

**Palmetto City Council
March 5, 2001 7:00 PM**

Elected Officials Present:

**Pat Whitesel, Mayor
Shirley Groover Bryant, Vice-Mayor
Tamara Cornwell, Council Member
Donna Keefer, Council Member
Mary Lancaster, Council Member
Brian Williams, Council Member**

Staff and other present:

**Karen A. Conlon, City Clerk
Chief Bright, Palmetto Police Department
Mike Hickey, Public Works Department
Mary Jean Forrester, Deputy City Clerk
Margaret Tusing, Planning & Zoning Director
Diane Ponder, Administrative Assistant**

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

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

Mayor Whitesel introduced Karen Conlon who has been appointed to the City Clerk's position and welcomed Ms. Conlon to the City of Palmetto.

1. TERRA CEIA BAY GOLF & TENNIS CLUB

Mr. Ray Dielman, chairman of the Planning Committee of the Palms of Terra Ceia addressed Council concerning the possible purchase of the association's amenities package by the City. Palms of Terra Ceia will hold a public meeting March 13, 2001 from 6:00 p.m. to 7:30 p.m. Council has been invited to attend the meeting. City staff will make legal public notice of Council Members possible attendance at the meeting. Council requested that a copy of the Due Diligence documents be provided for review.

Chief Bright recognized Officer Tom Smith who was recently promoted to the rank of Corporal.

2. RESOLUTION NO. 01-01

Resolution No. 01-01 was read by title.

A RESOLUTION AMENDING RESOLUTION NO. 00-22, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2000-2001, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to adopt Resolution No. 01-01.

3. RESOLUTION NO. 01-02

Resolution No. 01-02 was read by title.

A RESOLUTION AMENDING RESOLUTION NO. 00-22, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2000-2001, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried unanimously to adopt Resolution No. 01-02.

4. THE PALMETTO INN – MODIFICATION TO APPROVED GENERAL DEVELOPMENT PLAN

Mrs. Tusing explained the General Development Plan approved November 1999 showed three outbuildings that were to be converted to guest cottages. The requested modification to the General Development Plan would enlarge each cottage and would reduce the side yard on the western side of the property to five feet. The change would also entail a 12-foot wall being increased to 20 feet in length. Council inquired if the adjoining property owners had been notified of the change. Innkeeper and owner Bob Gehring advised Council he had had conversations with one adjoining property owner, Dr. Alkire, who has voiced no objections to the planned changes.

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried unanimously to approve the modification to the General Development Plan, contingent upon a letter from Dr. Alkire.

5. FINAL PLAT – NORTHSHORE AT RIVIERA DUNES, PHASE 1B

Van Brown, Supervisor of Engineering, advised Council all required approvals had been obtained for the Final Plat of the Northshore at Riviera Dunes, Phase 1B. Discussion was held on the common area and the fact it is private to the association. The only public access will be for the utilities located in the street.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to approve the Final Plat for Northshore at Riviera Dunes, Phase 1B.

6. EXPENDITURES OVER \$500

Discussion was held on the necessity of preparing Expenditures Over \$500 Report when items being purchased were approved, budgeted line items. It was consensus of Council to continue the present reporting practice.

A) Palmetto Police Department

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve the purchase of five mobile radios at \$1,188.00 each not to exceed \$5,940.00.

B) Public Works Department

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried unanimously to approve an expenditure to ASAP Equipment Sales for the purchase of a vibrator/compactor not to exceed \$3,268.36.

Mr. Williams also suggested Council approve an emergency amount not over \$1,000 to repair the existing compactor. If the repair is an emergency the Mayor can approve the expenditure under her authority.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded to approve the expenditure of \$45,433.42 to APAC Paving of \$38,628.66 and the expenditure to Park Structures of \$6,804.76 for playground equipment.

Discussion was held on the playground equipment. Mr. Hickey advised the funds were a budgeted item.

Discussion was held on the paving project and the fact any type of pipe should be in place before the paving is completed. It was discussed if the project should be stopped at 2nd Avenue to allow for the proposed extension of 7th Street. Mr. Prather inquired if the city's procurement code had been followed in the bidding process. Mr. Hickey advised the county had already bid unit prices for this type of project and the city was utilizing those prices. Mr. Williams requested the cost of not doing the project from Hwy 41 back to 2nd Avenue. Mr. Hickey will calculate the amount and bring the figure to Council at the March 12, 2001 meeting.

Motion failed 3 to 2. Ms. Cornwell, Mrs. Lancaster and Mr. Williams voted no.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried unanimously to approve the expenditure of \$6,804.76 for new playground equipment at the 17th Street Park.

7. PROPERTY NORTH OF ESTUARY PARK

Mayor Whitesel read a letter from David F. Rothfuss, Chief Assistant County Administrator, a copy of which is attached hereto and made a part of these minutes, asking the city to defer action on this topic until after the March 13, 2001 Board of County Commissioners meeting. Council requested that appropriate city staff attend the March 13, 2001 Board of County Commissioners meeting and bring the information back to Council at its March 19, 2001 meeting, deferring this topic until that date.

