

**TAB 1**

Palmetto City Commission  
August 28, 2008 5:00 PM

Elected Officials Present:

Larry Bustle, Mayor  
Tambra Varnadore, Vice Mayor  
Tamara Cornwell, Commissioner  
Mary Lancaster, Commissioner

Elected Officials Absent:

Eric Ball, Commissioner  
Brian Williams, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk  
Michele Hall, Attorney  
Chief Garry Lowe  
Chris Lukowiak, Public Works Director  
Tanya Lukowiak, CRA Executive Director  
Bob Schmitt, Planning Supervisor/Zoning Administrator  
Karen Simpson, Deputy Clerk-Finance  
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 5:05 pm. A moment of silence for Commissioner Ball and overseas military personnel was observed, followed by the Pledge of Allegiance.

1. AGENDA APPROVAL

**MOTION: Ms. Varnadore moved, Ms. Cornwell seconded and motion carried 3-0 to adopt the August 28, 2008 agenda.**

2. DISCUSSION: FY 2009 BUDGET

Mr. Freeman updated Commission on the medical insurance options, specifically plan changes, that staff researched to fully fund the program. Mr. Freeman reviewed the proposed plan changes as follows:

Option #1	Change to 90/10 for procedures not covered by a co-pay, i.e. hospital, in/our patient services	Savings	\$34,860.60
Option #2	Increase maximum out-of-pocket from \$2,000/\$4,000 to \$2,500/\$5,000	Savings	\$30,652.20
Option #3	Increase retiree over 65 premium to 100%	Savings	\$14,303.00
Option #4	Implement \$10 premium for employee's insurance currently paid by City	Savings	\$15,960.00
Option #5	Increase dependent care premium for spouse & child to 40%	Savings	\$13,704.00

Mr. Freeman also informed Commission that another option to fully fund the medical program could be a 1% COLA at \$70,000 vs a 2% COLA that costs \$140,000. He recommended that if this option is chosen, the Commission should still move toward making plan changes so the City is not faced with the same problem in the next fiscal year.

Commission discussed the various options. Agent Mike Towns confirmed that the premium for employees paying a portion of their premium would be \$40 per month. He also confirmed that the plan can only be changed at renewal dates. Commission also heard input from employees Sharon Jones and Matt Bloom concerning the options.

It was consensus of Commission to implement options 1 and 2, provided it is a one-year plan and conversation is held with the employees explaining the changes that are being implemented. Mr. Towns confirmed that meetings will be held with employees throughout the year.

Commission also directed that an insurance committee be activated so that employees can have input on different benefits that are available. In addition to the activation of the committee, Commission also suggested that with the implementation of options 1 and 2 an employee health plan should be instituted.

Discussion ensued on approving the budget. Ms. Cornwell and Ms. Varnadore both stated they had concerns they needed addressed before approving the tentative budget. They were encouraged to contact Mr. Freeman with a list of concerns so staff would be prepared to address them accordingly.

The next budget meeting is scheduled for September 2, 2008 at 5:00 pm.

Meeting adjourned at 6:40 pm.

Minutes approved:

James R. Freeman  
City Clerk

Palmetto City Commission  
September 2, 2008 5:00 PM

Elected Officials Present:

Larry Bustle, Mayor  
Tambra Varnadore, Vice Mayor (entered at 5:25 pm)  
Eric Ball, Commissioner  
Tamara Cornwell, Commissioner  
Mary Lancaster, Commissioner  
Brian Williams, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk  
Chief Garry Lowe  
Chris Lukowiak, Public Works Director  
Tanya Lukowiak, CRA Executive Director  
Bob Schmitt, Planning Supervisor/Zoning Administrator  
Karen Simpson, Deputy Clerk-Finance  
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 5:05 pm. A moment of silence for overseas military personnel was observed, followed by the Pledge of Allegiance.

