

Palmetto City Council
June 19, 2000 7: 00 PM

Elected Officials Present:

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

Elected Officials Absent:

Pat Whitesel, Mayor

Staff and others present:

Jim Dye, Attorney
Chief Ken Bright, Palmetto Police Department
David Meng, City Clerk
Don Patterson, Interim Public Works Director/PSG
Margaret Tusing, City Planner/Zoning Administrator
Diane Ponder, Administrative Assistant

Chief Bright gave the invocation followed by the pledge to the United States Flag.

Mr. Williams requested item number two on the agenda be removed and tabled and under item number five, the Utility Code revision be removed and tabled. He further requested the proposed changes to the agenda that were placed before Council consisting of an Amendment to Phase III Development Schedule – Riviera Dunes and the Bennett Annexation be taken out of consideration.

MOTION: Mr. Williams moved to table item 2 and withdraw item 5B and items 1 and 2 of proposed changes to the agenda. There was no second to the motion. Motion died for lack of a second.

The agenda was changed to reflect item number 1 of the proposed changes become item number 3 on the agenda and item number 2 of the proposed changes become item number 8 on the agenda. The balance of the agenda remained as presented.

1. RESOLUTION NO. 00-12 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE TRANSFER OF REAL PROPERTY – JULIA CLARK GIBSON – LOT 4, BLOCK A, J. H. BRUNJES ADDITION (SURPLUS PROPERTY)

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried unanimously to approve the sale of Lot 4, Block A, J. H. Brunjes Addition to Julia Clark Gibson in the amount of \$10,500.

2. PRELIMINARY PLAT APPROVAL – PENINSULA AT RIVIERA DUNES

Ms. Tusing reviewed the Preliminary Plat/General Development Plan for Parcel No. 6, to be known as the “Peninsula at Riviera Dunes”, consisting of 33 lots on 9.92 acres. Ms. Tusing stated staff recommended **CONDITIONAL APPROVAL**, itemizing the seven conditions of approval. She further stated the Planning and Zoning Board recommended **CONDITIONAL APPROVAL**, with the approval containing a minimum 20-foot rear yard setback on the eastern lots.

A discussion was held on approval condition number 4, as it related to Ordinance No. 663 and established wetland buffer setback requirements. Ms. Tusing stated documentation from FDEP has been requested, and will be provided with the Construction Drawing submittal, verifying the 25-foot wetland buffer setback requirement has been reduced to 15-feet. She requested the setbacks not be established as part of this Preliminary Plat approval, but be addressed at Final Plat approval. Mr. Williams stated the City could retain its adopted setbacks and the setbacks could be set at this meeting.

Mr. Williams related discussion held at the Planning and Zoning Board Meeting regarding the conservation buffer, wetland buffer and rear yard setbacks. Mr. Williams recommended a 10-foot conservation buffer, 15-foot wetland buffer and 15-foot rear setback.

Mr. Caleb Grimes, representing the developer, made a presentation of the project as pertaining to the peninsula and its development plans. Mr. Grimes stated a reduction in the required 50-foot road right-of-way would help in the development of the size of the lots, given the constraints currently in place. He asked Council to approve the plan as recommended by staff, as Council will see the project again addressing the 25-foot vs. 15-foot buffer. Mr. Jorge Encharte of Dartmouth Homes and Mr. Jose Cuerta, engineer for the project, also addressed Council about the project.

Mr. Williams stated he felt that previous commitments made by the developer have not been met: the 4.5 acres addressed in Ordinance No. 662 and Ordinance No. 663, in addition to other items. Ms. Tusing advised Council the burden fell on the developer to provide staff with documentation to meet all approval conditions. If the required documentation was not provided as part of the Construction Drawing submittal, the conditional approval of the Preliminary Plat will be withdrawn. Mr. Williams discussed the value placed on the land identified in the P2000 Grant expansion. Mr. Grimes addressed the development schedule for parcels 16 and 17, which have a 2002 deadline. Mr. Grimes stressed the only land the City would be purchasing would be the two development tracts on Parcels 16 and 17 and the appraisal would be done only on those two tracts. Mr. Grimes further stated the commitments to the City have been done, but the dedication of land cannot be made until approval of the General Development Plan for Parcels 16 and 17, which hinges on the City’s decision on the 7th Street project.

