

TAB 1

**Draft Minutes**  
**CITY COMMISSION WORKSHOP MEETING**  
**July 26, 2010**  
**4:30 PM**

**Elected Officials Present:**

**Shirley Groover Bryant, Mayor**  
**Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2**  
**Alan Zirkelbach, Commissioner-at-Large 1**  
**Mary Lancaster, Commissioner, Ward 1**  
**Tambra Varnadore, Commissioner, Ward 2**  
**Brian Williams, Commissioner, Ward 3**

**Staff Present:**

**James R. Freeman, City Clerk**  
**Allen Tusing, Public Works Director**  
**Chief Rick Wells**  
**Sharon Jones, HR Director**  
**Mark Barnebey, City Attorney**  
**Deanna Roberts, Administrative Assistant**

Mayor Bryant called the meeting to order at 4:34 p.m. followed by a moment of silence and the pledge to the flag.

 **1. UPDATE: FLORIDA LEAGUE OF CITIES (10 MINUTE PRESENTATION)**

Mr. Freeman introduced Andy Hanson, the City's local representative for the Florida League of Cities (FLC). He informed Commission that FLC is presenting a refund of \$10 million to members who had their property coverage with them in 2008/2009 and who will renew their coverage. This is the third year in a row that FLC has given a refund. The City's share of the refund is about \$33,000 and should arrive around the end of November. The refund is due to the fact that there have been no catastrophic events. The Florida Municipal Insurance Trust is the most comprehensive insurance program in the industry for municipalities, and one of the largest, if not the largest. The trust has \$400 million in assets. Many programs are available to the City as part of the policy.

 **2. PROPOSED ORDINANCE NO. 2010-14**

Annexation of 8<sup>th</sup> Avenue from 23<sup>rd</sup> St. to its northern terminus to eliminate a gap in City jurisdiction between large tracts of land currently located within the City, and as part of the ball field project.

Mr. Barnebey told Commission that once the area is annexed into the City, at some point in the future a portion will need to be vacated subject to the construction on new 23<sup>rd</sup>. Two reasons for the annexation: The City has already annexed land east and west of this property, and the City's process for vacation is faster than the County's; probably by ten months. This annexation will help meet the time frame for the construction of 23<sup>rd</sup>. On July 27, 2010, the County will consider an agreement giving maintenance of that road to the City. He has been discussing with the County attorney whether a quit claim deed should be provided to the City. Mr. Barnebey thinks it should, but they have some questions about that. The motion they will consider tomorrow seems to allow for that, but because of the question on the quit claim deed, Mr. Barnebey suggested bringing the ordinance back on August 2, 2010, instead of moving it forward to the 7:00 p.m. agenda tonight.

Following discussion, Commissioner Varnadore said that since there was a meeting the following week, she would be in favor of delaying moving it forward tonight. She asked Mr. Barnebey to remind the County attorney that the City is on a tight timetable. The longer this process takes, the longer building the ball fields drags on. There was a consensus by Commission to bring the item back on August 2.

Mr. Barnebey informed the Commission that this is a revised ordinance providing for the sale of alcohol except for 2:30 a.m. – 6:00 a.m. any day of the week. This was a slight change from Ordinance 2010-07 which allowed the sale of alcohol during those hours on Saturday.

Mr. Barnebey commented that he had sent a memo to the Commission regarding some of the rules issues (regarding the conduct of meetings) that came up at the last meeting. Mayor Bryant said the new rules came out of comments from the public. The meetings have gotten too lengthy. She will be looking for a group consensus on any rules of procedure that Mr. Barnebey brings forward.

Regarding the alcohol ordinance, Commissioner Varnadore thought it would be a good idea to look at the whole ordinance before proceeding with changing this one section. It's been piecemeal so far; the distance from schools and churches being the last change. Mr. Barnebey said it would be up to the Commission. Mrs. Varnadore said it would save money on advertising.

She remarked that this ordinance does not limit the businesses that can sell on Sundays so that bars, all day special events, etc. can sell too. It's not limited to package sales in stores like Publix and Sweetbay for example.

Commissioner Cornwell said the Commission has not looked at the effects this ordinance may have, and why the original ordinance prohibiting sales on Sunday had passed. She asked if there was a way to track increases in assaults and domestic violence. How will the City pay for increased patrols on Sunday? A fee might be imposed that would come back to the City and help pay for these things. She would prefer to have a workshop on the subject.

Commissioner Williams opined that this needs to be disposed of and then Commission can come back later and review the rest of the ordinance.

Mayor Bryant said some of the local businesses have expressed concern about the portable carts. She is in communication with a municipality that has an ordinance that prohibits that kind of activity.

Commissioner Lancaster said the police department can deal with noise issues. She thinks the ordinance prohibiting alcohol sales on Sunday stemmed from one establishment, Byrd's Bar, located near a church. She believes this ordinance says that the businesses that sell alcohol Monday through Saturday can now sell alcohol on Sunday.