1. AGENDA APPROVAL

**MOTION: Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 4-0 to adopt the August 28, 2008 agenda.**

2. DISCUSSION: FY 2009 BUDGET

Mr. Ball began the discussion by confirming with staff that the justifications for the allocations had been provided to Commission.

Mayor Bustle commented on the time constraint for approving the tentative millage and budget, stating the budget should be finalized during this meeting.

Mr. Williams questioned the accuracy of the allocation calculated for the Building Department, specifically citing the transfer to Public Works. Mr. Freeman explained the allocation is based on the number of employees in Public Works and is one component of the \$92,000 allocation. Mrs. Simpson explained the purpose of an allocation is to allocate all the services provided by one department to another department. In summary, Mr. Williams stated he does not like taking \$400,000 out of the Building Department reserve to fund the Building Department; there are too many people in the department.

Ms. Varnadore commented on the certification completion and the \$5,000. Mr. Freeman stated a policy regarding compensation for certifications has been completed in draft form. The draft contains provisions for an employee to continue employment with the City for a minimum of two years; any costs associated with tests that have to be retaken will be borne by the employee; no automatic step/grade increase at completion of the certification, however, that can be taken into account during the annual review process. The \$5,000 was removed.

Mr. Freeman confirmed the step increase for the IT Manager has been removed. Mr. Freeman asked Commission's consensus on the step increase. Ms. Varnadore stated she felt there was consensus since the steps were not being granted; the employee could take the certification if employment with the City was terminated. There were no comments from the other

commissioners concerning the IT Manager's step increase. Mr. Freeman also explained how he arrived at the two year term for employment after certification.

Ms. Varnadore suggested freezing all positions contained in the budget; if a position is vacated it will not be filled until the position comes back to the Commission. Ms. Cornwell concurred. Mayor Bustled opined it is the responsibility of the Mayor and Department Heads to control the budget after adopted; Commission should not be involved in operational matters that is within the purview of the Mayor. Mr. Williams opined that Commission wants to control the budget as it pertains to filling vacant positions. Mr. Ball disagreed with Mr. Williams, stating the budgetary function is separate from the personnel function; he would not be in favor of review every vacancy but would favor a regular formal review of the budget. Mrs. Lancaster stated she did not want to drop the City's level of service; if the positions were in the budget they must be needed. She stated she is not in favor of vacant position coming to Commission for approval before being filled.

Discussion ensued on the Building Department personnel. Mr. Lukowiak explained how he is attempting to incorporate some of that department's personnel into the day-to-day operations of the Public Work Department. Mrs. Lancaster suggested also using the inspectors in the code enforcement arena. Mr. Freeman stated he will look at distributing the appropriate salaries between the cost centers using the Building Department personnel. Mr. Williams declared he will not vote for this budget containing the \$400,000 withdrawal from the Building Department reserve. Mr. Lukowiak confirmed he will report to Commission on how he intends to utilize the Building Department personnel.

Ms. Varnadore again expressed her desire to freeze vacant positions. Ms. Cornwell also discussed a possible policy to freeze all positions effective as of a certain date before the budget process begins. Ms. Varnadore requested a courtesy email from Department Heads concerning a vacant position they intend to fill. Mayor Bustle stated it would be acceptable for the Department Heads to advise him and the Commission of the intent to fill vacant positions.

Ms. Varnadore stated she has a list of items that were previously discussed by Commission that she would still like to see reduced. Mayor Bustle commented on the fact that the budget is currently balanced and any further reductions will be moved over to fund reserve, which already exists. Ms. Varnadore opined there needed to be a larger cushion in the budget; there is no opportunity to cut the budget once PO's are issued. Mayor Bustle again reiterated the fact a revenue shortfall should be addressed once the shortfall is identified, not in anticipation of when a possible shortfall may occur. Discussion ensued on how funds are moved within a cost center; budget resolutions are required when monies are transferred between cost centers and funds.

