

Palmetto City Council
September 17, 2001 7:00 PM

Elected Officials Present:

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

Staff and others present:

Alan Prather, City Attorney
Karen A. Conlon, City Clerk
Chief Kenny Bright Palmetto Police Department
Mike Hickey Public Works Department
Margaret Tusing, Planning & Zoning Director
Diane Ponder, Administrative Assistant

1. TENTATIVE MILLAGE AND BUDGET

Attorney Prather advised Council regarding procedures for adopting the tentative millage rate and proposed budget. Mr. Prather announced the tentative millage rate of \$4.1645, stating it is 5.74% over the rolled-back rate.

Mayor Whitesel opened the public hearing. Mrs. Conlon stated the anticipated expenses amount to \$15,224,534 with revenue of \$13,594,242. Expenses include salaries of \$4.8 million, but the final figure is still yet to be determined. Approximately \$1.6 million will be needed from past year's reserves. Mrs. Conlon stated her belief this could be accomplished based on the proposed millage rate.

Mr. Prather discussed adopting the tentative millage rate at \$4.1645 and the fact the city could go lower but could not raise the millage rate once it is adopted.

Discussion ensued concerning the transfer from reserves of \$1.6 million. Mrs. Conlon explained that prior years had shown this type of transfer as revenue; this year only actual revenue was shown as such. Discussion also took place concerning the need for employee salaries rather than additional police vehicles.

Mayor Whitesel closed the public hearing.

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RESOLUTION NO. 01-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING AND ADOPTING A PROPOSED TENTATIVE MILLAGE FOR THE TAX YEAR 2001.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried 4 to 1 to adopt Resolution No. 01-14. Ms. Cornwell voted no.

RESOLUTION NO. 01-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING AND ADOPTING A PROPOSED TENTATIVE BUDGET FOR FISCAL YEAR 2001-2002.

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried 4 to 1 to adopt Resolution No. 01-16. Ms. Cornwell voted no.

ORDINANCE NO. 01-713

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING, ADOPTING AND ENFORCING THE FINAL MILLAGE, BUDGET AND THE RECEIPT AND COLLECTION OF AD VALOREM TAXES ON PROPERTY WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF PALMETTO FOR THE TAX YEAR 2001; AUTHORIZING THE MAYOR AND CITY CLERK TO CERTIFY COMPLIANCE AND THE MILLAGE; AUTHORIZING THE TAX COLLECTOR OF MANATEE COUNTY TO COLLECT SAID AD VALOREM TAXES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried unanimously to approve Ordinance No. 01-713 on first reading and set a public hearing for September 24, 2001.

2. 1ST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 01-714

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA APROVING A GENERAL DEVELOPMENT PLAN AND ELEVATIONS FOR THE WINGATE INN AT RIVIERA DUNES, PARCEL 12A, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (WINGATE INN AT RIVIERA DUNES)

MOTION: Ms. Bryant moved, Mrs. Keefer seconded and motion carried unanimously to approve Ordinance No. 01-714 for advertising and schedule a public hearing for October 1, 2001.

3. 1ST READING & APPROVE FOR ADVERTISING ORDINANCE NO. 01-715

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF THE CITY CODE OF ORDINANCES TO REPEAL THE EXISTING CABLE TELEVISION ORDINANCE OF PALMETTO AND ADOPTION OF A NEW CABLE TELEVEISION ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO TIME WARNER ENTERTAINMENT – ADVANCE/NEWHOUSE PARTNERSHIP d/b/a TIME WARNER COMMUNICATIONS TO OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY; SETTING FORTH CONDITIONS AND CONTAINING CERTAIN LIMITATIONS; PRESCRIBING CERTAIN PENALTIES; AND PROVIDING AND EFFECTIVE DATE.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried unanimously to approve Ordinance No. 01-715 for advertising and schedule a public hearing for October 15, 2001.

4. FPL STREET LIGHTING AGREEMENT AND OUTDOOR SECURITY LIGHT AGREEMENT

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to authorize the Mayor to execute the FPL Street Lighting Agreement and Outdoor Security Light Agreement with FPL for service provided at the Palmetto Police Department.

Palmetto Police Chief Kenny Bright presented Captain Garry Lowe with a plaque honoring his 20 years of service to the department.

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Sergeant Lee Jones presented the 2001 Local Law Enforcement Block Grant budget, which requires a ten percent match by the city. A list of the equipment the grant funds will purchase is attached hereto as Attachment A and made a part of these minutes.

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve the 2001 Local Law Enforcement Block Grant budget not to exceed \$22,514.00.

5. CONSENT AGENDA

Council was informed Church on the Rock had submitted a Special Function Permit for 5th Quarter activities which was not included in the agenda because of the lateness of submission. The permit allows activities after the Palmetto High School football games, beginning September 21, 2001.