Mr. Tusing agreed with Mrs. Lancaster that the reason for the ordinance was Byrd's Bar and when the ordinance was passed all businesses, including package stores, got lumped in with the bars. He thought the survey that went out was to allow package stores to sell alcohol and not necessarily opening bars on Sunday.

Mr. Zirkelbach asked Chief Wells if the police force was less on Sunday. Chief Wells said it is the same every day of the week. Mr. Zirkelbach said his goal is to just mirror what the rest of the County does so that our vendors are not put at a disadvantage.

Based on her research, Commissioner Varnadore said there have not been alcohol sales on Sunday since 1937. Palmetto is a small town and it might not reflect well on our image. Eighth Avenue and 10<sup>th</sup> Avenue are what people see when they drive through the City. There are a lot of empty storefronts and this might open up the potential for bars coming into the City.

Mrs. Lancaster said if there was a prohibition that far back, it was not being enforced. One day won't make a difference here, and our businesses are not making the money.

Commissioner Cornwell asked Chief Wells if the police department is going to monitor Sundays and report back to Commission. There may be a need to increase the force on Sunday based on patterns that emerge. She is concerned also with bars coming into the City. These are some things that she would like to look at before moving this forward. Church on Sunday is not her objection to the ordinance; it's noise.

Mayor Bryant asked Commissioners if they would like to move this forward to the 7:00 p.m. meeting.

emerge. She is concerned also with bars coming into the City. These are some things that she would like to look at before moving this forward. Church on Sunday is not her objection to the ordinance; it's noise.

Mayor Bryant asked Commissioners if they would like to move this forward to the 7:00 p.m. meeting.

Commissioner Williams said the issue of bars opening up is not what is being addressed at this meeting, and if Chief Wells thinks he needs to monitor the situation, he will. That is his job.

Three of the Commissioners were in favor of moving the item forward to the 7:00 p.m. meeting. Commissioners Varnadore and Cornwell were not in favor.



#### 4. PERSONNEL POLICY

The review continued at page 56: Harassment Policy

Based on a question from a previous workshop, Mrs. Jones directed Commission to Page 46, #12 as the location for explanation of refusal to submit to drug or alcohol screening.

Mrs. Cornwell asked Mr. Freeman for clarification of meeting dates. Mr. Freeman said the upcoming meetings will be: August 2, 3, 9, 16, 17, 23, 24 and 30. Commissioner Lancaster said she will not be at the August 3 meeting.

Commissioner Williams suggested changing some of the "mays" to "wills." The City needs to be known as a tougher community with respect to how it will handle these things. He asked why, on page 49 under Random Drug Testing, the random testing for drugs was 50% and for alcohol 25%. Mrs. Jones said this was the state of Florida requirement. He agreed with Mayor Bryant that the City has made progress in this area. Mr. Tusing said he believes that the 50/25 is a CDL requirement. In answer to Mayor Bryant's question, he said this would pertain to about ten out of fifty-four employees. The City could tighten up the requirement and make it 50/50. There was a consensus to do so.

Commissioner Williams pointed out a gender typo on page 59, C, 5. Change to his/her on line 4. He asked Mr. Barnebey to check and see if Garrity can be used by general employees.

Mr. Williams expressed concern about the statement in Discipline, Section 5, A: Non-probationary employees may be terminated only for cause. What about layoffs for financial reasons? Mrs. Jones said this pertains only to this section. Another article covers his concern. The Mayor asked Mr. Barnebey to add something here for clarification. Mrs. Lancaster asked for clarification about Florida being an at-will state and if the Personnel Policy overrides that.

Under Section 5.02, Progressive Discipline, Mr. Williams asked if all discipline is in a personnel file, including verbal discipline. Mr. Freeman said this is a new section; it should be documented. It will be added to this section.

The Personnel Policy review ended at page 67.



#### 5. ADJOURNMENT

Mayor Bryant adjourned the meeting at 6:00 p.m.

Minutes approved:

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James R. Freeman, City Clerk

**Draft Minutes  
PALMETTO CITY COMMISSION  
JULY 26, 2010 - 7:00 PM**

**Elected Officials Present:**

**Shirley Groover Bryant, Mayor  
Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2  
Alan Zirkelbach, Commissioner-at-Large 1  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3**

**Staff Present:**

**James R. Freeman, City Clerk  
Allen Tusing, Public Works Director  
Chief Rick Wells  
Mark Barnebey, City Attorney  
Deanna Roberts, Administrative Assistant**

Mayor Bryant called the meeting to order at 7:00 p.m. followed by a moment of silence and the pledge to the flag.

All persons intending to address City Commission were duly sworn.