Staff confirmed the health insurance changes that will become effective October 1, 2008 have been reviewed with their employees; the insurance committee will be implemented. Mr. Freeman commented on his memo to Commission concerning the cell phone usage and his desire to revisit the cell phone policy. He opined the burden of administering the policy could be more costly than determining what rate should be charged for personal calls. Mr. Lukowiak interjected that some type of consideration must be given to on-call employees making personal calls while on duty. Ms. Cornwell and Mr. Williams opined the current policy should be enforced and any recommended changes to the policy should be brought to Commission for consideration.

Ms. Cornwell commented on take-home vehicles. She stated she wants take-home vehicles leaving the City stopped, citing the savings of fuel as a budget savings, and stated she wants that made into a policy. Mrs. Lancaster also mentioned a previous statement she made concerning a plan where officers are out of their patrol cars for 15 minutes of each hour. Chief Lowe discussed his reasons for allowing the detectives to retain cars. Ms. Cornwell stated she had asked for a

report early in the budget process and has yet to receive the information. Mr. Williams agreed that justification for take-home vehicles should be provided to Commission.

Ms. Cornwell asked that a workshop agenda contain discussion on unbudgeted expenditures. Mr. Williams commented on the use of credit cards for items other than the original intended storm related use. Discussion ensued on the number of cards.

Mr. Williams inquired if the joint meeting with the CRA Board would be held. Mrs. Lukowiak informed Commission the next CRA Board meeting is next Tuesday and she can plan the meeting as a joint meeting if the Commission desired. Commission did not respond with direction to set a joint meeting.

Commission scheduled an additional budget meeting for September 3, 2008 at 5:00 pm. Mrs. Lancaster stated she would be unable to attend.

Meeting adjourned at 6:45 pm.

Minutes approved:

James R. Freeman  
City Clerk

Palmetto City Commission  
September 3, 2008 5:00 PM

Elected Officials Present:

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

Elected Officials Absent:

Mary Lancaster, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk  
Chief Garry Lowe  
Chris Lukowiak, Public Works Director  
Tanya Lukowiak, CRA Executive Director  
Bob Schmitt, Planning Supervisor/Zoning Administrator  
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 5:05 pm, followed by a moment of silence for overseas personnel and the Pledge of Allegiance.

1. AGENDA APPROVAL

**MOTION: Mr. Williams moved, Ms. Varnadore seconded and motion carried 4-0 to approve the September 3, 2008 5:00 agenda.**

2. DISCUSSION: FY2009 BUDGET

Commission made the following amendments to the proposed FY2009 budget:

CRA

Engineering was reduced by \$2,000  
Promotional Advertising was reduced by \$5,000  
Operating Expenses was reduced by \$2,500  
Fairs & Festivals was reduced by \$2,500

City Clerk

\$2,000 identified as a Fairs & Festivals line item was deleted

Mayor and Commission

Office Supplies was reduced by \$500  
Non-capitalized Equipment was reduced by \$500

IT Department

Office supplies reduced by \$1,500  
Discussion was held on Commissioners being provided laptop computers. As a result, three desktop and one laptop were transferred to open a line item to fund the purchase in the future.

PW

Office Supplies reduced by \$4,000  
Small Tools was reduced by \$2,800 (one traffic counter)

Planning

Engineering was reduced by \$5,000

Fleet Maintenance

Small Tools was reduced by \$1,500 (scanner cards)

Water

Repairs & Maintenance was reduced by \$5,000

Sewer

Repairs & Maintenance was reduced by \$5,000

Staff was directed to properly identify the Parks Supervisor that is now funded by the CRA.

Discussion occurred on the backflow/telemetry meters. Ms. Simpson confirmed the telemetry meters are being purchased from the CIP; she will research the possible removal of the item from the CIP and report back to Commission concerning this line item. Commission concurred with the removal of \$5,000 from the Improvements not Building account that reflects the backflow preventer line item.

Mr. Freeman confirmed there is no new debt service in the CIP; Mr. Lukowiak will prioritize the projects for the upcoming year.

Commission instructed that the proposed tentative millage and budget for adoption on September 8, 2008 should be documented at 4.6662 mills.

