

**Palmetto City Council  
January 10, 2000 - 7:10 p.m.**

**Elected Officials Present:**

**Pat Whitesel, Mayor  
Brian Williams, Vice Mayor  
Shirley Bryant, Councilmember  
Tamara Cornwell, Councilmember  
Mary Lancaster, Councilmember**

**Absent: Donna Keefer, Councilmember**

**Staff and others present:**

**Alan Prather, City Attorney  
Carl Taylor, Public Works Director  
Ken Bright, Interim Police Chief  
Mary Jean Forrester, Interim City Clerk  
Margaret Tusing, City Planner  
Don Patterson, PSG  
Paul Cook, PSG**

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

**Special Presentation: Mrs. Sue Revel introduced Manatee County Fair Queens for 1999. The City Council was invited to the 2000 Manatee County Fair, and the V.I.P. luncheon.**

**Mayor Whitesel asked for a moment of silent prayer in memory of Lari Ann Harris.**

**Mayor Whitesel administered the oath of office to Shirley Groover Bryant, Mary Lee Lancaster and Brian T. Williams. The oaths are attached to and are a part of these minutes.**

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Item No. 5 Final Plat Approval for Northshore Riviera Dunes was moved to No. 1.

**1. FINAL PLAT APPROVAL FOR NORTHSHORE AT RIVIERA DUNES, PHASE 1A**

Ms. Tusing reported that staff has reviewed the final plat for Northshore Riviera Dunes Phase 1A and has received all the information necessary for the final plat approval. Ms. Tusing noted that she would like this approved on the condition that Mr. Dye reviews the final plat.

**MOTION:** Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the final plat for Northshore Riviera Dunes, Phase 1A, subject to the attorney's review, and authorize Mayor to sign the document.

**1. PUBLIC HEARING - ORDINANCE NO. 664:**

Mayor Whitesel opened the public hearing. Ordinance No. 664 was read by title as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA ANNEXING CERTAIN TERRITORIES TO THE CITY OF PALMETTO, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE (AN 99-08-Investment Properties of Sarasota d.b.a. A-1 Self Storage - 2015 8th Avenue West)**

There was no public comment on Ordinance No. 664. Mayor Whitesel closed the public hearing.

**MOTION:** Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 664.

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**3. PUBLIC HEARING - ORDINANCE NO. 667:**

Mayor Whitesel opened the public hearing. Ordinance No. 667 was read by title as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, AMENDING THE PALMETTO COMPREHENSIVE PLAN, AMENDING THE FUTURE LAND USE MAP FROM ROR (RESIDENTIAL/OFFICE/RETAIL/COUNTY) TO GC (GENERAL COMMERCIAL/CITY) BY INCORPORATING PLAN AMENDMENT NO. PA9905 ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA9905/CITY OF PALMETTO/INVESTMENT PROPERTIES OF SARASOTA, LLC dba A-1 Self Storage; 3.59 acres)

There was no public comment on Ordinance No. 667. Mayor Whitesel closed the public hearing.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to adopt Ordinance No. 667.

**3. PUBLIC HEARING-ORDINANCE NO. 668:**

Mayor Whitesel opened the public hearing. Ordinance No. 668 was read by title as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, 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 CG (COUNTY) TO CG (GENERAL COMMERCIAL/CITY); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Z9909/CITY OF PALMETTO/INVESTMENT PROPERTIES OF SARASOTA, LLC dba A-1 SELF STORAGE)

There was no public comment on Ordinance No. 668. Mayor Whitesel closed the public hearing.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 668.

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**4. RESOLUTION NO. 99-24:**

Resolution No. 99-24 was read by title as follows:

**A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT RENEWAL FOR HIGHWAY MAINTENANCE WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, AND PROVIDING AN EFFECTIVE DATE.**

**MOTION:** Ms. Cornwell moved, Ms. Bryant seconded to approve Resolution No. 99-24  
No vote taken on this motion.

Mr. Williams requested that the State be asked to increase the funding amount in Resolution No. 99-24.

**MOTION:** Mr. Williams moved, Mrs. Cornwell seconded and motion carried unanimously to table Resolution No. 99-24 until February 3, 2000.

**3. AUTHORIZATION FOR MAYOR TO SIGN DEP DOCK WAIVER FOR GAIL BRETT LOCATED AT 307 15TH AVENUE W.**

Ms. Tusing reported on the DEP dock waiver for Ms. Gail Brett.

**MOTION:** Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to authorize the Mayor to sign the DEP dock waiver for Gail Brett located at 307 15th Avenue W.

Mr. Bob Gause spoke to council about the dock waiver for Ms. Brett and said that he did not see why the Council would grant this waiver.

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**4 THOMAS M. MCKENNA LETTERS-ALAN PRATHER:**

Attorney Prather discussed Mr. McKenna's letters regarding the Palms of Terra Ceia Community Development District.