Public Comment: None



**1. CITY COMMISSION AGENDA APPROVAL**

**Motion: Commissioner Cornwell moved, Commissioner Zirkelbach seconded, and motion carried unanimously to approve the July 26, 2010 7:00 p.m. agenda with the deletion of agenda item #5 and replacing it with the confirmation of the PACE grant application.**



**2. APPROVAL: PROPOSED AGGREGATE MILLAGE RATE (J. Freeman)**

**MOTION: Mr. Zirkelbach moved, Mrs. Lancaster seconded, and motion carried unanimously to approve a proposed aggregate millage rate of 4.9162 and to schedule a public hearing to adopt a tentative millage rate and tentative FY 2010-2011 budget with public hearings scheduled for September 13 and 27, 2010.**

Following discussion, Commissioners agreed to a proposed aggregate millage rate of 4.9162. All expressed the intent to keep the millage rate at 4.6662, but they agreed with the Mayor and Mr. Freeman that it was prudent to take this action to provide a safety net. The rate can go down later, but it could not go up. Staff will try to keep the millage as is and still balance the budget. There are still challenges in the General Fund. Mr. Freeman commented that even with a quarter mill increase, the City will not collect more taxes as property values are down.

September 13, 2010 is the proposed tentative budget hearing date and September 27, 2010 the public hearing for the final adoption of the budget. These dates must be submitted to the Property Appraiser's Office along with the proposed millage rate.

On August 2, 2010, Mike Towns, the City's insurance agent, will appear before Commission to discuss ways to save money on the health plan. He has already negotiated the renewal rate down from 29% to 20%.

Mr. Freeman commented again that even with a quarter mill increase, the City will not be collecting any more revenue than last year due to declining property taxes. Some residents would still see a reduction in their property taxes.

3. 1<sup>st</sup> READ & ADVERTISING APPROVAL: ORDINANCE 2010-06 (J. Freeman)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA AMENDING THE COMPOSITION OF AND CLARIFYING AND ADDING DUTIES TO THE PLANNING & ZONING BOARD; DELETING PROVISIONS RELATED TO A "PLANNING COMMISSION"; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Commissioner Lancaster moved, Commissioner Zirkelbach seconded, and motion carried unanimously to approve Ordinance No. 2010-06 for advertising and schedule a public hearing August 16, 2010.

4. 1<sup>st</sup> READ & ADVERTISING APPROVAL: ORDINANCE NO. 2010-13 (M. Barnebey)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF THE TIMES ALLOWED FOR THE SELLING OF ALCOHOLIC BEVERAGES WITHIN THE CITY LIMITS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Commissioner Lancaster moved, Commissioner Zirkelbach seconded, and motion carried 3-2 to approve Ordinance No. 2010-13 for advertising and schedule a public hearing August 16, 2010. Commissioners Cornwell and Varnadore voted nay.

Discussion: Commissioner Cornwell remarked that the Commission needed to discuss concerns that had been brought up at the workshop before scheduling this for a public hearing.

Commissioner Williams suggested a timeframe in which staff will bring further recommended changes to the ordinance. Commissioner Varnadore interjected that it would be prudent to do that prior to adopting this ordinance. Her concern was that this ordinance includes all businesses for Sunday sales. The Commission would have to come back at a later time and perhaps prohibit some.

Mr. Barnebey said he will get with the new planner, Lorraine Lyn, and come back with a timeframe for reviewing the alcohol ordinance. He thinks it could be done prior to the end of September. The Mayor then asked Mr. Barnebey to bring back information provided by Mr. McCollum, the former planner, to the meeting next Monday before estimating a timeframe.


Mr. Barnebey said the direction he thought he got from Commission was to drop requirements on restrictions on sales except for the hours between 2:30 a.m. and 6:00 a.m. Mr. Zirkelbach said it would be like every other day of the week.

Mr. Barnebey clarified for Mrs. Varnadore that any establishment can sell alcohol on Sunday under this ordinance except for the excluded hours.

5. PACE GRANT APPLICATION: (Mayor Bryant)

Mayor Bryant reported the City of Palmetto joined in an application with the Town of Lantana to get grant funding through an Environmental Protection Agency grant. Fourteen local governments are participating. The grant awards will be posted on October 15, 2010. There is no cost to the city. The grant funding would help businesses move towards becoming green businesses. Mr. Barnebey commented that the letter the Mayor sent supported the application, but participation was contingent upon entering into an Interlocal Agreement, as the City has not yet seen the terms of the grant.

commented that the letter the Mayor sent supported the application, but participation was contingent upon entering into an Interlocal Agreement, as the City has not yet seen the terms of the grant.

 **MOTION:** Commissioner Zirkelbach moved, Commissioner Varnadore seconded, and motion carried unanimously to confirm the letter of support for the grant application submitted by Mayor Bryant to join in the PACE Grant application to the Environmental Protection Agency.

 6. COMMISSION PARTICIPATION BY TELEPHONE (M. Barnebey)

City Commission must determine if Commissioners will be allowed to attend City Commission meetings and/or City Commission workshop meetings by telephone because of an acceptable absence.

Mr. Barnebey told the Commission that it had an existing policy of participation by phone for Commission: Policy No.09-04 It states that the request must be in writing and taken up at the subject meeting. The Commissioners can vote by phone, but it will not count for a quorum.

Following discussion, it was agreed the request should be made in writing. Commissioners can send an email to Jim Freeman, Mark Barnebey or the Mayor, and they can even email other Commissioners as long as they do not reply.