Ms. Bryant asked about the total area of wetlands on Parcels 16 and 17. Mr. Grimes stated SWFWMD is now in the process of identifying the wetlands. Another issue Ms. Bryant addressed was a cost per acre on this property. Mr. Grimes stated that determination would be done in the appraisal process and it was his understanding the development tracts would be appraised separately. Ms. Tusing concurred with Mr. Grimes.

Mr. Grimes suggested to Council that one way to maintain the established setbacks would be to reduce the right-of-way from 50-feet to 40-feet. Ms. Tusing stated the City's Subdivision Code required a public hearing if a developer was requesting a change of minimum standards, which would be the right-of-way minimum, and the required advertisement of the public hearing could not be met in a timely manner. Mr. Grimes asked Attorney Dye if the Council had the power to approve a change in the minimum right-of-way.

Vice Mayor Cornwell advised Council of the choices before them concerning this request. Attorney Dye suggested Council continue with the remaining agenda items while Mr. Grimes, the developer, Ms. Tusing and he meet to discuss this item. Ms. Tusing asked that Council delay discussing item number three on the agenda. These individuals excused themselves from the meeting.

4. AWARD OF BID – DEMOLITION OF STRUCTURE LOCATED AT 221 11TH ST. W., PALMETTO, FL – ROSA LEE HADLEY (VOLUNTARY)

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried unanimously to approve the award of bid to George W. Youngs to demolish the structure located at 221 11th St. W., Palmetto, FL, not to exceed \$2,825.00.

5. PROCESS OF SELECTING AUDITOR

MOTION: Mrs. Keefer moved, Ms. Cornwell seconded and motion carried unanimously to approve the Request for Proposal for Professional Audit Services, amending the wording on page three to read "Proposals submitted will be evaluated by an Audit Selection Committee" and instructed staff to go out for bid.

Vice Mayor Cornwell reminded staff a shortlist would have to be done under the sunshine.

**2. PRELIMINARY PLAT APPROVAL – PENINSULA AT RIVIERA DUNES
(CONTINUED)**

Mr. Dye, Ms. Tusing, Mr. Grimes and Ms. Svenson re-entered the meeting at this time.

Mr. Dye advised Council there had been discussion and the parties involved had come to an agreement on proposed condition number 4. Mr. Dye proposed an attachment to condition number 4 whereby the condition for approval would require on the riverfront lots a 25-foot buffer and an additional 5-foot setback for a total of 30-foot setback, further conditioned upon the right-of-way being built at 40-feet.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried 4 to 1 to approve Peninsula at Riviera Dunes Preliminary Plat with conditions 1 through 3 and 5 through 7, and condition 4 as amended. Mr. Williams voted no.

**3. RIVIERA DUNES – AMENDMENT TO PHASE III DEVELOPMENT
SCHEDULE**

Ms. Tusing discussed the lots contained in Phase III and their planned uses, and the fact a General Development Plan was to be submitted for the different phases of construction. In discussions held with the applicant's engineer and owner of the project, it was determined a revision should be proposed to Council. At the present time specific dates are not available. The dates will be submitted when documentation is prepared to do the required amendment to Ordinance No. 663.

For parcels 4 and 8, the General Development Plan will become a Detailed Site Plan. Parcel number 6 is the Preliminary Plat on the Peninsula, which was just approved. On parcel number 7 the Preliminary Plat will serve as the General Development Plan. Ms. Tusing recommended City Council receive more detailed plans on remaining lots 11 through 14 and lots 8 through 10, which are part of Phase II. The proposal for these lots is a Commercial Preliminary Plat, which will serve as the revised Conceptual Plan. Each of these commercial parcels will come to Council with a detailed Preliminary Site Plan for Council for approval. A specific proposal will be available to Council on July 17, 2000.

