

**Palmetto City Council
Final Budget Hearing
September 25, 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:

**Alan Prather, Attorney
Chief Ken Bright, Palmetto Police Department
Mary Jean Forrester, Deputy City Clerk
Don Patterson, Interim Public Works Director
Margaret Tusing, City Planner/Zoning Administrator
Diane Ponder, Administrative Assistant**

Mayor Whitesel called the meeting to order at 7:00 p.m.

Pastor John Jakovich of the Church on the Rock gave the invocation, followed by the pledge of allegiance to the United States Flag.

Mayor Whitesel opened the public hearing for adoption of the final millage over the rollback rate and City of Palmetto 2000-2001 budget.

Mr. Joseph Grimes commented on the tax rate of the City. Council explained to Mr. Grimes that he was in a community development district, thereby being assessed a special tax rate.

Mr. Prather explained how a community development district levied a special tax with the entity. He further explained the millage set this evening would be equal on all real property not exempt for citizens of Palmetto.

Colonel Blunden addressed the raising of the budget, when he felt items needing repair had been overlooked. Mr. Williams responded that the City had not raised taxes in nine years.

There being no further discussion Mr. Prather announced the name of the taxing authority as the City of Palmetto, municipal corporation of the State of Florida. The rollback rate is 4.0392, percentage of increase is 3.1%, and millage rate to be levied is 4.1645

Mayor Whitesel closed the public hearing.

1. RESOLUTION NO. 00-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ADOPTING THE MILLAGE FOR THE TAX YEAR 2000 AND LEVYING AD VALOREM TAXES ON PROPERTY WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF PALMETTO FOR THE TAX YEAR 2000.

Mr. Prather read the resolution in its entirety.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to adopt Resolution No. 00-25.

Mayor Whitesel announced that Deputy City Clerk Mary Jean Forrester would be acting as the City Clerk.

2. RESOLUTION NO. 00-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING AND ADOPTING A BUDGET FOR FISCAL YEAR 2000-2001; MAKING APPROPRIATION OF MUNICIPAL FUNDS AND PROVIDING AN EFFECTIVE DATE.

Mr. Prather read the resolution in its entirety.

Mr. Williams requested that the CRA Residential Revitalization Fund line item be moved to a contingency fund until such time the program has been finalized. A discussion was held concerning the necessity of such a move.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried 4 to 1 to amend Resolution No. 00-26 by moving \$127,000 from line item 8221 Residential Revitalization Program over to line item 5298 CRA Operating Reserves. Mrs. Lancaster voted no.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to adopt Resolution No. 00-26 with revised Attachment A.

4. PUBLIC HEARING ORDINANCE NO. 690

Ordinance No. 690 was read by title.

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING, ADOPTING AND ENFORCING THE FINAL MILLAGE, BUDGET AND THE RECEIPT AND COLLECTION OF AD VALOREM TAXES ON PROPERTY WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF PALMETTO FOR THE TAX YEAR 2000; AUTHORIZING THE MAYOR AND CITY CLERK TO CERTIFY COMPLIANCE AND THE MILLAGE; AUTHORIZING THE TAX COLLECTOR OF MANATEE COUNTY TO COLLECT SAID AD VALOREM TAXES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The public hearing was opened, no public comment, hearing was closed.

MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to adopt Ordinance No. 690.

Mayor Whitesel asked time to honor employee Jeff Seger, who with his crew planted over 2,000 trees, with a plaque of appreciation from Keep Manatee Beautiful. The city was also awarded a Landscaping Public Space plaque, also from Keep Manatee Beautiful.

4. PUBLIC HEARING – ORDINANCE NO. 691

Ordinance No. 691 was read by title.

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)

The public hearing was opened, no public comment, public hearing was closed.

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried unanimously to adopt Ordinance No. 691.

5. PUBLIC HEARING ORDINANCE NO. 686

Ordinance No. 686 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 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.)

The public hearing was opened.

Mr. Prather reminded Council this is a quasi-judicial hearing and the requirements they must meet in their decision.

Ms. Tusing reviewed the proposed property expansion of an existing use by Still's Motel. Expansion will include a two-story, 30-unit motel building, a 600 square foot laundry/maintenance building and a 600 square foot guest services building. With expansion complete there will be a total of 53 units. Ms. Tusing advised Council the Planning and Zoning Board has placed stipulations on the development, as reflected in the ordinance. Ms. Tusing stated staff had reviewed the site plan and feels conditions contained in the ordinance will render this use compatible with the surrounding area.

Council discussed the use of the existing motel and plans for the expansion. Ms. Tusing stated the property owned by Pacific has two zonings, GC and PDMU, the portion of the property under discussion tonight. Under PDMU a permitted use is motels and hotels.

Mr. Ed Vogler, attorney for Pacific Land Limited, addressed Council, stating the owner of the project is asking for Council's approval of the site plan. Mr. Vogler introduced Mac Caraway, chief financial officer of Pacific Land Limited, and consulting team members Jim Pharr, planner of Geo. F. Young and Rick Fawley and Larry Gravline, architects of Fawley Bryant Architects. Mr. Vogler placed in the possession of the city clerk a set of exhibits for Ordinance 686 and asked they be admitted into the record of this proceeding. Mr. Vogler stated all stipulations in the ordinance were accepted, but asked permission to revise the landscape buffer stipulation, stating the proposed revision came from the neighborhood meeting held concerning the project.

