

**Palmetto City Council
June 11, 2001 4: 05 PM**

Elected Officials Present:

**Pat Whitesel, Mayor
Shirley Groover Bryant, Vice-Mayor
Tamara Cornwell, Council Member
Donna Keefer, Council Member
Mary Lancaster, Council Member
Brian Williams, Council Member**

Staff and others present:

**Alan Prather, City Attorney
Karen A. Conlon, City Clerk
Chief Kenny Bright, Palmetto Police Department
Mike Hickey, Public Works Department
Mary Jean Forrester, Deputy City Clerk
Margaret Tusing, Planning and Zoning Director
Tonya Lukowiak, Grant Writer
Karen Simpson, Finance Director**

Mayor Whitesel called the meeting to order at 4:00 p.m.

Ms. Bryant announced Mr. Marble would update Council on the EOC at a later date.

A safety award was presented to the Palmetto Police Department.

1. TIME WARNER FRANCHISE AGREEMENT

Attorney Greg Porges presented the proposed ordinance that will incorporate a franchise agreement in its language. Discussion was held between Attorney Porges and Council Members concerning the city's options under the ordinance. Attorney Prather spoke of benefits to the city through the agreement and recommended adoption of the proposed Time Warner ordinance, as it does not prevent another cable company from entering the city. The presentation of the document this evening is for approval of form and content.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to move forward on the ordinance for Time Warner.

2. MANATEE SCHOOL FOR THE ARTS

Mark Raymond, representing Bank of America, discussed material previously provided to Council on the city's participation in the issuance of Industrial Revenue Bonds benefiting Manatee School for the Arts. Mr. Raymond stated he was asking permission from Council to publish a notice for a public hearing at the July 2, 2001 Council Meeting, where consideration of adoption of a resolution allowing the city's participation will be held. He informed Council the notice is a requirement of the Internal Revenue Code for bond issues.

Mr. Raymond informed Council the city can not be held financially liable for the bonds, nor can Council Members be held personally liable. The bond issue matures 2003, as does the school's charter and its existing debt. Mr. Raymond also stated that all fees incurred by the city's attorney in reviewing the documents had to be borne by the Manatee School for the Arts.

Attorney Prather stated he had found no legal restriction or prohibition to the city accommodating the request.

MOTION: Ms. Bryant moved, Mrs. Keefer seconded and motion carried 4 to 1 that the bond issue for Manatee School for the Arts Agreement be placed on the July 2, 2001 agenda.

3. CRA

The topic is a continuation of the discussion concerning the possible reorganization of the CRA. Also brought up for discussion was the interlocal agreement and the changes desired by the CRA. Attorney Prather has received the proposed revisions to the interlocal agreement by the CRA. Discussion was also held on the interlocal agreement, location of the CRA office, responsibility for city and agency records, interim director position and leadership of the CRA Board.

Discussion was held on the relocations within City Hall; the addition of the Building Department, relocation of the purchasing agent and available space for the relocation of the CRA administrative support personnel.

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried 3 to 2 to change the chairmanship of the CRA and appoint Alan Langford as chair and Scott Maloney vice chair of the CRA. Mrs. Lancaster and Ms. Cornwell voted no.

Mayor Whitesel discussed the visionary process for the city and CRA and feels strongly about applying for a grant in the amount of \$10,000. It was consensus of Council to have a workshop with the CRA Board June 25 or July 9 at a time certain 5:30 p.m. Mrs. Lancaster will report these dates to the CRA Board for their approval.

Mrs. Lancaster reported the CRA Board had approved appointing a review board for the CRA Director position compiled of C.J. Czaia, representing the CRA, a Council Member and a city staff member.

The interlocal agreement was discussed, reducing the 60 days to 45 days and the blank spot of the interim director. Mr. Williams suggested making the change to 45 days and leaving the balance of the interlocal agreement intact.

Cynthia Fobbs, CRA Board Member advised Council the board had met and agreed Tanya Lukowiak would be the person they would name as the interim director. Mrs. Fobbs remarked on the need for Mrs. Lukowiak to be in a professional environment, which she does not have at city hall. She stated it was important to look at the location.

MOTION: Mr. Williams moved, Mrs. Keefer seconded and motion carried 3 to 2 to change the interlocal agreement from 60 to 45 days, leave the other items the same, and send it back to the CRA Board for acceptance. Mrs. Lancaster and Ms. Cornwell voted no.

Residents William McMillan, Cynthia Fobbs, Betty Rhodes, Charles Jackson, and Ruby Falls commented on the CRA issue.

4. CARNEGIE LIBRARY

Mrs. Conlon advised Council she felt this item should have gone out to bid, even though the cost of the cleaning and sealing of the Carnegie Library is under \$10,000.

MOTION: Mrs. Keefer moved, Ms. Bryant seconded to approve the Design Painting bid in the amount of \$2,600 with provision proper documentation of insurance is provided.

Discussion ensued on the language the bid should contain and exactly what the Historical Society wishes to be done. Mrs. Keefer withdrew her motion and Ms. Bryant withdrew her second. Council rejected all submitted bids. This topic will be brought back June 18, 2001.

5. US FILTER

US Filter will be asked to change their contract to reflect a change in notification from 180 days to 90 days. The need to move forward in establishing a rate for reclaimed water was discussed. A workshop was scheduled for July 9, 2001.

Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to approve the June 18, 2001 agenda with additions.

6. DEPARTMENT HEAD REPORTS

Mike Hickey, Public Works Department

Mr. Hickey reviewed the proposed safety shoe policy.