Mr. Freeman reviewed discussed items that are proposed for the September 8, 2008 7:00 agenda. It was consensus of Commission to move the Investment Policy and irrigation well topics to the September 22, 2008.

Mayor Bustle confirmed the Terra Ceia CDD letter is prepared and will be mailed tomorrow.

Meeting adjourned at 6:30 pm.

Minutes approved:

James R. Freeman  
City Clerk



Palmetto City Commission  
September 8, 2008 4:00 PM

Elected Officials Present:

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

Staff and Others Present:

James R. Freeman, City Clerk  
Michele Hall, Attorney  
Chief Garry Lowe  
Chris Lukowiak, Public Works Director  
Tanya Lukowiak, CRA Executive Director  
Bob Schmitt, Planning Supervisor/Zoning Administrator  
Diane Ponder, Deputy Clerk-Administration  
Mike Pendley, Manatee School Board

Mayor Bustle called the meeting to order at 4:03 pm, followed by a moment of silence for overseas military personnel and the Pledge of Allegiance.

1. AGENDA APPROVAL

**MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve the September 8, 2008 4:00 pm agenda.**

2. DISCUSSION: PALMETTO ELEMENTARY SCHOOL RESOLUTION

Mr. Lukowiak and Commission held a detailed discussion on topics relating to the City's continued role in facilitating the development of a new Palmetto Elementary at 1600 10<sup>th</sup> St. W. The following topics were

- Manatee Fruit Company has identified the property for the Little League complex; donated acreage decreased from 11+/- to 7+/- acres
- Impact fees that will be credited to Manatee Fruit Company have decreased accordingly to the lesser amount of donated land (Total projected at \$1,864,375)
- Additional language for the realignment of 23<sup>rd</sup> Street
- Possible additional responsibilities by Manatee County (The preferred location of the donated acreage will call for Manatee County to give up 3+/- acres.)
- Total projected revenue of \$1,035,200 from the purchase of property by the School Board, Boys & Girls Club and Just for Girls
- Total projected construction cost of \$1,528,000 for the complex and realignment of 23<sup>rd</sup> Street
- FRDAP Grant of \$400,000 (Conversation with FRDAP indicates this type of project ranks very high in their scoring process.)
- Possible corporate sponsorship for the projected \$92,000 delta
- Intersection improvements at 10<sup>th</sup> Ave. & 10<sup>th</sup> St. and 14<sup>th</sup> Ave. & 10<sup>th</sup> St. (Add Manatee County as having some responsibility for the construction cost.)
- Operation and maintenance responsibility of a new Little League complex

Commission amended proposed Resolution No. 08-27 as follows:

Added Manatee County as an involved party in negotiations and execution of agreements in the appropriate WHEREAS clauses.  
Section 2.

#5: Add language stating the City believes that constructing the complex within Blackstone Park is the best location; separate the paragraph into bullet points, putting what the City will consider if an alternate location is chosen; replace "agrees to" with may; delete mention of impact fee credits;

#6 Combine into #5.

#9 Change agrees to may in the first sentence; amend sentence #2 to reflect that the City will be responsible only if the land is accepted from Manatee Fruit Company; language to reflect that the City will work with the Little League, including procurement of grants, to cover costs they will assume in the operation and maintenance of the complex

#10 Merge into #9

#13 Change will to may; add language that it is the City's understanding that the existing site will be used for a school in the future;

#15 Add language that Manatee Fruit Company will convey an equal amount of land back to the School Board

#18 Add two bullets that convey the responsibility for O&M for the fields will be the responsibility of Manatee County and/or the Little League; any excess funding for construction of the rights-of-way on 10<sup>th</sup> and 14<sup>th</sup> Avenue over grants funds will be the responsibility of Manatee County

Meeting adjourned at 6:15 pm.