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried unanimously to add the Church on the Rock Special Function Permit to the Consent Agenda, contingent with the requirement Department Heads must give their approval.

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

6. DEPARTMENT HEAD REPORTS

Chief Bright

Advised a contract with Manatee County Department of Agriculture allowing training of canine units at the Manatee County Fairgrounds has been received. Manatee School for the Arts for the School Resource Officers has also been received. Both contracts will require review by the attorney.

Mrs. Conlon

Advised the auditor has informed the city the software package recently approved for purchase is GASB 34 compliant.

Discussion ensued concerning the repair of three police vehicles that had been authorized by Mr. Koper in the aggregate amount of \$13,727.00 without following the Purchasing Policy. Chief Bright argued the aggregate total was not relevant as these were three different accidents, even though they occurred in a short time frame. Mrs. Conlon stated she was seeking Council's authorization to pay the billing as well as direction from which account the funds should be taken – the police department or insurance fund line item. It was consensus of Council to utilize the contingency fund for the repair expenses.

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MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve the expenditure in the amount not to exceed \$13,727.55 to Sun State Collision, Inc. for the repair of the vehicles.

Mr. Hickey

As did the Council and other department heads, Mr. Hickey commented on the people and companies that worked during Tropical Storm Gabrielle.

Waiving the tree debris removal fee was discussed.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to waive the fee for collecting tree debris.

Council was updated on the Edenfield Property. No agreements concerning decontamination were found in the purchase documents. Smith & Gillespie's proposal to describe contamination at the site has been distributed to Council as well as the attorney's reservations. No commitment to expend funds has been made. DEP has not responded to the information provided.

Attorney Prather

Advised he had reviewed the contract with Manatee County Department of Agriculture and found it acceptable. He advised against accepting the Manatee School for the Arts contract because paragraph 3g needs to be limited pursuant to the waiver of sovereign immunity under Section 768.28.

7. PSG CONTRACT

Mrs. Conlon advised Council the reuse contract expires January 31, 2002. This is a reminder the item will be placed on a future agenda.

8. MAYOR'S REPORT

Reminded Council an RSVP is needed for the Manasota League of Cities.

9. INDIVIDUAL COMMENTS

Ms. Cornwell

The public should be made aware FEMA is available for losses sustained in the recent storm. Mrs. Conlon stated information will be provided to the County for submittal to the State who will determine if funds will be made available at the local level. Mrs. Conlon also stated Roger Titus was the only municipal attendee at the recent Red Cross meeting.

Both Sutton and Hydrant Park have swings that need replacing. Hydrant Park has no baby swings. There are roots in the play area at Sutton Park that need to be

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removed. Sutton Park also needs to be policed after being leased, as complaints are being received that garbage is being left at the site.

MPO will be advised staff will be in contact with Sarasota regarding the scenic highway program.

Mrs. Keefer

Asked Mr. Hickey to determine if the swings were missing because of breakage or theft.

The RFP for the police vehicles has been looked at by the attorney and auditor who have made suggestions to its contents. Mrs. Conlon also reported she had met with a representative of a company working with Bradenton to look at an in-house maintenance program.

Requested that applications for the administrative assistant not be distributed until a decision has been made about the position.

Mrs. Lancaster

Mrs. Lancaster relinquished her time to Cynthia Fobbs, a spokesperson for a group of residents from Jackson Park.

Ms. Fobbs provided a petition, documented by pictures, requesting the city to find funding for correcting the flooding that historically takes place at Jackson Park. The petition and photographs are attached hereto as Attachment B and made a part of these minutes. Ms. Fobbs suggested the Basin Board is beginning its grant cycle and Jackson Park should be an item on its agenda. Robert Smith, Jr. spoke to Council concerning the flooding situation, stating it is time for relief.

Ms. Fobbs informed Council of FEMA's rejection of prior claims because stormwater causes the flooding; the community is not in a flood area. Ms. Fobbs also spoke about the neighborhood being in the CRA and the possibility of CRA searching for grant funds to alleviate the problem. The 17th Street project was also discussed and the need to coordinate any construction with Manatee County.

Mrs. Lancaster suggested the city look into appointing the area of Jackson Park as a project for the CRA to look into, come up with a plan and implement the plan.

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded to recommend that the CRA look into the Jackson Park area, come up with a plan and implement the plan.

Mr. Williams stated Council should review the plan before implementation. Mrs. Lancaster also advised Council the CRA had stated it would rather spend \$8,400 on major projects than Christmas lights.

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MOTION: Mrs. Lancaster amended her motion to recommend that the CRA look into the Jackson Park area, come up with a plan, a way to implement the plan and bring it to Council for approval. Ms. Bryant seconded and the motion carried by unanimous vote.

Staff was instructed to advise the CRA Director of Council's action.

