

Palmetto City Council  
Minutes  
May 19, 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 Dick Groff  
J. E. Free, Jr., City Clerk  
Chief Garry Lowe  
Bob Schmitt, Interim Planner  
Diane Ponder, Administrative Assistant

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

Rev. Larry Pritchard, Palm View Baptist Church, gave the invocation followed by the Pledge of Allegiance to the United States Flag.

Mayor Bustle read a proclamation declaring May 18 - May 24, 2003 as National Public Works Week.

PUBLIC COMMENT

Betty Sanders and Charles Smith thanked Mayor Bustle and Council Members for taking their time for the recent walk through of Jackson Park and their willingness to help resolve the flooding of the area.

Clarence Love spoke of the utility bills he is receiving since the closing and sale of Colonial Apartments.

1. APPROVAL OF AGENDA

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried 5-0 to approve the May 19, 2003 agenda.

2. CONSENT AGENDA

- A) Minutes: May 5, 2003 City Council Meeting
- B) Dye, Deitrich, Prather, Petruff & St. Paul billing through March 31, 2003  
Professional Services - \$14,760.77; Litigation Services - \$4,859.50
- C) A. J. Spalla, PA billing re Creel Litigation through April 28, 2003 - \$441.00
- D) April 2003 Check Register

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve the Consent Agenda.

3. PUBLIC HEARING - ORDINANCE NO. 03-774

Ordinance No. 03-774 was read by title.

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.

Mayor Bustle opened the public hearing. Receiving no public comment, Mayor Bustle closed the public hearing.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried 5-0 to adopt Ordinance No. 03-774.

4. PUBLIC HEARING - ORDINANCE NO. 03-778

Ordinance No. 03-778 was read by title

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).

Mayor Bustle opened the public hearing. Receiving no public comment, Mayor Bustle closed the public hearing.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried 5-0 to adopt Ordinance No. 03-778.

5. PUBLIC HEARING - ORDINANCE NO. 03-779

Ordinance No. 03-779 was read by title.

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.

Mayor Bustle opened the public hearing. Receiving no public comment, Mayor Bustle closed the public hearing.

MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried 5-0 to adopt Ordinance No. 03-779.

6. RESOLUTION NO. 03-07

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.

Mr. Free explained this was an administrative procedure to adopt by resolution previous budgetary actions of Council.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried 5-0 to adopt Resolution No. 03-07.

7. RESOLUTION NO. 03-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE EXECUTION OF DOCUMENTS TO EFFECT PAYMENT TO W. C. RIVIERA PARTNERS, L.C. FOR REIMBURSEMENT OF REUSE PIPELINE INSTALLATION.

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 03-08.

8. ESTUARY PRESERVE II

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 5-0 to approve and authorize Mayor Bustle to execute the Notice of Limitation of Use to the Estuary Preserve.

9. DEPARTMENT HEAD OVERNIGHT TRAVEL

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve the City Clerk's travel to attend the 2003 FGFOA Annual Conference May 31 through June 4, 2003.

10. DISCUSSION - NEW POSITIONS

Mr. Free informed Council the new Code Enforcement Officer position will begin at Grade 6, Step 1, an annual impact of \$34,400 including benefits. CRA will fund the position but, the budgetary impact is not known at this time. If funding the position creates a budgetary impact, the topic will be brought to Council for prior approval. The new position is being sought to expand code enforcement.

The new Accounting Clerk position will begin at Grade 4, Step 1, an annual impact of \$31,800 including benefits. The position will be funded through the Water & Sewer Customer Service Department. If funding the position creates a budgetary impact, the topic will be brought to Council for prior approval. The new position is being requested to free the Finance Director for more involved financial tasks.

Mayor Bustle advised Council both code enforcement officers would be housed and would fall under the police department. The move of the current code enforcement officer is being made so that police officers can be further trained in code enforcement. The new code enforcement officer will work weekends, a time of many violations, and will have the benefit of the police department's cooperation.

Discussion ensued on the CRA funding the position. Mr. Free assured Council the CRA area would receive a minimum of a full code enforcement officer.

Funding the new accounting clerk position was discussed with concerns voiced because of having to balance the current budget using reserve funds and increasing the millage rate. The opinion was also voiced that the resolution amending the budget Council adopted at this meeting supported the need for the new position.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried 5-0 to approve a new Code Enforcement Officer at Grade 6, Step 1, funded by the CRA.

