

Palmetto City Council
August 7, 2000 7:00 PM

Elected Officials Present:

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

Elected Officials Absent:

Brian Williams, Council Member

Staff and others present:

Alan Prather, Attorney
Chief Ken Bright, Palmetto Police Department
David Meng, City Clerk
Allen Tusing, Supervisor Public Works
Margaret Tusing, City Planner/Zoning Administrator
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 United States flag.

Mayor Whitesel reopened the topic of the CDBG Grant Council approved August 3, 2000 to Riviera Dunes in the amount of \$750,000. She explained a previous meeting had been held between Karen Hartman, Ms. Svenson and Mr. Fernandez of Riviera Dunes, Gill Waters, Senator McKay, and Debra Gestner, wherein it was agreed the CDBG Grant for \$750,000 would be a shared grant between Riviera Dunes for \$450,000 and Mr. Waters for \$300,000. Mayor Whitesel reported she had received calls from the other applicants inquiring why the grant was approved in the total amount to Riviera Dunes. She reported the other applicant would be satisfied with an allocation from the grant to Riviera Dunes not to exceed \$200,000 for the reconfiguration of 7th Street. She asked Ms. Hartman and Ms. Gestner to clarify the situation for Council's benefit.

Ms. Hartman addressed Council, stating her reasons for recommending the total grant to Riviera Dunes. Ms. Gestner explained why the grant application had been changed and how the current application might be the most advantageous avenue for the applicant, Riviera Dunes. Ms. Gestner further explained the project for Riviera Dunes was complete for application but Mr. Waters' project did not have a sponsor nor is it ready for submittal. Ms. Gestner stated an application for Mr.

Waters could be filed but would be deemed incomplete by the State, but an intent-to-file on Mr. Waters' behalf could be submitted to the State.

A discussion was held on the situation and alternatives available to both Riviera Dunes and Mr. Waters. Ms. Gestner advised Council she will be meeting August 8, 2000 with the engineers for the Waters project, as well as Ms. Tusing, after which she will have more information on the best way to proceed with both projects. It was consensus of Council that Ms. Gestner report the outcome of the meetings at the August 21, 2000 City Council meeting.

Manatee County Commissioner Joe McClash addressed Council concerning the Manatee County Water Contract, urging Council to execute the contract. Commissioner McClash, as chairman of the MPO, updated Council on revenue forecasts for the next several years vs. projects submitted to MPO, stating the funding for the next eleven years has been consumed. He stated that for transportation funding cities are going to have to look for additional funding for projected projects. Commissioner McClash requested that dialogue concerning growth planning be established with the County. Council directed questions to Commissioner McClash concerning a water activity in the community and placement of recycle bins. Ms. Bryant stated her wish to see the Water Contract consummated.

Mayor Whitesel advised Council items six and seven on the agenda would be continued until August 21, 2000. Mayor Whitesel also requested that item 11 be heard at this time.

11. AUTHORIZATION FOR MAYOR TO SIGN FDEP DOCK WAIVER FOR CLAYTON AND SUE BALL, 210 15th AVE. W., PALMETTO, FL.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to authorize the mayor to execute the FDEP dock waiver for Clayton and Sue Ball.

Chief Bright presented certificates of promotion to Sgt. Lee Jones, Sgt. Chris Gillum and Corp. Bob Lathinghouse.

1. PUBLIC HEARING ORDINANCE NO. 681

Ordinance No. 681 was read by title.

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 0004-Rose C. Vickers, William A. Vickers, Rose C. Vickers, Revocable Trust; approximately 3.46 acres)

The public hearing was opened. There was no public comment, public hearing closed.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to adopt Ordinance No. 681.

2. PUBLIC HEARING ORDINANCE NO. 682.

Ordinance No. 682 was read by title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, AMENDING THE PALMETTO COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP FROM LM (LIGHT MANUFACTURING/COUNTY) TO GC (GENERAL COMMERCIAL/CITY) BY INCORPORATING THE LAND LEGALLY DESCRIBED IN SECTION ONE AND IN PLAN AMENDMENT NO. PA0004 ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA0004/ City of Palmetto/Rose C. Vickers, William A. Vickers, and Rose C. Vickers, Revocable Trust; 3.46 acres)

The public hearing was opened. There was no public comment, public hearing closed.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 682.

3. PUBLIC HEARING ORDINANCE NO. 683

Ordinance No. 683 was read by title.

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 LM (COUNTY) TO CG (COMMERCIAL, GENERAL/CITY); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Z0006/City of Palmetto/Rose C. Vickers, William A. Vickers and Rose C. Vickers, Revocable Trust)

The public hearing was opened. There was no public comment, public hearing closed.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded and motion carried unanimously to adopt Ordinance No. 683.

4. PUBLIC HEARING ORDINANCE NO. 684.

Ordinance No. 684 was read by title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA AMENDING ORDINANCE NO. 663, BY REVISING DEADLINES FOR THE PHASE III DEVELOPMENT SCHEDULE; BY CLARIFYING THE SMBMITAL REQUIREMENTS FOR REVIEW AND APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Riviera Dunes)

The public hearing was opened. There was no public comment, public hearing closed.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to adopt Ordinance No. 684.

