

Palmetto City Council
October 28, 2002 4:00 PM

Elected Officials Present:

Larry Bustle, Mayor
Mary Lancaster, Vice Mayor
Shirley Bryant, Council Member
Tamara Cornwell, Council Member
Charlie Grace, Council Member
Brian Williams, Council Member

Staff and others present:

Karen A. Conlon, City Clerk
Captain Clyde Hedrick, Palmetto Police Department
Allen Tusing, Public Works Superintendent
Diane Ponder, Administrative Assistant

Mayor Bustle called the meeting to order at 4:01 p.m.

Pastor Steven Bruns, Ellenton United Methodist Church, gave the invocation followed by the Pledge of Allegiance to the Flag of the United States.

1. APPROVAL OF AGENDA

Mayor Bustle requested item #4, Riverside Plaza Traffic Study, be moved to number one on the agenda, following the order thereafter.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried 5-0 to approve the October 28, 2002 agenda with the adjustment as requested.

2. DISCUSSION - RIVERSIDE PLAZA TRAFFIC STUDY

Richard Clarke, Zoller, Naajar & Shroyer, the city's engineering firm, stated a traffic study had been completed for Riverside Plaza. Mr. Clarke stated the only issue derived from the study is the intersection of Riverside Dr. and 8th Avenue. He recommended the elimination of a left turn lane onto 8th Avenue, which would raise the level of service rating from F to E, which is still below the city's land development code. Marla Hough, Hough Engineering, described how the traffic study was conducted. Robert Hierak, developer of Riverside Plaza, stated he would be happy to leave the traffic flow as is - the item came to Council from the engineering consultant. Ms. Tusing stated the study was a requirement of development review and if the city follows its concurrency policy the traffic flow should be changed.

MOTION: Mr. Williams moved, Mr. Grace seconded to leave the street signage and conditions the same as it is currently.

Ms. Bryant asked the consequences if the city chose not to follow concurrency. It was suggested Attorney Prather should review the topic and provide an opinion.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to table the item until the attorney is present.

3. DISCUSSION - UTILITY DEPOSIT REFUND

Mrs. Conlon proposed returning utility deposits to customers of the system that have had zero or one late payment the first year of service or during the past year. Ms. Conlon also advised Council the city could utilize the website of M.J. Altman to verify past payment history, using the information to waive a utility deposit. It was consensus of Council that new customers to the utility system would pay a deposit, which would be refunded after one year provided they had no more than one late payment during that time frame. The exception to the rule would be customers in the city moving to a different home within the city - if a customer has received a refund no deposit would be required for the new location.

It was also consensus of Council that utility deposits refunded would be paid interest as set forth in the Master Utility Ordinance. The deposits will be refunded as a credit to the customer's monthly utility bill.

Attorney Prather will be contacted to begin the ordinance amendment process

4. HANDICAP PARKING - REGATTA POINTE CONDOMINIUMS

Mayor Bustle referred to Van Brown's recommendation to leave the handicapped parking at the Crusader Building as it is. Mayor Bustle stated for safety reasons he was of the opinion the space could be moved. Mr. Tusing discussed moving the space to the south, take a portion of the hatched area, cut the curb and install a ramp, ensuring the space was built to code while being modified.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried 5-0 to take the recommendations from Public Works, look at the design and make appropriate changes to meet the handicapped regulations.

5. DISCUSSION - ACCORD JOINT PLANNING COMMITTEE

Mayor Bustle discussed his understanding of the criteria necessary for a property to fall within the Urban Development Zone. Mayor Bustle stated Ms. Tusing is preparing the city's proposed zone for review and approval by the Joint Planning Committee. Ms. Cornwell asked for further definition of "assisting" in the development of the UDZ, "limited infill" and clarification of the meeting schedule and the municipalities' responsibility relating to the meetings.

6. DISCUSSION - PROPOSED WATER CONTRACT

Mrs. Conlon stated Attorney Prather is reviewing the contract at this time and will address the topic with Council. Mayor Bustle reviewed the Facility Investment Fee and the county paying 25% of the maintenance of the Snead Island lines. Discussion ensued on surcharges and language prohibiting the city assessing its surcharge in the proposed contract. It was brought forth the county adds surcharges to other entities to whom it sells water and allows other entities to add a surcharge. It was suggested that because the city will collect and remit the facility investment fee the "not to exceed two million gallons per day" should be deleted. Mayor Bustle will advise the county's attorney of Council's comments relating to the draft Water Contract.

