

Palmetto City Commission
September 19, 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:

James R. Freeman, City Clerk
Michele Hall, Attorney
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Tanya Lukowiak, CRA Director
Mike Mayer, Deputy Chief
Frank Woodard, Deputy Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:07 PM.

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

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Mrs. Lancaster moved, Mr. Ball seconded and motion carried 5-0 to approve the September 19, 2005 4:00 PM agenda.

2. DISCUSSION: PROPOSED ORDINANCE AMENDING AND RESTATING THE POLICE OFFICERS' RETIREMENT PLAN (TAB 1)

Attorney Scott Christiansen of the firm Christiansen & Dehner informed Commission he represented the City of Palmetto Police Officers' Pension Plan Board of Trustees in presenting the proposed ordinance to amend the Plan to incorporate changes in the law and to change benefits. The Board of Trustees approved the proposed ordinance and authorized its submittal to City Commission for review and approval.

Attorney Christiansen discussed the requirement that State funding (comprised of casualty insurance premiums) may only be used for additional benefits for police officers. Including the August 2005 funding, the City has approximately \$108,732 to fund benefit changes.

The police officers submitted a list of Plan benefit improvements they wished the Board of Trustees consider. The Board of Trustees recommends the following benefit improvements:

1. Change the normal retirement date from age 55 and 10 years of service or 25 years of service, regardless of age, to age 55 and six years of service or 20 years of service, regardless of age.
2. Change the early retirement date from age 50 and 10 years of service to age 50 and 6 years of service.
3. Increase the minimum service connected disability benefit from 42% of average final compensation to 62%.
4. Decrease the vesting requirement from 10 years of service to 6 years of service.

Attorney Christiansen explained the reserve amount of approximately \$108,732 would pay for the majority of the benefit improvements, but the City will have to contribute approximately \$5,000 each year. He discussed the fact the State revenue is not a guaranteed annual payment, but the City may lower benefits to effect a reduction in costs. He did caution there may come a time when the State will discontinue revenue payments if the City does not use the reserve amount.

Commission's discussion centered on the proposed benefit changes. Chief Lowe confirmed the six rather than ten vesting period was a recruiting tool, as it follows Florida Retirement System's vesting period. The difference between normal retirement and early retirement was discussed, with Mr. Ball stating he would resist any attempt to lower the retirement age. Attorney Christiansen explained the formula for determining how a pension is paid for both normal and early retirement. Some concern was expressed concerning the general employees coming forward with a request to improve their benefits, Attorney Christiansen explained General Employee Pension Plans do not receive State funding.

Commission inquired if retirees would benefit from the proposed changes. Attorney Christiansen explained they would not, but the City could use the reserve fund to provide an ad hoc benefit to retirees. It was consensus of Commission that available funds should be used in such a way that current retirees will also gain from any benefit changes.

Attorney Christiansen was instructed to return to the Police Officers' Pension Plan Board of Trustees and inform them the Commission would like a pro rata share of reserve funds be used to improve benefits to current retirees. The Commission did not stipulate how their request was to be accomplished, that decision was left to the Board of Trustees.

Mayor Bustle requested Commission approve moving item #6 to the next position on the agenda. Commission concurred.

3. DISCUSSION: JOINT PLANNING COUNCIL FOR MANATEE COUNTY

Tanya Lukowiak informed Commission Manatee County has hired Glatting, Jackson to take comments from the county and municipal planners to assist in the creation of a land development code recognizing all the different types of development county wide. Ms. Lukowiak reviewed the scope of services of the community design and compatibility study. Glatting, Jackson will facilitate monthly meetings of the county and municipal planning staffs over a seven-month period to collect appropriate data. Mrs. Lukowiak stated that at the completion of each task elected officials will have the ability to approve or disapprove recommendations provided by the project team. If the City of Palmetto should disapprove, Mayor Bustle opined it could be construed the City is not interested in participating, wherein charter government could again become an issue.

Manatee County Planner Carol Clarke explained that as each step of the project is completed a joint meeting of elected officials will be held. She stated her belief that the joint discussions will result in consensus. The intent of this project is to look at the county as a whole without regard to political boundaries. The culmination of the study will be Glatting, Jackson making a recommendation to each municipal entity concerning land development topics. Mr. Lukowiak stressed staff will keep Commission updated after each meeting, requesting time to work through the initial phases of the agreement.

Ms. Varnadore and Mrs. Lancaster expressed the need to participate in the project as long as it is not binding. Mrs. Lukowiak informed Commission that at this point in the process there is not funding commitment. It was consensus of Commission to participate in the project.

Mayor Bustle voiced a concern he raised at the Mayor's meeting that the legal issues are moving forward faster than the planners, which may lead to an interlocal agreement suggesting a solution before the planners have in fact created a solution. Ms. Clarke confirmed a governing board will

be a result of what the attorneys are working on. Attorney Hall stated a rough draft containing provisions for a JPC type of body has been prepared.

4. DISCUSSION: PROPOSED ORDINANCE AMENDING WATER AND SEWER IMPACT FEES

Burton & Associates presented the Water & Wastewater FY2005 Impact Fee Study to Commission on August 1, 2005. On August 15, 2005, Commission unanimously approved implementation of the fee based on full cost recovery. The proposed ordinance was moved forward to the 7:00 agenda for Commission action.

5. DISCUSSION: WESTRA CONSTRUCTION CORPORATION CONTRACT

Staff is seeking approval and authorization to enter into a contract with Westra Construction Corporation for completion of five CIP identified projects scheduled to be completed in 2005 and one project not on the CIP. Mr. Lukowiak distributed correspondence from Westra Construction concerning materials price increases. Mr. Lukowiak stated increases may result in projects being pushed further into the future.

Jerry Hester, Westra Construction Project Manager, assured Commission that the pipe prices contained in the contract will be the prices from which the stated projects are completed and billed, provided the contract is executed and the PO for the pipe is issued prior to October 1, 2005. This item was moved forward to the 7:00 agenda for Commission action.

6. DISCUSSION: MANATEE COUNTY POTABLE WATER CONTRACT

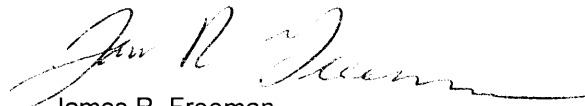
Attorney Hall informed Commission there were two changes to the contract: 1) Commission requested one relating to "availability" and 2) the other pertained to not putting Wal Mart on a master meter. The item was moved forward to the 7:00 agenda for Commission action.

7. DISCUSSION: RIVERSIDE DRIVE REZONING

The item was tabled until October 3, 2005.

Meeting adjourned at 6:00 PM.

Minutes approved: October 3, 2005


James R. Freeman
City Clerk