

Palmetto City Commission  
October 20, 2008 7:00 p.m.

Elected Officials Present:

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

Staff Present:

James R. Freeman, City Clerk  
Chris Lukowiak, Public Works Director  
Chief Garry Lowe  
Tanya Lukowiak, CRA Executive Director  
Bob Schmitt, City Planner  
Nixa Haisley, Purchasing Agent  
Michele Hall, City Attorney  
Karen Simpson, Deputy Clerk-Finance  
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:01 pm. A moment of silence was observed for our military men and women, followed by the Pledge of Allegiance.

PROCLAMATION: Ramon Lopez, Jr., Army Specialist, E4, October 20, 2008

Swearing-in of all persons speaking to Commission.

PUBLIC COMMENT: Allen Tusing commented on the proposed intersection improvement of 14<sup>th</sup> Ave. and 10<sup>th</sup> St., stating the City should reconsider adding improvements to the north and southbound segments of 14<sup>th</sup> Ave. due to the traffic congestion during the high school's early out on Wednesday.

1. AGENDA APPROVAL

**MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the October 20, 2008 7:00 agenda.**

2. CONSENT AGENDA

- A) Minutes: October 6, 2008
- B) Check Register for September 2008

Ms. Cornwell removed the September Check Register for discussion.

**MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried 5-0 to approve the October 6, 2008 minutes.**

Staff provided explanations for items questioned on the Check Register and will provided additional information on several entries after research is completed.

**MOTION: Ms. Cornwell moved, Mr. Ball seconded and motion carried 5-0 to approve the September Check Register.**

**3. PUBLIC HEARING: SPECIAL FENCE PERMIT**

Palmetto First Baptist Church is seeking a special fence permit for property located at 1020 4<sup>th</sup> St. W.

Mayor Bustle opened the public hearing.

First Baptist Church representative Terry Wells corrected the address of the fence installation to 1021 5<sup>th</sup> Street, West.

**MOTION: Ms. Cornwell moved and Mrs. Lancaster seconded to approve Special Fence Permit 08-01 for First Baptist Church, 1020 4<sup>th</sup> St. W.**

Discussion: Mr. Wells confirmed the fence is being located on the playground and that there is no plan to alter the traffic pattern along the eastern boundary of the property.

Mayor Bustle closed the public hearing.

**Motion on the floor carried 5-0**

**4. TERMINATION OF INTERLOCAL AGREEMENT**

Termination of the Interlocal Agreement with Manatee County for the maintenance of two medians on the north and south side of 17<sup>th</sup> Street East, US Hwy 41.

**MOTION: Ms. Varnadore moved, Mr. Williams seconded and motion carried 5-0 to terminate the Interlocal Agreement for Landscaping Maintenance with Manatee County executed by the City on October 27, 2000, for two medians located to the north and south of 17<sup>th</sup> Street East**

**5. RESOLUTION NO. 08-25**

Resolution No. 08-25 establishes an Investment Policy governing the investment of public funds.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, TO ESTABLISH POLICY SETTING GUIDELINES FOR THE INVESTING OF PUBLIC FUNDS FOR PURPOSES OF ENSURING THE FINANCIAL STABILITY OF THE CITY.

**MOTION: Mr. Ball moved and Mrs. Lancaster seconded to adopt Resolution No. 08-25.**

Discussion: After discussion, Commission made the following changes to Resolution No. 08-25:

1. Section 5. Delegation Of Authority  
The Investment Committee shall meet at least quarterly, prior to the City commission budget review meeting, to review the City's investment strategy. "Periodically" was deleted.
2. Section 15. Performance Measurements  
B. Merrill Lynch was deleted.

3. Section 16. Reporting  
Both references to reports were amended to read semi-annual.
4. Section 17. Third Party Custodial Agreements  
Only the City Clerk was authorized to give instructions to a third party custodian. "Or designee" was deleted.

Only the Deputy Clerk-Finance was authorized to accept safekeeping receipts from a third party custodian. "City Clerk" was deleted.

**Mr. Ball and Mrs. Lancaster amended the motion to approve Resolution No. 08-25 as per discussion.**

**Motion on the floor carried 5-0.**

**6. RESOLUTION NO. 08-35**

Resolution No. 08-35 will amend the FY09 budget to add unspent funds in the FY08 budget for the City's carry-over purchase orders.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Mr. Ball moved and Mrs. Lancaster seconded to adopt Resolution No. 08-35.**

Discussion: Staff explained the individual items contained in Exhibit A to the resolution that were questioned by Commission.

**Motion on the floor carried 5-0.**

**7. RESOLUTION NO. 08-36**

Resolution No. 08-36 will amend the FY09 budget to add the revenue and expense line items to record receipt of the FRDAP-Riverside Park-Pier Resurfacing and Urban Tree grants.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt Resolution No. 08-36.**

**8. APPROVAL: PITNEY BOWES CREDIT CORPORATION LEASE**

Approval of a 48-month lease for the City Hall postage meter.

**MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Pitney Bowes Credit Corporation lease for the City Hall postage meter, in a total amount not to exceed \$3,811.68.**

9. APPROVAL: COVERALL CLEANING CONCEPTS CONTRACT

Approval of a 12-month contract for the City Hall and Public Works janitorial services.

