

**Palmetto City Council
April 17, 2000 7: 00 PM**

Elected Officials Present:

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

Staff and others present:

**Patricia Petruff, City Attorney
Ken Bright, Chief of Police
David Meng, City Clerk
Mary Jean Forrester, Deputy City Clerk
Allen Tusing, Public Works
Margaret Tusing, City Planner
Ron Koper, Risk Manager/Safety Director
Diane Ponder, Administrative Assistant**

Chief Bright gave the invocation followed by the pledge to the United States flag.

Ron Koper, Risk Manager/Safety Director, awarded a certificate of Honorable Mention from the Tampa Area Safety Commission to Dave Meng, City Clerk, for 44,755 hours of time worked by City employees with no time lost to accidents.

Mayor Whitesel read a proclamation designating April 23 through April 30, 2000, as Children's Week in the City of Palmetto.

Chief Bright awarded a certificate of promotion to Sgt. Scott Tyler.

1. RESOLUTION NO. 00-06

A RESOLUTION AUTHORIZING EXECUTION OF A UTILITY AGREEMENT FOR PURPOSES TO CONSTRUCT OR RECONSTRUCT A TRANSPORTATION FACILITY WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, AND PROVIDING AN EFFECTIVE DATE.

Mr. Tusing explained this was a standard relocation agreement used by FDOT for relocating City owned utilities that were placed in FDOT right-of-way on US 301. Ms. Petruff advised Council the original easement/permit could contain a clause requiring the City to absorb any relocation costs, but the document would have to be reviewed and the findings reported back to Council.

There was no action taken on Resolution No. 00-06.

2. AGRICULTURAL MUSEUM EXPANSION

Margaret Tusing presented plans for a 630 square foot expansion on the west side of the museum, explaining since the City owned the building and leased it any improvements would have to be approved by the City. She further explained the need to establish a side yard setback 5.5 feet from the west property line.

Mrs. Tusing also discussed an existing driveway that occupies space on both City property and property owned by First Baptist Church. The church has been notified regarding the driveway but did not respond. Mrs. Tusing states the driveway is large enough to allow the removal of the area located on City property, which would then require new curbing. Nick Baden, representative of the museum, stated the cost associated with pouring new curbing would be paid by the museum.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to approve a 630 square foot expansion of the Agricultural Museum and establish a side yard setback of 5.5 feet, together with any agreement between the City and Agricultural Museum regarding the driveway.

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3. SALE OF CITY OWNED PROPERTY

Dave Meng presented to Council his recommendation to sell a surplus piece of City owned property, parcel ID #28757.0000/8, Lot 4, Block A, Brunjes Subdivision.

Mrs. Lancaster requested that a list of City owned property be prepared for Council's review.

MOTION: Ms. Bryant moved, Mrs. Keefer seconded and motion carried unanimously to declare Parcel #28757.0000/8 surplus because of no economic value to the City, and instructed staff to advertise for bids.

4. CITY VEHICLE POLICY

The proposed amendment to the City of Palmetto Personnel Policy, Section 4.05 Standards of Conduct was read as follows:

Unauthorized personal or private use of City-owned vehicles or equipment will result in disciplinary action. It is the policy of the City that elected officials are authorized use of City-owned vehicles during a declared state of emergency, subject to Council's approval. Contractual employees are authorized use of City of Palmetto vehicles when conducting City business.

MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to amend the City of Palmetto Personnel Policies as read.

5. PALMETTO BRANCH LIBRARY

Discussing the Palmetto Library lease with Manatee County, insurance being the item of greatest concern to Council, Ms. Petruff informed Council that Manatee County is self-insured and does not insure buildings they do not own.

MOTION: Mrs. Keefer moved, Mr. Williams seconded and motion carried unanimously to instruct city attorney to prepare the lease, changing item #5 to read rent for the property leased during the term shall not exceed the cost to City of providing liability insurance, to be adjusted on an annual basis..

6. P2000 GRANT

Mayor Whitesel explained the \$500,000 acquisition of 11 acres contiguous to the estuary, and the fact the City needs help in writing the grant application for the purchase. Ms. Petruff explained the steps that would be taken by the State when viewing the grant application. Council members voiced their concerns regarding environmental issues and outlay of City funds in obtaining the grant and purchasing the property.

Mayor Whitesel will find out if Deborah Gestner will write the grant and if the administrative fee will be included in the grant funding. She will also determine and advise Council how the administrative fee is handled if no grant is awarded.

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion passed four to one to move forward in the P2000 grant application for the acquisition of 11 acres at a net amount of \$500,000. Ms. Bryant voted no.

7. CONSENT AGENDA: Minutes of March 27 and March 30, 2000 and April 3, 2000

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to approve the consent agenda.

8. MAYOR'S REPORT

Public Works expenditure over \$500 for tree removal.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve tree removal not to exceed \$1,170.