Minutes approved:

James R. Freeman  
City Clerk

Palmetto City Commission  
September 8, 2008 7:00 PM

Elected Officials Present:

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

Elected Officials Absent:

Eric Ball, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk  
Michele Hall, Attorney  
Chief Garry Lowe  
Chris Lukowiak, Public Works Director  
Tanya Lukowiak, CRA Executive Director  
Bob Schmitt, Planning Supervisor/Zoning Administrator  
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 7:01 pm. In observance of a yet unofficial naming of September 11, 2008 as Patriot Day, a moment of silence was observed for the 9/11 Heroes and military heroes serving overseas, followed by the Pledge of Allegiance.

Swearing-in of all persons speaking to Commission.

Mayor Bustle recognized Manatee School Board members Chairman Harvey, Mr. Kinnan, Ms. Pfeilsticker, Mr. Gause and Mr. Miller.

Proclamation: National Alcohol and Drug Addiction Recovery Month  
Nancy McCarty, Director of Community Development, Manatee Glens  
Kimberleigh Donnelly, Recovery Coach

Constitution Week  
Lou Ann Douglas, Regent, Osceola Chapter, DAR  
Linda Farley, Regent, Manatee Chapter, DAR  
Harold Crapo, Sons of the American Revolution

PUBLIC COMMENT (non-agenda items): Comments will be limited to two minutes.

ORDER OF BUSINESS:

1. AGENDA APPROVAL

**MOTION: Ms. Cornwell moved, Mr. Ball seconded and motion carried 5-0 to approve the September 8, 2008 7:00 agenda.**

2. CONSENT AGENDA

A) Minutes: August 25, 2008

(TAB 1)

- B) August Check Register (TAB 2)  
C) Special Function Permits: Myron Hunter Anniversary (TAB 3)  
Stepping Out Against Domestic Violence  
Rockin to the Oldies Fundraiser Car Show (Approved 8/25/08;  
event rained out 8/30/08)

Ms. Varnadore removed the Stepping Out Against Domestic Violence and Rockin to the Oldies Fundraiser Special Function Permits for discussion.

**MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 5-0 to approve the September 8, 2008 Consent Agenda as amended.**

Discussion ensued on the overtime expense and police expenses associated with the Stepping Out Against Domestic Violence. Mr. Harry Van der Noord volunteered to cover those expenses.

The Rockin to the Oldies Fundraiser Car Show is a make-up date. The City will not absorb the port-o-let and banner expenses associated with the event.

**MOTION: Ms. Varnadore moved, Ms. Cornwell seconded and motion carried 5-0 to approve the two Special Function Permits as noted in discussion.**

3. RESOLUTION NO. 08-27 (Carried forward from 4:00 meeting)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA; PROVIDING FOR FINDINGS OF FACT; PROVIDING AN AGREEMENT IN PRINCIPLE THAT THE CITY WILL TAKE CERTAIN ACTIONS AND ENTER INTO CERTAIN AGREEMENTS TO FACILITATE DEVELOPMENT OF A NEW ELEMENTARY SCHOOL TO BE GENERALLY LOCATED AT 1600 10<sup>TH</sup> STREET WEST IN PALMETTO; SUPERSEDING RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Ms. Cornwell moved, Mr. Ball seconded and motion carried 5-0 to adopt Resolution No. 08-27 as amended by discussion at the 4:00 workshop meeting.**

Ms. Debra Zanders spoke of the illness she has experienced since working as a teacher at Palmetto Elementary. Ms. Zanders was accompanied by another teacher also experiencing health issues.

4. PUBLIC HEARING – ORDINANCE NO. 08-976

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A GENERAL DEVELOPMENT PLAN FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP 08-01, PERLE FINE LLC, PID # 3125400006, approx. .74 acres).

Mayor Bustle opened the public hearing. Mr. Harry Van der Noord spoke in favor of the project. As a result of discussion on the site's parking, Mr. Van der Noord also stated he would work with the property owner in the event additional parking is necessary. Mayor Bustle closed the public hearing.