8. CONSENT AGENDA

- A) Minutes: City Council Meetings February 8, 12 and 19, 2001
- B) February 2001 Check Register
- C) Special Function Permit – Kids Fishing Tournament

Mayor Whitesel corrected the February 12, 2001 minutes to read as follows:

“Mayor Whitesel recommended that Council belonging to the National League of Cities would not be a benefit to the city.”

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve the Consent Agenda with amended change.

9. DEPARTMENT HEAD REPORT

Chief Bright

The city's second motorcycle has arrived. It should be on the road in the next two months.

Discussed the long-range plan of having a K-9 on both midnight shifts. The trainer who sold the city the first dog, and trained him free of charge, is retiring this summer. Total cost of the K-9 unit is approximately \$5,000, which does not include training estimated to be \$7,000, and would be taken from the Forfeiture and Seizure Fund. Training would once again be included in the \$5,000 cost. Discussion was held on the need to draft an agreement whereby the officer taking the new K-9 unit would remain employed with the city for a five-year period, which would be drafted by the attorney. Chief Bright was instructed to select an officer and bring this topic back to Council.

Karen Conlon

Mrs. Conlon deferred to Mrs. Tusing, who explained the proposed sign ordinance provided to Council was not the correct copy. A new copy was distributed to Council and has been provided to the chairman of the Business Advisory Committee.

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Alan Prather

Mr. Prather advised Council he has received correspondence on the litigation with Manatee County regarding the Forristall annexation. The County has adopted a resolution requesting conflict resolution, to which the city has ten days to respond. Mr. Prather explained the legalities involved in the process.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to accept the county's offer of conflict resolution and authorize the Mayor, City Attorney and City Planner to attend on behalf of the city.

Mr. Prather discussed continued legal representation in the interim and ongoing projects as discussed in correspondence to the Mayor dated March 5, 2001.

10. MAYOR'S REPORT

Mayor Whitesel announced the city would be moving forward with Bradenton on the Riverwalk project. The city's obligation will be handled through grant funds and in-kind services.

Announced there will be a meeting March 27, 2001 at the Sarasota City Hall to discuss designating US 41 as a Scenic Highway. Council Members who can represent the city are to advise Mrs. Higgins.

March 6, 2001, Mayor Whitesel will be in Tallahassee representing the Manasota League at a strategy meeting on items to be brought before the legislature

Recognized candidates Charlie Grace for At-Large Seat 1 and Larry Bustle for Mayor.

11. INDIVIDUAL COMMENTS

Ms. Cornwell

Inquired if the November election would be coming back to the city or remain with the Supervisor of Elections. It was consensus of Council to leave the process with the Supervisor of Elections.

Requested Mr. Hickey to speak with Mr. Seger about coordinating with the City of Bradenton about joint activities during the 4th of July celebration.

Thanked staff for contacting the county about the loose dogs.

Mrs. Lancaster

Advised Mr. Hickey a light on 12th Street is not working.

Requested a verbatim transcription of the portion of the February 26, 2001 meeting addressing the billboard.

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Mr. Williams

Requested that lights not working in every Ward of the city be identified.

Requested Mr. Hickey bring back to Council a resolution on the ditch behind Sav-a-Lot.

Human Resources Director is to start advertisement for the Building Inspector's position.

A joint meeting with CRA needs to be held to determine how the city will spend funds granted to the city by CRA. Of the \$51,000, \$26,000 will be spent on traffic calming and \$9,000 will be spent on administration fees. The balance is what must be determined.

Inquired if the new Sign Ordinance has been distributed to the Business Advisory Committee.

Welcomed Karen Conlon.

Ms. Bryant

Inquired if a letter was mailed to individuals recently appointed to the city's various boards.

Inquired if the date of the county's presentation to Council on the 17th Street project has been set. The tentative date is March 26, 2001 at 4:00 p.m.

Requested Mr. Hickey advise Mr. Tusing appreciation for taking care of questions brought to Council by Ms. Ackles.

Inquired if the letter to Smith & Gillespie concerning the \$28,000 additional cost to the Hidden Lakes and the DeLesline settlement has been prepared. Mayor Whitesel stated the letter should be mailed Wednesday.

The weekend rain created some drainage issues along 10th Avenue at Lot G23.

Requested a cost to the city be determined on the Carr Drain project. Mr. Prather stated Mr. Hootman may be in contact with the city regarding the Top 3% litigation. Ms. Bryant stated the city may have to defer some other project to get this one completed.

Commented on the opening day ceremonies at the Palmetto Little League.

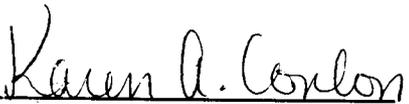
12. CITIZEN COMMENTS

Mike Taylor and Jeremy Johann addressed Council about the city constructing a Skate Park.

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Meeting adjourned at 9:00 p.m.

Minutes approved: March 19, 2001


Karen A. Conlon
**Karen A. Conlon
City Clerk**

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