

Palmetto City Council
Minutes
May 5, 2003

Elected Officials Present:

Larry Bustle, Mayor
Shirley Bryant, Vice Mayor
Tamara Cornwell, Council Member
Charlie Grace, Council Member
Mary Lancaster, Council Member
Brian Williams, Council Member

Staff and others present:

Attorney Alan Prather
J. E. Free, Jr., City Clerk
Chief Garry Lowe
Duane Kinn, Public Works
Bob Schmitt, Interim Planner
Diane Ponder, Administrative Assistant

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

Mayor Bustle gave the invocation followed by the Pledge of Allegiance to the United States Flag.

Mayor Bustle read a proclamation declaring May Civility month.

Mayor Bustle read a proclamation declaring May Elder Law Month. Attorney Donna Sobel, Manatee County representative for the Academy of Florida Elder Law Attorneys accepted the proclamation

1. APPROVAL OF AGENDA

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve the May 5, 2003 agenda.

2. CONSENT AGENDA

- A) Minutes April 14, 2003 Council Workshop Meeting
- B) Minutes April 21, 2003 Council Meeting
- C) Minutes April 28, 2003 City Council Workshop Meeting
- D) Special Function Permit - Arthritis Walk

Mr. Williams removed the Arthritis Walk Special Function Permit for discussion.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried 5-0 to approve items A, B and C of the Consent Agenda

Mr. Williams inquired about the Police Department's participation in the lane closure on the Green Bridge and responsibility for placement of the barricades. He requested staff advise the organization of the City's 30-day notice requirement.

Palmetto City Council
May 5, 2003

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the Special Function Permit for the Arthritis Walk.

3. 1ST READING AND ADVERTISING APPROVAL - ORDINANCE NO. 03-774
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING ORDINANCE NO. 665 AND RENDERING A DEVELOPMENT ORDER PURSUANT TO SECTION 380.06, FLORIDA STATUTES, FOR RIVIERA DUNES, A DEVELOPMENT OF REGIONAL IMPACT, DRI #236; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded and motion carried 5-0 to approve Ordinance No. 03-774 for advertising and schedule a public hearing for May 19, 2003.

4. 1ST READING AND ADVERTISING APPROVAL - ORDINANCE NO. 03-778
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, BY REVISING ARTICLE VI, SECTION 6.7(b) SWIMMING POOLS, BY AMENDING THE ENCLOSURE REQUIREMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (ZCA0301)

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approve Ordinance No. 03-778 for advertising and schedule a public hearing for May 19, 2003.

5. 1ST READING AND ADVERTISING APPROVAL - ORDINANCE NO. 03-779
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE NUMBERING OF CITY STREETS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDING CHAPTER 25, ARTICLE II, SECTION 25-35 STREET NUMBERS, CITY CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve Ordinance No. 03-779 for advertising and schedule a public hearing for May 19, 2003.

6. RESOLUTION NO. 03-06
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 02-15, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2002-2003, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mr. Williams moved, Mr. Grace seconded and motion carried 5-0 to adopt Resolution No. 03-06.

Mr. Kinn confirmed the \$90,000 covered only materials.

7. PUBLIC HEARING - ORDINANCE NO. 03-775

Ordinance No. 03-775 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, BY CHANGING THE ZONING OF THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM RS-3 TO GO (GENERAL OFFICE); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0303/Alan Zirkelbach/approximately 0.45 acres/1419 10th St. W.)

Mayor Bustle opened the public hearing. There was no public comment; public hearing was closed.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Ordinance No. 03-775.

8. SPECIAL FENCE PERMIT - 1601 11TH AVENUE WEST

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried 5-0 to approve the Special Fence Permit for 1610 11th Avenue West.

9. GENERAL INTERLOCAL AGREEMENT TO IMPLEMENT ACCORD

MOTION: Mr. Grace moved, Ms. Bryant seconded and motion carried 5-0 to approve and authorize Mayor Bustle to execute the General Local Agreement to Implement ACCORD.

10. INTERLOCAL AGREEMENT ESTABLISHING JOINT PLANNING COMMITTEE

Council discussed concerns they have expressed at previous meetings relating to the language not being specific enough to allow future elected officials easy and accurate interpretation of the intent of the document; the failure of the county to implement the process for vote on the one-half cent sales tax. Acknowledging the document as being cumbersome, several Council Members stated a willingness to participate considering the alternative.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approved and authorized Mayor Bustle to execute the Interlocal Agreement Establishing Joint Planning Committee.

