia concerning the safety issues surrounding some of the event participants.

Allison Hewitt requested clarification on the CEDC invoice submitted for payment (discussed at the workshop meeting). Ms. Hewitt informed Commission the firm's contract with Manatee County does allow for the expenditure of funds in Palmetto; therefore, she would like to be able to take action on the instructions received for the development of materials, which would require payment of the invoice. Commission discussed the matter, and because of the CRA Board approved contract, did not delay payment of the invoice.

Mayor Bryant announced that she will be purchasing a card recognizing James Anderson, a retired city clerk who served the City from 1950- to 1984, on his 90th birthday.

ORDER OF BUSINESS:

1. AGENDA APPROVAL

Mayor Bryant requested that the acceptance of the Byrne Grant and the final consideration of the Special Function Permit for Support our Troops be added to the agenda.

**MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the February 2, 2009 7:00 p.m. agenda.**

2. PUBLIC HEARING: ORDINANCE NO. 08-978 (Planning)

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. There was no public comment at this time.

**MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to continue the public hearing for Ordinance No. 08-978 to March 23, 2009.**

3. 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. There was no public comment at this time.

**MOTION: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to continue the public hearing for Ordinance No. 08-979 to March 23, 2009.**

4. RESOLUTION 09-10

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.

Mr. Freeman was directed to provide a time line of when the IT website issues would be corrected, as well as a regular accounting of how the time line will be met. Commissioner Cornwell stated it is her expectation that all the issues will be resolved by March 23, 2009.

**MOTION: Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve Resolution 09-10.**

5. RESOLUTION 09-11

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 approve Resolution 09-11.**

6. ORDINANCE 09-985

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO DECLARE AND ESTABLISH THE CITY COMMISSION AS THE COMMUNITY REDEVELOPMENT AGENCY; AMENDING THE CODE OF ORDINANCES TO CREATE AN ADVISORY BOARD TO BE KNOWN AS THE PALMETTO COMMUNITY REDEVELOPMENT ADVISORY BOARD; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Williams moved, Commissioner Varnadore seconded and motion carried 3-2 to approve Ordinance No. 09-985 for advertising and schedule a public hearing for February 23, 2009. Commissioners Lancaster and Zirkelbach voted no.**

7. COBRA AND HIPPA

The vendor that administers the City's COBRA and HIPPA notification is no longer providing the service. The City's insurance agent Mike Towns has identified a new provider and Mr. Towns will reduce his commission so the service can be provided at no extra cost to the City. Commission directed Mr. Freeman to ensure that there is no local company that can provide the insurance before executing the contract. Attorney Barnebey identified an amendment to the contract to correctly state the jurisdictional boundaries of the contract will be Florida, not Minnesota, and stated the 1996 dates should be confirmed as correct.

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to authorize the Mayor to execute the contract between Ceridian and the City of Palmetto for COBRA and HIPPA services for 2009, contingent upon failure to obtain a local vendor and the correction of the dates within the contract.**

8. DEPARTMENT HEADS' COMMENTS

Attorney Barnebey

Stated revision of the special function permit form will be added to items he is currently working.

Chief Lowe

Recognized Lt. Tyler for the apprehension of a suspect in the recent carjacking. He also mentioned material that has been developed on gangs and announced a personal safety class is available to Commissioners.

Mr. Freeman

Requested that Commissioners wishing LaserFiche training notify him. Stated IT is working through the issues with the laptop computers, and requested Commissioners notify him of any problems they may experience.

#### 9. MAYOR'S REPORT

Commented on the Mobility Study's article in the paper; most Palmetto projects are proceeding. There is a public meeting February 18 at the Bradenton Auditorium beginning at 6:00 pm to present the findings of the joint study covering Palmetto, Bradenton and Manatee County.

Inquired if all Commissioners are receiving her emails, as that is her mode of communications. Commissioner Cornwell has attachment issues; requested a synopsis of the email topic. Mrs. Lancaster instructed staff to email her only to her home address.

#### 10. COMMISSIONERS' COMMENTS

##### Commissioner Lancaster

Inquired what projects the City is working on. Mr. Tusing stated there are none under construction at this time, but bids will be going out on projects that will be funded by grants.