Mr. Prather discussed the oversight review and the previously distributed copy of the Florida Statute which will allow the City to undertake review process of special districts.

Mr. McKenna spoke to Council about the problems that exist with the CDD which includes the question of what Florida Statute the CDD operates under. Mr. McKenna is concerned that the CDD is operating under the new law which enables them to make decisions that the old law did not allow. Mr. McKenna discussed the boundaries and questioned the reason an 18 hole golf course was established.

**5. DEMOLITION OF GAYLORD CARNEY STRUCTURE, 1605 4TH STREET WEST:**

Mr. Morgan Bentley spoke to Council about the extension of time granted for the completion of the structure located at 1605 4th Street West. On May 13, 1999, Council granted an extension of time to December 31, 1999.

Mr. Greg Maxwell, contractor, also spoke to Council regarding the delays in the completion of the structure.

MOTION: Ms. Cornwell moved, Ms. Lancaster seconded and motion carried 3 to 1 to allow 6 weeks for completion of the structure with a Certificate of Occupancy, and also to apply for the permit to demolish the structure the day after, if the work is not complete. Ms. Bryant voting nay.

Representatives were asked not to return to Council for additional time.

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**6. PROPOSED NOTICE OF PUBLIC HEARING-SEC 108:**

Council discussed the proposed Notice of Public Hearing for Sec 108 which is a request for loan funds from Hud for various economic development projects within the City.

**MOTION:** Mr. Williams moved, Ms. Cornwell seconded and motion carried unanimously to advertise the Notice of Public Hearing, Sec. 108 with corrections made to the advertised notice for a public hearing to be held January 24, 2000 at 7:00 p.m.

**7. CONSENT AGENDA: Approval of minutes -December 16 and 20, 1999; Statement from Dye, Deitrich, Prather, Petruff & St Paul-November 1999; Check Register for December 1999.**

Mr. Williams spoke of various items on the check register including expenditures over \$500.00.

**MOTION:** Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to approve the consent agenda.

Council asked that all expenditures over \$500.00 be approved by City Council.

Mayor Whitesel asked Council for authorization for the payment of \$515.00 for the fair booth.

**MOTION:** Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to pay \$515.00 for the fair booth.

Mr. Williams reported that Mr. Jim Craft agreed to handle the fair booth for the upcoming fair. Mr. Williams asked help from public works in painting the booth.

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Mayor Whitesel reported that Ernie Padgett, County Administrator, will meet with Council on February 3, 2000 at 4:00 p.m. to discuss the water agreement with Manatee County.

Mayor Whitesel reported that Ms. Amy Stein would not attend the administrative meeting on February 3, 2000. Council agreed to ask other other County Commissioners to attend this meeting until one of the commissioners agrees to attend.

**8. PUBLIC WORKS EXPENDITURES OVER \$500.00:**

MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried by 3-0 vote to approve public works expenditures over \$500. not to exceed \$2,841.38.

Ms Bryant was not present for this vote.

**9. QUESTIONS REGARDING PSG CONTRACT NEGOTIATIONS:**

Mr. Prather reviewed questions regarding the memo dated January 7, 2000 prepared by Mr. Petruff regarding the PSG contract negotiations. Council agreed to ask for an RFP for the infiltration and inflow program and to negotiate the use of the electrician. Council agreed to ask the attorneys to negotiate the issue of the equipment.

**10. CITIZENS COMMENTS:**

Mrs. Cynthia Fobbs applauded members of the Council and thanked each one for their work with the citizens. Mrs. Fobbs also applauded Mr. Taylor for the work he has accomplished. She encouraged the Council to look for new ideas and new ways for the new millennium.

Mr. Butch David thanked members of the Council for the work they have accomplished during this year. Mr. David asked that any savings that the City might have be used to make improvements in the wards that need improvements.

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10. CITIZENS COMMENTS (continued):

Mr. Williams thanked Mr. David and his staff for the work of his department.

Mr. P. O. Johnson complained about the number of dogs without proper identification in the area of 3rd Avenue and 11th Street Drive West. These dogs are aggressive and are a public nuisance. Council requested that a letter be written to Mr. Stan Stephens, Chairman of the County Commissioners, regarding this complaint.

Council set a tentative time of Monday, January 31, 2000 at 5:30 p.m. to review changes in Florida Statutes.

11. INDIVIDUAL COMMENTS:

Ms. Bryant:

Ms. Bryant reported that the Palmetto Historical Commission would like to meet with Mayor Whitesel to coordinate dedication of the chapel.

Ms. Bryant also asked that the location of the Tomato Festival be moved back one block for next years festival.

Ms. Bryant said the alarm system in back of her goes off due to the loud noises from vehicles in the area.

