

**CITY OF PALMETTO
CITY COMMISSION MEETING
DECEMBER 10, 2012
7:00 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor
Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Lorraine Lyn, City Planner
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order, followed by a Moment of Silence and the Pledge of Allegiance.

All persons intending to address City Commission were duly sworn.

Non-agenda Item Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the December 10, 2012 Agenda.

2. CONSENT AGENDA APPROVAL

A. City Clerk's Office:

1. Minutes: November 19, 2012
2. Resolution No. 2012-36-Budget Amendment
3. Special Function Permit: Slick's Garage First Friday's January 4, 2013

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the December 10, 2012 Consent Agenda with the removal of item 3.

2.A.1 Special Function Permit: Slick's Garage First Fridays January 4, 2013

Discussion ensued regarding public parking after 5:00 p.m. on 10th Avenue. Commissioner Varnadore opined that Sutton Park could be used for Slick's car show. Staff was asked to work with Slick on solving the issue of street closure and public parking along 10th Avenue and bring this item back to Commission at the December 18, 2012 5:30 p.m. meeting.

3. RIVIERA WALK WEST-PARTIAL RELEASE OF 20' UTILITY EASEMENT

City Planner Lorraine Lyn explained that this is a request for partial release of a 20-foot utility easement in Riviera Walk West, located on the west side of Haben Boulevard. The purpose of this request is to have unencumbered access to the area for potential wetland mitigation for the approved planned community. The subject easement is not required by the City for future utility infrastructure or storm water needs.

Janice Austin, representing Riviera West, LLC., stated that her client is working with SWFWMD on alternative forms of wetland mitigation. She explained that there will be no structures on the easement; it will be unencumbered for the purposes of extending out the littoral zone.

Ms. Lyn stated that North River Fire District has no objections to the proposed partial release of the easement.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-1 to approve the proposed partial release of a 20-foot utility easement for Riviera Walk West. Commissioner Williams voted no.

4. 1ST READ AND PUBLIC HEARING: ORDINANCE NO. 2012-14

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING APPROXIMATELY 0.6828 ACRES OF REAL PROPERTY INTO THE CITY OF PALMETTO GENERALLY LOCATED AT 529 20TH STREET WEST, PALMETTO; MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR AMENDMENT OF CITY BOUNDARIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (AN #2012-02 Applicant: Art Rentals, LLC. PID# 2433400005/0.6828 acres)

City Planner Lorraine Lyn informed Commission that the three ordinances on the agenda tonight pertain to property located at 529 20th Street West. The request is for an annexation, a small scale plan amendment, and a rezone of 0.7 acres. The primary goal of the annexation application is to be able to hook up to the City utilities to serve the existing development of four duplexes.

Mayor Bryant opened the public hearing.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to continue the public hearing for January 7, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers, and to direct staff to advertise for same.

5. 1ST READ AND PUBLIC HEARING: ORDINANCE NO. 2012-15

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A SMALL SCALE DEVELOPMENT AMENDMENT TO THE CITY OF PALMETTO COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP BY REDESIGNATING APPROXIMATELY 0.6828 ACRES OF PROPERTY GENERALLY LOCATED AT 529 20TH STREET WEST, PALMETTO, FROM RESIDENTIAL 9 (COUNTY) TO RESIDENTIAL 10 (CITY); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (PA-2012-02 Applicant: Art Rentals, LLC. PID# 2433400005/0.6828 acres)

Mayor Bryant opened the public hearing.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to continue the public hearing for January 7, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers, and to direct staff to advertise for same.

6. 1ST READ AND PUBLIC HEARING: ORDINANCE NO. 2012-16

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; REZONING APPROXIMATELY 0.6828 ACRES OF PROPERTY GENERALLY LOCATED AT 529 20TH STREET WEST, PALMETTO, FROM GENERAL COMMERCIAL (GC) (COUNTY) TO DUPLEX AND SINGLE FAMILY RESIDENTIAL (RM-5) (CITY); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-2012-03 Applicant: Art Rentals, LLC. PID# 2433400005/0.6828 acres)

Mayor Bryant opened the public hearing.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded the motion to continue the public hearing for January 7, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers, and to direct staff to advertise for same.

