

Palmetto City Commission  
November 1, 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  
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 was observed for overseas military personnel, followed by the Pledge of Allegiance to the United States Flag.

1. AGENDA APPROVAL

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 5-0 to approve the November 1, 2004 4:00 agenda.

2. DISCUSSION-EDUCATIONAL IMPACT FEE

Mayor Bustle discussed the School Board's desire to accelerate the collection of the Educational Impact Fee. The County Commission has been requested to amend its ordinance so collection of the Educational Impact Fee will occur at the time a building permit is issued rather than at the issuance of a certificate of occupancy. Mayor Bustle stated the proposed accelerated schedule would have no impact on the City. The Commission discussed the topic and postponed a decision on supporting the request until the County Commission acts on the School Board's request. If Manatee County adopts a new ordinance regarding the collection of the fee, the City of Palmetto will have to abide by the collection schedule.

3. DISCUSSION-INSTALLATION OF STREET SIGNAGE

Mr. Lukowiak informed the Commission Fire Chief Johnson and Police Chief Lowe have identified a parking problem on 7th Avenue West between 10th and 11th Street on the weekends. Public Works conducted a brief traffic study and verified the parking in the right-of-way will impede the access of emergency vehicles. Mr. Lukowiak requested the Commission approve the installation of No Parking signs along one side of 7th Avenue West.

Commissioner Cornwell spoke of the many areas in the City where parking on the streets impedes emergency vehicle access and presents safety hazards. Commissioner Ball suggested establishing standards for parking based on the width of the street, or identifying which side of the street on which parking would be permitted. Mayor Bustle suggested allowing the Chief Lowe and Public Works to address the problem at hand. Commissioners Varnadore and Lancaster agreed that commercial areas should be addressed first and then residential areas should be canvassed for problem areas.

Attorney Hall informed the Commission the Code of Ordinances states the City's Traffic Engineer is to advise the Commission of all traffic regulations put into effect. Two Commissioners may object to a regulation, after which the entire Commission will review and act on the regulation. Commissioner Williams objected, stating the Commission should receive a list of suggested

areas where No Parking signs should be erected before their placement. As the topic is a safety issue, staff was instructed to proceed.

#### 4. DISCUSSION-BUILDING DEPARTMENT BUDGET ADJUSTMENTS

Mr. Lukowiak informed the Commission the building official's salary was overlooked in the initial review performed by the Cody study team. Subsequently, Cody & Associates has recommended the salary be placed at a pay grade 116, an increase of \$3,717. Human Resources Director Sharon Jones confirmed this adjustment would accomplish the correct placement of all employees in the Pay Plan.

Mr. Lukowiak discussed the plans examiner and the position's vehicle that was approved with the reorganization of the Public Works. Given the qualifications the City is seeking, staff proposed the position's salary be set at a maximum grade 111, step 3 or \$37,024. Mr. Lukowiak discussed the job responsibilities and the benefit the City would derive from the position. The purchase of a vehicle will exceed \$19,000. Mr. Lukowiak informed the Commission the expenses will be funded by the Reserve for Building Department Fund fund balance. Council discussed the topic and referred it to the 7:00 meeting for action.

Commissioner Lancaster requested Attorney Hall research and advise the Commission how the City can spend Building Department fees. Commissioner Cornwell suggested Florida League of Cities could also be contacted for information.

#### 5. DISCUSSION-RECLAIMED GROUNDWATER MONITORING PLAN

Mr. Lukowiak informed the Commission the WWTP Operating Permit requires the development and submittal of a Reclaimed Water Groundwater Monitoring Plan. Mr. Lukowiak stated of the eight issues commented on by FDEP at the permit application, the wells are the only remaining issue to be addressed. He is requesting the Commission approve JEA completing the final task for the operating permit in an amount not to exceed \$11,800.

Greg Fruecht, JEA, informed the Commission there were four wells on the Terra Ceia property and four wells on Manatee Fruit land that have been part of the monitoring program since 1995. FDEP is not requiring any further actions at the Manatee Fruit sites, as the property will be developed. Well TC2, located on the Terra Ceia Golf Course, does not yield enough flow to be representative of information needed for compliance. The well will be abandoned and a new well placed in the same spray area to demonstrate in depth what is being applied. In addition to addressing the well issue, JEA will also compile historical data, provide an updated survey of the wells' placement and reclaimed water applications to the Manatee Fruit and Terra Ceia sites and prepare the response to the FDEP.

Commission referred to the topic to the 7:00 meeting for action.

#### 6. DISCUSSION-TREE PROTECTION ORDINANCE

Attorney Hall advised Commissioners of amendments that had been made to the ordinance since the distribution of the agenda. Commissioner Cornwell asked the reason for amending the existing ordinance, and Mr. Lukowiak replied the ordinance in place is not being followed. He stated Mr. Seger would be responsible for monitoring adherence to the new ordinance.

Discussion of the topic resulted in no action by the Commission.

Mr. Williams commented on staff authorizing the creation of ordinances without the Commission being aware of the issues. He suggested Commission should complete pending ordinances before addressing any further ordinances and suggested an administrative policy should be developed prohibiting the creation of ordinances without Commission's approval. Commission

concurrent an administrative policy should be developed prohibiting the amendment or creation of an ordinance until the need is reviewed by the Commission.

7. DISCUSSION-COMBINATION OF P&Z AND BOARD OF ADJUSTMENT BOARDS

Ms. McCann informed the Commission the proposed ordinance will streamline the variance application process. Staff time will be better utilized with the combination of the P&Z Board and Board of Adjustments, as meeting the requirements for a Board of Adjustment meeting is duplicative with the requirements for the P&Z meetings. Problematic quorums for the Board of Adjustment meetings will also be eliminated.

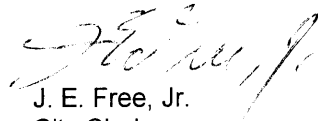
Commission concurred that language should be added allowing an alternate member voting rights if the alternate makes up a quorum for the meeting.

The item was referred to the 7:00 meeting for action.

Mr. Williams brought up the complaints he continues to receive regarding a noise problem with Jonathan's. He stated he would discuss the topic at the 7:00 meeting.

Meeting adjourned at 6:00 pm.

Minutes approved: November 15, 2004



J. E. Free, Jr.  
City Clerk