Mr. Barnebey said it is up to the Commission as to what constitutes "extraordinary circumstances." Commissioner Varnadore opined that as long as the privilege is not abused, she saw no need to set criteria. Mr. Williams concurred, and said each should be taken on a case-by-case basis. Commissioner Cornwell said that Commissioners can ask for items of interest to be tabled to another meeting. She was nervous about the potential for abuse.

The consensus was to take each request on a case-by-case basis.

Mr. Zirkelbach reminded Commission that he will be on vacation August 2, but he saw nothing he needed to vote on and he was not requesting to call in.

No changes will be made in the policy at this time. No action was taken.

 7. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

Mr. Tusing said this project has become a complex project with land swaps and dealing with multiple entities. Bidders had asked for more time to prepare bids, and Mr. Tusing has offered an additional two weeks. It shouldn't be a problem as the job cannot start until the land transactions are complete.

Mayor Bryant interjected that the City would have to be in control of the property in order to accept any the grants.

Mr. Zirkelbach asked if the fields could be constructed partially; just build two to start. Mr. Tusing said it would be dangerous to have kids playing on those fields while the road is being built.

Mr. Tusing said the fields will not be done by February. The land swaps have slowed down the process.

Commissioner Varnadore said the City can't move forward. The City has no money without grants and doesn't own all the land. The process has taken a great deal of time.


Mayor Bryant commented there were public hearings required by the various entities on the land trades, rezones had to done, and everything had to go to DCA. The road had to be moved.

Mr. Barnebey commented the numbers have increased, the amount of land increased which changed some of the conditions, but he thinks the City is close to contract level, and a lot should happen in the next month. He has talked to the County about doing two fields if we can. The project may have to be phased due to funding. We are looking for grants. The County and the School Board have agreed to try to do what they can to assist. Right now they don't have the funds either.

Mayor Bryant said she is still working on a grant through the Rays. The County had to fill out the grant application as they will be doing operations and maintenance. She has since gotten the grant back to review and finish.

Mr. Barnebey said the land acquisitions should be complete by late December or early January at the earliest.

Mr. Williams said the County currently is only committed to operations and maintenance of the fields.

 **MOTION: Commissioner Williams moved, Commissioner Varnadore seconded, and motion carried unanimously to prepare a letter for transmittal to the County Commission and County Administrator, requesting they address dollars to be spent in Palmetto for Little League fields in their current budget.**

Mr. Barnebey suggested, and Mr. Zirkelbach agreed, that an amount should be included in the letter. Mrs. Cornwell suggested including a range of funds that might be required. Mr. Williams said the City has land that has been donated and some funds to contribute. Mrs. Cornwell suggested that the letter be presented by the Mayor at a County Commission meeting.

Regarding the two-week extension for bids that Mr. Tusing discussed earlier, Mr. Williams commented that the extension must be approved by Commission.

 **MOTION: Commissioner Williams moved, Commissioner Lancaster seconded, and motion carried unanimously to extend the sealed bid submittals by two weeks.**

 **8. DEPARTMENT HEADS' COMMENTS**

Allen Tusing- No comments

Jim Freeman – No comments

Chief Wells - Police Department is going through recertification for accreditation. The inspectors will be here for three days. Everything is going well; he doesn't foresee any problems

Mark Barnebey –No comments

 **9. MAYOR'S REPORT**

Mayor Bryant encouraged Commissioners to look at the Florida League of Cites legislative agenda that her office will be sending to them. It contains some important items that will affect municipalities.

 **10. COMMISSIONERS' COMMENTS**

Commissioner Lancaster- Thanked Chief Wells for increased patrols.

Commissioner Cornwell- Congratulated Commissioner Varnadore on the impending birth of her granddaughter.

Commissioner Zirkelbach – No comments.



Commissioner Varnadore- Asked Mr. Barnebey the status of the modular buildings at the First Baptist Church. Mr. Tusing said the buildings had been approved by the DRC and permitting. Mr. Zirkelbach interjected that it has been in a SWFWMD permit since making application to the DRC. SWFWMD has not cleared the permit yet.

Commissioner Williams – Commented that the Building Department should not have had the authority to permit the buildings to sit there temporarily. Mr. Barnebey said they anticipated they would get the permitting. Temporary use could be tightened up in the Codes. Mr. Williams asked if the City could require them to paint the buildings to make them look nicer for the neighborhood. Mr. Zirkelbach commented that the SWFWMD permit application triggered other things which created the delay, but he thinks they will have the permit within thirty days. The church had anticipated using the buildings this summer. He will ask the church to put the stairs back on the buildings and paint the buildings. Mrs. Varnadore said the buildings have created an eyesore.

11. PUBLIC COMMENTS FOR CITY COMMISSION

None

12. ADJOURNMENT

The meeting was adjourned at 8:34 p.m.

Minutes approved:

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James R. Freeman, City Clerk

## CITY COMMISSION WORKSHOP MEETING

August 2, 2010

4:30 p.m.