**MOTION: Mr. Ball moved and Mr. Williams seconded to approve and authorize the Mayor to execute the Coverall Cleaning Concepts contract for City Hall and Public Works janitorial services in a total amount not to exceed \$14, 522.00.**

Discussion: Attorney Hall informed Commission that subsequent to the publication of the agenda, she has recommended changes to the contract, as follows:

1. Deletion of the automatic renewal, the contract will allow for a one-year renewal upon written agreement by both parties.
2. Language to prevent the company from automatically terminating the contract because of non-payment by the City, because the City does not have the right to automatically terminate.
3. Questioned if the ten day billing period is enough time for the City.
4. Inclusion of the full, legal name of the entity.

Mr. Freeman informed Commission the company had agreed to three of the four changes. Attorney Hall stated the outstanding item would be resolved by telephone.

Ms. Varnadore stated she preferred to see the final contract before approving. Mr. Freeman stated that the City is currently on a month-to-month contract until approval; the item can be placed on the November 3, 2008 agenda, if Commission prefers.

Commission also requested that the scope of services for the contract be provided.

**MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 5-0 to table the item until November 3, 2008 meeting.**

10. DEPARTMENT HEADS' COMMENTS

Attorney Hall

Informed Commission the Strand decision has been reversed.

Chief Lowe

No report.

Mr. Freeman

Referring to his email for proposed dates for quarterly reviews, he will update the dates to eliminate any holidays.

The November 3, 2008 agenda will contain the background check and the Regatta Sublease. Attorney Hall will provide the Orlando policy, along with other materials for a starting point in developing the process. Attorney Hall confirmed with Commission that it was their intent to perform Level 1 checks on all employees; Commission concurred.

Confirmed the CRA joint meeting with Commission is scheduled for December 1<sup>st</sup>.

Mr. Lukowiak

Informed Commission a cave-in at 12<sup>th</sup> Street and 15<sup>th</sup> Avenue was caused by Verizon piercing a sewer line, and he intends to bill Verizon for damages. He discussed the oral commitment

Verizon representatives made to pay for the repairs and asked that the City not cut their line. Mr. Lukowiak acknowledged his crew's efforts to quickly rectify the problem, stating the Verizon cable is now located over the sewer line. Mr. Lukowiak also reported there is a potential for a cave-in at 3<sup>rd</sup> Avenue between 8<sup>th</sup> and 9<sup>th</sup> Streets, but it is a stormwater issue and is related to the age of the pipes. Attorney Hall advised that the homeowners in the affected area should be provided a warning of the situation.

Mr. Schmitt

Informed Commission they would be receiving a copy of the P&Z agenda on the Wednesday prior to the following Monday meeting.

Mrs. Lukowiak

Reported she will be commuting to the FRA Conference in Tampa, taking classes as appropriate. Tomorrow a group from the conference will be touring the area's CRA's and will tour the Village of the Palms.

11. MAYOR'S REPORT

No report.

12. COMMISSIONERS' COMMENTS

Mr. Ball

Reported his attendance at his first Palmetto High School homecoming game – another great benefit of living in Palmetto.

Ms. Cornwell

Reported her attendance with the Mayor at the Council of Governments meeting, where he brought up Palmetto's list. Additional information will be coming back to the City concerning the items.

Reported she has received an inquiry on what papers are used for advertising. She requested a list of the City's advertisements, their purpose and what the language is concerning what type of paper must be used.

Mr. Williams

Distributed pictures of the Thomas Taylor headstone that was knocked down and repaired, stating it should be looked at because he felt it needed to be better repaired. Mr. Williams said it was his understanding the headstone was knocked over while the City was mowing.

Suggested that because of the budget situation staff should seriously look at how it would affect City personnel and the citizens if the workweek was reduced to four ten hour days. Mr. Freeman reported Bradenton and Anna Maria have gone to a four day week, but it is mainly administrative and City Hall personnel.

Opined serious thought should be given to moving the city attorney under the Commission rather than the Mayor. He stated there is a need to have balance in the legislative process.

Ms. Varnadore

Reported that Thomas Taylor's headstone was discussed by the Historical Commission, and the reason it is so important is that for years Mr. Thomas donated funds to Palmetto Elementary to insure each student had a gift. In return, at the time of his death, the children of Palmetto Elementary collected funds to purchase the headstone.

Friday, October 24, the Historical Commission is having its Halloween Festival and the City will show Casper at the Movie in the Park.

Stated that she receives calls from constituents about items coming before various boards, thus the request for the P&Z Board agenda. She further requested that she receive the agenda and minutes of every board of the City, including the CRA. Mr. Freeman reported the agendas and minutes for P&Z and CRA are now posted on the website, and the audio for the meetings can also be posted.

Mrs. Lancaster

Inquired the proper procedure a Commissioner should follow if a misunderstanding should arise with an employee. Mayor Bustle agreed that he should be the first point of contact, and then he will take an issue to the appropriate department head, who will report a resolution of the situation to him so he can then contact the Commissioner.

Meeting adjourned at 9:15 pm.

Minutes approved: November 3, 2008

A handwritten signature in black ink, appearing to read "James R. Freeman". The signature is fluid and cursive, with a large initial "J" and "F".

James R. Freeman  
City Clerk