

**Palmetto City Council  
December 18, 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 other present:**

**Alan Prather, Attorney  
Chief Ken Bright, Palmetto Police Department  
Mary Jean Forrester, Acting City Clerk  
Margaret Tusing, Planning & Zoning Director  
Mike Hickey, Public Works Director  
Diane Ponder, Administrative Assistant**

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

**A moment of silence was observed in remembrance of Josephine Harrison.**

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

**Council Member Shirley Bryant read a proclamation declaring December 19, 2000 as Josephine Harrison Day in the City of Palmetto, which was accepted by Mrs. Harrison's grandchildren.**

**Mayor Whitesel requested that Attorney Dick Groff be allowed to speak to Council concerning the DeLesline litigation.**

**MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried unanimously to amend the agenda to include the DeLesline vs. City of Palmetto settlement as topic number one.**

**1. DELESLINE CONSTRUCTION vs. CITY OF PALMETTO**

**Mr. Groff advised Council the city's settlement offer had been communicated to DeLesline Construction Co. through his attorney, was rejected and subsequently the counter offer before Council was made.**

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**MOTION:** Mr. Williams moved, Ms. Cornwell seconded and motion carried unanimously to accept the recommendation of \$155,000.

Mr. Williams stated mistakes had been made between city engineers, city staff and city attorneys, and perhaps with Mr. DeLesline's help, the city could identify where problems exist. He requested the reply to this suggestion be brought back to Council in writing. Ms. Bryant stated that when the initial settlement agreement was made it was much less and the city engineers advised Council not to settle at that sum. She stated she was looking to the engineers for reimbursement for the difference in the amount. Mayor Whitesel will arrange a meeting between the involved parties.

**1A. PUBLIC HEARING ORDINANCE NO. 698**

Ordinance No. 698 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 0007-Matthew J. Schott and Lester G. Schott; approximately 1.02 acres)**

Public hearing was opened; no public comment, public hearing closed.

**MOTION:** Mrs. Keefer moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 698.

**2. PUBLIC HEARING ORDINANCE NO. 699**

Ordinance No. 699 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. PA0007 ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA 0007/City of Palmetto/Matthew J. Schott and Lester G. Schott; approximately 1.02 acres)**

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. 699.

**3. PUBLIC HEARING ORDINANCE NO. 700**

Ordinance NO. 700 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. (Z0011/City of Palmetto/Matthew J. Schott and Lester G. Schott)**

Public hearing was opened; no public comment, public hearing was closed.

**MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to adopt Ordinance No. 700.**

**4. PSG CONTRACT – DISCUSSION OF REUSE CONNECTION**

Mayor Whitesel reported Don Patterson is very willing to continue with the reuse project. Mr. Prather reported he had not had a chance to review the agreement. Mayor Whitesel stated this will be a continuation of the existing contract and is a scope change therefore, the city will not have to go out with an RFP. Mayor Whitesel read into the record her letter authorizing U.S. Filter Operating Service to provide reuse construction services from February 1, 2001 through January 31, 2005 at an additional annual compensation of \$350,000 per year. A copy of the letter is attached hereto and made a part of these minutes.

**MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried 4 to 1 to adopt the addendum to the PSG Contract authorizing continuation of the reuse program and authorize the Mayor to sign the letter. Ms. Cornwell voted no.**

The funds will be drawn from the SRF Loan.

**5. ANTI-DISPLACEMENT AND RELOCATION POLICY, CDBG-ED GRANT**

Mr. Prather advised that item number five, Resolution No. 00-30, and six, Anti-Displacement and Relocation Policy, were one item; if the resolution is adopted the policy will be adopted.

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**6. RESOLUTION NO. 00-30**

Resolution No. 00-30 was read by title.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING AND PROVIDING FOR THE IMPLEMENTATION OF AN ANTI-DISPLACEMENT AND RELOCATION POLICY WITH REFERENCE TO THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROJECT FOR RIVIERA DUNES; PROVIDING FOR SEVERABILITY; PROVIDING REPEAL OF RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Williams objected to the items being discussed at this meeting, as the agenda had been revised but the revision was not approved at the beginning of the meeting. Discussion was held concerning city policy's governing the agenda.