### Elected Officials Present:

Mayor Shirley Groover Bryant

Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2

Mary Lancaster, Commissioner, Ward 1

Tambra Varnadore, Commissioner, Ward 2

Brian Williams, Commissioner, Ward 3

### Elected Officials Absent:

Alan Zirkelbach, Commissioner-at-Large 1

### Staff Present:

Jim Freeman, City Clerk

Allen Tusing, Public Works Director

Chief Wells

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The agenda was adjusted to move the Personnel Policy to item #1 and Health Insurance Update to item #2.

### PERSONNEL POLICY

City Commission will continue the review of the revised Personnel Policy.

The review continued on page 95.

Page 95: Commissioner Varnadore asked why police officers worked eighty-six hours in a pay period and other employees worked eighty. Chief Wells explained that this was an existing policy. Mr. Freeman said eighty-six hours is a requirement because they are on shift work. These hours reduced the hourly rate, and officers must work the eighty-six hours before overtime is available which must then be approved. Chief Wells commented that morale over this issue is a big concern of his. Mr. Freeman explained that the yearly rate is the same and certain benefits were derived from going to the twelve-hour shifts; an extra day off, e.g. Commissioner Cornwell commented that at the same time these hours were approved, salaries were raised to be equitable with the Sheriff's Office and officers were given take-home cars. The change was due to mandates from the State. In answer to Mrs. Cornwell's question, Chief Well said approximately twenty-six officers take home cars within the six mile allowed range.

Mrs. Varnadore opined that this does not seem fair to the officers. She asked for more clarification and asked when salaries were adjusted by Finance. Mayor Bryant asked for background on when this policy began.

Page 97: Regarding comp time, Mrs. Varnadore asked who gets it and what makes it comp time. Please explain for all employees when is it overtime? Mr. Freeman said only non-exempt employees are eligible for comp time and overtime beyond eighty hours worked calculated at time and a half to be used at a future date. Flex time is time traded hour for hour in the same pay period.

Mr. Tusing remarked that at Public Works he tries to use flex time as much as possible to keep costs down. And all time accumulated is at the discretion of the Department Head.

Mrs. Simpson said comp time is based on the Fair Labor Standards Act (FLSA).

Mrs. Cornwell said comp time is expensive to the City because it cost half again as much as flex time. She believes the School District went to flex time only for this reason. She asked for a review of comp time hours paid out and a change in policy as a potential savings to the City; emergency situations are different, but otherwise, use flex time. Mr. Freeman said the City is not paying more; the employee just has accrued time off.

Commissioner Williams pointed out that the police department has five times the amount of overtime as all of Public Works. He stated that for that amount, you could add two additional officers.

Page 99c: Alternate Duty. Commissioner Williams asked if a worker were out for a major medical event and was able work part time, would this allow the worker to work part time. Asked about short-term disability, and Mr. Freeman said the City does not offer that. Mr. Williams stated that under worker's comp, an employee could come back part time, so why is this not available for an employee who has run out of sick leave? Mr. Towns was present for the meeting, and he cautioned the City about bringing people in part time. It must be documented and done up front. If it turns into 2-3 months, the health plan does not allow those workers to be on the plan. The City needs to develop a written policy.

## 2. HEALTH INSURANCE UPDATE (J. Freeman)

Mike Towns, Atlas Financial, will provide an update regarding the health insurance renewal.

The industry is waiting for provisions to evolve in the new health care bill. Many sections say "to be determined by the office or Health and Human Services (HHS)." Effective Sept. 23, 2010 or the first renewal after that, the City has to have dependent care extended up to age 30, although the state and federal regulations differ. Another piece says you can no longer have annual limits on any benefits, and no lifetime limits. All rates have to be refiled with the state of Florida. The number of plans to choose from went down from approximately fifty to fourteen. They are still waiting for regulations to come from HHS. Another piece of legislation goes into effect January 1 when everything changes again and everything has to be rerated. Having only fourteen plans will limit options.

Last year the City changed to BCBS. The City had a huge claim right off the bat. He has negotiated the renewal rate with BCBS down from an estimated 50-60 % increase to 20%.

Mr. Towns said that the City's health plan is one of the best of any of his clients possibly due to some of the pay scales and this is in an effort to help employees out. The City can look at plan changes and increase costs to employees. The City's dependent-coverage subsidy is one of the highest at 55%.

Mr. Freeman interjected that last year the City went to a two-tiered plan to help reduce the cost to the City. Currently the total renewal is at about 15%, and this is where the City needs to be with respect to the budget.

Mr. Towns asked for direction. He asked if 15% is where the City wants to be or would Commission like to go lower and make plan changes or ask employees to pay more. He said that he and Mr. Freeman will be attending a seminar on the new law tomorrow (August 3, 2010). They will look at something called "grandfathering." If no significant changes are made in the City's plan, we will not have to comply with certain pieces of the new law until 2014; it's a phase in period, and it can be worth 8 or 9 points over the next three or four years. HHS had projected a 1% increase in premiums, but he expects 5-7% with just what they know so far. Doing away with pre-existing conditions will be very expensive. The City can avoid a majority of those phase-ins by not making significant changes at this time. He recommends looking at the 15% increase. BCBS will consider a contingent premium. They will reduce the premium by 5% on the assumption that your claims will be less. If you go over, the cost will be 5% the other way.

