

Palmetto City Commission
April 4, 2005 4:00 PM

Elected Officials present:

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

Staff and others present:

Michele Hall, Attorney
J. E. Free, Jr., City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, City Planner
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:03 PM.

A moment of silence for overseas military personnel was observed, followed by the Pledge of Allegiance to the United States Flag.

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 5-0 to approve the April 4, 2005 4:00 PM agenda.

2. DISCUSSION – CRA COMMERCIAL REVITALIZATION GRANT

CRA Executive Director Tanya Lukowiak reviewed major changes the CRA Board has approved for the CRA Commercial Revitalization program as follows:

- The maximum award was increased to \$25,000 from \$10,000 in December 2003.
- The cost of interior improvements necessary to occupy an existing vacant space has been included as eligible for matching grant funding.

Ms. Lukowiak stated that as requested by a City Commissioner, the CRA Board reviewed the current program on March 17, 2005, and concluded that the program furthers the goals specified in the CRA plan. The CRA Board also agreed that the findings and recommendations of the Waterfront Community Study should be utilized in the commercial revitalization program in the next fiscal year.

Ms. Lukowiak discussed CRA's philosophy for awarding a grant to a business renting space in a new building. To further develop a commercial district, a new business is awarded grant funds if the rental space to be occupied in a new building has sat dormant six months or longer.

Commission requested that in the future Commission be notified when any changes are made to CRA programs.

2. IT AUDIT OF INTERNET USAGE

Donald Burkhardt explained the software under review can track and log which internet sites are visited. Discussion ensued on the feasibility of expending funds to purchase software to monitor internet usage. A Use of Electronic and Computer Systems policy exists, but no formal policy stating prohibited behavior and reprimand procedures is in place. Attorney Hall explained that

unless the Personnel Policy requires a documentary standard, this situation would not be treated any differently than any other violation. Mayor Bustle and a majority of Commissioners agreed that supervisory observation should be adequate to reprimand prohibited internet usage. Mr. Free opined the City may not want a strict interpretation of the existing policy; it should be obvious to supervisors and directors when an employee is abusing internet or email usage.

4. RIVERSIDE PARK WEST CONCESSION

Commission discussed the request made at the March 21, 2005 meeting to permit a hot dog stand in Riverside Park West. Staff will research how other municipalities permit this type of enterprise and how, or if, the municipalities receive compensation. The topic will be brought back to Commission at a subsequent meeting.

5. PURCHASING ORDINANCE PROPOSED AMENDMENT

Mr. Free informed Commission staff recommends the purchasing ordinance be updated. He discussed the following primary amendments:

- Informal competitive quotes be accepted for small purchases under \$25,000
- Competitive sealed bids value increased to \$25,000
- Bid appeals and remedies process responsibility transferred to City Clerk
- Disposal limit for surplus property be increased to \$1,000

Attorney Hall confirmed she had reviewed the document and it complies with the law.

Mr. Williams commented Sec. 2-63 Appeals and remedies, which transfers appeal and settlement responsibilities to the City Clerk rather than the Commission, stating his opinion the Mayor should be the City official to whom an appeal is directed. Mayor Bustle stated he would prefer a level of appeal to the Mayor after the Clerk. Commission discussed the appeal process and who would have the final decision. Attorney Hall suggested Commission must make a decision as to the final level of appeal before an issue goes to court, and add the language to the ordinance.

Mr. Williams commented on the disposal of items less than \$1,000, stating language should be added to necessitate the property being declared surplus before disposal, or the property must be stored until such time the City auctions surplus property.

Attorney Hall will further research the appeals process, after which the ordinance will be brought back to Commission.

6. CODE ENFORCEMENT ORDINANCE AMENDMENT

Attorney Jim Dye informed Commission the proposed ordinance was changed for the following reasons:

- A second due process public hearing must be held by the Code Enforcement Board to levy a fine.
- An owner transferring property must disclose any code enforcement proceeding attachment.
- City attorney will advise city staff prosecuting a code enforcement case and the Mayor, with concurrence of Commission, will appoint independent legal counsel for the Code Enforcement Board.

Attorney Dye advised Commission homesteaded property may be liened for code enforcement liens; however, property transfers free of liens. Attorney Dye further stated a code enforcement lien may be attached to other property owned by the code enforcement violator, subject to any previous lien; i.e. automobiles or property purchased from the sale of a homesteaded property that will not be a homesteaded property.

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Attorney Dye advised the Commission the City may define who is an aggrieved party. He also explained why the ordinance provides options in noticing requirements.

Meeting adjourned at 6:00 pm.

Minutes approved: April 18, 2005

A handwritten signature in black ink, appearing to read "J. E. Free, Jr.", written in a cursive style.

J. E. Free, Jr.
City Clerk