MOTION: Mr. Williams moved, and Ms. Bryant seconded to approve a new Accounting Clerk at Grade 4, Step 1. Motion failed 3-2 with Ms. Cornwell, Mrs. Lancaster and Mr. Grace voting no.

#### 11. DEPARTMENT HEADS' COMMENTS

##### Mr. Free

A purchase order has been issued for seven Dodge Intrepid police cars. The police department budget contains funding for six Ford Crown Victorias under a lease purchase program. In order to ensure delivery of the vehicles in the current year, the PO had to be dated no later than May 16, 2003. If the CAFR is completed in a timely manner, the City will fund the purchase through Florida League of Cities Master Lease Purchase Program. A budget resolution will be brought to Council June 16, 2003 for approval to proceed with the program.

The City received two quotes for a new vinyl entry ceiling at city hall. The City will award the job to Absolute Aluminum at \$2,755. The current budget contains sufficient funds.

Planning and Zoning failed to review the Habitat for Humanity plan, which contains a rezone petition, thus requiring adoption by Council. The proposed ordinance title will be brought to Council June 2, 2003 for first reading and advertising approval. Planning and Zoning will review the project June 9, 2003 and the public hearing will be held on June 16, 2003. Council concurred with the schedule.

Mr. Love's comments regarding his utility billing will be addressed by letter.

##### Chief Lowe

The police department will participate in Buckle Up America "Click it or Ticket".

#### 12. MAYOR'S REPORT

The swimming pool at Blackstone Park is progressing and could possibly be open by July 4, 2004. The skateboard park is also progressing.

The MPO unanimously passed the Ft. Hamer Bridge with a qualification if any changes are made as a result of an environmental statement, the MPO will review the project for an additional vote.

Council expressed no interest in learning more about the one-to-one computer laptop program for local school children.

13. COUNCIL MEMBERS' COMMENTS

Mrs. Lancaster

Mayor Bustle responded to Mrs. Lancaster's inquiry about the Oakridge parking spaces by advising the City has withheld funds until the problem is resolved between the engineers and the contractor.

Reported speeding on 8th Avenue between 10th St. and 17th St.

Requested the police department checks on BB guns being fired in the City that has resulted in lights being shot out and a broken car window. A notice will be placed on the utility bill advising it is illegal to discharge BB guns in the City.

Thanked the representatives of Jackson Park for their concern regarding the flooding not only in their neighborhood but through out the City. The City and Manatee County are working together to find a solution.

Ms. Bryant

Regarding the same topic Mayor Bustle stated a meeting is being held regarding 17th Street. Ms. Bryant discussed the Youth Center being contacted by the County about drainage pipes across their property. Discussion ensued on the credit the Youth Center is receiving from SWFWMD resulting from impervious area removal. Council stressed that the project's drainage requirements should be closely monitored

Ms. Cornwell

Requested that staff manning the switchboard be updated regarding the pool and the code enforcement issues.

Requested that Mr. Hickey be notified that the City is to contact FDOT about the topic discussed at the Palm Bay Mobile Home Park meeting.

Requested the police department be in attendance at the school closings.

Mr. Williams

Thanked the residents of Jackson Park for their time at the walk through. Suggested the City excavate the pipe it owns in what used to be a ditch. The new ditch may be a temporary solution to the flooding.

Discussed the fact Council had made a decision to lease major equipment not purchase. Mr. Free stated he would determine whether the dump truck in question could be leased through Florida League of Cities.

Mr. Grace

Mobile home park questions and answers have all been delivered.

Requested the speed signs on 17th Street be looked at, as the speed limits are different in areas and direction of travel.

Thanked staff for the draft Planning and Zoning minutes relating to a topic on the agenda.

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Meeting adjourned at 8:30 pm. Meeting was reopened at 8:32 for public comment.

PUBLIC COMMENT

Robert Jones thanked everyone involved in the Jackson Park walkthrough. He suggested more attention should be paid to open containers in the City.

Ruby Graham asked for explanation for why the Youth Center did not have to have a retention pond. Mr. Williams reviewed the information he had previously discussed relating to credits for the removal of impervious surfaces.

Meeting adjourned at 8:45 pm.

Minutes approved: June 2, 2003

  
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J. E. Free, Jr.  
City Clerk