Commissioner Williams asked Mr. Towns to come back and show Commission how to get the increase down to 10% and how that would affect the employee.

Mrs. Varnadore said without hard numbers it is hard to give direction. The City needs to look at a plan that balances what is good for both the City and the employee.

Mr. Freeman said he will have some options for Commission by the next couple of workshops. Mr. Towns said he will be providing something user-friendly for Commission to look at. Mrs. Varnadore asked for a breakdown of what the employees are currently paying for health care in a spreadsheet format.

### 3. BUDGET POLICY (J. Freeman)

Initial review of a proposed formal Budget Policy.

Finance Director Karen Simpson explained the policy establishes guidelines approved by Commission for formulating the budget each year. Based on comments over the past few years, the policy could call for a reserve policy for a pay as you go plan; no new debt. The plan includes several other new concepts including carried forward POs.

Referring to page 2, Enterprise Funds, section D, Commissioner Lancaster asked if the policy was to provide reclaimed water to all of the City or just parts. Mrs. Simpson said she can change the sentence and delete water for irrigation to parts of the City so that it will read ... to provide reclaimed water for irrigation in the City.

Page 3, D. Balanced Budget: Mr. Williams stated the definition of a balance budget should read 95% of the total anticipated revenues. Mrs. Simpson explained that not all of the revenues are budgeted at 95%. Discussion ensued on the practice of calculating the budget based on 95% of the projected revenue from property taxes. Mr. Freeman interjected that there was a significant decrease in property taxes last year, and by budgeting at 95% the City was able to absorb the additional reduction and not have to adjust the millage. Other revenue sources may fall below expectations, so budgeting property taxes at 95% does not ensure that there will be an excess in budgeted revenues that could be used to balance the budget or help employees. This was Mr. William's concern and the reason for the discussion.

Mr. Williams asked about multi-year forecasting of combined revenues and disbursements covered on page 4. Mrs. Simpson said this is new and a way of forecasting revenues for long-term financial planning to do a better job of budgeting for the future. She is trying to buy software out of this year's budget and hopes to begin use by January 2011.

Commissioner Cornwell asked to add "during the budget process" at the end of line d. on page 5.

Mr. Williams referred to the first sentence on page 6D regarding communicating with citizens. Mrs. Simpson replied that communication could come through the City newsletter and the web site. She stated that the most important step to her is to come up with performance measurements and include them in the 2011 budget document.

Mayor Bryant adjourned the meeting at 6:00 p.m. stating that, time permitting, the discussion will continue at the 7:00 p.m. meeting.

Minutes approved:

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James R. Freeman, City Clerk

**Draft Minutes  
PALMETTO CITY COMMISSION  
AND  
CRA BOARD MEETING  
AUGUST 2, 2010 - 7:00 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3

Elected Officials Absent:

Alan Zirkelbach, Commissioner-at-Large 1

Staff and Others Present:

Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Chief Rick Wells  
Mark Barnebey, City Attorney  
Deanna Roberts, Administrative Assistant



Mayor Bryant called the meeting to order at 7:00 p.m. and read the poem In Flanders Field, followed by a Moment of Silence and the Pledge of Allegiance.

All persons intending to address City Commission or the CRA Board were duly sworn.

Public Comment (non-agenda items). None

Mr. Freeman informed Commission that the City received notification today that it has been awarded a CDBG Neighborhood Revitalization Grant in the amount of \$750,000 which will be used for the Ward I Phase 2 project. This is a preliminary award based on the initial application to the Department of Community Affairs (DCA). DCA will perform a site visit within a couple of weeks, and he anticipates a notice of final award sometime in September. Sixteen applications were funded, and the City of Palmetto ranked number seven.

Chief Wells reported that the Police Department received recertification for accreditation. They will be going to Jacksonville in October to receive the new certificate.



1. CITY COMMISSION AGENDA APPROVAL

**MOTION:** Commissioner Lancaster moved, Commissioner Cornwell seconded, and motion carried 4-0 to approve the August 2, 2010 7:00 p.m. agenda.



2. CITY COMMISSION CONSENT AGENDA

A) Minutes: July 19, 2010

**MOTION:** Commissioner Varnadore moved, Commissioner Lancaster seconded, and motion carried 4-0 to approve the August 2, 2010 Consent Agenda.



**3. 2ND PUBLIC HEARING FOR THE CDBG ECONOMIC DEVELOPMENT GRANT (J. Freeman)**

Commission will accept public comment regarding the City's application for a CDBG Economic Development grant up to \$750,000. If awarded, the grant will assist the City in funding the 10<sup>th</sup> Avenue extension from 17<sup>th</sup> Street to 23<sup>rd</sup> Street.

Mayor Bryant opened the public hearing. There being no public comment, she continued the public hearing.

