

Palmetto City Commission
November 15, 2004 4:00 PM

Elected Officials present:

Larry Bustle, Mayor
Tamara Cornwell, Vice Mayor
Eric Ball, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Brian Williams, Commissioner

Staff and others present:

Michele S. Hall, Attorney
J. E. Free, Jr., City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, City Planner
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:00 pm. A moment of silence for overseas personnel was observed, followed by the Pledge of Allegiance

1. APPROVAL OF WORKSHOP AGENDA

Mayor Bustle informed the Commission the Manatee Fruit presentation of its new residential subdivision has been postponed and withdrew it from the agenda.

MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried 5-0 to approve the agenda as amended.

2. GRUBBS EMERGENCY SERVICES, LLC CONTRACT RENEWAL

Ron Koper informed the Commission the Grubbs Emergency Services contract is a renewal of a contract executed in 1999. The contract allows Grubbs Emergency Services, LLC to assist the City with debris removal in the event of a natural disaster. The cost to renew the contract is \$100, the only expense if the company is not called upon to provide service. The only change to the contract was the removal of exclusivity, to allow for the City's contract with Waste Management. Mr. Koper also confirmed that all prices are set by what FEMA will reimburse.

Mr. Williams requested that staff include explanations of changes when presenting an item that will amend a previously approved document. Mr. Williams asked that the Commission discuss when items may be placed on a 7:00 agenda later in the meeting. He also suggested that a policy be developed whereby an item would not be referred to the 7:00 meeting the same day it appears on the 4:00 meeting agenda, as was discussed at the inception of same day meetings. Mayor Bustle stated he was opposed to delaying items if there is no issue.

Mr. Ball inquired how the City decides to utilize Grubbs' services. Mr. Koper explained that when there has been an event that produces extreme amounts of debris, and when FEMA has determined a county is eligible for FEMA reimbursement, Grubbs is utilized. He also explained that after Tropical Storm Gabrielle, when Grubbs was called into service, the City was the first municipality in the County to experience total debris removal. Mr. Ball agreed with Mr. Williams' request that a comparison on document changes be provided to the Commission and suggested more attention should be paid to deadlines.

It was consensus of the Commission to refer the item to the 7:00 agenda for action.

3. FLORIDA MUNICIPAL INSURANCE TRUST

Mr. Koper stated the application to the Florida Municipal Insurance Trust is a matter of routine with Florida League of Cities. In 1989 the City executed an agreement stating the rules that protect the Trust would be followed. The proposed application renews an existing contract. It was consensus of the Commission to refer the item to the 7:00 agenda for action.

4. MARSH EASEMENT AGREEMENT

Supervisor of Engineering Van Brown stated that in 1998 the City installed a storm drain system and inadvertently placed a portion of the pipe on Mr. Marsh's property. In an effort to correct the situation, Mr. Marsh is offering the City an easement since he wishes to fence the property, and will provide the City access. Mr. Brown confirmed Manatee County had performed an individual property search to identify Mr. Marsh as the property owner. Mr. Brown recommended the easement be granted. It was consensus of the Commission to refer the item to the 7:00 agenda for action.

5. RIVERSIDE DRIVE AND 8TH AVENUE RECONFIGURATION

At the presentation of the Riverside Plaza project, the traffic study performed by the engineering firm rated the service level as F for the intersection of Riverside Drive and 8th Avenue and suggested if left turns onto 8th Avenue were prohibited, the level of service could then be rated E. In an effort to raise the level of service rating, City Council approved right turns only onto 8th Avenue from Riverside Dr. and prohibited straight cross over of 8th Avenue from Riverside Drive. Mayor Bustle stated staff was seeking direction on how to proceed.

Mr. Williams stated Council did not want right turns only; Attorney Prather had cited concurrency with the Comp Plan. Attorney Hall advised the City can be challenged if it is not in compliance with its Comp Plan; if a condition is part of a development order, it has to comply with the Comp Plan. Ms. McCann informed the Commission the Comp Plan requires a C level of service. Mayor Bustle inquired if the City can obtain waivers from the Comp Plan.

Claus Doriant, Regatta Point Marina, discussed the major change from the traffic study was the closure of T.K. O'Sheas and the absence of construction vehicles. He inquired how many accidents had occurred at the intersection in the past five years. He stated his belief striping of Riverside Dr. would help the situation. Mr. Doriant also stated that in his opinion right turns only would have little effect on the businesses in the area.

Attorney Hall cautioned the Commission to bear in mind there is still the potential for a lot of development in the area and any development will require concurrency. She stated research must be done to determine if the Commission has the option to change its decision.

Wesley Foust, manager of Palmetto Shell, stated right turns only would have an impact on his business, as he has customers coming from Bradenton who want to proceed north on 8th Avenue. He stated he will also experience drivers making u-turns in his parking lot when they realize no left turn is permitted. He suggested the solution was to upgrade Riverside Dr. to handle the traffic or signalize the intersection to control the flow of traffic.

The Commission discussed prior attempts to secure signalization for the intersection. Public Works Superintendent Allen Tusing discussed the requirement to perform traffic studies associated with development projects, and the necessity of completing recommended improvements. He suggested a new traffic study would again consider full capacity at Riverside Plaza and the outcome of the study would be the same. He proposed striping the intersection at this time because of the potential development, reminding the Commission the City has three years from the issuance of a certificate of occupancy to Riverside Plaza to complete required improvements. Ms. Varnadore concurred with Mr. Tusing's suggestion, stating a new traffic study

is premature. Mayor Bustle also commented on the eventual implementation of the Intelligent Transportation System that will synchronize all traffic lights on Hwy 41.

It was consensus of Council to proceed with the striping of Riverside Drive.

6. PENDING CITY COMMISSION ITEMS

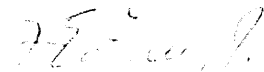
Mr. Free distributed a list of pending City Commission items. Commission discussed staff's request to prioritize their top ten choices. Commission requested staff bring back a recommended time line for each item, accompanied by a description of what prompted the inclusion of the item on the list.

7. MINIMUM STANDARDS PROPOSED ORDINANCE

Commission discussed the fact the City's Minimum Standards code needs only to be updated to include the entire City vs. only the current CRA District and does not need to be radically changed as depicted in the proposed ordinance. Commission directed staff to update the existing code and bring it back for discussion.

Meeting adjourned at 6:00 pm.

Minutes approved: December 6, 2004



J. E. Free, Jr.
City Clerk