

Palmetto City Council
January 7, 2002 7:00 PM

Elected Officials Present:

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

Staff and others present:

Alan Prather, City Attorney
Dick Groff, City Attorney
Karen A. Conlon, City Clerk
Chief Garry Lowe, Palmetto Police Department
Mike Hickey, Public Works Director
Roger Titus, Building Official
Diane Ponder, Administrative Assistant

Judge Robert Boylston administered the Oath of Office to Mayor Larry Bustle, Council Member Tamara Cornwell and Council Member Charlie Grace.

Officer Tyler Matthews of the Bradenton Police Department sang the National Anthem.

Mr. Frank Brunner led the pledge of allegiance to the United States flag.

Father Lee Miller of St. Mary's Episcopal Church gave the invocation.

Mayor Bustle announced the City Council meeting would be called to order after a short reception.

Mayor Bustle called the City Council meeting to order at 7:30 p.m.

In his opening remarks, a copy of which is attached hereto and made a part of these minutes, Mayor Bustle discussed the following topics, asking Council's approval of his proposals:

- 1) Concept of a team-building retreat utilizing the services of a professional facilitator. The first meeting will be comprised of the Council and Mayor. The second meeting will include the Council, Mayor and department heads.**

Mayor Bustle further requested a budget of \$2,000 for the workshops, funded by the training budget line item.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the concept of a team-building workshop and budget of \$2,000 to come from the training budget line item.

2) Appointment of Garry Lowe as Chief of Police. Mayor Bustle discussed his confidence in Mr. Lowe's ability to provide stability and restore professionalism in the administration of the department. Mayor Bustle asked Council to ratify the appointment of Garry Lowe as Chief of Police of the City of Palmetto for a period of three years, or until a charter revision occurs, whichever is earlier. Mayor Bustle also included in the appointment a provision that, in the event Mr. Lowe voluntarily leaves the chief's position prior to obtaining tenure for a 25-year retirement, and in the absence of termination for cause, that he be allowed to return to the department at a captain's level and at a captain's pay, to complete his pension requirements. Mayor Bustle stated his intention to conduct a performance evaluation at the six month point, anniversary date and then on an annual basis.

MOTION: Mr. Grace moved, Ms. Bryant seconded to approve Garry Lowe as the police chief with Mayor Bustle's stipulations.

Ms. Cornwell voiced her concern for Mr. Lowe being placed in a position that may cause him to have to make decisions concerning people he has worked with for many years who he considers friends. Ms. Cornwell asked Mr. Lowe if he would be able to make the decisions based on those relationships. Mr. Lowe replied in the affirmative, stating a fair judgment would be made on every person needing discipline.

When asked about problems associated with promising a future position, Attorney Prather stated his belief the action of the Council would be kept in mind during the annual budget process. Attorney Prather further stated his office had looked at the proposed appointment at Mayor Bustle's request; there was precedent for it; it is a very limited circumstance not involving dismissal. Attorney Prather stated it is a very limited scope and appears to be appropriate.

The motion on the floor carried by a unanimous vote.

Mrs. Lancaster addressed Council on behalf of the community she represents, giving Mayor Bustle her full support as long as he works for the best interest of all the citizens. Mrs. Lancaster discussed recent events at the police department, urging Chief Lowe to give serious consideration to a continuing position for the former chief. Mrs. Lancaster discussed unacceptable behavior of police officers, stating any officer found guilty of such actions should be terminated. Mrs.

Lancaster thanked the citizens for attending the meeting and welcomed Mayor Bustle as the new chief executive office of Palmetto.

3) Appointment of Dye, Deitrich, Prather, Petruff and St. Paul as city attorney for a one-year period. Mayor Bustle discussed the active and pending legal actions facing the city and the fact the firm has been actively involved in the actions. A copy of the letter from the firm discussing the appointment and the firm's fee is attached hereto and made a part of these minutes.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried 4 to 1 to appoint the firm of Dye, Deitrich, Prather, Petruff and St. Paul for the term of one year as recommended by the Mayor. Mrs. Lancaster voted no.

4) Appointment of Mike Hickey as Public Works Director. Mayor Bustle discussed the professionalism Mr. Hickey has brought to the department and asked Council to ratify Mr. Hickey's appointment for a two-year period, or a charter revision, whichever occurs earlier.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded to extend the term of Public Works Director Michael Hickey for a period of two years, or charter revision, whichever occurs earlier.

