

Palmetto City Commission
March 5, 2007 4:00 p.m.

Elected Officials Present:

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

Elected Officials Absent:

Mary Lancaster, 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
Diane Ponder, Deputy Clerk-Administration

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: Mr. Ball moved and Mrs. Lancaster seconded to approve the March 5, 2007 4:00 pm agenda.

Discussion: Ms. Cornwell distributed an email, stating she would like to add a discussion on how Commissioners may add an item to an agenda and she would also like to discuss the pay increase at a meeting. She stated it is not imperative to discuss the item on this agenda, but she would like to discuss it at a future meeting.

MOTION: Ms. Cornwell moved and Mr. Ball seconded to amend the agenda to allow discuss of the two items.

Discussion: Mr. Ball stated he would like to discuss a procedure concerning getting items placed on an agenda. Mayor Bustle stated that Commission and the public can vote to place items on an agenda, items on the suspense log can be placed on an agenda, and Mayor and staff create the agenda according to business that needs to be completed. Mr. Williams stated he agreed a discussion on placing an item on the agenda is necessary, but to bring the other item back, because of the vote was inappropriate without someone bringing it back for reconsideration. Ms. Cornwell stated it was not the issue that was up for discussion; it was the way it was done.

Mayor Bustle clarified the amendment motion to be the addition of item 4. Discussion: How Commission Places Items on the Agenda.

Motion on the floor to amend the agenda was approved 4-0.

Motion on the floor to approve the agenda as amended was approved 4-0.

2. CEMETERY COMMITTEE RECOMMENDATION

Mr. Gene Witt, co-chair of the Cemetery Committee, acknowledged the committee members, Jean Aldrich, June Griffin, Jan Hine, Denise Mazer, Cis Paulson, Byron Smith and Raymond Varnadore and City staff members, Geoff Seger, Jeff Scott and Diane Ponder for their efforts in revising the cemetery ordinance and the supplemental rules and procedures.

Mr. Witt stated the committee's recommended amendments to the ordinance and rules were unanimous, with the exception of the fence on 14th Avenue. A vote on keeping the fence on 14th Avenue was taken from the seven committee members present, and passed four to three. He asked that the minority be allowed to make a report on their opinions regarding the fence. The Committee also believes there is a line of sight problem with the fence and a person certified to make a decision on the issue should be made to limit the City's liability.

Byron Smith, Jr. read from a statement prepared concerning the fence, after which he distributed his statement to Commission to be made part of the public record of the meeting.

Mr. Witt informed Commission the committee concurred with two amendments requested by Mayor Bustle, as follows:

Temporary crosses be changed to religious symbols
No fencing is allowed around interment spaces

Mr. Witt further stated the committee agreed that mature plant heights of 18 inches are sufficient, but they had no objection to a mature height of 24 inches. The committee has also agreed that the following addition should be placed in the supplemental rules and procedures:

Memorial arrangements will be removed no later than 10 days after interment.

In closing, Mr. Witt suggested a standing cemetery committee should be formed to assist staff in future recommendations for the cemetery. He also informed Commission it has been suggested that it would be beneficial to place flood lights along the center street in the cemetery.

Mr. Witt discussed interment spaces needing repair where family members cannot be located. He suggested it should be the City's responsibility to repair any interment space to avoid any further deterioration.

A final issue on which there was not a consensus is novelty items on children's interment spaces. Mr. Raymond Varnadore reported he had visited cemeteries and novelty decorations were allowed on children's interment spaces. Ms. Cis Paulsen commented on the intent of non-novelty items, because there are factions that will take the decorations to the extreme. Commission discussed the issue and agreed to allow the novelty items.

Mr. Ball referred to 10) Disinterment Requirements, questioning why "within the same municipal cemetery" was included. After discussion, Commission agreed it should be struck from the sentence.

Referring to the fence on 14th Avenue, Mr. Lukowiak stated the fence is located on the property line and he did not have an issue with the fence. He stated he will request that the Risk Management Director, who has 25 plus years of experience, give an opinion on any liability issue the City may face if the fence is not removed or relocated. Mayor Bustle suggested the City Engineer should also give an opinion on the fence.

Commission concurred with moving the ordinance forward to the 7:00 agenda for first reading and advertising approval.

3. DISCUSSION: PROPERTY TAX REFORM

Mayor Bustle suggested that each Commissioner needs to understand the implications of the proposed property tax reform. He stated that Commission and staff should begin thinking about how the City may be affected; therefore. He referred to his memo to staff regarding a temporary hiring freeze, primarily in General Fund positions.

Mr. Freeman stated first indications from Florida League of Cities stated the City's millage would be rolled back approximately one-half; a 49% reduction equating to approximately \$2.2 million in ad valorem tax revenue.

Mayor Bustle opined the best way to deal with this issue is to align with Bradenton and Manatee County. He stated the biggest thing to accomplish is to understand the proposals coming out of Tallahassee.

Commission discussed the topic. Staff was instructed to contact Florida League of Cities to add each Commissioner to the Legislative Alert email distribution list.

4. DISCUSSION: HOW COMMISSION PLACES ITEMS ON THE AGENDA


Ms. Cornwell stated there is no procedure or perimeter for a Commissioner to use to place an item on the agenda. Mayor Bustle stated that Commission has the right to request an item be placed on an agenda.

Mr. Ball opined an email laying out reasons for discussion of any topic could be sent by one Commission to other Commissioners. Attorney Hall stated the preferable action would be to have a Commissioner request at a meeting to add an agenda at a subsequent meeting, so all discussion is held in the sunshine. She cautioned the email should only contain the request; opinions regarding the topic should not be listed. Mayor Bustle stated an email to Commissioners from a Commissioner could be sent, with instructions to respond to the Mayor approval/disapproval for the item being placed on an agenda; the item would be placed on an agenda if majority rules, but there would be no preparation for the item.

Commission agreed that Commissioners may bring a topic up during their comment time and if Commission agrees the topic will be added to the next agenda. Mr. Williams requested that the email option also be acceptable.

Meeting adjourned at 5:45 pm.

Minutes approved: March 19, 2007, with corrections. (Item #4 Corrected scrivener's error to properly reflect Mayor Bustle vs. Mayor Ball.)



James R. Freeman
City Clerk