Ms. Cornwell stressed that when an item dealing with a grant is brought to Council she expects the Grants Coordinator to be present at the meeting.

Mayor Whitesel explained the necessity of reviewing and adopting this resolution tonight to ensure Riviera Dunes receives funds during this funding cycle. She explained this is an updated version of the policy the city must adopt as part of the documentation for the Riviera Dunes grant application.

A discussion was held on the city's responsibility as stated in the policy.

**MOTION:** Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 4 to 1 to add Resolution No. 00-30 to the agenda for discussion. Mr. Williams voted no.

Mr. Prather explained this policy is a government policy. If there is a chance people will have to be displaced in a revitalization project then HUD requires the city make provisions for the relocation. Mrs. Forrester explained the city has had an anti-displacement policy in the past but it was never adopted by resolution.

Discussion was held on various parts of the policy and how the policy may affect the CRA housing program. Mr. Prather explained this policy would not apply to the CRA unless the CRA is doing a grant. He further stated it was his intent that Resolution No. 00-30 would apply only to the Riviera Dunes project. Further, if the city applies for another grant, then he assumed the city would have to adopt a policy relating solely to that grant application. Mr. Prather stated he would revise the resolution to read that this Anti-Displacement and Relocation Policy apply only to the Riviera Dunes project.

It was suggested the city needs to adopt this program so it can also fit the needs of the CRA. A workshop addressing this item will be scheduled at a future date.

**MOTION:** Ms. Cornwell moved, Ms. Bryant seconded and motion carried 4 to 1 to adopt City of Palmetto Resolution No. 00-30 as revised by Council in keeping with their instructions and any other language necessary to restrict it specifically to the CDBG-ED grant for Riviera Dunes. Mr. Williams voted no.

**7. CONSENT AGENDA**

- A) Minutes: November 27, 2000 Administrative Meeting  
December 4, 2000 City Council Meeting
- B) Check Register – November 2000
- C) Dye, Deitrich, Prather, Petruff & St. Paul – November Billing
- D) Special Function Permit – Martin Luther King Day Parade

**MOTION:** Ms. Bryant moved, Mrs. Keefer seconded and motion carried unanimously to approve the Consent Agenda.

**8. DEPARTMENT HEAD REPORT**

**Chief Bright**

The 2001 holiday schedule was discussed. This will be placed on the January 8, 2001 agenda.

**9. MAYOR'S REPORT**

Mayor Whitesel advised she needed a representative for the Historical Commission from Ward 1.

**10. INDIVIDUAL COMMENTS**

**Ms. Bryant**

Requested the city's decision on the Edwards house be conveyed to Mike Lowery.

Ms. Bryant reminded Council how adamant Smith & Gillespie was in stating the city should not settle when funds amounted to \$90,000 and she is looking to the firm to compensate the difference. Ms. Cornwell reminded Council Mr. DeLesline did come forward and explain the cost would go to attorneys and several other entities. Mrs. Lancaster interjected the City was a little at fault because the decision was made without consulting the city's attorney. Staff was requested to review the tapes of the meeting.

**Mrs. Keefer**

Mrs. Keefer commented on the good time that was had at the Police Department's Christmas party.

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**Mrs. Keefer informed Chief Bright that children are out of school now and riding their bicycles without a helmet. She asked that officers remind the children to wear their helmets.**

**Inquired if Mr. Hickey had looked at 35<sup>th</sup> Avenue Drive West. Mr. Hickey replied it was in the county.**

**Mrs. Keefer read an excerpt dealing with salary ranges for a city clerk. If offering an incoming city clerk \$50,000, that person would be over the mid-range of salary as posted. The city needs to make sure we don't go over the boundary in offering an applicant for the position a salary of \$50,000. Mr. Williams stated department heads were exempt from the ordinance.**

**Mrs. Lancaster**

**Thanked Mrs. Forrester for the research she had done on the uniforms. A budget line item for uniforms will be created for each department purchasing uniforms for employees.**

**Inquired if anything had been done to arrange the joint meeting with the city, county and North River Action Team. Mrs. Forrester will again contact Mr. Padgett.**

