

Palmetto City Council
January 26, 2004 7:00 PM

Elected Officials Present:

Larry Bustle, Mayor
Tamara Cornwell, Vice Mayor
Shirley Bryant, Council Member
Charlie Grace, Council Member
Mary Lancaster, Council Member
Brian Williams, Council Member

Staff and others present:

Attorney Alan Prather
J. E. Free, Jr., City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, Planner
Diane Ponder, Administrative Assistant

Mayor Bustle called the meeting to order at 7:06 p.m.

Rev. Tabor, Ted Tillis, House of God Church, gave the invocation, followed by the Pledge of Allegiance to the United States Flag.

Chief Garry Lowe recognized the following police officers for their outstanding performance:

Sgt. Scott Tyler - Development of the Citizen's Academy
Crossing Guard Lora Dawkins - Meritorious Award for Life Saving
Corp. Mike Kelly - Promotion to Corporal and performance while serving as a detective
Officer Chad Oyler, Debbie Giddens, Officer Chris Reyes, Officer Hodo, Officer Chris Reyes, Officer Randy Hodo and Reserve Officer Rod Florey for their performance as a unit in a burglary arrest.

Sgt. Scott Tyler recognized all the Crossing Guards that work at the school crossings.

1. APPROVAL OF AGENDA

Ms. Cornwell asked that the agenda be amended to include the nomination of the vice mayor.

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve the January 26, 2004

2. CONSENT AGENDA

- A) Minutes: January 5, 2004 City Council Workshop Minutes
January 5, 2004 City Council Minutes
- B) December Check Register
- C) Dye, Deitrich, Prather, Petruff & St. Paul December 31, 2003 billings
Professional Services - \$16,892.11; Litigation - \$4,322.40
- D) Special function permits: Crop Walk (Church World Service)

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried 5-0 to approve the Consent Agenda.

3. 1st READING & ADVERTISING APPROVAL ORDINANCE NO. 04-792

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT: ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT:

PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (AN0303 - R. D. Hammocks, LLC, PID #1015726009, approx. 1.17 acres)

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded and motion carried 5-0 to approve Ordinance No. 04-792 for advertising and schedule a public hearing March 1, 2004.

4. 1st READING & ADVERTISING APPROVAL ORDINANCE NO. 04-793

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AN AMENDMENT TO THE CITY OF PALMETTO COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP FROM RES-3 (RESIDENTIAL-THREE UNITS PER ACRE/COUNTY) TO PD (PLANNED DEVELOPMENT/CITY) BY INCORPORATING THE LAND LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA0302 - R. D. Hammocks, LLC, PID #1015726009, approx. 1.17 acres).

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approve Ordinance No. 04-793 for advertising and schedule a public hearing March 1, 2004.

5. 1st READING & ADVERTISING APPROVAL ORDINANCE NO. 04-794

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO CHANGE THE ZONING OF THE PROPERTY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE FROM RSF-4.5 (RESIDENTIAL SINGLE FAMILY-4.5 UNITS PER ACRE) TO PD-MU (PLANNED DEVELOPMENT-MULTI USE/CITY); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0307-R.D. Hammocks, LLC, PID #1015726009, approx. 1.17 acres).

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approve Ordinance No. 04-794 for advertising and schedule a public hearing March 1, 2004.

6. CONDITIONAL US EPERMIT - 314 8TH Ave. W.

Ms. McCann requested the item be removed from agenda and rescheduled for the February 16, 2004 meeting due to an advertising conflict.