**MOTION: Commissioner Lancaster moved, Commission Cornwell seconded, and motion carried 4-0 to continue the public hearing for the CDBG grant to August 16, 2010 at 7:00 p.m.**



**4. PUBLIC HEARING: ORDINANCE NO. 2010-11 (J. Freeman)**

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; AMENDING THE LIST OF APPOINTED OFFICERS AND THEIR DUTIES; AMENDING PROVISIONS RELATED TO MEMBERSHIP IN THE CITY'S GENERAL EMPLOYEE'S RETIREMENT PLAN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing. There being no public comment, she continued the public hearing to August 16, 2010.

**MOTION: Commissioner Lancaster moved, Commissioner Cornwell seconded, and motion carried 4-0 to continue the public hearing for Ordinance No. 2010-11 to August 16, 2010 in the Commission Chambers at City Hall.**



**5. EMPLOYEE ASSISTANCE PROGRAM CONTRACT (J. Freeman)**

Renewal of the contract with Behavioral Health Management Services, Inc. to continue the Employee Assistance Program.

**MOTION: Commissioner Cornwell moved, Commission Williams seconded, and motion carried 4-0 to approve and authorize the Mayor to execute the Agreement with Behavioral Health Management Services, Inc. d/b/a Baycare Life Management, for a term ending December 31, 2010, in an amount not to exceed \$2,300.**

Discussion: Commissioner Lancaster asked Mr. Freeman if employees were utilizing this program. He responded that they were. Commissioner Varnadore commented that the training to Department Heads is invaluable, and the company was willing to come in and speak to employees following the recent death of a City employee. So, there are other benefits in addition to the counseling of employees. Mrs. Lancaster said it is a good program that teaches supervisors how to recognize certain signs.



**6. RESOLUTION NO. 2010-21 (J. Freeman)**

Budget resolution to allocate the Planning Department expenses discussed July 19, 2010.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded, and motion carried 4-0 to adopt Resolution No. 2010-21.**

Discussion: Mr. Freeman explained that this is an adjustment of budget to cover additional Planning Department expenses. There was additional project work including the Comp Plan and the Sign Ordinance, and this exceeded the contract services that were budgeted for. These are funds due ZNS Engineering.

Commissioner Lancaster inquired how much had been paid so far for planning. Finance Director Karen Simpson said that year-to-date, the City had spent \$95,000 for things like the Comp Plan and the Sign Ordinance; things that cannot be billed back. Contract services year-to-date is about \$20,000. Commissioner Varnadore said the funds were coming from a budget surplus, and she asked for a budget surplus amount after this action, that could be transferred if Commission wishes. Mrs. Simpson will email that to Commission. She confirmed to Commissioner Williams that the \$95,000 is the amount spent for consulting to date. Mr. Freeman said that \$72,000 had been budgeted for consulting, and the year to date actual is \$95,000. These are bills that the City is getting from ZNS for Mr. McCollum's planning services.


Mr. Tusing said this is the reason the City decided to get an in-house planner. Mayor Bryant commented the Comp Plan had not been addressed over the last five years, and annexations had not all been completed – this added to the costs. Mrs. Cornwell asked for a method of checks and balances for assessing contract services vs. City employee in the future so that this does not happen again. Mrs. Varnadore added to Mrs. Cornwell's comment that it is important to pay close attention to what services are included in the scope of the contract

 7. ROADWAY TRANSFER AGREEMENT BETWEEN THE CITY OF PALMETTO AND MANATEE COUNTY (M. Barnebey)

In order to give the City the authority to consider annexation and/or vacation of 8<sup>th</sup> Avenue West, the County must first transfer jurisdiction of the roadway to the City.

**MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded, and motion carried 4-0 to approve the Roadway Transfer Agreement and authorize the Mayor to execute the same on behalf of the City, and to authorize the Mayor to accept and record a quit claim deed related to the lands covered by the road transfer agreement.**

Discussion: Mayor Bryant explained that items 7 and 8 are relative to the relocation of 23<sup>rd</sup> Street and the construction of the ball fields. Mr. Barnebey informed Commission that on July 27 the County approved this Roadway Transfer Agreement in order to transfer jurisdiction of the northern portion of 8<sup>th</sup> Avenue from existing 23<sup>rd</sup> Street to the City. The City must approve this in order to go forward with the next item, the annexation of the property. The County will prepare a quit claim deed for the roads named in the transfer agreement.

 8. 1<sup>st</sup> READ & ADVERTISING APPROVAL: ORDINANCE NO. 2010-14 (M. Barnebey)  
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF PALMETTO; PROVIDING FOR AMENDMENT OF CITY BOUNDARIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Lancaster moved, Commissioner Williams seconded, and motion carried 4-0 to approve Ordinance No. 2010-14 for advertising and schedule a public hearing August 16, 2010.**

Discussion: With the transfer agreement, the City acquires jurisdiction of the property and will become owner through the quit claim deed which will allow annexation. Everything but maintenance will now fall to the City. In answer to Mrs. Varnadore's question, Mr. Barnebey said that existing 23<sup>rd</sup> Street will be vacated and a portion will become Manatee Fruit Company. The portion of 8<sup>th</sup> Avenue between existing 23<sup>rd</sup> and new 23<sup>rd</sup> will be vacated.

