

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

Elected Officials Present:

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

Elected Officials Absent:

Alan Zirkelbach, Commissioner

Staff Present:

Mark Barnebey, City Attorney
James R. Freeman, City Clerk
Chief Garry Lowe
Allen Tusing, Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 7:00 pm.

Moment of Silence, followed by the Pledge of Allegiance.

PROCLAMATION: Farm City Week November 19 – 21, 2009
Earl Lucas, Manatee County Distinguished Citizen

Veteran's Day
Commander Carl Patton, VFW Post 2488
Lou Fisler, Vice Commander, VFW Post 2488

Swearing-in of all persons intending to address City Commission or the CRA Board.

Public Comment: Daniel Fulghum, Sweetbay Supermakets, requested that Commission consider a compromise and possibly allow the sale of alcohol on Sunday after noon, citing the fact that the store is losing \$250,000 in revenue on an annual basis.

CITY COMMISSION MEETING ORDER OF BUSINESS

1. CITY COMMISSION AGENDA APPROVAL

MOTION: Commissioner Lancaster moved, Commissioner Cornwell seconded and motion carried 4-0 to approve the November 2, 2009 7:00 PM Agenda.

2. CITY COMMISSION CONSENT AGENDA

A) Minutes: October 19, 2009

MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 4-0 to approve the November 2, 2009 Consent Agenda.

3. RESOLUTION NO. 09-48

A RESOLUTION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING EXECUTION OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION MAINTENANCE AGREEMENT #BDM25, FM #424087-1-78-01, SUPPLEMENT #1, PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Commissioner Cornwell moved, Commissioner Varnadore seconded and motion carried 4-0 to adopt Resolution No. 09-48.

FDOT required that the City purchase additional equipment in order to sweep the state highways in the City, which Mr. Tusing determined was not economically feasible. Supplement #1 reduces the annual contract with FDOT by removing the street sweeping. Mr. Tusing stated FDOT will sweep the state highways in the city once each quarter, but assured Commission that Public Works will monitor the streets and sweep them when necessary, using a police escort.

4. RESOLUTION NO. 09-49

Budget resolution to reduce the revenue from FDOT contract #BDM25.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Commissioner Lancaster moved, Commissioner Cornwell seconded and motion carried 4-0 to adopt Resolution No. 09-49.

5. 2010 HOLIDAY AND COMMISSION MEETING SCHEDULES

The meeting calendar was amended to hold the December, 2010 meetings on the 6th and 13th.

MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 4-0 to approve the 2010 Holiday and Commission meeting schedules, with the amendment changing to December 13, from December 20, 2010.

6. I&I PROGRAM

Staff is seeking authorization to select contractors for rehabilitation services from Manatee County's RFP in order to timely complete projects utilizing grant funds awarded of \$500,000.

MOTION: Commissioner Cornwell moved and Commissioner Williams seconded to authorize Public Works staff to select contractors for rehabilitation services from Manatee County's RFP and authorize the Mayor to execute contracts, pending attorney review, for amounts collectively not to exceed \$500,000.

Discussion ensued on the delay in implementing the work to complete the grant award criteria. Mr. Tusing explained that the City had to complete pipe inspections and in-kind services before the work could actually begin. Discussion also ensued on the necessity of piggy-backing on the Manatee County contracts to meet the grant deadlines. Staff was instructed to calendar these types of projects so that additional contracts and prices can be considered.

Motion on the floor carried 3-1. Commissioner Lancaster voted no.

7. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 09-1001

AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 29, ARTICLE VII, SECTION 29-207 OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE CITY STORMWATER MANAGEMENT SYSTEM; PROVIDING CLARIFICATION OF FEE FOR STORMWATER MANAGEMENT SERVICE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Commissioner Cornwell moved and Commissioner Lancaster seconded to approve Ordinance No. 09-1001 for advertising and schedule a public hearing November 16, 2009.

Attorney Barnebey adjusted the title to read:

AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 29, ARTICLE VII, SECTION 29-207 OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE CITY STORMWATER MANAGEMENT SYSTEM; PROVIDING CLARIFICATION OF FEE AND RESPONSIBILITY FOR STORMWATER MANAGEMENT SERVICE AND RELATED CHANGES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Cornwell added the amendment of the title to her motion and Commissioner Lancaster added the amendment of the title to her second. Motion on the floor carried 3-1. Commissioner Williams voted no.

Mayor Bryant recessed the City Commission meeting at 7:40 pm to open the CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:50 pm.

8. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE

Mr. Tusing informed Commission the project is ready to go to design and build. He stated he will request permission to go to bid on the next Commission meeting agenda, but that does not mean the City must build the street at this time.

He displayed three dimensional plans of the ball fields prepared by Lynn Naajar, which will be used when soliciting funding for the project.

Mr. Tusing stated he is calculating the cubic yards of dirt that were moved (in conjunction with the Palmetto Elementary School relocation). Mayor Bryant stated the email she received from the School Board did not mention the dirt. Manatee County and the School Board have committed staff members to search for grant funding for constructing the ball fields

MOTION: Commissioner Williams moved, Commissioner Lancaster seconded and motion carried 4-0 to authorize Public Works to put the 23rd Street Project out to bid.

9. DEPARTMENT HEADS' COMMENTS

Mr. Tusing
Engineering for Ward I Phase II is at 60% and a meeting with the engineer is being scheduled.

A Notice to Proceed has been issued by FDOT for the 10th St. and 10th Ave. and 10th St. and 14th Ave. resurfacing projects. Attorney Barnebey is reviewing the information to ensure it is out to bid within the FDOT mandated time period.

The 17th Street project held its preconstruction meeting this morning. The project end date is February 5, 2011. The street detour will be provided to Commission.

The internal antenna placed in the Public Works building has resolved the issue with cell phones not working in the building.

Mr. Freeman

Notice has been received that the 2009 CDBG grant has no funding cycle; however, two cycles will be available in 2010 during March and August. It is expected \$750,000 will be available for Ward I Phase II. DCA suggested language changes to the RFP to be able to make the grant administration costs reimbursable, therefore the RFP for Grant Administration may be advertised again before March. Projects for the second cycle will be identified.

Funding for Haben Blvd. has been committed by CRA and the CIP. It is anticipated the CIP will be placed on the next workshop agenda.

Extension for funding IT consulting services will be placed on the next agenda.

It has been recommended that the City purchase switches for the phone system to ensure new IT telephony technology can be utilized. The cost for each switch is \$800, and funding is available in the budget.

Requested permission to explore replacing the Commissioners chairs. Commission concurred.

Mayor Bryant discussed moving the stimulus funds back to Haben Blvd., which FDOT has now reclassified as a collector road, and which was formalized by MPO.

Chief Lowe

Reported an uneventful Halloween.

Commended Public Works employees working on painting the Police Department building.

Attorney Barnebey

Briefly discussed the green code for environmental and energy efficient provisions he is researching.

10. MAYOR'S REPORT

Research is being completed to determine the feasibility of using reuse storage tanks on the Edenfield Property. The tanks will be encased in a building-like structure.

Reported all employees have been advised the Personnel Policy is in effect and is to be adhered to; background checks have been completed and issues addressed; there is no smoking allowed in City buildings and vehicles.

The Personnel Policy is in the hands of the department heads for review. Commission requested that they be given ample time to review the original document in track changes before it is placed on a workshop agenda.

11. COMMISSIONERS' COMMENTS

Ms. Varnadore

None

Mr. Williams

Inquired if the stipulations of the annexation of the auto sales lot property approved two years ago have been met. Mr. Freeman stated he will provide an update of the property. Mr. Williams opined that it is taking too long to finalize outstanding issues.

Ms. Cornwell

Commented on the Halloween celebrations offered in the community, and stated she appreciates efforts of the community in making it a safe holiday for the children.

Inquired if any plans have been made for an employee celebration. She also inquired if there will be any volunteer recognition. Mayor Bryant stated an appropriate way to show the City's appreciation will be researched.

Inquired when the Historic Commission meetings are held.

Mrs. Lancaster

Inquired when the safe community program will be implemented. Mr. Burton stated the CRA Advisory Board will look at the first area being recommended during its November meeting. Mayor Bryant spoke of the necessity of the program being data driven, and that the data is being gathered for integration into the GIS. Mr. Burton also discussed other programs being looked at to target CRA District residents.

Mayor Bryant reminded everyone of the open house at the Palmetto Bed & Breakfast tomorrow evening from 5 to 7 pm.

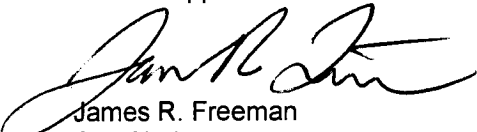
Chief Lowe stated he will be making a presentation after comparing the tasers to stingers.

12. PUBLIC COMMENTS FOR CITY COMMISSION

None

Meeting adjourned at 9:40 pm.

Minutes approved: November 16, 2009


James R. Freeman
City Clerk