**MOTION: Mr. William moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Ordinance No. 08-976.**

5. PUBLIC HEARING – TENTATIVE MILLAGE RATE AND TENTATIVE FISCAL YEAR 2009 BUDGET

Mayor Bustle opened the public hearing for the adoption of the tentative millage rate and the tentative fiscal year 2009 budget, as evidenced by the following two resolutions.

Mayor Bustle discussed the fiscal year 2009 tentative millage rate of 4.6662, which is less than the rolled-back rate of 6.1609 mills by 24.26%. He announced the City has no voted debt service millage. Mayor Bustle opened the floor to public comment concerning the tentative millage rate.

Brian Vance, Green Forest Industries, commented on his TRIM Notice and the fact that his taxes will increase \$1,300 if the budget is not approved, and will be about the same as last year if the budget passes. He commented on the fact prices are going down but the taxes continue to rise and are placed on the private sector. Mayor Bustle suggested that Mr. Vance get with the City Clerk; Mr. Freeman discussed the assessment process by the Property Appraiser's Office. Mayor Bustle discussed the fact that the tentative millage of 4.6662 mills is set at the same level as last year.

Mayor Bustle discussed the tentative fiscal year 2009 budget, announcing the budget for each Fund.

After no further public comment, Mayor Bustle closed the public hearing for the adoption of the tentative millage rate and the tentative fiscal year 2009 budget

A) RESOLUTION NO. 08-29 (Read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF PALMETTO FOR FISCAL YEAR 2009; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 08-29.**

B) RESOLUTION NO. 08-30 (Read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2009; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Mrs. Lancaster moved, Mr. Ball seconded to adopt Resolution No. 08-30.**

Discussion: Ms. Varnadore asked for clarification on the following topics:

- IT Manager step increase removal: Commission did not elect to reinstate the increase
- Verizon locates: Staff confirmed \$5,000 is the amount in the FY 2009 tentative budget
- Monitoring wells: Mr. Lukowiak discussed the fact two operational line items have been merged to fund this cost center
- Repairs & Maintenance/Water & Sewer: Staff confirmed \$5,000 had been removed from each cost center
- Backflow/Telemetry Meters: Staff discussed the intent to transfer \$100,000 from the telemetry meter project in the CIP to the operational account

Ms. Varnadore stated she is willing to approve the tentative budget, but reserved the right to revisit the monitoring well and backflow/telemetry meters at a future meeting.

Ms. Cornwell stated she does not see the benefit of allowing employees take-home vehicles when those vehicles are taken outside the City limits. She called for a policy addressing the topic to be placed on a future workshop agenda.

Mr. Williams stated he does not support the transfer of \$400,000 from the Building Department reserves to fund the department.

**Motion on the floor to approve Resolution No. 08-30 passed 3-2. Ms. Cornwell and Mr. Williams voted no.**

Mr. Ball departed the meeting at 8:00 pm.

**6. ACCEPTANCE: URBAN AND COMMUNITY FORESTRY GRANT**

Acceptance of an Urban and Community Forestry Grant in the amount of \$6,000 with a 50% match by the City.

**MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 4-0 to accept and authorize the Mayor to execute the Urban and Community Forestry Grant Memorandum of Agreement in a matching amount not to exceed \$3,000.**

**7. APPROVAL: AMENDMENT NO. 1 TO PROFESSIONAL ENGINEERING CONSULTING SERVICES AGREEMENTS**

Amendment No. 1 approves the extension of the City's eight professional engineering firm's contracts for one additional year. The contracts may be renewed for one additional year in 2009 and then the contracts must be bid.

**MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 4-0 to approve and authorize the Mayor to execute Amendment No. 1 to the Professional Engineering Consulting Services for General Engineering Projects contracts with the engineering firms of Post, Buckley, Schuh & Jernigan, Inc.; Jones, Edmunds & Associates, Inc.; Lombardo, Foley & Kolarik, Inc.; Ghafari Associates, Inc.; Giffels-Webster Engineers, Inc.; ZNS Engineering, LC; TBE Group, Inc.; and CPH Engineers, Inc..**

**8. APPROVAL: EXTENSION OF VEOLIA WATER CONTRACT (C. Lukowiak)** (TAB 8)

Approval of a two-year extension of Veolia Water's contract for the operation of the wastewater treatment plant. Ms. Varnadore requested that the item be tabled until the September 22, 2008 meeting to allow her the necessary time to review the original contract.

**MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 4-0 to table the item until September 22, 2008.**

**9. APPROVAL: US 301 FUTURE UTILITY EXPANSION & CANAL ROAD UTILITY PROJECT**

Approval of Work Assignment #1 and Change Order #1 from ZNS Engineering. Mr. Lukowiak confirmed that the work assignment and work order pertains only to Leg 3 of the project; Leg 4, which is the utility expansion, has been removed. He explained why there was a need for issuance of the work assignment and work order for the East Side Utility project. Dick Clark, ZNS Engineering, also discussed the cause for the change order, which has resulted in significant savings in the construction contract. After a lengthy discussion of the project Commission called for the development of policies for the pretreatment of wastewater and approval procedures for work orders and work assignments for review at a future workshop.

**MOTION:** Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 3-1 to approve and authorize the Mayor to execute ZNS Engineering, LC Work Assignment #1 for East Side Utility Improvement Leg 3 in an amount not to exceed \$60,600 and Change Order #1 for East Side Utility Improvement Leg 2 and 3 in an amount not to exceed \$66,955. Ms. Varnadore voted no.

10. DISCUSSION: JACKSON PARK DRAINAGE PROJECT INTERLOCAL AGREEMENT

Mr. Freeman confirmed the City has expended \$745,000 on the project, plus outstanding sidewalk construction of \$14,000 and \$72,000 for additional property acquisition in the eminent domain proceeding for a an approximate total of \$833,000. Mr. Freeman stated the utility relocation of \$71,000 is included in the \$833,000. Manatee County will reimburse the \$71,000 for the utility relocation and 50% of the project up to \$350,000.

Mr. Lukowiak stated he is seeking direction on how Commission feels the operation and maintenance (O&M) on the pond should be proposed to the County; the City owns the land, but the pond is located in the county. Mr. Lukowiak opined the City built the pond and he would like to see Manatee County pay a portion of the continuing O&M. Mr. Lukowiak also suggested the Commission should decide if the City should retain ownership of the land or transfer ownership to the County, which would then be totally responsible for the O&M.

Mr. Lukowiak stated the Parks Department has been mowing the property while this Interlocal agreement has been being developed. Commission discussed the need to keep up the property, given the close location to Jackson Park. Attorney Hall opined there are always issues when one governmental agency owns property in another governmental jurisdiction. Commission discussed retaining ownership of the pond and the costs that will be associated with the O&M, which will consist of spraying and mowing.

After discussion, Commission agreed to the need to retain the property and amended paragraph #11 of the Interlocal agreement by adding language to reflect agreement by the County to pay for 50% of the cost of the O&M within 30 days of receipt of quarterly invoices.

11. 1<sup>st</sup> READING & ADVERTISING APPROVAL-ORDINANCE NO. 08-977

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA PERTAINING TO ABATEMENT OF NUISANCES AND NOTICE PROCEDURES ; PROVIDING FOR REVISION OF SUCH PROCEDURES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 4-0 to approve advertising of Ordinance No. 08-977 and schedule a public hearing for September 22, 2008.

12. DEPARTMENT HEADS' COMMENTS

Attorney Hall

Reported she is on the FLOC's Environmental and Natural Resources Committee, which will meet one Friday in Orlando for the next three months.

The mailing to the Palms of Terra Ceia CDD was completed Thursday; Mr. Freeman stated he has not personally received any calls. Attorney Hall stated the City is still in the conflict assessment process and the next step is the board-to-board meeting. Commission directed Attorney Hall to draft correspondence to the CDD Board requesting dates for the board-to-board meeting.