Commissioner Varnadore questioned the nonconformities that will exist with the rezoning of this parcel. Attorney Barnebey stated that the nonconformities exist because there isn't an exact zoning category for this property. RM-5 is the most appropriate category for this type of use.

The motion on the floor carried 5-0.

7. NOVEMBER CHECK REGISTER (Informational Only)

8. BASEBALL FIELD UPDATE

Mr. Tusing stated that Manatee County brought him the site plan for City review. Staff is in the process of reviewing it and will bring it to Commission at the January 7, 2013 4:30 p.m. workshop meeting and will be placed on the 7:00 p.m. meeting that night for approval. He stated that Manatee County staff will attend the meeting on January 7th to answer any questions that Commission may have.

Attorney Barnebey stated he is currently reviewing the Memorandum of Understanding between the County and the City for the baseball fields. Commissioner Smith requested that language be written in the agreement to ask that the City be allowed usage of the fields one or two times a year without having to pay a fee.

9. ASR WELL UPDATE

Mr. Tusing informed Commission that he received the first monthly report from Veolia. He stated that several construction activities were performed this month including installation and cementing of the 50-foot long surface pit casing and the drilling of the 12-inch pilot hole to 280-feet. Commission will be receiving a copy of the report this week. Veolia will continue to provide monthly updates regarding the progress of the well.

10. DEPARTMENT HEADS' COMMENTS

Mr. Tusing—Wished everyone a Happy Holiday.

Mr. Freeman—Informed Commission that Manatee County recently approved a one-time addition of New Year's Eve to their holiday schedule this year. Since the City mirrors the County's holiday schedule, staff is asking for approval to add a one-time holiday of New Year's Eve to the City calendar this year.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to allow the one-time only holiday for New Year's Eve.

Mr. Freeman discussed the agenda for the January 7th Workshop and Commission Meetings. He stated that the baseball field site plan along with the annexation, plan amendment, and rezone ordinances from tonight's meeting will be on the 4:30 p.m. and the 7:00 p.m. agendas. He is working on the telemetry meters and will bring that to Commission at the first or second meeting in January.

He wished everyone a Happy Holiday.

11. MAYOR'S REPORT

Mayor Bryant attended the grand opening of Dunkin Donuts on Saturday. She said that the owner complimented the City on how well the staff worked to help him open his business here.

12. COMMISSIONERS' COMMENTS

Commissioner Varnadore—Wished everyone a Happy Holiday.

Commissioner Williams—Questioned having workshops before public hearings. Attorney Barnebey explained that holding workshops on quasi judicial matters is not recommended because the public hearing is when Commission should have discussions about the items. Mayor Bryant stated that the rezone ordinance from tonight's meeting will not be placed on the 4:30 p.m. workshop meeting for January 7, 2013. Commissioner Williams requested that any item that is not quasi judicial be placed on the workshop meeting before the 7:00 p.m. agenda.

Commissioner Williams wished everyone a nice holiday.

Commissioner Cornwell—Reminded Chief Wells to have police officers on bike patrol during the Christmas vacation. She wished everyone a Merry Christmas.

Commissioner Smith—Stated that residents have been asking about the slow down sign that was removed during the repaving of the Jackson Park area. Mr. Tusing stated he will look into getting the sign put up again.

Mayor Bryant stated that cars are parking along 9th Street. The no parking signs along that street state that there is no parking during school hours. She asked that staff look into removing those signs and take measurements to see if there is to be no parking along that street at all times.

Mayor Bryant adjourned the meeting at 8:08 p.m.

Minutes approved: January 7, 2013

James R. Freeman

James R. Freeman
City Clerk