Ms. Cornwell:

Ms. Cornwell reminded Council of the meeting on Saturday, January 15, 2000 with Colonial Mobile Home Manor.

Council discussed the Dr. Martin Luther King, Jr. parade which will be held on January 15, 2000.

Ms. Cornwell asked for a report from Mayor Whitesel, at a later time, concerning the City Clerk's position and the Police Chief's position.

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11. INDIVIDUAL COMMENTS (continued):

Mrs. Lancaster:

Mrs. Lancaster asked when the work on 14th Street will be complete and whether or not the citizens have been informed of the work.

Mrs. Lancaster spoke to the Mayor about the CRA Board not having minorities on their board. Ms. Lancaster said she had previously given names for the CRA Board and the Planning and Zoning Board and asked the Mayor to advise her concerning the selection of these positions.

Mrs. Lancaster asked about the letter received regarding the cross connections. Mr. Prather will furnish Council with a letter regarding this issue.

Mr. Williams:

Mr. Williams asked about the letter regarding the Cross Connection Control fees. Mr. Williams asked that this be addressed at a later time.

12. ELECTION OF VICE MAYOR:

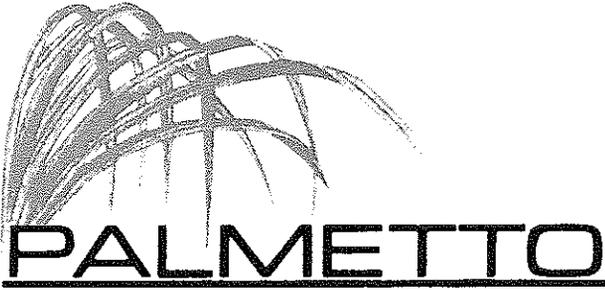
Motion: Ms. Bryant nominated Ms. Cornwell as Vice-Mayor for 2000. Mr. Williams seconded the nomination and motion was carried with a 3 to 1 vote. Mrs. Lancaster voting nay.

The meeting ended at 11:00 p.m.

Approved: January 24, 2000

  
Interim City Clerk

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



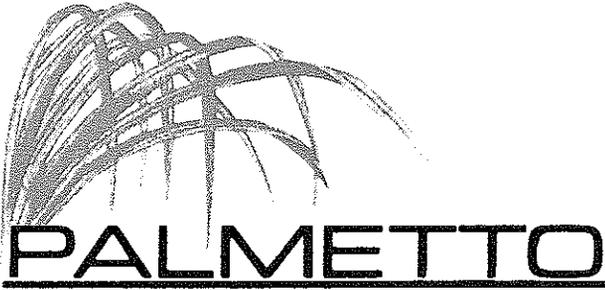
516 8th Avenue West  
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Palmetto, Florida 34220-1209  
Phone (941) 723-4570 Suncom 516-0829  
FAX (941) 723-4576

### *Oath of Office*

I, Mary Lee Lancaster, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida and of the City of Palmetto; that I am qualified to hold office under the Constitution and laws of the State of Florida, and under the Charter and Ordinances of the City of Palmetto; that I will well and faithfully perform at all times the duties of City Councilmember on which I am now about to enter, so help me God.

  
Mary Lee Lancaster

Date: January 10, 2000



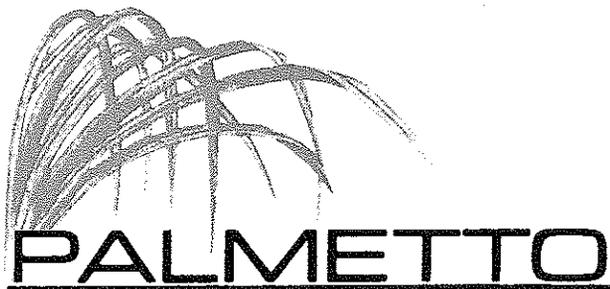
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FAX (941) 723-4576

### *Oath of Office*

I, Brian T. Williams, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida and of the City of Palmetto; that I am qualified to hold office under the Constitution and laws of the State of Florida, and under the Charter and Ordinances of the City of Palmetto; that I will well and faithfully perform at all times the duties of City Councilmember on which I am now about to enter, so help me God.

Brian T. Williams

Date: January 10, 2000



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### *Oath of Office*

I, Shirley Groover Bryant, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida and of the City of Palmetto; that I am qualified to hold office under the Constitution and laws of the State of Florida, and under the Charter and Ordinances of the City of Palmetto; that I will well and faithfully perform at all times the duties of City Councilmember on which I am now about to enter, so help me God.

A handwritten signature in cursive script that reads "Shirley Groover Bryant". The signature is written in black ink and is positioned above a horizontal line.

Shirley Groover Bryant

Date: January 10, 2000