11. DEPARTMENT HEADS' COMMENTS

Chief Lowe

Code Enforcement Officer Annette Cook attended the police department's management meeting to discussed ways the two departments can work together on weekend code enforcement violations.

The Florida Delegation of Explorers held a meeting at the Civic Center.

Cinco de Mayo saw one incident and one parking problem. Discussion ensued on the event running past the time approved on the Special Function Permit. It was also suggested a way to make the event more conducive to the neighborhood needs to be researched.

Palmetto City Council
May 5, 2003

The police department apprehended a wanted felon using the Missing Children computer.

Jim Free, City Clerk

The monthly reports will be distributed to the Mayor and Council on Thursday.

Reminded Council of the Memorial Day holiday on Monday, May 26, 2003.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried 5-0 to cancel the workshop scheduled for May 26, 2003 due to the Memorial Day holiday.

Mr. Free inquired if Council again planned to take a vacation from meetings. Ms. Cornwell explained the purpose of the time off from meetings is to allow staff the time needed to develop the budget.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried 5-0 to cancel the June 23, June 30, July 7, July 14 and July 21, 2003 Council meetings.

Bob Schmitt, Interim City Planner

Advised Council the Terra Ceia density topic will be scheduled for a public hearing on June 16, 2003.

12. MAYOR'S REPORT

Distributed the 11th Congressional District boundary map.

Will lobby for a skate park at Blackstone Park at the County Commissioners' Board Meeting on May 6, 2003.

A meeting with Mr. Padgett, Mr. Nolan and a representative from the county's Parks & Recreation department is scheduled to discuss a swimming pool for Blackstone Park.

Informed Council the recent employee election for a representative to the General Employees' Pension Board of Trustees was invalidated by the Board of Trustees at the May 5, 2003 meeting. The reason for the invalidation was lack of control of the ballot boxes for the election. Procedures for the election are being developed and a new election with the same slate of candidates will be held in the near future. He also discussed the vacancy on the board and asked for names of citizens who may be interested in serving. If no citizen expresses a desire to serve, the Board of Trustees will consider appointing the runner-up in the employees' election to the Board.

13. COUNCIL MEMBERS' COMMENTS

Mr. Grace

The last two remaining question and answers from the meetings with the mobile home parks will be delivered by the end of the week.

Mr. Williams

Stated Council should see the responses to the mobile home park questions before distribution.

Palmetto City Council
May 5, 2003

Ms. Cornwell

Requested the police department contact the principals of the schools regarding the close of the school year.

Requested the police department meet with other law enforcement agencies to develop a plan for the mobile home parks regarding hurricane preparedness.

Ms. Bryant

Requested that Mr. Kinn inform Mr. Hickey that Mr. Jim Lake should be contacted concerning the email message regarding piping.

Announced the walk through for Jackson Park is scheduled for May 13, 2003 beginning at 4:00 and requested it be posted so the Mayor, Council and CRA Board, if they choose, can all participate.

She and Mr. Grace attend the Palmetto Historical Commission meeting. The Carnegie Library roof is leaking and damaging the ceiling tiles and there is a problem with the front door. The commission is developing a list of items that need attention and will forward it to the Public Works Department. Staff was requested to contact prior city clerk Linda Stearns regarding where the ceiling tiles were purchased.

Mrs. Lancaster

Again advised Council the CRA is willing to make a presentation of what was found during their walk through of Jackson Park.

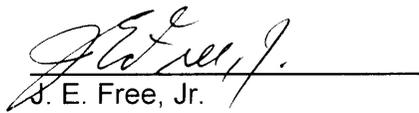
Asked to revisit the City's Step Plan. Mayor Bustle discussed the possible need for a consultant to address the plan.

Requested Mayor Bustle address the County Commissioners on the open container ordinance they will be considering.

Discussed problems at Oakridge. Mayor Bustle stated the contractor would be present at the meeting scheduled May 6, 2003. He informed Council he had placed a hold on the contractor's payment. Mayor Bustle discussed the unsatisfactory inspection, specifically addressing the turf stone decomposition.

Meeting adjourned at 8:30 pm.

Minutes approved: May 19, 2003


J. E. Free, Jr.
City Clerk