

Palmetto City Commission
July 28, 2008 4:00 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 and Others Present:

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

Mayor Bustle called the meeting to order at 4:04 p.m., followed by a moment of silence for overseas military personnel and the Pledge of Allegiance.

1. AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 4-0 to approve the July 28, 2008, 4:00 p.m. agenda.

2. DISCUSSION: PALMETTO ELEMENTARY SCHOOL

Mr. Lukowiak announced the joint meeting with the School board is scheduled August 12, 2008, 6:30 pm at Palmetto Elementary. Mr. Lukowiak updated Commission on discussions that have occurred with representatives from the School Board and Boys & Girls Club regarding the proposed new elementary school site on 10th Street.

Mr. Lukowiak based his update on information provided on a Participation Requirements for Construction spreadsheet, which attached hereto and made a part of these minutes. School Board representative Mike Pendley contributed to the discussion when appropriate. Mr. Lukowiak opined the City should not have to expend any funds toward the project, provided the project progresses as outlined in the spreadsheet.

Commission held a lengthy discussion and requested that staff complete the following actions:

- Language to be included in any Development Agreement that limits the time impact fee credits are available.
- Obtain an appraisal for land that is utilized for ball park purposes.
- Obtain specifics on the contributions area governmental agencies have contributed to new schools within their jurisdictions.
- Obtain the reasons the Boys & Girls Club have never inquired about purchasing their existing site from the City.
- Look at property south of 23rd Street. (Mr. Pendley explained that the population center does not support that site.)
- Obtain written commitment from the School Board that a lab school will be built on the present Palmetto Elementary School site and the timeframe in which the school will be built. (Mr. Pendley explained the process of getting a new school, based on the BEBER Report.)

In addition to the requested additional information, several Commissioners voiced concerns that the present plans for the proposed school route traffic through the neighborhood on 12th Street rather than utilizing 10th Street for entrances and exits.

Mayor Bustle discussed the City's participation in this project being a facilitator. He stated that before the School Board can proceed, they must have some indication from Commission that the City is willing to proceed with the project. He agreed with Mr. Lukowiak that the project will be a net sum gain for all entities. Mr. Williams and Ms. Varnadore voice support for the project, but also opined there is potential for a financial responsibility to the City. Ms. Cornwell and Mrs. Lancaster stated the new school should be built as quickly as possible, with as much support as possible.

Commission declined to make any decision concerning the project until after the joint meeting with the School Board.

In preparation for the joint meeting with the School Board, Attorney Hall briefly reviewed an issue as to what rights the City has concerning two pieces of property on 15th Ave. Dr. W, which is currently a grassy area between the ball fields. Title work has revealed that the City was granted only an easement on the property in 1924 via some type of deed document; a tax deed conveyed the property to the current owner in 1956; the City adopted a resolution in 1990 vacating 15th Ave. Dr. W.; Property Appraiser assumed the City had fee simple title; current owner has never paid taxes on the property. The School Board would like both pieces of property. Mayor Bustle stated he reached out to the property owner about his willingness to resolve the issue so the project could proceed; the property owner declined. The City or the School has three options for resolution: 1) eminent domain; 2) pursue a voluntary sale; or 3) quiet title action.

Ms. Cornwell departed the meeting at 5:20 pm.

2. DISCUSSION: WASTE MANAGEMENT NEGOTIATIONS

As a result of Commission's direction to staff to negotiate the fuel adjustment petition from Waste Management, Frank Brunner, government liaison for Waste Management, narrated a PowerPoint presentation offering the following proposed amendments to the Franchise Agreement for Commission's consideration:

1. Annual price adjustment effective October 1
2. Increase the franchise fee from 12% to 15% (\$90,000 in additional revenue at 15% level)
3. Three year contract extension upon mutual consent (City does not have to exercise at this time)
4. Language to provide an index based automatic annual fuel adjustment as consistent with other local municipalities

Commission discussed the impacts of the proposed amendments vs. delaying any amendment until contract maturity. Commission requested that staff provide information on the impact the proposed adjustments will have on commercial accounts. Mr. Lukowiak explained that the increased franchise fee would assist in meeting the requirements of the new Fund Balance Policy.

It was consensus of Commission to direct staff to further negotiate options with Waste Management, using the four steps as guidelines, retaining the same level of service currently provided the citizens of the City.

Meeting adjourned at 6:15 pm.

Minutes approved: August 25, 2008



James R. Freeman
City Clerk