Mr. Williams asked about extending the term of Mrs. Conlon until the charter review. Mayor Bustle discussed Mrs. Conlon's term expiring January 2003, concurring with Mr. Williams's suggestion to include Mrs. Conlon in the motion.

MOTION: Mr. Williams moved to amend the motion on the floor to include City Clerk Karen Conlon's position for a period of two years from this date, or a charter revision, whichever occurs earlier. Ms. Bryant seconded the motion.

Ms. Cornwell stated her desire to separate the two items, as she has not received answers to questions she voiced during a meeting with Mrs. Conlon. Following past practice of allowing Council Members time to resolve questions before voting on an issue, Mr. Williams withdrew his motion to amend the motion on the floor and Ms. Bryant removed her second.

The motion on the floor carried by a unanimous vote.

The balance of appointments will be a topic of discussion at the January 14, 2002 council meeting.

Continuing his opening remarks, Mayor Bustle discussed the following topics he plans to bring to Council for their consideration:

- **Vision for Palmetto**
- **Expediency of the Charter review**
- **State of the City report**
- **Revitalization of Sutton Park**
- **Blackstone Park cooperative with Manatee County**
- **Establishment of the Palmetto Foundation**
- **Establishment of an Architectural Review Committee**
- **Formation of an association of Palmetto's mobile home parks**

Mayor Bustle concluded his opening remarks and continued into the agenda.

1. SATISFACTION OF CITY LIENS – GORDON R. MOSKOWITZ

Property owner Gordon R. Moskowitz, via the filing of a Stipulation for Entry of Final Summary Judgment Quieting Title, case no. 2001CA5634, is requesting the city forgive a water tap, sewer tap, water line and paving lien and their accrued interest amounting to \$1,657.36.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to disapprove the request.

Mayor Bustle read a proclamation declaring January 14 – January 18, 2002 as Children's Week and January 16, 2002 as Children's Day.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the proclamation.

The proclamation was accepted by Juanine Lowry and Emily Ferraro, who shared the Florida Children's campaign platform, Children Need Champions.

2. 2ND READING AND PUBLIC HEARING - ORDINANCE NO. 02-01
Ordinance No. 02-01 was read by title.

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO CHAPTER 7, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO RELATING TO THE FLORIDA BUILDING CODE; PROVIDING FOR AMENDMENT OF CHAPTER 7, ARTICLE II, SECTION 7-25, BUILDING-RELATED FEE SCHEDULE, OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CHAPTER 7, ARTICLE III, BUILDING STANDARDS OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CHAPTER 7, ARTICLE IV, ELECTRICAL STANDARDS, OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL

OF CHAPTER 7, ARTICLE V, PLUMBING STANDARDS, OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ARTICLE VI, MECHANICAL CODE AND GAS CODE, OF THE CODE OF ORDINANCES; PROVIDING FOR CREATION IN CHAPTER 7, A NEW ARTICLE III, SECTION 7-31, FLORIDA BUILDING CODE, REFERENCING THE FLORIDA BUILDING CODE TO BE INCLUDED WITHIN THE CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF CHAPTER 17, HOUSING, ARTICLE II, HOUSING STANDARDS, SECTION 17-26, OF THE CODE OF ORDINANCES TO ACKNOWLEDGE THE APPLICABILITY OF THE FLORIDA BUILDING CODE TO HOUSING STANDARDS AND FAIRHOUSING MATTERS; PROVIDING FOR REPEAL OF CHAPTER 17, HOUSING, ARTICLE III, FAIRHOUSING, OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CHAPTER 29, UTILITIES, ARTICLE V, CROSS-CONNECTION CONTROL, DIVISION 2, RULES AND REGULATIONS, SECTION 29-147, EXCERPTS FROM STATE CODES AND REGULATIONS, SUBPARAGRAPH (2), SOUTHERN STANDARD PLUMBING CODE – CHAPTER XII, SECTION 1204, AND SUBPARAGRAPH (3), SOUTHERN STANDARD PLUMBING CODE – APPENDIX D, SECTION D-102, AND SUBPARAGRAPH (4), SOUTHERN STANDARD PLUMBING CODE – APPENDIX D, SECTION D-104, OF THE CODE OF ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bustle opened the public hearing. There was no public comment; Mayor Bustle closed the public hearing.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to adopt Ordinance No. 02-01.

