

Palmetto City Council
September 11, 2000 7: 00 PM

Elected Officials Present:

Pat Whitesel, Mayor
Tamara Cornwell, Vice Mayor
Shirley Groover Bryant, Council Member
Donna Keefer, Council Member
Mary Lancaster, Council Member
Brian Williams, Council Member

Staff and others present:

Patricia Petruff, Attorney
Chief Ken Bright, Palmetto Police Department
David Meng, City Clerk
Don Patterson, Interim Public Works Director
Margaret Tusing, City Planner/Zoning Administrator
Mary Jean Forrester, Deputy City Clerk
Allen Tusing, Public Works Department
Diane Ponder, Administrative Assistant

Mayor Whitesel called the meeting to order at 7:10 p.m.

Chief Bright gave the invocation followed by the pledge of allegiance to the United States Flag.

1. COMMUNITY REDEVELOPMENT AGENCY – DISCUSS 2000/2001 FISCAL YEAR BUDGET

Council reviewed the Community Redevelopment Agency 2000-2001 proposed budget with Director Karen Hartman and the CRA Board. Ms. Hartman discussed the budget by section, stating the housing revitalization program will be aggressively pursued next year. Ms. Hartman asked to schedule a joint workshop between Council and the CRA Board on Section 1. Council accepted the budget as presented.

2. PUBLIC HEARING – ORDINANCE NO. 685

Ordinance No. 685 was read by title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA AMENDING ORDINANCE NO. 663 EXHIBIT "B", CONCEPTUAL DEVELOPMENT PLAN, BY CHANGING THE APPROVED USE FOR A PORTION OF PARCEL 10 AND PARCEL 16; PROVIDING FOR

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SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Riviera Dunes)

Mayor Whitesel opened the public hearing.

Mr. Caleb Grimes, attorney for Riviera Dunes, addressed Council concerning the requested change of use for a portion of parcel 10 and parcel 16. Mr. Grimes explained the reason for the change of the convenience store location. A discussion was held as to how this change would affect the expansion of the estuary.

Mayor Whitesel closed the public hearing.

MOTION: Ms. Bryant moved, Mrs. Keefer seconded and motion carried 4 to 1 to adopt Ordinance No. 685. Mr. Williams voted no.

3. PUBLIC HEARING – ORDINANCE NO. 687

Ordinance No. 687 was read by title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA ANNEXING CERTAIN TERRITORIES TO THE CITY OF PALMETTO, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE. (AN 0005-James E. and Glenna M. Amerson; approximately 1.90 acres)

Mayor Whitesel opened the public hearing; no public comment, hearing was closed.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to adopt Ordinance No. 687.

4. PUBLIC HEARING - ORDINANCE NO. 688

Ordinance No. 688 was read by title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, AMENDING THE PALMETTO COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP FROM RES-9 (RESIDENTIAL 9DU/AC/COUNTY) TO GC (GENERAL COMMERCIAL/CITY) BY INCORPORATING THE LAND LEGALLY DESCRIBED IN SECTION ONE AND IN PLAN AMENDMENT NO. PA0005 ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA0005/City of Palmetto/ James E. and Glenna M. Amerson; 1.89 acres)

Ms. Petruff advised Council the acreage should be corrected to 1.90 acres.

Mayor Whitesel opened the public hearing; no public comment, hearing was closed.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to adopt Ordinance No. 688 with correction noted by the City attorney.

5. PUBLIC HEARING – ORDINANCE NO. 689

Ordinance No. 689 was read by title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, TO CHANGE THE ZONING OF THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM CG (COUNTY) TO CG (COMMERCIAL, GENERAL/CITY); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Z0009/City of Palmetto/James E. and Glenna M. Amerson)

Mayor Whitesel opened the public hearing; no public comment, hearing was closed.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to adopt Ordinance No. 689.

6. JEFF SIEWERT, SMITH & GILLESPIE ENGINEERS

Mr. Siewert discussed the bids that have been received on the G3 (Hidden Lake) Storm Water Project, as follows:

Woodruff & Sons	\$ 980,032.16
Westra Construction	\$1,175,114.91
Kooks Hausen	\$1,056,421.00

Mr. Siewert stated Smith & Gillespie Engineers estimated the project cost at \$852,813.00. The discrepancy between the lowest bid and S&G's estimate is approximately \$130,000, which will be negotiated.

A discussion was held on necessary elements added to the project by FDEP and SWFWMD to obtain permits, which will require complete mitigation of six acres of wetlands. Mr. Patterson concurred with Mr. Smith in that the public works department could save significant funds by performing work associated with the required mitigation.

A discussion was held concerning outside funding of the project. SWFWMD has approved \$181,000, together with \$100,000 available to the City when the project is

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complete to monitor the wetland mitigation. A grant of \$73,000 is available for the purchase of the land. Also discussed was the City's ability to repay the loan.

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve contractor Woodruff & Sons at the stated amount of \$980,032.16.

7. FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 686

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY TO APPROVE THE GENERAL DEVELOPMENT PLAN, WITH CONDITIONS, AS REQUIRED BY SECTION 8.4 OF THE ZONING CODE FOR THE STILL'S MOTEL AND AS GRAPHICALLY PORTRAYED ON THE SITE PLAN ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0008/Pacific Tomato Growers, Inc.)

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve Ordinance No. 686 for advertising and schedule a public hearing September 25, 2000.

8. FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 691

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, VACATING A 20-FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1262, PAGES 538 AND 539 AND RUNNING EAST-WEST BETWEEN LOTS 1-8 AND LOTS 9-16, BLOCK M, EAST PALMETTO SUBDIVISION, SECTION 14, TOWNSHIP 34 SOUTH, RANGE 17 EAST; AND PROVIDING FOR AN EFFECTIVE DATE. (V0004-Palmetto Church of God)

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve Ordinance No. 691 for advertising and schedule a public hearing September 25, 2000.

9. FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 692

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA AMENDING ORDINANCE NO. 670 TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION FOR THE VOLUNTARY ANNEXATION OF PROPERTY OWNED BY V. WILLIAM KAKLIS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve Ordinance No. 692 for advertising and schedule a public hearing September 25, 2000.

10. FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 693

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA AMENDING ORDINANCE NO. 671 TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION FOR THE PLAN AMENDMENT OF PROPERTY OWNED BY V. WILLIAM KAKLIS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to approve Ordinance No. 693 for advertising and schedule a public hearing September 25, 2000.

11. FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 694

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA AMENDING ORDINANCE NO. 672 TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION FOR THE CHANGE OF ZONING OF PROPERTY OWNED BY V. WILLIAM KAKLIS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to approve Ordinance No. 694 for advertising and schedule a public hearing September 25, 2000.

12. PSG CONTRACT

A discussion was held on the request of PSG for a 3.5% increase in the contract to operate the wastewater treatment plan, effective February 1, 2001. Ms. Petruff advised Council the City is under no obligation to honor the request at this time because of the anniversary date of the contract, which would allow time for negotiation of the increase. Mr. Patterson explained the request was being made at this time because both parties to the contract are in the budget process. He also stated the reason for the increase was based on rising costs associated with the treatment plant operation. Ms. Cornwell suggested the City follow the recommendation of the attorney and determine what is necessary for the City to go into negotiations with PSG. Mayor Whitesel will bring back a report to Council on September 25, 2000 on this issue.

13. PALMETTO ELEMENTARY – EASEMENT

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously authorizing the Mayor to execute the easement between the City of Palmetto and School Board of Manatee County for Palmetto Elementary.

14. PALMETTO ELEMENTARY – RIGHT-OF-WAY

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried unanimously to authorize the Mayor to execute the Contract to Purchase Land between the City of Palmetto and School Board of Manatee County for the purchase of the right-of-way for Palmetto Elementary.

15. LAMB PARK ELECTRICAL SYSTEM

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to renovate the electrical system at Lamb Park not to exceed the amount of \$24,000.

16. RESOLUTION NO. 00-22 A RESOLUTION AMENDING RESOLUTION NO. 99-18, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 1999-2000, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to approve Resolution No. 00-22.

17. RESOLUTION NO. 00-23 A RESOLUTION OF THE CITY OF PALMETTO, FLORIDA, SUPPORTING SPECIAL STATE FUNDING FOR THE WIDENING OF STATE ROAD 70.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve Resolution No. 00-23.

18. CONSENT AGENDA

- a) Approve Minutes of August 21, 2000 Council meeting
- b) Approve Minutes of August 28, 2000 Budget Workshop meeting
- c) Special Function Permit to allow closure of Green Bridge for Veterans Day Parade November 11, 2000
- d) Special Function Permit to allow Palmetto High School Homecoming Parade October 6, 2000
- e) August Billing Dye, Deitrich, Prather, Petruff & St. Paul, P.L.
- f) August Check Register

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In addition to item (a) through (f), a special event was brought to Council for consideration, without the required Special Function Permit. Alma Guerra, La Mexicana Grocery, is requesting approval for an event recognizing Mexican Independence Day on September 15 and 16, 2000 from 1 PM to 7 PM at 639 10th St. E.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the Consent Agenda with the addition of Mexican Independence Day Celebration as item (g).

19. INDIVIDUAL COMMENTS

Ms. Bryant

Ms. Bryant shared complaints she has received on the finger canals. Mr. Patterson will review the situation and contact Mr. Dave Potter.

Ms. Bryant asked that Council be allowed the opportunity for input in the selection of the administrative assistant to the Council and Mayor.

Mrs. Lancaster

Mrs. Lancaster expressed concern that the Council had voted on the privatization issue without having all the facts relating to savings to the City and employee benefits.

MOTION: Mrs. Lancaster moved to go out for an RFP for the privatization of the Public Works Department. Motion failed due to the lack of a second.

Mrs. Lancaster asked the status of the Oakridge Grant. Mr. Siewert, Smith & Gillespie Engineers, stated funding has been secured from SWFWMD and the Governor's Water Advisory Council in the amount of \$700,000. The entire Oakridge area has been surveyed. Mr. Siewert stated S&G needed to provide the City with a proposal to finish the design of the project. Mr. Siewert advised Council he would have the documentation to them by September 15, 2000.

Mr. Williams

Mr. Williams asked about the setting of the retreat date. Mrs. Keefer asked that the retreat be held on a Sunday afternoon. Mrs. Ponder was instructed to contact Bahia Beach Resort about available Sunday dates in October.

Mr. Williams asked the status of moving all meetings to Monday nights.

Mr. Williams presented the Palmetto Police Department Over \$500 Expense Report.

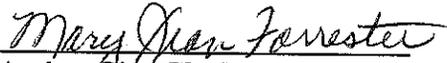
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MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried unanimously to approve the expenditure not to exceed \$2,796.09.

Ms. Cornwell asked about the Tomato Festival. Mayor Whitesel stated Mr. Craft would be contacting her tomorrow about the festival.

Meeting adjourned at 8:45 PM.

Approved: September 25, 2000


Acting City Clerk

Audio tapes of the meeting are on file in the city clerk's office.