**Mr. Williams**

**CRA has requested a joint meeting with Council after the first of the year.**

**The application for the Martin Luther King Day parade has been delivered to FDOT.**

**Thanked Martin and Joyce for all the cookies, Kenny Bright for the cookies, Laurel for the stockings and Ms. Cornwell for the bread.**

**Ms. Cornwell**

**Asked Mrs. Forrester if the League of Cities had gotten in touch. One item was being referred to Ken Small, who has not yet been in touch.**

**Inquired what the date of the Jet Mobile Home Park meeting. March 15, 2001 is the scheduled date.**

**Inquired what time the February 22, 2001 joint meeting with county will begin.**

**Reported potholes on 16<sup>th</sup> Avenue, West.**

**The Celebration of Life Memorial Service for Mrs. Harrison will be held tomorrow at the Historical Park at 10:00 a.m. Mrs. Forrester was thanked for preparing the proclamation naming December 19, 2000 as Josephine Harrison Day.**

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**Asked Chief Bright to research Nextel to see if it is cost effective for Council to participate in the city plan.**

**City needs to get serious on picking up loose dogs.**

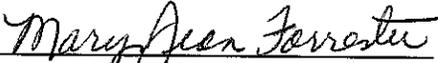
**Ms. Bryant reported e-mails about problems with the sewer plant. Mr. Hickey reported the scrubber had broken and has now been repaired.**

**Mrs. Keefer reported the visit to Palmetto Mobile Home Park raised only four questions to Council. Mayor Whitesel complimented the City of Palmetto on its performance, stating we now receive praise from the community.**

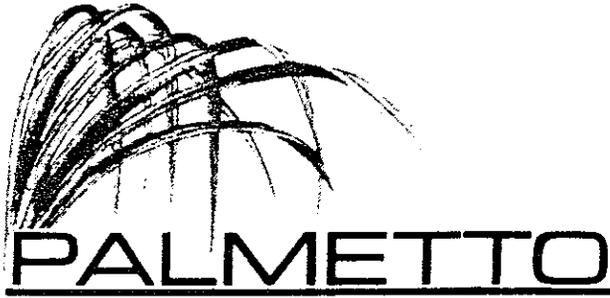
**Mayor Whitesel thanked everyone for the past year.**

**Meeting adjourned at 8:40 p.m.**

**Minutes approved: January 8, 2001**

  
**Acting City Clerk**

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



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FAX (941) 723-4576

December 15, 2000

Mr. Mark A. Vanagel  
Area Manager  
U.S. Filter Operating Services  
1 Whispering Pines Court  
Hilton Head, South Carolina 29926

RE: Palmetto Area Reuse System  
City of Palmetto  
USFOS Project W2-19E, 19F

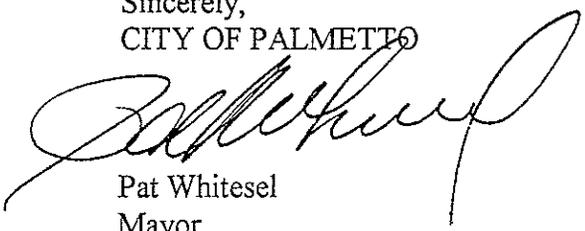
Dear Mr. Vanagel:

The City authorizes U.S. Filter Operating Services to provide reuse construction services from February 1, 2001 through January 31, 2005 at an additional annual compensation rate of \$350,000 per year to the existing agreement dated February 1, 2000 (AGREEMENT) for the above-referenced project as provided in Section 6. "SCOPE CHANGES" of this AGREEMENT. Services shall include, but not limited to, construction services and administration and acquisition of materials.

Prior to February 1, 2001, both parties shall agree upon the detailed scope of services for this work. This scope of work shall be included as an addendum to the existing AGREEMENT.

It is our understanding Donald Patterson will be the project manager for these services. All administrative correspondence will come through the Public Works Department to the Office of the Mayor.

Sincerely,  
CITY OF PALMETTO



Pat Whitesel  
Mayor

cc: City Clerk  
Donald Patterson (USFOS)