7. 2004 APPOINTMENTS

The following City Board appointments were presented for Council's approval:

Planning & Zoning Board:	Lynn B. Toombs and Robert Smith
Board of Adjustment:	Robert Miller, Sr.
CRA Board	J. Scott Maloney, W. Allen Langford
Police Officers' Board of Trustees:	Gerald White
Library Board of Trustees	Eddie Bustle
MPO Citizens Advisory Committee	Mickey Penner
Manatee Opportunity Council	Mary Lancaster
Manatee County Fair Board	Tamara Cornwell
Manatee County Riverwalk	Jim Schimpf
Palmetto Historical Commission	Shirley Bryant
Manatee Water Alliance	
Technical Advisory Committee	Chris Lukowiak

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve Mayor Bustle's appointments to the city's boards as presented.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approve Mayor Bustle's appointment of Dye, Deitrich, Prather, Petruff & St. Paul, P.L., as the city's attorney for one year.

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to approve Mayor Bustle's appointment of J. E. Free, Jr. as the City Clerk for one year, subject to the conditions set forth in Mr. Free's memo to Mayor Bustle.

A copy of Mr. Free's memo is attached hereto and made a part of these minutes.

8. RESOLUTION NO. 04-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, DESIGNATING DEPOSITORIES OF CITY FUNDS AND AUTHORIZING CERTAIN FINANCIAL TRANSACTIONS.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried 5-0 to adopt Resolution No. 04-03.

9. RESOLUTION NO. 04-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 03-22, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2003-2004, AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion ensued on leasing v. purchasing major equipment. In as much as the \$47,000 budget increase for the purchase of the Leeboy 685 Motor Grader could contribute to the paving projects, and in keeping with the city's plan to lease major equipment, Council concurred to lease the Leeboy 685 Motor Grader. Mr. Free informed Council a Resolution amending Schedule 2 of the Master Lease Program would be forthcoming the approval.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried 5-0 to purchase the Leeboy 685 Motor Grader by means of the lease purchase, not to exceed \$81,568.

10. RESOLUTION NO. 04-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 03-22, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2003-2004, AND PROVIDING FOR AN EFFECTIVE DATE.

Establishes the Police Department Special Investigation Account.

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried 5-0 to adopt Resolution No. 04-05.

11. RESOLUTION NO. 04-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 03-22, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2003-2004, AND PROVIDING FOR AN EFFECTIVE DATE.

Authorizes payment to U. S. Filter for the rehabilitation of one clarifier.

MOTION: Ms. Cornwell moved. Ms. Bryant seconded and motion carried 5-0 to adopt Resolution No. 04-06.

12. RESOLUTION NO. 04-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 03-22, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2003-2004, AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution No. 04-07 is to provide funding for the purchase of a truck for the Building Department. Discussion ensued on whether or not the third inspector was certified and what types of inspections the three inspectors are qualified to perform. Ms. Cornwell reminded Council that when CRA agreed to fund the third inspector's position, CRA also agreed to fund all related expenses associated with the position. Resolution No. 04-07 was deferred to a later date.

13. DEPARTMENT HEADS' COMMENTS

Chris Lukowiak, Public Works Director

The following topics will be brought to Council for consideration at the February 2, 2004, meeting:

Waste Management Power Point presentation

On Call Policy

Police contamination update

Equitas contract - Will be asking Council to approve the contract without specific work.

The purpose of the contract is to avoid purchasing a video truck.

Jim Free, City Clerk

Expressed appreciation on Council's response to his reappointment. He emphasized he didn't want to place Mayor of Council in a position where they feel like they are compromised, so at any time they feel inclined he will assist in locating and training a new clerk.

A meeting has been scheduled for February 23, 2004, at 7:00 p.m. where Mr. Phil Deaton, a member of the Florida League of Cities Range Rider program, will discuss the city manager form of government.

The RFP for the Stormwater Rate Study will be advertised early in February.

The utility bills will be used to provide information to the public. We have had several requests from citizens regarding direct debit for the payment of the utility bill. The utility department would like to do a survey of the public regarding a direct debit form of payment. The bank will provide information about the two types of debit payments. Information on the sales tax issue will be placed on the utility bills.

