

PALMETTO CITY COUNCIL  
WORKSHOP MINUTES  
SEPTEMBER 8, 2003

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:

Jim Free, City Clerk  
Chief Garry Lowe  
Captain Clyde Hedrick  
Allen Tusing, Interim Public Works Director  
Diane Ponder, Administrative Assistant

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

Pastor Thomas E. Green, East Palmetto Church of Christ and Chaplain of North River Fire District, gave the invocation followed by the Pledge of Allegiance to the United States Flag.

Mayor Bustle read a proclamation declaring September, 2003 National Alcohol and Drug Addiction Recovery Month. Michael Frascetta, Program Manager of Prevention and Intervention, Manatee Glens, accepted the proclamation. Mr. Frascetta extended an invitation to the Sober Fest scheduled Sunday in Sutton Park.

Mayor Bustle read a proclamation declaring September 11, 2003 Tribute to Heroes Day, and directed that the Flag of the United States be flown at half-staff on September 11, 2003. Chief David Quaderer, Manatee County Fire Chief's Association, Chief Garry Lowe, Palmetto Police Department and Captain Ronnie Washington, North River Fire Department accepted the proclamation.

1. APPROVAL OF AGENDA

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the September 8, 2003 agenda.

2. FRDAP GRANT PRESENTATION

Tanya Lukowiak, Grants Coordinator, sought Council's approval to submit an application for FRDAP grant funding for the enhancement of Lamb and Sutton Park as one downtown park complex. Palmetto Downtown Community Partnership has committed to participate financially, but has not provided the dollar amount. The Manatee County School Board will also be contacted about participating in a financial capacity. The City's match is estimated at \$135,000 which CRA, will fund in total or the difference of any outside funding.

MOTION: Ms. Bryant moved, Mr. Grace seconded and motion carried unanimously to authorize Ms. Lukowiak to proceed with the FRDAP Grant application for the Lamb and Sutton Park complex.

### 3. PUBLIC WORKS DIRECTOR APPOINTMENT

Mayor Bustle submitted to Council the nomination of Chris Lukowiak as Director of the Public Works Department. Mayor Bustle referred to Mr. Lukowiak's qualifications and the time he spent with Mr. Tusing.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to confirm Mayor Bustle's recommendation to appoint Chris Lukowiak as Director of the Public Works Department.

### 4. RESOLUTION NO. 03-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, ENDORSING THE USE OF LOCAL AGENCY AGREEMENTS BETWEEN THE CITY AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE CITY PUBLIC WORKS DIRECTOR TO SUBMIT A LOCAL AGENCY CERTIFICATION REQUEST TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR THE READING OF THIS RESOLUTION BY TITLE ONLY; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to adopt Resolution No. 03-18.

### 5. APPROVAL - CITY COUNCIL APPOINTMENTS

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded and motion carried unanimously to appoint Jeff Hale as Code Enforcement Director and Laura Flores as Code Enforcement Officer.

#### Mr. Free, City Clerk

Mr. Free discussed a recent meeting he, Mr. Tusing and Sanitation Supervisor Butch David had with Waste Management concerning the City's solid waste program. Last year the topic was researched because of the difficulty in supporting the program with the current revenue stream. The City faces major capital expenditures as a result of NPDES mandates governing the storage and replacement of the City's garbage trucks. The City will be able to piggy-back onto the Manatee County contract with Waste Management with no increase in current fees.

Discussion ensued on the placement of City employees. Mr. Tusing stated three employees that have a long tenure with the City can be placed in different positions within the City. Waste Management has indicated the balance of the division's employees can be placed in its organization provided they pass a drug screening and meet its criteria.

Discussion ensued on the need to bid the service. Staff was instructed to research the topic to determine if other companies could provide a comparable service for less. If no better program can be located, Waste Management will be asked to make a formal presentation to Council.

Mayor Bustle

Mayor Bustle distributed a point paper on Palmetto's sewage problems, which is attached hereto and made a part of these minutes. In discussing the items, he advised Council JEA has subcontracted with a company to inspect the 24" main, which is possibly the primary problem area. To inspect the line a bypass of the sewer line will be constructed so the line may be cleaned and videoed. Mayor Bustle recommended, and Council concurred, to reline the pipe, if possible, at the time of bypass. Mr. Free stated the City can fund the project but it would be preferable to obtain funding through the SRF loan and seek reimbursement.