3. COUNCIL APPOINTMENT – GENERAL EMPLOYEES’ RETIREMENT PLAN BOARD OF TRUSTEES

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to appoint Mayor Larry Bustle and Mr. Ken Adams to the General Employees’ Retirement Plan Board of Trustees.

4. HISTORIC PRESERVATION BOARD – PROPERTY TAX EXEMPTION APPLICATION FORM

Council discussed the form, amending the signature portion to read, “The undersigned owner of this property agrees to conform to all applicable laws of the City of Palmetto and to all applicable Federal, State and County laws.” The form was also amended to provide for the “Signature of Owner.”

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve the Historic Preservation Board Property Tax Exemption Application Form as amended.

5. EXPENSES OVER \$500

Mayor Bustle suggested it was time to ease the requirement of this type of expense, thereby removing an obstacle in the functioning of the city. Mrs. Conlon discussed the instances where Council approval would prevail if an item were not included in the budget. She stated she felt large item purchases should still come to Council for discussion prior to approval.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to approve the police department expenses over \$500 not to exceed \$5,285.57.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the public works department expenses over \$500 not to exceed \$10,109.31.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to approve the expenditure not to exceed \$1,250 for repair of Mr. Koper's transmission.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to remove the requirement for prior approval for \$500 or greater expenses.

6. 2002 HOLIDAY SCHEDULE

Discussion ensued on the 2002 holiday schedule as presented. Adjusting the council meeting schedule to correspond with the holiday schedule was discussed. Mayor Bustle requested making January 28, 2002 and February 4, 2002 as 7:00 p.m. meetings.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to declare January 21, 2002 as a holiday, cancel the January 21, 2002 council meeting, and defer the January 28, 2002 and February 4, 2002 council meetings as 7:00 meeting.

Mayor Bustle recessed the meeting at 9:10 p.m. The meeting reconvened at 9:20 p.m.

Discussion continued on the 2002 holiday schedule. The city's holiday schedule deviates from Manatee County's schedule by observing Good Friday vs. President's

Day. It was consensus of Council to delete the proposed July 5, 2002 date and add December 24, 2002 and January 1, 2003 to the proposed holiday schedule.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 4 to 1 to approve the holiday schedule based on the ones discussed that is in compliance with Manatee County, with the exception of President's Day and adding Christmas Eve and January 1, 2003. Mr. Williams voted no.

7. CONSENT AGENDA

- A) Minutes of December 1, and December 17, 2001 meetings.
- B) Dye, Deitrich, Prather, Petruff & St. Paul, P.L. December billing
- C) November and December check registers

MOTION: Ms. Bryant moved, Mr. Grace seconded to approve the Consent Agenda.

Ms. Cornwell requested clarification of the correction to the September 22, 2001 budget workshop minutes be stated for the record. Mrs. Conlon stated the September 22, 2001 minutes reflect a transfer of \$100,000 that should have been recorded as a \$400,000 transfer. She informed Council the Finance Director brought the error to her attention, after which she consulted the tape of the meeting to confirm the \$400,000 transfer.

The motion on the floor passed by a unanimous vote.

8. DEPARTMENT HEAD REPORTS

Mrs. Conlon, City Clerk

Informed Council Manatee Community College is unable to offer the same scope of diversity training as proposed by Chief Lowe and recommended the city do the training as proposed by the chief.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to move forward with the diversity training as soon as possible.

Discussed the special function permit for the Vintage Wheel Car Show on February 2, 2002 from 7 am to 5 pm. Council instructed staff to notify the organizer of the event that cars in the show cannot be parked on the grassy area of Sutton Park and the church's parking lot cannot be utilized as parking for the event.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve the Vintage Wheel Car Show special function permit with the stated stipulations.

Discussed the Martin Luther King Parade on February 19, 2002. Mayor Bustle asked staff to determine if a fire truck or trolley would be available for Council's use and purchase candy. Mr. Hickey requested the opportunity to look into the possibility of using a city vehicle.

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to approve the special function permit for the Martin Luther King Parade contingent upon satisfaction of the use of 8th Avenue & 10th Street and insurance requirements.

Mr. Hickey, Public Works Director

Thanked Mayor Bustle and Council Members for his appointment and confirmation.

