

Palmetto City Commission
October 16, 2006 4:00 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
Deputy Chief Mike Mayer
Tanya Lukowiak, CRA Executive Director
Michele Hall, Attorney
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:04 pm. A moment of silence for military overseas personnel was observed, followed by the Pledge of Allegiance.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve the October 16, 2006 4:00 pm agenda.

Mayor Bustle commented on the fact the workshop meeting is normally participatory by the public and suggested that the public limit input to perhaps one person per topic, or designate a spokesperson for a large group of individuals wishing to speak to the same agenda topic. Commission concurred with Mayor Bustle's suggestion.

2. DISCUSSION: VERIZON FRANCHISE

Verizon Business Leader Larry Manion narrated a power point presentation on a proposed franchise agreement Verizon wishes to execute with the City. Mr. Manion explained that Verizon is going through an upgrade of its facilities from the central office to homes in Palmetto, and will then be capable of providing cable TV. To provide the cable TV to the residents of Palmetto, a franchise agreement must be approved by the Commission. Mr. Manion stated the proposed franchise agreement is fair in relationship to the incumbent cable TV provider. The provisions of the agreement were discussed, as follows:

- It is a non-exclusive 15 year agreement
- Extensive and comprehensive customer service standards
- Free service to public buildings and schools
- Educational and governmental access

Revenue will be derived from the Florida Communication Services Tax fixed and collected by the state for all franchise agreements in Florida. Mr. Manion further stated the City may not unreasonably deny the franchise agreement.

The presentation briefly touched on the following topics:

- Verizon's equipment upgrade

- Benefits, such as competitive pricing and single bills for phone and cable service
- Channel packages and programming services that will be available
- Innovations that have been developed

Commission concurred with placing the proposed ordinance granting the franchise agreement on the November 6, 2006 Commission agenda.

Due to the size of the audience attending the meeting regarding the Palmetto Elementary land assembly agenda topic, Mayor Bustle suggested discussing the topic next on the agenda. Commission approved the agenda's change of order. Mayor Bustle commended the parents on the behavior of their children in the audience. Mayor Bustle discussed the protocol for workshop meetings and public comment.

3. PALMETTO ELEMENTARY SCHOOL LAND ASSEMBLY

Mrs. Lukowiak reviewed the progress of the City's attempt to assemble land parcels to enable the construction of a new school at the present Palmetto Elementary location. The School Board has budgeted \$2.2 million for land acquisition to retain Palmetto Elementary in the downtown area. Mrs. Lukowiak estimates \$3.7 to \$3.9 million as a more accurate figure to assemble the land.

Mrs. Lukowiak reported the CRA has purchased the Aluminum Depot at 814, 818-820 10th Avenue for \$625,714 and the Ford property at 835 9th Avenue for \$281,563. A contract has been signed for 821-23 9th Avenue for \$330,000; agreement has been reached on the Halfway House, where the CRA will purchase another property and swap it for the Halfway House site at a cost of \$230,000. The current school's parking lot is owned by the state, which is willing to sell for \$185,000. Property remaining in the land assembly equation is the CSX property and the daycare property.

In addition to the land assembly issue in retaining Palmetto Elementary in the downtown area is a study the School Board is currently performing involving a portion of the school that was funded through a bond issue which is not yet paid. The study will determine if the school can be demolished. Mrs. Lukowiak estimated it may be a month before the results of the study are known.

Assuming that the study determines the school may be demolished, the City will have to contribute \$1.5 to \$1.8 million to the project to retain the school in the downtown area. The contribution will be offset by the receipt of one acre of land across the street from the current school and the building will be donated to the Historical Park. The land would then be put out to RFP for development, with an approximate value of \$1 million. The final expense to the City would be approximately \$500,000 to \$800,000.

Mrs. Lukowiak stated the daycare building is grandfathered as it relates to current zoning codes and a new building would require more space, thus it will not fit on the site across the street. A recent development is the offering of a new building being constructed for a swap of properties. Several meetings have been held with Mr. Reaves and two issues that have been identified is the cost of elevator maintenance if the building is two stories and playground equipment if the building remains one-story. Mrs. Lukowiak stated CRA is willing to commit resources to continue trying to either purchase the daycare, which appraised at \$1.9 million, or work to relocate it to another downtown location.

Commission discussed the advantages of keeping the school at the present site and the fact there may not be a neighborhood school in downtown Palmetto if the land assembly is not satisfactory, which includes a new location for the daycare facility.