The City Commission meeting was recessed to open the August 2, 2010 CRA Board meeting.

The City Commission meeting was reconvened.

 9. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)  
Allen Tusing – No updates

Mayor Bryant said that she will be meeting with Whiting Preston tomorrow (Tuesday, August 3) to iron out some issues so that 23<sup>rd</sup> Street can get started.



#### 10. DEPARTMENT HEADS' COMMENTS

Mr. Tusing – The bids on Ward I Phase 2 were received. They were well below the amounts anticipated, and they will be coming to Commission on August 16. Mayor Bryant asked the estimated time frame for the project and Mr. Tusing said 240 days.

Mr. Freeman- FPL came and spoke to him regarding the City's franchise agreement. The current thirty-year agreement comes up for renewal in March. The proposed new agreement is in review and will come to Commission later this fall. He added that he is in the process of purchasing a new generator for City Hall.

Mayor Bryant asked Mr. Freeman about the energy efficiency grant. He said he is working on quotes to get help with the grant administration per the grant application. Within the next thirty days he expects to see activity related to that grant.

Chief Wells: No comments

Mr. Barnebey – The City should be getting Comp Plan comments back shortly. Also, he attended the Florida Municipal Attorneys Association meeting in Amelia Island this past weekend and picked up some information regarding nutrient loadings and water quality standards that the EPA is looking at. He has sent out memos. Some new rules may impact the City.

#### 11. MAYOR'S REPORT

Informed Commission that she attended a ribbon cutting today for a new chiropractic office at 725 7<sup>th</sup> Street West. The Commission should have received a project status report sent out by email today.

#### 12. COMMISSIONERS' COMMENTS

Commissioner Lancaster- Asked Mr. Tusing if anything had been done about the canal off 17<sup>th</sup> yet. Mr. Tusing said that on Monday, he will get it set up on a schedule. Reported that she attended the EZDA meeting today. She said Chief Wells has been working with faith-based organizations to get transportation for people to get to training for jobs.

Commissioner Cornwell- Asked if the times for the tax free holiday could go on the web site.

Commissioner Varnadore- No comment.

Commissioner Williams – Congratulated Commissioner Varnadore on the birth of her new grandchild. Introduced his opponent in the upcoming Commission race, Alan Clark. The power pole on 4<sup>th</sup> that he had asked about will be replaced shortly.

#### 13. PUBLIC COMMENTS FOR CITY COMMISSION

None

#### 14. ADJOURNMENT

Mayor Bryant adjourned the meeting at 8:42 p.m.

Minutes approved:

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James R. Freeman, City Clerk



**DRAFT**  
**CITY COMMISSION BUDGET WORKSHOP**  
**August 9, 2010**  
**5:30 PM**

Commission Members

Shirley Groover Bryant, Mayor  
Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3 (entered at 6:00 pm)

Elected Officials Absent:

Alan Zirkelbach, Commissioner-at-Large 1  
Mary Lancaster, Commissioner, Ward 1

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Karen Simpson, Deputy Clerk-Finance  
Allen Tusing, Public Works Director  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 5:54. It was consensus of the present Commissioners to end the meeting at 7:30 pm.



1. FISCAL YEAR 2010-2011 BUDGET

Mr. Freeman began the review of the budget by displaying updated information on the medical insurance. During the discussion of the information, Mr. Freeman informed Commission that to date, Blue Cross Blue Shield is the only insurance company that will even price insurance coverage to the City. Commission requested the additional following information:

- The availability of a supplemental policy to Medicare for retirees over 65.
- Verification of the increase for employee and spouse coverage, and the reason for the increase.
- Possibility of adding a lower cost plan if the “grandfathered” policies will not be affected
- Confirmation from the Police Department as to whether or not any vacant funded positions will be filled or deleted from the budget.

Mr. Tusing deleted one position in the Parks Department that affects the General Fund, resulting in a decrease of approximately \$45,829. Discussion ensued on whether or not vacant, unfunded positions should remain in the budget, which will be considered later in the budget process.

Mayor and Commission

Printing & Binding was mentioned for a possible reduction.

City Clerk

The salaries for the department heads will be reviewed when a balanced budget has been achieved.

Staff was asked to determine when the city hall building was built.

Staff was asked to compare cost of advertising between Bradenton Herald and Herald Tribune.

Tuition Reimbursement will be considered for deletion later in the budget process.

Establishment of a fund for long-term planning for a new computer system will be considered later in the budget process.

Staff was asked to gather information on how other municipalities are preserving their historical records.

The Finance Department was asked to include identifying information on budget updates that include corresponding page numbers to the original version, account numbers and which version number of the budget is being updated.

The next budget workshop will be Tuesday, August 17, 2010 beginning at 5:30 pm and will begin with the IT Department. Meetings beginning at 5:30 pm will be working dinner meetings.

Meeting adjourned at 7:30 pm.

Minutes approved:

James R. Freeman  
City Clerk