Mayor Bustle informed Council that he would like to take the contents of the point paper and construct a letter to Mr. Snipes and residents. Council concurred. It was suggested that Mr. Snipes be kept abreast of each action the City takes to correct the problem. It was also recommended the City maintains complete documentation of both problems and solutions.

Mr. Free informed Council the Waste Water Facility Plan prepared by JEA was the basis for the \$4 million SRF loan that was approved in 1999. The State has extended the opportunity to use the funds for two years, without the City applying for funding. It is his opinion the City may be able to secure the funds if the City shows it is serious in its plan to begin the projects identified in the plan.

There is approximately \$800,000 available on the SRF Stormwater loan, at a 3.2% rate, for which staff is preparing documentation to draw down funds. Mr. Free stated a public hearing to discuss the plan is required, which he would like to schedule within the next 30 days. JEA will be asked to brief Council on its I&I Plan update within the same time frame.

Mayor Bustle announced the permit for the waste water treatment plat was issued on September 4, 2003.

Attorney Witt reviewed the lease on the restaurant at Regatta Point and opined only a restaurant may be operated at the site. In light of the opinion, Joyland has withdrawn its application.

Mayor Bustle offered his condolences to the Washington and Lowe families for the tragic loss of Stan Washington, Jr.

Mayor Bustle stated the City needs to actively seek candidates for the Public Works Deputy Director position.

The Joint Planning Commission approved the annexation of a subdivision into the City of Bradenton. Committee members agreed the municipalities need to submit their respective UDZ's so JPC can approve them. City Planner Jessica McCann is finalizing the City's UDZ map for submittal and approval.

Brian Williams

Commenting on the letter from the attorney regarding the School Board's impact fees, he stated the process is moving forward in the appropriate manner.

The Citation Ordinance implies that police officers need to be appointed in writing by Council. Mr. Williams requested an opinion on the topic from the attorney.

Ms. Cornwell

Inquired about the camera the City purchased from US Filter. City records indicate the City did not purchase the camera.

Code Enforcement officers will be working weekends.

Requested the Code Enforcement cars and uniforms be added to the list of items to be funded by CRA.

Ms. Bryant

The Historic Commission has submitted its list of projects that need attention. The Carnegie Library roof repair will be funded this fiscal year.

The Tail Board contains an article recognizing Mr. Tusing's 30 years of service to City.

Mrs. Lancaster

Crews are currently patching potholes.

Thanked staff for information being provided to Council in a timely manner.

Mr. Free distributed a draft of a Stand-by Pay and On-Call Storm Related Pay policy. Council was asked to submit their comments to Ms. Ponder. In certain instances such as a declared emergency, the City may be reimbursed. The policy does not include department heads or salaried personnel, who are given the opportunity to take time off during the same pay period. Ms. Cornwell stressed that individuals must answer City provided phones/pagers when they are on call.

PUBLIC COMMENT

Norris Johnson read a letter to Council stating his concerns regarding events taking place at Riverside Park, a copy of which is attached hereto and made a part of these minutes. Staff will address topics in the letter and report back to Council.

FISCALYEAR 03-04 BUDGET DISCUSSION

Salaries

Mr. Free discussed the study Cody & Associates performed on the City's pay plan, explaining the study was performed from job descriptions and surveys supplied by the employee, with their supervisor's approval. He stated some positions needed additional review. Discussion ensued on implementing the plan, which would require some positions to be raised to the minimum level as well as freezing some positions, vs. an across the board 4% pay increase.

Council discussed approving a 2.5% COLA, and then providing the additional 2% merit increase on the employees' anniversary date. It was also suggested an additional 1% could be approved for October 1, 2003, with the other percentage to be given on the anniversary date for those employees having anniversary dates late in the year.

Discussion ensued on a merit increase, with Mrs. Lancaster voicing concern that type of increase may not be done on an equitable basis.