Stated she feels the minority community is being excluded. If she can't get information, she can't pass information on to her constituents. She opined that City business should move forward, efforts to identify what has been done wrong by people who have left City employment should cease. Mayor Bryant stated corrections she has identified and made are for the betterment of the City.

##### Commissioner Cornwell

Suggested looking at arranging meetings with the mobile home parks, the Youth Center and the local churches Commission has visited in the past.

Suggested that before purchasing equipment, staff should look at neighboring cities and counties to determine if mutual use of equipment is possible.

Suggested that a new special function permit form should list points of contact.

Suggested the Commission should look to see how Pastor Garcia can be assisted. Mayor Bryant stated that she plans to meet with Pastor Garcia to discuss the safety issues surrounding his fund raising events.

Suggested putting safety links and tips on the website, citing the winter residents of the mobile home parks as an example of how safety tips can assist them when closing their homes.

Requested a thumb drive for the Commissioners laptop computers.

##### Commissioner Zirkelbach

Commented on the ordinance placing a PD zoning (planned development) on a 1/3 acre site. He requested that land uses should be placed on the map showing surrounding properties when an ordinance is brought to Commission for consideration. He opined Commission should be ready to discuss plan amendments and how to lay better groundwork for the future.

Mayor Bryant cited the submission by the pawn shop of planning issues that need to be addressed. Commission Zirkelbach stated he could see the value of an electronic sign on 8th Avenue and suggested such a sign at City Hall could announce events.

##### Commissioner Williams

Inquired when a change to a proposed project becomes substantial. Attorney Barnebey stated that Commission will have to make that decision; example: building footprints may be exactly the same but the number of units may be eliminated, thus the remaining units become larger.

Thanked Deanna Roberts for her performance during Diane Ponder's absence, stating she did an excellent job.

Referring to the transfer of funds for the purchase of attenuators, Commissioner questioned how the transfer was accomplished. Mr. Freeman explained that outstanding encumbered purchase order funds are carried forward or liquidated in the fund balance; some carried forward purchase orders will be released for the purchase of equipment or a project. Commissioner Williams requested a list of outstanding carried forward purchase orders at the budget quarterly review meeting.

Opined that it may be helpful for department heads to contact their liaison for explanation of topics and seek support.

Commissioners were requested to contact Mr. Freeman with dates they are available for LaserFiche training. Mrs. Lancaster requested all information be provided to her on paper.

Commissioner Varnadore

Referring to the email concerning the MPO project ranking, Mr. Tusing stated he used the projects that are on the books. She stated that she may wish to alter the ranking and will meet with Mr. Tusing.

In preparation of the CIP review at the next workshop, requested a breakdown of the monies, including CRA funds, which have been spent in each Ward for the last five years on capital projects.

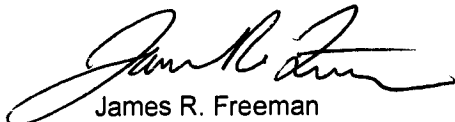
Referring to the MPO list, Mayor Bryant confirmed Commission discussed the proposed projects at 10th St. and 10th Ave. and 10th St. and 14th Ave. regarding the school's proposed site. She also confirmed the infrastructure in Ward 1 has been discussed. Commissioner Zirkelbach stated that he would like the opportunity to discuss the projects on 10th Street.

Announced the 4H Foundation is holding its annual golf tournament February 28 at the Preserve Golf Club at Tara.

Mrs. Lancaster stated the CRA has talked about a park in Ward 1. She commented on the for sale signage on the properties. Mrs. Lukowiak stated the property is four vacant lots at 11th St. Dr., east of 3rd Ave. Three lots can be purchased now, but the corner lot is in probate. She stated she will have information concerning the property at the first meeting where the Commission sits as the CRA Board. Mayor Bryant confirmed the Commission will conduct CRA business by a consent agenda during a regular Commission meeting.

Meeting adjourned at 8:50 pm.

Minutes approved: February 23, 2009



James R. Freeman  
City Clerk