Chief Lowe

No report.

Mr. Freeman

Adjustments will be made to the budget prior to the September 22, 2008 meeting.

Mr. Lukowiak

Thanked Commission for their actions on this date's two long agendas.

Mr. Schmitt

Palmetto High School is expanding and, under the interlocal agreement (ILA), it is at the discretion of the local agency to hold a public meeting for the project. Attorney Hall stated that under the ILA the City cannot deny the expansion, but can place reasonable terms and conditions on the expansion. Commission requested the hearing. Mr. Schmitt stated the item will be on the agenda for the first October meeting.

13. MAYOR'S REPORT

Reported he is meeting with Mr. Hunzeker on Saturday at the Chamber Retreat and will discuss Jackson Park, Palmetto Elementary and other issues. Reported he spoke with Mr. Hunzeker and Dr. Dearing after the workshop meeting to advise them of the school decision.

14. COMMISSIONERS' COMMENTS

Ms. Cornwell

Commented on the recent Movie in the Park event and the situation that occurred by candidates. Ms. Cornwell proposed that Commission consider the temporary enactment of a policy that will prohibit political activity near or during a City event or on City property, until Commission has had a chance to develop a strong policy. Ms. Cornwell requested that the administrative code of ethics is reviewed with employees because it was broken. She opined it would be safe to protect City events to ensure they are for the community and not for political gain. Ms. Cornwell requested Commission comments on the topic. Attorney Hall stated that this area under the terms of freedom of speech and the right to express political views is protected and the public parks are the most protected; regulations cannot be tied to public speech. Ms. Cornwell stated she is suggesting to not allow sole use of surrounding City properties if a City event is occurring in the park. Attorney Hall stated there is not research to perform on the topic; as long as a policy is kept content neutral; a political event cannot be singled out in a policy. Mrs. Lancaster did not agree with the establishment of such a policy. Mr. Williams opined that policies developed by Commission should be better supported by staff.

Ms. Cornwell read into the record the section of the Personnel Policy covering political activity. Attorney Hall inquired if there were alleged violations. Mr. Williams cited a call he received concerning the wearing of political tee shirts by Chris and Tanya Lukowiak; Mr. Lukowiak informed Commission he was not working and Mrs. Lukowiak denied the allegation. Ms. Cornwell reported a call she received concerning the content of the message of the electric message sign, and stated that if the City's sign was improperly used it should be addressed. Mr. Lukowiak stated he will deal with any improper use of the City's message, if necessary.

Ms. Cornwell requested that the topic be brought up at a workshop.

Mr. Williams

Thanked the Police Department for supporting the schools. He congratulated Chief Lowe on his 27 year anniversary with the City.



Mr. Lukowiak reported Public Works continues to use work orders. He requested that Mr. Lukowiak ensure that all departments complete work orders; Mr. Lukowiak stated he has rectified the situation.

Ms. Varnadore

Referring to the letter from Mrs. Wheeler, Mr. Lukowiak reported he has met with Mr. Wheeler and will meet with Mrs. Wheeler this week. The City has agreed to pay for the City's portion of removing branches of a tree that is partially in the right-of-way. FPL will not remove debris from the power pole to the home. Mr. Lukowiak will keep Ms. Varnadore informed on the topic.

Attorney Hall reported the Regatta Pointe sublease is still in progress.

The labor camp issue will be placed on the September 22, 2008 workshop.

Commented on the approval of the elementary school, citing the teamwork between the different agencies.

Mrs. Lancaster requested that the minutes of a previous meeting be amended to reflect that Garry Lowe, Jr. spoke to Commission concerning the school issue, not Garry Lowe.

Mr. Lukowiak reported Eddie Clark intends to return to work, but he will bring the topic back to Commission if Mr. Clark is unable to return.

Mr. Williams informed Public Works that lights are out on the north side of Riverside Dr.

Meeting adjourned at 9:43 pm.

Minutes approved:

James R. Freeman  
City Clerk