

Palmetto City Council
Minutes
November 17, 2003 7:00 PM

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
Mary Jean Forrester, Deputy City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, Planner
Bob Schmitt, Interim Planner
Diane Ponder, Administrative Assistant

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

Mary Jean Forrester gave the invocation followed by the Pledge of Allegiance to the United States Flag.

1. APPROVAL OF AGENDA

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded, and motion carried 5-0 to approve the November 17, 2003 agenda.

2. CONSENT AGENDA

A) Minutes: November 3, 2003 City Council Workshop Minutes
November 3, 2003 City Council Minutes

B) October Check Register

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

3. PUBLIC HEARING - ORDINANCE NO. 03-786

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, TO CHANGE THE ZONING OF THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM RS-3 (SINGLE FAMILY RESIDENTIAL) TO PD-H (PLANNED DEVELOPMENT HOUSING); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0306/Lolita English, approximately .4832 acres, PID #27349.0000/0, 407 12th Ave. W.)

Mayor Bustle announced the public hearing was continued from November 3, 2003, and opened the floor to public comment. Mrs. English read a statement concerning the issues the property faces, her attempts to bring it code and her belief Council did not look favorably on the requested zoning change. Mrs. English withdrew her rezone application and asked Council to advise the Planning Department what would be acceptable for the property.

Jessica McCann stated the Planning Department is working to resolve the issue; consideration is being given to dividing the lot into two lots under PD-H, and to reduce the duplex to a single-

family structure. Ms. McCann advised any new application would have to go through the entire approval process; a variance would be necessary because of the setbacks. Attorney Prather advised that under the PD-H zoning Council would be involved in the development approval process.

Council discussed the need to ensure the neighborhood's uses and appearance is kept in mind during the next process, as well as allowing the property to remain affordable to the owner.

Mayor Bustle closed the public hearing. With the withdrawal of the application, Council took no action.

4. PUBLIC HEARING - WASTEWATER FACILITY PLAN

Mayor Bustle opened the public hearing to discuss the Wastewater Facility Plan. Mrs. Forrester advised Council she was requesting the public hearing be continued to December 15, 2003, to allow for the update of the schedules contained in the Plan. JEA has indicated there will be a nominal charge to supply current information on the schedules and the ASR well.

Mayor Bustle continued the public hearing to December 15, 2003 at 7:00 p.m.

5. PUBLIC WORKS CENTRAL WAREHOUSE BUILDING HAZARD MITIGATION GRANT ACCEPTANCE

MOTION: Ms. Bryant moved, Mr. Williams seconded, and motion carried 5-0 to accept FEMA Project 1393-0010 Public Works Central Warehouse Building Hazard Mitigation Grant and authorize the Mayor to execute contract number 04HM-*9-08-51-02-004.

6. WASTEWATER TREATMENT ADMINISTRATION BUILDING HAZARD MITIGATION GRANT ACCEPTANCE

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded, and motion carried 5-0 to accept FEMA Project 1393-0034 Wastewater Treatment Administration Building Hazard Mitigation Grant and authorize the Mayor to execute contract number 04HM-*9-08-51-02-011.

7. 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT

MOTION: Ms. Bryant moved, Ms. Cornwell seconded, and motion carried 5-0 to accept the 2003 Local Law Enforcement Block Grant.

8. 2003 HOLIDAY DECORATIONS

MOTION: Ms. Cornwell moved, Ms. Bryant seconded, and motion carried 5-0 to authorize the City Clerk to execute the lease with Clark Sales Display, Inc. for holiday decorations in an amount not to exceed \$8,750.

9. MASTER LEASE AGREEMENT

Mrs. Forrester discussed the Master Lease Agreement of \$97,602.00 financing a four-year lease/purchase of six 2004 Dodge Intrepid police vehicles. The City elected the four-year lease because of an interest rate of 3.08% vs. 3.20% for a three-year lease. Council adopted resolution 03-10 authorizing the participation in the lease program and the Mayor's execution of necessary documents at the June 16, 2003 meeting. A copy of the information under tab 8 is attached hereto and made a part of these minutes.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded, and motion carried 5-0 to approve the Master Lease/Purchase Agreement with Banc of America Leasing & Capital,

LLC and Florida League of Cities, Inc. for a four -year term in substantially the form as attached under tab 8.

10. DEPARTMENT HEAD'S COMMENTS

Chief Garry Lowe

Chief Lowe requested the contract for Professional Automotive be extended for one year at the current year's prices. Council instructed staff to ensure outstanding billings from the company are paid, but instructed Chief Lowe to bring the topic to Council at the December 1, 2003, meeting as an agenda item.

11. MAYOR'S REPORT

Mayor Bustle commented on the Charter Review Committee review discussed at the 4:00 p.m. workshop and the consensus by Council that a motion be brought forward regarding the recommendations made by the Charter Review Committee.

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded and motion carried 5-0 to authorize the attorney to draft the appropriate ordinance and language for a referendum in March 2004 for a charter addressing items, 1, 2, 3 and 5, on the list - establishing a city manager form of government, residency issues, issue of the mayor, institutionalization of the charter review process and elected officials taking office the first meeting after the election.

Discussion took place on impact fees being assessed by Manatee County in the municipalities' city limits. Council voiced their opinions the City pays its fair share, the ACCORD is loosing its accord, all parties should work together, the sales tax issue has been ignored. Mayor Bustle discussed the need to review the Dewey Report and his opinion impact fees are not the solution to growth management in the county or cities. Council discussed the City's proposed impact fee and the effect it would have if in place before the County begins assessing impact fees in the City. Attorney Prather discussed methodology needed to support possible challenge of an impact fee ordinance. He cited parks as an example of how City and county impact fees would be assessed.

Mayor Bustle also solicited comments on the sales tax issue. Council concurred they support the issue 100 percent.

Mayor Bustle stated "legislative priorities" are being established at numerous meetings he is attending. He suggested Council attend the legislative meeting in Tallahassee.

12. COUNCIL MEMBER'S COMMENTS

Mrs. Lancaster

Mr. Tusing explained how 8th Avenue is routed in the City and beyond its limits.

Reported the lot behind the Fima station needs mowing and graffiti on the building at 6th Ave. and 7th Street.

Ms. Bryant

Requested the police department's costs be included in the total cost of events involving the City.

Rental of the fair booth has been secured.

Reminded Council of Farm City Week.

Ms. Cornwell

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Requested a timeline and conceptual plan for the pool at Blackstone.

Thanked the Mayor for his involvement in activities on the 10th.

Popi, Popi's Place, has been chosen as Lincoln Middle School Principal for a Day on November 20, 2003.

The Council meeting schedule adopted for November will continue for December. The workshop meetings are 4:00 p.m. and the Council meetings are 7:00 p.m. on December 1 and December 15.

Mr. Williams

Requested staff determines if FDOT is going to redo the bike paths on the bridge. He cited poor visibility at night as a reason the stamps should be larger.

Inquired why Parks & Rec is responsible for closing and opening roads during events; certification is necessary when placing cones in state roads. Stated event sponsors should reimburse the City for its related expenses during events.

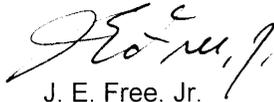
Code Enforcement is busy in the City.

Mr. Grace

Inquired if the group promoting an athletic complex at Blackstone is still active. Nothing has come forward on the plans. It is believed the skateboard park is still planned for Blackstone Park.

Meeting adjourned at 8:30 p.m.

Minutes approved: December 1, 2003



J. E. Free, Jr.
City Clerk