The B2/Oakridge and B3/Carr Drain bid notices have been published.

Chief Lowe, Palmetto Police Department

Thanked Mayor Bustle and Council Members for his appointment.

Alan Prather, Attorney

Discussing the suit filed by Manatee County relating to the Forristall annexation, Attorney Prather advised Council the matter remains unresolved. He recommended executing a Stipulation to Terminate Pending Abatement so the issued could move forward. Attorney Prather stated he was more confident in the position of the city since Mrs. Forristall has purchased the FPL property; she has been unable to purchase the CSX subsidiary's property. It was consensus of Council to allow Mr. Prather to sign the Stipulation to Terminate Pending Abatement on behalf of the city.

Thanked the Mayor and City Council for the appointment. Mr. Prather also requested that city staff follow the chain of command when contacting his office on new legal matters.

9. INDIVIDUAL COMMENTS

Ms. Cornwell

Suggested the attorney should attend the January 14, 2002 charter government meeting.

Requested staff notifies the appropriate agencies of the change in elected officials.

Requested the water agreement be included on the agenda of the forum. Also stated the need to be able to voice an opinion on the charter to the county commissioners.

**Palmetto City Council
January 7, 2002**

Congratulated everyone on appointments.

Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to elect Mary Lancaster to the vice mayor position.

Mr. Grace

Inquired about the police department's special fund. Mrs. Conlon informed Council the information had been turned over to the Sheriff's Department, it was an ongoing criminal investigation and she was no longer allowed to discuss the account.

Commented on Council allowing a small group of citizens to bypass Ordinance 97-584 – the Personnel Policy, stating no other citizen was allowed to ignore an ordinance and his opinion it was discrimination and Council's actions had undermined the department heads and supervisors. He stated he would like to have Council come to a consensus, with the Mayor's permission, that no employee may come before Council with any job or work related problems. Each Council commented on Mr. Grace's request. Approval of the request was not granted.

Mrs. Lancaster

Complimented Mr. Hickey's department on the letter from the North River Fire Department.

Mr. Williams

Interest should be added to all permissible liens recorded by the city.

Commented on the "No Parking" signs on 14th Avenue by Blackstone Park and requested Mr. Hickey bring back information as soon as possible.

Stated his opinion it was time the city researched the cost of a new public address system. Ms. Cornwell requested the city investigate the cost of machinery to display materials contained in the agenda packet.

Commented on the white goods pickup date.

Ms. Bryant

Manatee County Fair runs from January 17 through January 26. Reported city staff members have done a wonderful job preparing the city's booth.

Attended a meeting of the Safety Council, who hopes to establish a "Kid's Safe Park" north of the river. Ms. Bryant reported the council would want a representative to attend future meetings.

Advised an appointment to Manasota League of Cities needs to be made. Mayor Bustle reported he wishes to fill the appointment at this time.

10. CITIZEN COMMENTS

Melissa Brewer expressed her pleasure in Chief Lowe's appointment. She thanked Mrs. Lancaster for her leadership in racism and sexism.

Karen Washington thanked the Council for the appointment of Chief Lowe.

William Lowe stated the Mayor and Council had made the right choice in appointing Chief Lowe.

Corp. Tyler discussed the Suncoast Safe Kids organization wanting to do a display at Blackstone Park.

Mayor Bustle stated the meeting had exceeded his expectation and thanked Council for their support. He thanked the audience for attending, stating he appreciated their comments.

Mayor Bustle introduced his wife, Mrs. Edie Bustle.

Mayor Bustle stated he is going to try to hold all meetings to two hours.

Meeting adjourned at 10:45 p.m.

Minutes approved: January 28, 2002



**Karen A. Conlon
City Clerk**

Mayor Bustle's Opening Remarks
City Council Meeting
January 7, 2002

Ladies and gentlemen of the city council, honored guests and citizens, I invite you to join me for an exciting adventure as we enter a new era in Palmetto. We've come a long way under Mayor Whitesel's tenure, and most will agree that the face of Palmetto has changed for the better over the past 5 or 6 years. But, there are many other exciting possibilities ahead of us, and I'd like to describe some of them this evening. As a first order of business, I would like to ask your help and approval of four immediate actions:

First, I need your help to form a team composed of the five of you, plus me – a team that first and foremost keeps Palmetto and what's good for the citizens of Palmetto as our guiding principle. To help us become a team and help us realize the strengths we have together, I want to ask you to participate in a team-building workshop. I'm proposing that we meet at Day Spring Episcopal Center, on a Saturday, as soon as your schedules permit, with a professional facilitator to guide us. I've had a preliminary conversation with a local facilitator who has previously worked with the Clerk of the Courts office and comes highly recommended. I believe he will recommend a couple of sessions for a half day each. The first session would be for just the Council and me. The facilitator will want to contact each council member beforehand. The second session will include the Council, the department heads and me. I'll provide you the details as soon as possible, but for now I need your approval of the idea and for a budget of \$2000 for this purpose. This meeting will have to be a public meeting and therefore we will advertise it. Day Spring is out east just off of Old Tampa Road and is easy to find.

- Motion to approve concept of a team-building workshop and a budget of \$2000 to come from the training budget line item.

Second, I ask for your ratification of the appointment of Garry Lowe as Police Chief of the City of Palmetto for a period of 3 years, or until a charter revision occurs, whichever is earlier – the same as my term of mayor. I am asking this extraordinary term because I believe it is needed to provide stability in that department. Because of Capt. Lowe's long time service to the City of Palmetto – almost 21 years –, I would also ask that you include in the appointment a provision that, should he leave the Police Chief position voluntarily prior to obtaining sufficient tenure for a 25 year retirement, and in the absence of termination for cause, he would be able to return to the police department at the captain level and at captain's pay, to complete his pension requirements. I would

plan to conduct a performance review at the 6 months point and at the year anniversary, then annually.

I have had an opportunity to observe Chief Lowe for the past several weeks as he dealt with numerous, serious problems in the police department. I have been impressed with his thought processes and his prompt and effective handling of these matters. So, I am personally convinced that Chief Lowe is the man for the difficult job of restoring stability and professionalism in the administration of Palmetto's Police Department. As you know, there are serious implications arising from the Manatee Sheriff's Office's investigation of our Police Department. Chief Lowe will be dealing with these matters as a first order of business after his appointment. I assure you that I will be backing him up and conferring with him as required. I would ask all of you in the audience who are waiting to see what happens in the PPD, to be patient and let the new chief do his job. I believe you will be pleased with the outcome.

- Motion to ratify appointment of Garry Lowe as Chief of Police of the City of Palmetto for a period of 3 years, or until a charter revision occurs, whichever is earlier, with an additional provision that should he leave the position of Police Chief voluntarily prior to obtaining sufficient tenure for a 25 year retirement, and in the absence of termination for cause, he would be able to return to the police department at a captain position and pay to complete his pension requirements.

Third, in a further attempt to stabilize Palmetto's city government, I am this evening submitting for your approval the appointment of the firm of Dye, Deitrich, Prather, Petruff and St. Paul as attorneys for the City of Palmetto for a period of one year. I believe that the active and pending legal actions facing the city and our current attorney's involvement in these actions would make it unwise to consider any changes in city attorneys at this time. I ask your approval of this nomination. You should have received in your mail boxes a letter from Dye, Deitrich, et al regarding this appointment and their proposed rates for the coming year.

- Motion to appoint the firm of Dye, Deitrich, Prather, Petruff and St. Paul as attorneys for the City of Palmetto for a period of one year.

Fourth, as the last one of the appointments, I ask your ratification of the appointment of Mr. Mike Hickey as Public Works Director for a period of 2 years, or a charter revision, whichever occurs earlier. Mr. Hickey has brought a commendable degree of professionalism to our public works department and I would like to see him continue. I am asking for this extended period of 2 years to add, once again, stability to Palmetto's City Government. Let's try together to remove department head turnover as a problem itself. We have enough other problems to address without having to replace department heads.

- Motion to appoint Mr. Mike Hickey as Public Works Director for a period of 2 years, or a charter revision, whichever occurs earlier.

There are a number of appointments to boards and committees, which are due near term. I would like to defer discussion of these appointments until next Monday, which is an administrative session. I'd like to ask you to be prepared with the names of your nominees for these positions, plus I'd like to discuss with you our expectations for these committees and boards.

In the coming months I plan to get very involved in all aspects of the administration of the city. In my campaign I mentioned that I would like to do a review of our financial situation as well as a review of the state of our planning in Palmetto; especially capital improvements planning. We need to take a hard look at the planning for our streets, sewers, water distribution, stormwater and re-use water systems to make sure that what we are doing is correct. I'm going to do all of this, with staff help, but I'm not going into details on this tonight.