MOTION: Mrs. Lancaster moved, Mrs. Keefer seconded and motion carried 4 to 1 to approve the extension of the Riviera Dunes Phase III Development Schedule to August 7, 2000 with the first reading to be held July 17, 2000. Mr. Williams voted no.

6. PROJECTS OUTSTANDING

Mr. Williams asked the Utility Code Revision be withdrawn, as he was not aware the item was going to be on the agenda and was not prepared to discuss the topic.

Mr. Dye stated he had had a brief discussion with Mr. Prather on the water contract and the issue was at an impasse with the County. It was consensus of Council the Mayor should set a meeting with the County during August to further discuss the Manatee County Water Contract.

Mr. Patterson advised Council the 10th Ave. & 10th St. Master Drainage Project was complete with the exception of the contractor removing two dead trees.

7. GREEN BRIDGE BAIT SHOP – PROPOSAL FOR USE

David Bozell addressed Council on his proposal to lease the bait shop and run a concession stand at the location selling cold sandwiches and drinks. He advised Council there would be no alcohol or tobacco products sold at the site, which will be open Monday through Saturday.

Mrs. Lancaster expressed her concern that other interested parties had not been given the opportunity to make a presentation. Mr. Meng explained Mr. Jones did not follow through with his proposal. He further stated a gentleman had called earlier in the day and had been informed his proposal would have to be at City Hall before 5:00 p.m. for consideration at tonight's meeting.

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried 4 to 1 to lease the Green Bridge Bait Shop to Mr. Bozell for one year. Mrs. Lancaster voted no.

8. BENNET ANNEXATION

Ms. Tusing discussed with Council the applicant's request to be annexed into the City, provided the zoning would be CHI vs. CG which the Planning and Zoning Board recommended, further explaining this is not a site control zoning. She explained this request was to get Council's general impression of the annexation before expending City funds for advertisement.

Mr. Langworthy, representing the owner, addressed Council, explaining he had a buyer for the property, but only if the property could be annexed into the City and have CHI zoning. Council requested the proposed use of the property. Mr. Langworthy was unable to provide the intention of the buyer but stated he would attempt to get documentation from the buyer stating the intended use.

It was consensus of council the zoning, as recommended by Planning and Zoning, stand unless Mr. Langworthy provided Council with the intended use of the parcel.

9. CONSENT AGENDA

Mr. Williams asked to remove item E – Special Function Permit-Latin American Soccer League for discussion.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to approve Items A through D of the Consent Agenda, consisting of the Minutes of the May 22, 2000 and June 1 and 5, 2000 meetings, a Special Function Permit to First Baptist Church on June 25, 2000 and a Special Function Permit to First Baptist Church on June 29, 2000.

Omar Quijano, representative of the Latin American Soccer League, addressed Council concerning the application of the Special Function Permit requesting use of the soccer fields at Lincoln Park on Sundays from July 2, 2000 through October 1, 2000 from 9:00 a.m. to 5:00 p.m. In addition, the league is also requesting permission to have a “Canteen Wagon” at the fields during League play.

MOTION: Mrs. Lancaster moved, Mrs. Keefer seconded and motion carried unanimously to approve the Special Function Permit for the Latin American Soccer League using the soccer fields at Lincoln Park from July 2, 2000 through October 1, 2000, or until such time as Manatee County assumes control of the park.

10. INDIVIDUAL COMMENTS

Ms. Bryant

Ms. Bryant stated John Marble asked her to update Council on the EOC Meeting. The hurricane shelters north of the river are Blackburn and James Tillman Elementary Schools. Snead Island will be performing a test re-entry. She reminded department heads to meet with their employees, reviewing what would be expected of them in the event of a hurricane. The Fund balance is approximately \$92,000. Ms. Bryant asked the Council’s concurrence in allowing Ms. Hartman of CRA to work on the project, securing mitigation funding through grants. Ms. Bryant presented the updated thematic maps to Council, explaining a networked version of the program needed to be made available to City’s emergency personnel at a cost of \$1,300.

MOTION: Mrs. Keefer moved, Ms. Cornwell seconded and motion carried unanimously to expend \$1,300 for an upgrade to the County’s thematic maps.