A staff meeting is planned for Tuesday morning to discuss the capital improvement projects. The sales tax can have a significant impact in funding the projects. Mayor Bustle suggested bonding the sales tax income. The sales tax can be used for the current and proposed debt of the city. It was also suggested that speakers from organizations supporting the sales tax be invited to speak at the upcoming town hall meetings. Mr. Free stated he received the Executive Summary and the numbers are encouraging.

Mr. Williams asked that information on the utility bills be approved by the department heads and Mayor. Mr. Free stated Council would also receive the information.

Chief Garry Lowe

The two code enforcement officers have completed and passed level one of the code enforcement training.

14. COUNCIL MEMBER'S COMMENT

Charlie Grace

Stated he had spoke with Mr. Free about his plans and was very happy about the reappointment.

Inquired when the last sewer increase was made, with Mr. Free reporting possibly 2000. Mr. Free further stated the rate study the city is preparing for will address sewer fees.

Mr. Williams

Commented on the city's power point in its fair booth. He reported it is not user friendly and stated he would like to see pertinent questions be provided as a tool for the city to use positively. He suggested looking at touch screens at Florida League of Cities if we plan to do the same at the fair next year.

Reported speed limit signs being tampered with in the southeast section of his ward, whereby the speed limit was lowered. Asked that the streets engineer review the topic and make a recommendation as to what the proper speed limit should be. He also stated "Caution Children At Play" signs need to be replaced.

Ms. Bryant

Emails have been passed on to Mr. Lukowiak and shared with Don Patterson who has offered to attend the February 7, 2004, town hall meeting at Tropic Isles. Mr. Lukowiak reported the manager of the park went on a walking tour with Mr. Patterson and Mr. Bloom. A pilot program to reduce the odor is in place.

Stated she appreciates the update on the status of different issues from Attorney Michele Hall.

On Item #7, Terra Ceia CDD, it makes a lot of sense to try work out a package to resolve some of the issues. Requested she continue to be posted on the different topics.

FLOC is August 19, through August 21, 2004. It was requested reservations be made assuming everyone would be attending and would be arriving the day before the conference.

Ms. Cornwell

The FLOC's "City of Excellence" Award deadline is Mary 15, 2004. She also requested the festival listings be submitted.

Liked the city having a questionnaire at the fair.

Commented on the city allowing the employees participating in the mentoring program.

Requested Mrs. Lukowiak to determine if Manatee County is a rural county. It was the opinion of Mr. Prather and Mr. Free that it is not considered rural.

Mrs. Lancaster

Inquired if the speed bumps would be replaced on 13th Street.

Commented on the Council not being previously informed about the \$99,000 expenditure for the clarifier rehabilitation.

Ms. Bryant

Informed Council she passed on to the Police Department information from Mrs. LeMaster and residents about not being allowed to park on the east side of 13th Avenue. Chief Lowe will speak to the school about students parking on the street. The item will brought back to Council at a later date.

Mr. Williams

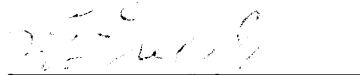
Street lighting on 13th Avenue and 8th Avenue needs to be looked at.

Mrs. Lancaster

Requested that areas of new construction have extra patrol to deter vandalism

Meeting adjourned at 8:50 p.m.

Minutes approved: February 16, 2004



J. E. Free, Jr.
City Clerk



City of Palmetto

Memo

To: Mayor Bustle
From: Jim Free
Date: January 22, 2004
Re: City Clerk Reappointment

I appreciate your confidence in recommending me for reappointment to be your city clerk. I look forward to continuing to work with city staff on our numerous projects.

As you know, I have expressed my desire to reduce my work time this year. From May through October I will be taking several trips of two weeks or more duration, during which time I will place myself on a no pay status with the city. It is my desire not to inhibit any city progress or create management concerns for you and Council.

Should you decide to pursue appointing a new city clerk, I will assist you in working to that end. Should you recommend and Council approves my reappointment, I believe we can continue to manage the city clerk's affairs in a professional manner.