I will continue the cooperative efforts underway with the City of Bradenton such as the Riverwalk Project, and I have been offered assistance by Mayor Poston in any areas where they can be of help. Similarly, members of the County Commission have offered their assistance to us. Palmetto will continue to be represented in regional, state and national organizations, as required, to make sure that we take advantage of any opportunities for funding or other resources available.

Now, I mentioned that there are some exciting possibilities on the horizon for Palmetto. Here are some of the ideas I will be bringing to you in the future for your consideration:

- First, I believe it would be helpful for all of us to update our vision for Palmetto, so I would ask you to participate with me in a Visioning Exercise. This grassroots vision, with community buy-in and fine-tuning by the Council and Mayor team, would be our roadmap for the next 5-10 years. At a later meeting I will be asking your approval of the concept and for any funding involved
- Second, it has become very obvious to me over the past 6 months that we need to speed up our review of the city charter. I submit to you that there are some provisions of our present charter that stand in the way of good government for the city of Palmetto. Like the Visioning Exercise I just discussed, this charter review should involve the community and be guided by active participation by the Council and the Mayor. I would like to have the Charter Revision provisions done in time to be included in the 2003 elections. I'll be coming back to you with a proposal for an action plan.
- Third, I would like to present to you my view of the State of the City. This will be a report by the mayor to the city on my assessment of the physical and fiscal/financial health of the city. I will require input from department heads (Clerk, PW Director, PPD Chief, Attorney). I would like to receive department heads input by April 1, 2002---3 months from now. I would like to present to you a State of the City document by June 3, 2002.
- Fourth, I would like to develop a monthly newsletter to be included along with water bill mailing
 - One page in length
 - Current events reporting
 - Department heads input required
 - Council approval required for concept and funding.
- Fifth, I would like to see us revitalize Sutton Park and encourage its use as a community meeting place.

- Band Shell project (a proposal):
 - Possible CRA project?
 - Opens up possibility of monthly/quarterly community get-togethers
 - Possibility of cultural festivities, like Cinco de Mayo, Martin Luther King, Jr. celebration, Tomato Festival, etc.
- Sixth, I would like to pursue a Blackstone Park-cooperative effort with Manatee County, School Board, the City of Palmetto and organizations and individuals of the community. (a proposal):
 - Features could include:
 - Olympic-size swimming pool
 - Skateboard park
 - A senior citizens center
 - Fully developed park with facilities equal to/better than G.T. Bray Park
- Seventh, I propose to establish a Palmetto Foundation
 - Believe there are many residents of Palmetto who might like to leave a portion of their estate to such a foundation, if the objectives are right.
 - Establish a foundation board which would recommend/define objectives and purpose of such a foundation.
 - Would provide an endowment to provide continuing support to Palmetto
- Eighth, I would propose to establish an Architectural Review Committee
 - Possibly 7 members
 - Task: to review all developments for conformance to architectural and aesthetic standards
 - Develop architectural and aesthetic standards – (COB has straw man structure...)
 - Function like planning & zoning?
 - Council to approve and pass ordinance establishing committee
- Ninth, I would like to investigate forming an association of mobile home parks in Palmetto. There are 7 mobile home parks and possibly some advantages to an association where they could pool their talents and resources. As a minimum, they might

be able to share their videos, books and tapes with each other. This idea was proposed by Mr. Bud Garrett of Tropic Isles MHP.

These are just a few of the ideas I have for Palmetto, and I'm going to need Council support for all of them. I would also like to have your ideas of what you and your constituents would like to see us do in Palmetto.

I plan to resume weekly meetings with department heads, and I encourage you to attend any or all of these meetings as your schedules permit. I plan to retain the Council liaisons with each department because I believe it will assist the communications between the departments and the Council. I recognize that each of you Council members will have a need to deal directly with the departments to obtain information and to pass on information. I would ask that if you have a problem with a department, especially with a department head, please tell me and let me work the problem. If we are to get our department personnel working to their utmost efficiency we need to maintain the chain of command. I've been elected to be the CEO of Palmetto City Government and I ask that you let me do my job.