Continuing the discussion on the study, questions arose regarding job titles of "manager" and "supervisor" and the opinion both positions carry the same type of responsibilities but receive different compensation. Other variances in the study were also noted, with Mr. Free responding Cody & Associates can audit up to sixty positions of the City for an additional \$2,500. Council concurred to expend the additional funds to have Cody & Associates perform an audit, making sure special note is made of the disparity in the police department's top officers' salaries. Cody & Associates will be asked to come to Council to provide recommendations on how to phase in the plan, so Council can personally seek answers to their questions.

Discussion concluded with Council concurring the 2.5% COLA will be granted on October 1, 2003. Any additional increase will be priced not to exceed \$250,000 including pension and benefits, which will fund the 2.5% COLA increase, leaving the balance of funds in the budget for additional reclassifications or increases at the employees' anniversary date.

The topic of Mayor and Council salary adjustments was discussed. Staff will obtain the Charter Review Committee's recommendations for discussion at the next meeting.

#### Health Insurance

Mr. Free discussed the City's health insurance program, and informed Council there would be no adjustments to the cost of health insurance this year.

#### Tuition Reimbursement

The Tuition Reimbursement Policy will be incorporated into the Personnel Policy. Council reiterated that only classes directly related to the employees' position shall be reimbursable.

#### Take Home Vehicles

Council was informed how surrounding municipalities issues take home vehicles to their employees and police departments. Chief Lowe discussed amending Section 104.1 of the police department's policy to establish eight miles from the City limits as the perimeter limit for take home vehicles. Section 104.3 will be amended regarding the dress code for off duty police officers in take home vehicles. Council asked Chief Lowe to establish a preference for issuing take home vehicles. He was also asked to establish a map showing a two, five and eight mile radius. Council also concurred that no new vehicles would be purchased to implement the policy.

Mr. Free informed Council that Purchasing would be moving to the Public Works Department to assume control of inventory. He will recommend an increase for the Purchasing position commiserate with the increased responsibility.

Mayor Bustle asked that Council remember the General Fund budget does not contain funding for projects and is based on last year's millage rate of \$4.665. He asked that Council consider if the City needs to have a revenue stream in the General Fund that will augment the revenue coming from the Enterprise Funds to do the proposed projects. He also asked Council to consider whether a Disaster Contingency Fund in the General


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Fund should be funded. He suggested that possibly a fraction of a mill could be dedicated in the General Fund to support debt service for the projects. Mr. Free cautioned that is not properly worded such an ad valorem increase could preclude the City being able to substitute any future sales increase to replace the ad valorem increase. Mayor Bustle stated that if an increase in millage is not forthcoming the City may have to look closely at the City's utility rates.

Council concurred with the terms Mayor Bustle set forth in Mr. Lukowiak's appointment as Director of Public Works.

Meeting adjourned at 8:30 p.m.

Minutes approved: September 8, 2003

  
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J. E. Free, Jr.  
City Clerk

Point Paper  
on  
Palmetto Sewage Problems  
September 3, 2003

- The City has experienced numerous sewer manhole and a few residential commode and/or bathtub back ups.
  - These problems have occurred because of :
    - Prolonged rainfall that saturates the ground and raises the water table, accompanied by large amounts of rain in a short period of time.
    - A very old sanitary sewer system which has areas in which stormwater can enter the sewer system and put an abnormal load on the system.
    - Once the system is overloaded the excess water has no place to go except up manholes and certain residential systems.
    - In some cases, residential sewer line “clean-outs” have had their plugs knocked off (e.g., by a lawn mower) or have been intentionally opened so that a flooded lawn can drain into the sewer.
- The impact of these overflows is significant and could lead to health concerns, in addition to a great inconvenience to the people near these eruptions of raw sewage.
- The City of Palmetto is taking steps which we are confident will lead to a solution to the problem:
  - JEA, Inc, the City’s engineering consultants, have been contracted to update the City’s Infiltration & Infusion ( I & I) plan, specifically concentrating on a 24” main from the vicinity of 20<sup>th</sup> Ave. W., westward to 28<sup>th</sup> Ave. W., parallel to 10<sup>th</sup> St. W.
    - This update will inspect likely areas where storm water is believed to be entering the sewer system.
    - It will determine the preferred type of fix to the problems found: either to reline the pipes or to replace them. ✕
    - Fixes will be developed and implemented for those areas which are believed to be causing the specific problems on 20<sup>th</sup> Ave. W., 12<sup>th</sup> St. Ct. E. and 13<sup>th</sup> St. W.
    - The City’s Wastewater Facility Plan is being reviewed and updated for possible implementation, depending on costs involved and funding possibilities.
  - In the near term three segments of 5<sup>th</sup> , 6<sup>th</sup> and 7<sup>th</sup> Streets West will be scheduled for rebuilding, including the water and sewer pipes underneath.
    - These three streets are very old and they have known I & I problems.
    - These three streets’ sewers flow into the 20<sup>th</sup> Ave. lift station and therefore they contribute to the overflow problem at 20<sup>th</sup> Ave. W.
  - Until such time as effective fixes are in place the City will attempt to anticipate overflows and back ups and assist the residents as much as possible.
    - The City routinely inspects the canals where the sewage spills wind up, and water samples are taken and analyzed.