Ms. Bryant informed Council she had formed an Advisory Committee to utilize information coming to her from the community.

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Ms. Bryant reported street parking in Lampost Place.

Ms. Bryant stated she felt the P2000 Grant had moved forward very quickly and that some areas of the grant were incorrect.

Mrs. Lancaster

Mrs. Lancaster spoke of the annexation on US 41 and the fact alcohol would not be sold at that location on Sundays. She suggested the possibility of annexing Groover's Market into the City.

Mr. Williams

Mr. Williams reported that Mr. Baxter had advised the move of the Building Department, Planning & Zoning and Code Enforcement into the North River Fire Department old administration building would cost \$32,938. Mr. Meng stated cash was available but a budget amendment may be necessary to appropriate the funds.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to move forward with the move of the Building Department, Planning & Zoning and Code Enforcement into the North River Fire Department old administration building.

Mr. Williams presented an estimate to replace and repair the curb and sidewalk at 11th St. Dr. and 3rd Ave. W. at a cost of \$3,302.80

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried unanimously to repair the curb and sidewalk at 11th St. Dr. and 3rd Ave. at a cost not to exceed \$3,302.80.

Mr. Williams commented on Mr. Meng's letter to Karen Hartman regarding an interlocal agreement with CRA and Florida Planning Consolidated. Mr. Williams stated direction needed to be given to staff to develop the interlocal agreement in order to use a grant writer.

Mr. Williams discussed the stop light on 7th St. and US 41. He stated he hoped Council would remember he had been appointed to coordinate this project with affected parties. He asked Mr. Meng to copy the maps previously provided and place this item on the June 29, 2000 agenda.

Mr. Williams asked that a copy of the P2000 Grant be made available to Council and a copy be placed in the safe at City Hall.

Mr. Williams asked for documentation on the Mayor's \$811 travel reimbursement and the \$300 expenditure to CRA.

Ms. Bryant asked that staff and the City's consulting engineer be presented with options seven and nine regarding the stop light on 7th St. and US 41.

Mr. Williams presented the Public Works expenditures over \$500 report.

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried unanimously to approve the Public Works expenditure of \$4,631.40, representing the purchase of recycle bins of \$4,092.00 and baseball caps of \$539.40.

Ms. Cornwell

Ms. Cornwell advised Council flowers had been sent when the Mayor's sister passed away.

Ms. Cornwell asked about the CRA "Blue Sky" list and when it would be presented back to Council

Ms. Cornwell advised Council they had received information regarding the cell phones. It will be brought back to Council at a later date.

Ms. Cornwell reported on the PARS project from Mr. Patterson, wherein he requested the transfer of funds of \$278,486 to expand the system this year. Mr. Williams asked that a recommendation be made to extend the line down 17th St. to Lincoln.

MOTION: Mr. Williams moved, Mrs. Lancaster moved and motion carried unanimously to transfer \$278,486 from the SCSMP account to the Reuse account.

Ms. Cornwell asked that street lighting on Haben Boulevard be brought back to Council for clarification.

11. INDIVIDUAL COMMENTS

Tambra Varnadore spoke to Council regarding the P2000 Grant. Ms. Varnadore stated she thought Council made decisions on projects before having all the needed information.

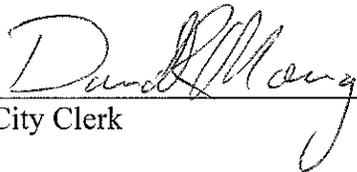
Joe Hampton discussed the installation of the back flow preventers and the fact he felt more staff needed to be added to accomplish what needed to be done. He also discussed the expansion of the reuse line and the fact Mr. Meng and Mr. Patterson had estimated it would cost approximately \$2,500,000 to place reuse throughout the City, and the fact grants were available and budgeting could take place to accomplish this goal. He also stated projects needed to be policed as to how the City's funds are being spent.

Cynthia Fobbs stated she was glad the timer was not on. Vice Mayor Cornwell explained that an individual making a presentation on items before Council was not timed.

Meeting adjourned at 11:15 p.m.

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Minutes approved: July 17, 2000



City Clerk

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