Mr. Williams

Referred to the August 27, 2001 Consent Agenda, page three, where minutes stated the banking proposals would be on the September 10, 2001 agenda, and inquired why the agenda had been changed after approval. Mayor Whitesel stated she felt it appropriate to allow the banks to make a ten minute presentation and the item is scheduled for October 15, 2001.

Inquired the status of the 3rd Street Drive property. Staff is to determine if the city is the party initiating the vacation before any documents are executed.

Inquired when the advertisement for the city attorney will occur.

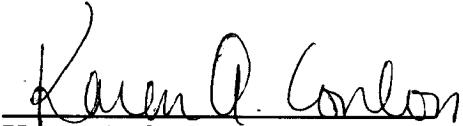
Ms. Bryant

The meeting of the committee to discuss the park fees and performance deposit will be rescheduled following its cancellation Friday.

Discussed the oleanders on the east/west corridor to Terra Ceia Golf & Tennis Club and the visual problems occurring because of their height. A letter from FDOT and photographs of the plants will be copied to Council and Mr. Hickey. The documentation is attached hereto as Attachment C and made a part of these minutes. Mr. Hickey was requested to bring a recommendation back to Council.

Meeting adjourned at 9:15 p.m.

Minutes approved: September 24, 2001



**Karen A. Conlon
City Clerk**

2001 Local Law Enforcement Block Grant Budget

Miniature Mobile V.C.R.	\$1320
Micro Ear Kit	\$1273
Sony Walkman MZ-R55	\$345
IST DTL 2000	\$310
Sony MVCFD-88	\$850
DTC T-2050-FG	\$1990
DTC R-99WS-MMR-2	\$2995
Sony UP-2100-SD	\$1425
Three Tough Book Laptops	<u>\$12006</u>
Total	\$22,514
Total of Grant	\$24,223
Left over for operations	\$1,709

**THIS PETITION IS A REQUEST FOR
IMMEDIATE FUNDING TO CORRECT THE
FLOODING PROBLEM IN THE CITY OF
PALMETTO JACKSON PARK SUBDIVISION!**

NAME:

ADDRESS:

Mary Stuckey	1701- 5 th Ave. W.
Cleo Stuckey	1701- 5 th Ave. W.
Betty Sanders	1803 4 th Ave. W.
Lewis Martin	1702 5 th Ave. W.
Synda Douglas	1708 4 th Ave. W.
George Douglas	1708 4 th Ave. W.
Horace T. Reed	1808 4 th Ave. West
William Rae	1804- 4 th Ave W.
Bertha L. Mitchell	1901- 4 th Ave W
Jessie Clark	508- 11 th St West
Ann Ruth Jackson	1704 5 th Ave W.
Clara L. Duda	1703- 5 th Ave W
Elizabeth K. Hado	1705 5 th Ave West
Jessie Robertson	1803 5 th Ave. West

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NAME:

ADDRESS:

Moses v. Olga Shepard 1904 4th Ave W. Palmetto
Forece Haix 1706 4th Ave West

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NAME:

ADDRESS:

Rosa B. Smith 1701 4th Ave W Palmetto

Monica Z. Smith 1703 4th Ave W Palmetto

Annie Gore 1710 - 4th Ave W Palmetto

~~Frank Johnson~~

George Douglas 1708 4th Ave W Palmetto, Fla. 34221

Synda Douglas 1708 4th Ave W Palmetto 34221

Jessie R. Rouse 1803 - 5th Ave W Pal.



rec'd 9/17/01
at Council Meeting

Florida Department of Transportation

JEB BUSH
GOVERNOR

May 10, 1999

THOMAS F. BARRY, JR.
SECRETARY

City of Palmetto
Attention: Carl Taylor, Public Works Director
P.O. Box 1209
Palmetto FL 34220-1209

decombers

RE: Maintenance Agreement No: BA933
WPI No.: 1612443
State Project No.: 13906-9165
County: Manatee

Dear Mr. Taylor:

The Department has received a complaint about a sight-restriction in the median on Business US41 in Palmetto north of 17th Street. An inspection by our office has determined that the landscaping in the median does not comply with FDOT Standard Index 546, Sight Distance At Intersections. The following needs to be done to bring the landscaping into compliance:

1. Trim the plantings to be not more than 3.5 feet above the pavement for a distance of 710 feet from the intersection.
2. Trim the plantings to provide a 3 foot window between the top of the ground cover and the bottom of the canopy.

Attached is a copy of Standard Index 546. A Department inspector can meet with the City personnel to discuss the plantings if necessary. Please let us know what your schedule is for trimming the landscaping.

Sincerely,

B. G. Cranford

Bobby G. Cranford
Sarasota Maintenance Engineer

cc: Rick Marino
file

Sarasota Maintenance Office
1840 61st Street * Sarasota FL 34243-2224
(941) 359-5666 * FAX (941) 359-5646 * MS 1-96

www.dot.state.fl.us

ATTACHMENT C

at Council
Meeting.