4:00 PM

✓ 1. BATHROOMS

✓ 2. PEG

✓ 3. BOAT

4. DRINKS

✓ 5. SIF

THERE IS THIS COUPLE WHO HAVE TAKEN OVER THE FREEDOM DOWN AT RIVERSIDE PARK. THEY COOK, WASH, TAKE BATHS AND ~~SLEEP~~ SLEEP ON AN OLD <sup>SAIL</sup> BOAT THAT HAS NO ELECTRONICS—SUCH AS RADIO—MAPS OR EMERGENCY EQUIPMENT ~~EXCEPT~~ LIFE JACKETS. THE SARKEAD WAS RAN INTO BY A JETSKI AND HAS STRESS FRACTURES SO SAD THAT THEY CANNOT PUT UP A SAIL IF THEY HAVE ONE. THIS SAIL BOAT IS A DANGER THEM AND ANYONE WHO IS ALLOWED ON IT IT NEEDS TO BE CONFINED. ALSO THESE PEOPLE HAVE A PEG WHO THEY BRING TO THE PRAIRIES WITH THEM AND JUST TIE HIM TO ONE OF THE TABLES. WHEN HE NEEDS WATER THEY JUST UNTIE HIM AND LET HIM PINK OUT OF THE WATER FOUNTAIN.

THE BATHROOMS HAVE BEEN LOCKED ON THE WILKINSONS FOR AT LEAST THREE MONTHS. THEY WERE VISITED ON THE LAZER DAY WENT INTO IT TRIED TO ONE OF YOUR POLICE MEN ONE OF US ASKED THIS GUYER AND WAS TOLD THAT THE REASON WAS BECAUSE OF THE PEOPLE HAVING SEX IN THE BATHROOMS. WELL THE BATHROOM IS NOT SOLID. THE PROBLEM I FOUND THE WATER IS IS AND NEED TO HAVE THE REST ROOMS OPEN.

SINCE THE PEOPLE MENTIONED ABOVE ARE PREPARED TO BE THEY HAVE A LOT OF STUFF HOUSES AND HOUSES WITH STUFF DRINK AND NOT BEING TO BE OPENED AND CLOSED AND LOCKED. I HAD A LOT OF STUFF TO BE OPENED WITH STUFF



SAID HE WOULD ASK ME ABOUT CARRYING THE POLICE. I  
GOT SO INDIVIDUAL THAT WHEN HE SAID GLEN HAND PUT  
INTO MY FACE IF ABOUT HIT HIM. SINCE I WOULD LEAVE  
AROUND SIX O'CLOCK I DON'T KNOW WHAT HAPPENS AT NIGHT  
BUT FROM PEOPLE I HAVE TALKED TO IT GETS WORSE AT NIGHT.

IF YOUR POLICE HAS TO PUT AN OFFICE DOWN AT THE PARK  
TO GET THIS SITUATION UNDER CONTROL THAT IS WHAT YOU NEED  
TO DO. I LIVE - VOTE AND PAY TAXES IN THIS COUNTRY  
I WOULD WANT TO GO TO THE PARK WITHOUT BEING HARASSED AND  
A BATHROOM TO USE.

Sincerely

NARRIS W. JOHNSON

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