Comprehensive Annual Financial Report for fiscal year 1998-1999.

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to accept the Comprehensive Annual Financial Report for fiscal year 1998-1999.

Mayor Whitesel presented a sketch depicting street striping and brick crosswalks at the south entrance of the City to aid in slowing traffic coming into town off the Green Bridge.

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8. MAYOR'S REPORT (continued)

Mayor Whitesel distributed a list of projects in progress. It was her suggestion a retreat be scheduled in the near future to discuss this list and any other projects and items affecting the City.

9. COUNCIL COMMENTS

Mrs. Keefer

Mrs. Keefer reported the unsightly appearance of the one-way street along Palmetto Elementary. Mr. Tusing advised Council the company littering with cardboard boxes and furniture had been noticed they could not place refuse there and would be immediately cited in the future. Public Works will check on the drainage in the area and report back their findings.

Mrs. Keefer discussed her concern relating to scheduled CRA meetings that have been cancelled. Mr. Williams explained the cancellation of the last meeting.

Mrs. Keefer brought up the one-year appointments of department heads and her belief it is inequitable to the involved personnel. Mr. Williams reminded Council a change in the City of Palmetto Charter would have to be made to extend appointments of department heads beyond one year. It was his opinion the present terms work effectively. Mrs. Lancaster concurred with Mr. Williams but felt a midterm evaluation of the department heads should be made. Council discussed a city manager form of government, which would free the Mayor of responsibilities that would fall under a city manager. It was the consensus of Council that one-year appointments for department heads would remain in force.

Mrs. Lancaster:

Mrs. Lancaster requested a listing of areas needing additional lighting. Chief Bright is in the process of preparing the information and will have it to Mayor Whitesel before the end of the week.

Mrs. Lancaster reported on the area around the Head Start facility. Mr. Tusing advised Council Ms. Cook has written Head Start instructing them the area must be cleaned immediately.

Mrs. Lancaster expressed her desire to see two additional members be appointed to the CRA Board. Ms. Petruff read Section 163.3157, which states the CRA Board can have not fewer than five or more than seven members. Mr. Williams suggested one member be appointed from Ward 1 and one from Ward 2. Mayor Whitesel will address the appointments at the next meeting.

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9. COUNCIL COMMENTS (continued)

Mr. Williams

Mr. Williams suggested when renting City parks, a maximum number of attendees be set in the Ordinance the attorney is preparing. If the gathering is going to exceed stated maximum amount a special function permit should be obtained. The issue of insurance being required was discussed. Ms. Bryant suggested all areas should be looked at so the Ordinance would be consistent in covering all parks. Staff involved in this responsibility should be contacted on their opinions regarding this issue. When a maximum number is determined it should be brought back for Council's approval before completion of the Ordinance.

Mr. Williams asked permission for the City to move forward in the application for the Front Porch Grant. A letter will be written to Drug Free Communities advising them to complete the application.

Ms. Cornwell

Ms. Cornwell asked whether the recycle bins had been purchased with the grant money. Mayor Whitesel will check with Public Works.

Ms. Cornwell asked whether City Council will be participate in the Children's Parade. Mrs. Forrester was asked to get the particulars and advise council members.

Ms. Cornwell asked that the status of the Public Works Director position be placed on the project list.

Mayor Whitesel

Mayor Whitesel informed Council the Volunteer's Dinner will be held May 5, 2000 at the Woman's Club. Council will be responsible for setup, decoration and cleanup. It was suggested Midtown Catering be contacted about the event. Council will serve as the committee to prepare and clean the Woman's Club.

The need for a part-time events coordinator was discussed.

Ms. Petruff requested direction on the Lincoln Park agreement as it did not contain any language on Lincoln Middle School having priority use. She advised Council any agreement between the City of Palmetto and Manatee County regarding parks would be subject to the inter-local agreement between the Manatee County School Board and Manatee County.

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9. COUNCIL COMMENTS (continued)

Mayor Whitesel (continued)

Mr. Williams asked about the City of Palmetto having priority use of the park. Ms. Petruff advised the agreement did not contain prior use language. It was consensus of Council, if the School Board wishes the agreement between City of Palmetto and Manatee County to be amended it should include some language which would provide some priority use by schools located in the Palmetto vicinity. It was consensus of Council the City of Palmetto should not have the right to preempt a previously scheduled event at the park.

Mrs. Petruff discussed the latest draft of the DEP Consent Order. The main concern in the Order is DEP asking the City, within a certain time frame, to pick between two options. A meeting will be held with Smith and Gillespie and recommendations for each option will be brought to Council for their review.

10. CITIZEN COMMENTS

Mike Taylor gave a brief report on the upcoming field trip for the Boys and Girls Club to a skate part in St. Petersburg.

The meeting ended at 9:30 PM.

Approved: May 1, 2000


City Clerk

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