5. RESOLUTION NO. 00-15 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE TRANSFER OF REAL PROPERTY.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to accept the bid of \$10 from Tenth Street Baptist Church and approve Resolution No. 00-15.

8. RESOLUTION NO. 00-18 A RESOLUTION AMENDING RESOLUTION NO. 99-18, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 1999-2000, AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to approve Resolution No. 00-18.

9. DISCUSSION SETTING DOLLAR AMOUNT OF LOAN THROUGH THE MUNICIPAL LOAN PROGRAM

Mr. Meng distributed a report showing the anticipated loan draws and debt service requirement on \$250,000 to upgrade the City's computer system, \$1.2 million to construct an ASR well and \$2.5 million to complete the PARS system citywide. Mr. Meng also distributed a projected revenue stream utilizing a \$5 fee for each reuse unit, based on the assumption the PARS project would be completed city-wide, and a revenue stream established by an additional \$3 monthly increase on sewer system units.

Council held a lengthy, detailed discussion on different scenarios in the construction of the PARS system, in an effort to develop a revenue stream capable of repaying a

\$2.5 million loan without increasing the monthly sewer system rate. Different construction segments of the system and the associated cost vs. projected revenue streams were discussed.

Council stated their hesitancy in raising the citizen's sewer rates in order to complete the PARS system citywide and construct an ASR well. But, Council also stated the necessity of assuring the citizens of Palmetto the City would abide by the terms of the DEP Consent Order relating to Terra Ceia Bay.

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded and motion carried 3 to 1 to establish a \$3,950,000 loan through the Municipal Loan Program. Ms. Cornwell voted no.

10. RESOLUTION NO. 00-19 A RESOLUTION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE NEGOTIATION OF A LOAN IN AN AGGREGATE AMOUNT NOT TO EXCEED THREE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$3,950,000) FROM THE FLORIDA MUNICIPAL LOAN COUNCIL (CAPITAL PROJECTS AND EQUIPMENT ACQUISITION PROGRAM); APPROVING THE ACQUISITION, CONSTRUCTION AND ERECTION OF CERTAIN CAPITAL PROJECTS; APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE FLORIDA MUNICIPAL LOAN COUNCIL; AUTHORIZING THE EXECUTION AND DELIVERY OF A NOTE; APPROVING THE EXECUTION AND DELIVERY OF A DISCLOSURE AGREEMENT; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Ms. Bryant moved, Mrs. Keefer seconded and motion carried 3 to 1 to approve Resolution No. 00-19. Ms. Cornwell voted no.

12. CONSENT AGENDA: Approve Minutes of Meetings July 13, 17 and 25, 2000, Approve July Check Register, Approve Dye, Deitrich, Prather, Petruff & St. Paul, PA July Billing, Approve Constangy, Brooks & Smith July Billing, Approve Special Function Permit-Korean Day in the Park September 16, 2000.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approved the Consent Agenda.

13. MAYOR'S REPORT

Attorney Prather consulted the Code of Ordinances, Section 2-56, to advise Council on the necessity of accepting the lowest bid as specifically relating to the lobby window construction.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to approve the Police Department Expenditures Over \$500, as denoted by Chief Bright.

14. INDIVIDUAL COMMENTS

Ms. Bryant

Mr. Marble has asked for the e-mail addresses of Council Members so he can keep them abreast of weather conditions.

Attorney Prather was asked that all future contracts the mayor has been authorized to execute contain an area where the reviewing attorney can initial the document prior to execution.

The Historical District Ordinance calls for the creation of a board. Mayor Whitesel asked for several names from each Ward so appointments can be made to establish the board.

Attorney Prather was asked about the validity of open-end contracts. Mr. Prather was asked to review the Smith & Gillespie contracts to determine the contracts specific status.

Suggested making the minutes and ordinance available to either the historical or public library. Mr. Meng and Ms. Ponder were asked to research this and report back to Council how to accomplish this suggestion.

The city wide clean up was discussed, with Ms. Bryant suggesting coordination of the project should be done by the mayor and Council. Mayor Whitesel was asked to set up a meeting between Keep Manatee Beautiful, Public Works and her to determine the most expedient way to handle the clean up.

Mrs. Lancaster

Reported the City did not receive the CDBG grant from the County.

The Enterprise Zone to not bill the City or the CRA \$7,500 this year. It will be revisited next year.

Mrs. Lancaster requested a copy of the executed Lincoln Park Agreement.

The Cutting Edge will be meeting August 15, 2000 at the Youth Center at 7 p.m.

Ms. Cornwell

Chief Bright was asked to provide traffic control at Palmetto Elementary for the opening of school because of the road construction on 10th Ave. Public Works was asked to contact the school administration to develop a traffic plan that could be sent to Sid Thomas for publication before school opens. Ms. Cornwell stated the

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same situation would be created when the new Lincoln Middle School opens in October and requested the Palmetto Police to aid in its opening.

Ms. Cornwell suggested that people who refused to act in an appropriate manner should be removed from the meeting.

15. CITIZEN COMMENTS

William McMillen stated he had concerns and excitement about the issues brought forward. Suggested assigning a responsibility to one of the departments in the next calendar year to provide to the public information that would put meaning for some of the decisions made.

Meeting adjourned at 10:30 p.m.

Approved: August 21, 2000


City Clerk

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