Mr. Farr introduced himself as an expert, stating his credentials, and gave his testimony concerning the project to Council. Mac Caraway, of Pacific Land

**Palmetto City Council
September 25, 2000**

Limited an affiliate of Pacific Tomato Growers, stated he was speaking in the capacity of chief financial officer of both companies. Mr. Caraway spoke of the certification of Still's Motel and the day-to-day operation of the motel. Mr. Caraway also discussed the meeting that was held with the neighbors of the proposed project. Rick Fawley addressed Council's concerns about the fire codes. Mr. Fawley assured Council the final building would meet all the codes of the City of Palmetto.

A lengthy, detailed, interactive discussion was held between Council and the gentlemen presenting the project during which Council presented their questions and concerns.

The public comment portion of the presentation was opened. Resident Virginia Sawdy spoke in opposition of the proposed project, providing a VCR tape of Still's Motel as well as police reports concerning calls made to various areas. Mr. Vogler asked these items to be submitted as evidence into the proceedings whereby the city clerk took possession of the items. Also speaking in opposition was Don Johnson, Keenan Kintz, Sydney Wall, Terry Himes, Dr. Bill Jones, Cindy Ritchie, Bill Sawdy, Pete Blues, and David Bozell. Stanley Roberts addressed Council stating the Fire Department inspects commercial buildings on a regular basis.

In rebuttal, Mr. Vogler reminded Council this was a general development plan approval process. He further stated most of the citizen testimony concerned a subject matter not relevant to the proceedings. He expressed his opinion that the site plan presented meets all requirements of the city's ordinances and has been recommended by the city's staff and planning and zoning board.

The public hearing was closed.

Council offered the following stipulations:

- 1) An eight-foot opaque wall along the perimeter of the property – 6' concrete with an additional 2' wooden topping
- 2) Larger canopy trees
- 3) Connection to re-use when available
- 4) Site design turn-around for large vehicles
- 5) Fence around the retention pond
- 6) Full-motion intersection at Haben Blvd. if approved by FDOT
- 7) 10' set back on adjacent residential use property
- 8) 35' building height
- 9) On site office
- 10) Large truck or bus designated parking
- 11) 24 hour security
- 12) No clotheslines

**Palmetto City Council
September 25, 2000**

Mr. Vogler agreed to all stipulations with the exception of the issue of security, as the corporate office of the landowner is nearby and can address problems that may arise.

Mr. Prather stated a draft of the ordinance should be prepared for review by all involved parties.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously that having considered the staff report and the evidence submitted, and having found the application consistent with the city's comprehensive plan and development code, the city is inclined to grant the application. The stipulations and conditions and the final order is to be brought back in ordinance format at the October 2, 2000 Council meeting.

PUBLIC HEARING ORDINANCE NO. 692

Ordinance No. 692 was read by title.

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.

The public hearing was opened, no public comment, public hearing was closed.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to adopt Ordinance No. 692.

PUBLIC HEARING ORDINANCE NO. 693

Ordinance No. 693 was read by title.

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.

The public hearing was opened, no public comment, public hearing was closed.

MOTION: Mrs. Keefer moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 693.

Palmetto City Council
September 25, 2000

PUBLIC HEARING ORDINANCE NO. 694

Ordinance No. 694 was read by title.

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.

The public hearing was opened, no public comment, public hearing was closed.

MOTION: Mrs. Keefer moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 694.

FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 695

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. (AN0006-Forristall Enterprises, Inc. 1415 17th Street, East)

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried unanimously to approve Ordinance No. 695 for advertising and schedule a public hearing October 16, 2000.

FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 627

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING THE MASTER UTILITY SYSTEM REGULATIONS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR REPEAL OF CHAPTER 29, UTILITIES, ARTICLE I, "IN GENERAL," CITY CODE; PROVIDING FOR REPEAL OF CHAPTER 29, UTILITIES, ARTICLE II, "SERVICE RATES AND CHARGES," CITY CODE; PROVIDING FOR CREATION AND ADOPTION OF CHAPTER 29, UTILITIES, ARTICLE I, "MASTER UTILITY SYSTEM REGULATIONS," SECTIONS 29-1 THROUGH 29-43, CITY CODE; PROVIDING FOR APPLICABILITY, RATIFICATION, PRESERVATION AND RESERVATION OF EXISTING ACCOUNTS, FEES, CHARGES, DEPOSITS AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve Ordinance No. 627 for advertising and schedule a public hearing October 16, 2000.

FIRST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 696

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE DATE AND TIME OF CITY COUNCIL MEETINGS PROVIDED IN CHAPTER 2, ARTICLE II, SECTION 2.26 OF THE PALMETTO CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Ms. Cornwell seconded and motion carried unanimously to approve Ordinance No. 696 for advertising and schedule a public hearing October 16, 2000 and correct by title by changing Article 2 to Article II.