Finally, I am excited about the opportunity to serve Palmetto and to work with you. I am confident that our team will produce great results. Now, let's get on with the rest of tonight's agenda.

**CITY OF PALMETTO
OATH OF OFFICE**

I, Charlie Grace, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida and of the City of Palmetto; that I am qualified to hold office under the Constitution and laws of the State of Florida, and under the Charter and Ordinances of the City of Palmetto; that I will well and faithfully perform at all times the duties of City Council Member in which I am now about to enter, so help me God.

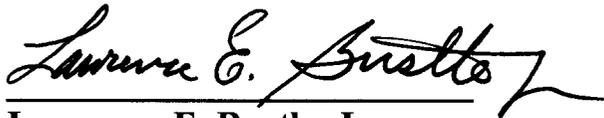


Walt C. Grace

Date: January 7, 2002

**CITY OF PALMETTO
OATH OF OFFICE**

I, Larry Bustle, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida and of the City of Palmetto; that I am qualified to hold office under the Constitution and laws of the State of Florida, and under the Charter and Ordinances of the City of Palmetto; that I will well and faithfully perform at all times the duties of Mayor in which I am now about to enter, so help me God.

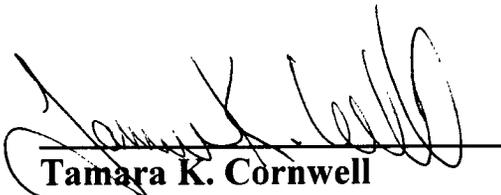


Lawrence E. Bustle, Jr.

Date: January 7, 2002

**CITY OF PALMETTO
OATH OF OFFICE**

I, Tamara K. Cornwell, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida and of the City of Palmetto; that I am qualified to hold office under the Constitution and laws of the State of Florida, and under the Charter and Ordinances of the City of Palmetto; that I will well and faithfully perform at all times the duties of City Council Member in which I am now about to enter, so help me God.


Tamara K. Cornwell

Date: January 7, 2002

DYE, DEITRICH, PRATHER, PETRUFF & ST. PAUL, P. L.

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Of Counsel:

Robert L. Scott[‡]

January 4, 2002

The Honorable Larry Bustle, Mayor
City of Palmetto
P. O. Box 1209
Palmetto, FL 34220-1209

Re: City of Palmetto; Reappointment As City Attorney

Dear Mayor Bustle:

Pursuant to our recent discussions regarding the above-referenced matter, we have considered the issue of reappointment as City Attorney and would be amenable to that action.

The City obviously expects and is entitled to receive from its City Attorney, competent legal advice that is not influenced by political issues so that the advice rendered is predicated solely upon the best interest of the City as the client. As you know, our firm offers a full range of services relating to local government law with three members of the firm being certified by the Florida Bar as specialists in City, County and Local Government Law. The firm also has an expertise in environmental matters and a member of the firm has a significant concentration in police and public employee matters as well as, Americans With Disabilities Act and sexual harassment issues as they apply to local government operations. Therefore, we consider ourselves

The Honorable Larry Bustle, Mayor
January 4, 2002
Page 2

uniquely qualified to continue rendering competent legal services to the City.

As a result, we propose to represent the City as City Attorney based on a two-tiered approach:

A. Regular, customary and normal City Attorney representation involving non-litigation/non-administrative proceedings will be rendered at the rate of \$145.00 an hour. This representation would involve attending the two regular City Council meetings per month and administrative meetings as requested or necessary; preparation of all documents such as ordinances, contracts, resolutions, comprehensive plan amendments, land development code/land use regulations; addressing purchasing issues; and advising staff and elected officials regarding environmental, public employee and general local governmental issues.

B. Specialized City Attorney services to include all litigation and administrative hearings/proceedings, including actions at law or in equity, any appeals, Department of Administrative Hearing proceedings, EEOC proceedings, Burt Harris Act proceedings, eminent domain, mediation, dispute resolution or arbitration will be rendered at the rate of \$160.00 per hour.

The foregoing would apply from the date of appointment through expiration of our term of appointment. Effective with the appointments in January, 2003, we would then address an appropriate fee for the continued representation of the City should we be reappointed for that period of time.

After you have had an opportunity to review the foregoing, please contact me concerning any questions or issues you may have regarding this matter.

Very truly yours,



Alan Hardy Prather

bp

cc: City Council

Karen A. Conlon, City Clerk

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