MOTION: Mrs. Lancaster moved, Mrs. Keefer seconded and motion carried unanimously to add the safety shoe policy to the agenda.

MOTION: Mrs. Lancaster moved, Mrs. Keefer seconded and motion carried unanimously to accept the Safety Footwear Policy.

Chief Bright, Police Department

Discussed the process of applying for a grant.

Asked for clarification for translating the noise ordinance into Spanish. It was consensus of Council to translate into Spanish a synopsis of the ordinance that is accurate and easily understood by the public.

Recommended that no parking signs be placed every block on 7th Street, as it is a hurricane evacuation route. Recommended one set of speed signs between 17th Ave. and 20th Ave. on 12th Street. Council approved Chief Bright's recommendations.

Chief Bright presented Council Members with signage for their vehicles that is to be used during an emergency.

Karen Conlon, City Clerk

The DROP Ordinance for the General Employees' Pension Plan will be placed on the June 18, 2001 agenda.

Discussed how expenditures over \$500, in the form of combined purchase orders, are handled under the new purchasing procedure. Mr. Williams discussed how the new budget would address anticipated purchases.

MOTION: Mrs. Keefer moved, Mr. Williams seconded to change the policy to reflect the fact if a problem with a requisition or a transfer of funds is required, it shall be brought back to Council for approval.

After discussion Mrs. Keefer withdrew her motion and Mr. Williams withdrew his second. Mrs. Conlon was directed to develop a policy for expenditures over \$500 and bring back to Council June 18, 2001 for Council review and approval.

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Bank of America will charge non-account holder city employees \$3 to cash their payroll checks. Mrs. Conlon will contact Gerald White about the fee. It was suggested the city might need to check the services of other financial institutions.

7. INDIVIDUAL COMMENTS

Ms. Cornwell

A presentation of the Business 41 designation as a Scenic Highway will be scheduled.

The letter to the Mayor of Bradenton Beach concerning the building official has been prepared.

The electronic mail policy has been distributed to city employees. City Hall employees have been instructed to acknowledge receipt of the policy by signature. The same memo will go to the other departments of the city.

Inquired if Brandt Henningson had contacted Mrs. Lukowiak about P2000 monies. Mrs. Lukowiak repeated she had spoken with Rose Pointer at DEP. Mrs. Lukowiak reported DEP was technically able to fund the city for the balance of the property. Technically, the land being donated by Riviera Dunes is not eligible to count as a match and the property cannot be lumped in whole and the city does not have its 50% match. Mrs. Lukowiak further stated that with the mitigation involved, the city would not receiving funding on that parcel.

Suggested the list developed for spending by CRA should be posted, together with EZ housing funding that is available. It was also suggested a map designating the CRA and EZ boundaries be posted.

Requested Mr. Hickey bring the backflow preventer installation program to Council by July 16, 2001. Mr. Hickey was also directed to prepare a monthly report for Council's review.

Requested a schedule for sinkhole repairs.

Mrs. Keefer

Commented on the synopsis of the Florida Association of City Clerk's conference prepared by Mrs. Conlon. Mrs. Keefer recommended that Mrs. Conlon attend the Florida League of Cities conference this year.

Mrs. Lancaster

Requested an additional speed bump at the end of the Oakridge complex.

Commented on how the decision governing placement of reuse is made.

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Commented on the Enterprise Zone and the fact it doesn't work like CRA, in that they have targeted a particular area.

Commented on two people taking the minutes. Discussion ensued on the responsibility of the city clerk as it pertains to minutes. It was consensus of Council that the City Clerk's administrative assistant is to attend City Council Meetings to take the minutes.

A town hall meeting will be held June 14, 2001 at 6:30 p.m. at the Palmetto Youth Center.

Mr. Williams

Inquired about the city attorney position.

There will be approximately 50 VIP seats at the 4th of July fireworks celebration.

Commented on memo addressing mail coming into the office. Ms. Cornwell stated she does not want her mail opened. Mrs. Conlon will further research the topic with the city attorney.

Discussed CRA funds for public schools.

Inquired how the request for an investigation is moving forward.

Discussed the Time Warner Agreement and how Council was instructed the meeting today was to cover the body of the ordinance. Staff was also asked for input, which was not allowed in the discussion.

Stated each Council Member should be allowed to speak once on an issue before the Mayor comments and another Council Member rebuts.

Council is aware of the Boards in the city and their records are maintained at city hall. CRA funds are spent within CRA boundaries.

Ms. Bryant

Citizens speaking to Council are to identify themselves and their address.

Mayor Whitesel

Will determine the cost of an outside investigation and bring the information back to City Council, following consensus of Council.

8. INDIVIDUAL COMMENTS

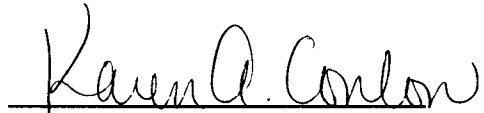
Betty Rose spoke on the CRA topic and how the funds are to help everyone. She also spoke on adults acting as adults.

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Cynthia Fobbs spoke about Statute 163 and stated some TIF money does go into the city's budget, and rodents at Palmetto Trace.

Meeting adjourned at 8:30 p.m.

Minutes approved: July 2, 2001

A handwritten signature in cursive script that reads "Karen A. Conlon". The signature is written in black ink and is positioned above a horizontal line.

Karen A. Conlon
City Clerk

Audio tapes of the meeting are on file in the city clerk's office.