Mr. Reaves, owner of the daycare facility, addressed Commission, commenting on the preschool children that may be displaced, his opinion there is a solution, but not all needs have been addressed, his intent to remain in business to benefit the community with quality child care and his willingness to work with the CRA to relocate his business. He also commented on the plans that had been presented to him concerning the relocation of his business and his need to be more involved in the process and design of a future building, citing his experience in drafting.

Deborah Young and Oliver Freeman both spoke to Commission about the quality child care the Growing Academy provides and the need to keep it open and Palmetto Elementary at the present location. Mr. Freeman suggested that if a suitable plan for the building is developed, the issue can be resolved.

Commission proceeded to the agenda topic, the memorandum concerning the City's commitments to the School Board. Mayor Bustle stated he agreed with the general terms of the proposal as presented, but suggested the Commission should develop a not to exceed liability for the City. Commission discussed the letter and instructed staff to approach the School Board about increasing the \$2.2 million budget, given the age of the project.

Mayor Bustle concluded the discussion by recommending staff work toward a not to exceed price and language limiting the city's liability. Mrs. Lukowiak also stated CRA will consider any plans Mr. Reaves provides for the daycare facility.

The item was not moved forward to the 7:00 pm agenda.

4. CEMETERY SUPPLEMENTAL RULES AND PROCEDURES

Mayor Bustle stated public input has been received concerning the Supplemental Rules and Procedures and its effect on artificial flowers and planting. Mr. Freeman agreed, stating a survey of surrounding cemeteries has been performed regarding artificial flowers and plantings; flowers are allowed provided placed in an approved vase. Staff also reviewed the plantings issue and offered an alternative to place language in the document to grandfather existing plantings.

Mayor Bustle discussed the hazard artificial flowers could present to workers and the time involved if city workers had to remove, clean and replace the artificial flowers at individual grave sites.

Mr. Freeman discussed the planting issue, reiterating staff is recommending a grandfather provision subject to the Parks and Rec Director's approval and retain the planting restrictions contained in the Supplemental Rules and Procedures.

The artificial flower issue was recapped as a safety issue, with staff recommending a stationery vessel to secure the flowers. Mayor Bustle suggested that the objective is to secure the flowers in such a manner so that machinery does not hit the flowers. He suggested citizens volunteer to participate in a committee with staff members to amend the Supplemental Rules and Procedures to achieve the objectives discussed. Volunteers were asked to submit their names at the conclusion of the meeting.

5. DISCUSSION: TRAFFIC STUDY

Whit Blanting of Renaissance Planning reviewed the process and scope of services of the proposed traffic study. Specific issues staff has requested be studied are consistent speed limits on city streets, residential traffic cut through, speeding issues, on-street parking, type of development and redevelopment that will affect traffic impact, and stop sign.

Mr. Blanting also commented on the Transportation Proportionate Fair Share Ordinance the city is being asked to adopt as part of the growth management requirements for cities and counties.

The resolution will allow a developer to pay for the fair share a project will have on local roads. He explained the study will aid the city in identifying the transportation projects the city wants to offer as proportionate fair share capital improvement projects.

Mr. Blanting also discussed the Downtown Mobility Study that may be funded by Manatee County and the fact the city may be reimbursed \$30,000 because of the overlap of data will be collected during the city's study and used in the Downtown Mobility Study.

Mr. Lukowiak stated CIP funding of \$100,000 is in place for the proposed study that has a \$76,000 budget. Mayor Bustle stated it is his understanding the Downtown Mobility Study is being prepared for county commission approval.

Discussion ensued on how data is collected and recommendations that may be made to FDOT as a result of data collected.

Referring to the contract for the traffic study, Mr. Lukowiak confirmed it will be a piggy back off of the existing Renaissance Planning contract with Manatee County. Mr. Blanting explained his firm is looking at this study as a single task; it will be Commission's decision to engage the firm for any additional future services. Attorney Hall advised Commission that the contract in the agenda packet does not mirror the terms of the other (Manatee County and Manatee County Metropolitan Organization) contracts with Renaissance Planning. Attorney Hall also requested that Mr. Blanting furnish either Mr. Lukowiak or her evidence that the piggyback contracts have been renewed and adjustments pursuant to the CPIU showing that the rates quoted the city are similar. Mr. Blanting confirmed there will be a rate adjustment to Manatee County but, stated he will honor the rate schedule contained in the contract provided in the agenda packet.

Also to be included in the safety issues to be studied is the feasibility of lighted sidewalks.

It was consensus of Commission to move the item forward to the 7:00 meeting agenda.

Mr. Blanting discussed the proposed community studies that may occur and how the city may be involved in those various processes.

Meeting adjourned at 6:15 pm.

Minutes approved: November 6, 2006



James R. Freeman
City Clerk