7. DEPARTMENT HEADS' COMMENTS

Captain Hedrick

Reported Chief Lowe is attending the new chief training in Tallahassee.

Mrs. Conlon

Reported the city has 1,211 residences being charged for reuse.

October 28, 2002 at 7:30 is the organizational meeting of the Charter Review Committee. Mayor Bustle reported one of Mr. Grace's nominations has had to resign and Mr. Grace has nominated Mr. Robert Buchanan to the committee.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried 5-0 to appoint Robert Buchanan to fill the vacancy on the Charter Review Committee.

Mr. Tusing

Requested the salary for Ernest Harrington be adjusted to Grade 1, Step 3 earning \$21,200. Mrs. Conlon discussed the process used when figuring the recent salary increase, stating to keep the employee on the pay plan as written the employee's salary should be approximately \$21,424. She would have to confirm the dollar amount once she reviews the pay plan.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried 5-0 to accept the recommendation of Mr. Tusing regarding the employee with the CDL-A and nine years experience and move the employee to Grade 1, Step 3 at \$21,424 or the correct calculation once confirmed.

8. MAYOR'S COMMENTS

Reported 71 items were collected during the city's amnesty day. Eight employees participated.

Reported on his MPO visit to Ft. Myers to review the transit corridor and the new transfer point that works in conjunction with Greyhound Bus Lines. Discussed the fact the county's transfer point was moved from Albertson's to the Fairgrounds. Mayor Bustle reported Corporate Albertson's is not willing to reestablish the point at its location and asked Council Members to be aware of opportunities where the transfer point could be located that is more conducive to the traffic corridor. It was suggested this topic also be discussed with Amy Perez, FDOT, at the November meeting.

The November 1, 2002 meeting to discuss the drainage issues associated with Church on the Rock will be held in the church's sanctuary. The meeting will be chaired by Len Naajar, but Mayor Bustle discussed the need for the city to be involved.

Commented on the progress of the city's audit.

Bemis Smith contacted the Mayor with a thank you regarding the work Duane Kinn has performed for him.

9. COUNCIL MEMBERS' COMMENTS

Ms. Cornwell

Thanked Public Works for the amnesty day.

Commented on the reuse contract maturing the first of the year. Mrs. Conlon stated the funding for the project needed to be finalized before putting the project out to bid.

Mr. Williams

Inquired the status of the SRO Program negotiations with the School Board. Mayor Bustle advised Council neither the School Board nor the Manatee School for the Arts has responded to his correspondence.

The recently received Jean Sisk summons has been forwarded to the FLOC and Attorney Prather.

Commenting on the stormwater map, Mr. Williams asked about the project to divert the fairground and police pond retention to 11th Avenue. Mr. Tusing advised Council quotes were being received for design work and meetings with SWFWMD to ensure the project can be permitted.

Discussion ensued on the gas tax for sidewalks and the Attorney General's Opinion concerning the tax money, and the fact the auditor and attorney opinions concur that the city may be liable for projects incorrectly funded. Mrs. Conlon stated moneys would have to be transferred to correctly code expenditures for sidewalks. She also reminded Council these opinions are directed at stand-alone projects. Attorney Prather will be asked to review the information.

Inquired if any further information has been received regarding the potential shortfall in shared revenue. Mrs. Conlon advised Council the Department of Revenue is supposed to release new projections November 15, 2002.

Mrs. Lancaster

Reported on the meeting at Lone Oak Trailer Park. The owner of the park is requesting the bridge be removed, as it is sinking. Public Works is researching the situation. Mrs. Lancaster informed Council people are using the park as a pass through from 10th Street to 7th Street. Chief Lowe has been made aware of the situation and will provide additional patrol.

Ms. Bryant

Inquired if Mr. Koper has received a copy of the Sisk summons. Mrs. Conlon replied he has a copy.

Inquired if the city has an idea of the cost of amnesty day. Public Works will provide the information.

Informed Council Mr. Clyde Boltz has asked to be placed on an agenda for a short presentation on the reuse project at Terra Ceia. Mr. Boltz will be notified his topic has been placed on the November 25, 2002 agenda.

Palmetto City Council
October 28, 2002

Meeting adjourned at 6:35 pm.

Minutes approved: November 4, 2002

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

Karen A. Conlon
City Clerk