DISCUSSION OF TAYLOR PARK GRANT

Mrs. Tusing informed Council this is a grant for less than \$50,000 that will funded 100%. There will no required matching funds from the city. The grant will be used to purchase playground equipment, picnic tables and other amenities for the park.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to authorize the mayor to sign the grant application.

INTERLOCAL AGREEMENT FOR LANDSCAPING MAINTENANCE-STATE ROAD 55 (US 41) MANATEE COUNTY AND CITY OF PALMETTO

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve the Interlocal Agreement for Landscaping Maintenance for State Road 55 between Manatee County and the City of Palmetto and authorize the mayor to execute the document.

TENTH STREET BAPTIST CHURCH – WAIVER OF PERMIT FEES

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to deny the waiver of permit fees requested by Tenth Street Baptist Church.

INTERSECTION WIDENING OF 3RD ST. DR. & 4TH ST. W. AT RIVERSIDE DR.

Mr. Ed Kalb requested on behalf of Mr. Coleman that this topic be tabled.

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried unanimously to table the item until the October 2, 2000 meeting.

**GRANT OF EASEMENT BETWEEN FRU-CON OCEAN GOLF PARK LTD,
TEN DOWNING STREET CONDOMINIUM ASSOCIATION, INC. AND THE
CITY OF PALMETTO**

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried unanimously to approve the Grant of Easement and authorize the mayor to execute the document.

RESOLUTION NO. 00-24

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

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to adopt Resolution No. 00-24.

GREEN BRIDGE BAIT SHOP

MOTION: Ms. Bryant moved, Mrs. Keefer seconded and motion carried unanimously to remove all railings and bushes in the area of the Green Bridge Bait Shop.

CONSENT AGENDA:

- A) Approve Minutes: September 6, 2000 – Budget Workshop
 September 7, 2000 – Administrative Meeting
 September 11, 2000 – Budget Workshop
 September 11, 2000 – City Council
 September 14, 2000 – Budget Hearing
- B) Special Function Permit: Private party at 325 12th Ave. W.
 Don Kubecka, homeowner

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried unanimously to approve the Consent Agenda with the following correction: The September 6, 2000 Budget Workshop minutes shall reflect on all pages the date of September 6, 2000.

Mayor Whitesel introduced Michael Hickey, her appointment to the position of Director of Public Works at an annual salary of \$50,000.00.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to confirm the nomination of Mr. Hickey as Director of Public Works, to extend to January 1, 2002.

MAYOR'S REPORT

Mayor Whitesel informed Council the PSG contract had been negotiated, with PSG reducing their request to a 1.5 percent increase, which is still below the Consumer Price Index.

MOTION: Mrs. Keefer moved, Ms. Cornwell seconded and motion carried 4 to 1 to approve the additional 1.5 percent increase from the 2000-2001 budget. Ms. Bryant voted no.

Chief Bright presented the Police Department Expenditures Over \$500 report as related to the renovation of the Records Office.

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried unanimously to approve the Police Department's request in the amount of \$8,172.29.

Mayor Whitesel addressed Council's comments made at the administrative meeting as related to department head reports, the interview process of the purchasing agent and finance director position, signage at the Green Bridge Bait Shop, department heads and supervisors attending the Mayor's BAC meetings during working hours, employees attending the Council's administrative meetings during working hours and city specialty items.

Mrs. Ponder addressed Council about the suggestion she take the Mayor and City Council's administrative assistant position. She asked for a pay increase of \$5,000 based on the fact she would be retaining her present duties while assuming the additional duties as assigned by the Mayor and Council. Council will address the issue at a future meeting.

INDIVIDUAL COMMENTS

Ms. Bryant

Ms. Bryant asked Mr. Prather when the contract with Zoller Naajar would be completed. Mr. Prather responded he would attempt to have the contract on the October 16, 2000 agenda.

Ms. Bryant asked whether the engineer's estimate of their cost for the B3 project had been provided to the city. Mr. Jeffrey Siewert presented Council a report updating the stormwater funding for projects E2, G3, E3, and D4/D5. Mr. Siewert will provide the engineering costs for B3 and each of the listed projects.

Palmetto City Council
September 25, 2000

Ms. Bryant stated she had touched base with Mr. Seger regarding the Tomato Festival and past purchasing procedures related to the festival.

Mrs. Keefer

Mrs. Keefer stated Palmetto's Make a Difference Day will benefit the family of Erin Polson by sponsoring a pancake breakfast and car wash. Mrs. Keefer turned over \$25 a resident had given her for the benefit.

Mrs. Lancaster

Mrs. Lancaster advised Mr. Patterson some streets in Ward I were not being swept.

Mr. Williams

Mr. Williams thanked Mr. Patterson for his many services to the city and welcomed Mr. Hickey.

Ms. Cornwell

Ms. Cornwell also thanked Mr. Patterson and hoped for continued good relations. w

Meeting adjourned at 11:45 p.m.

Approved: October 2, 2000


Acting City Clerk

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