

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
FEBRUARY 18, 2013
7:00 PM**

Elected Officials Present

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

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Scott Tyler, Deputy Chief
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 7:00 p.m., 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:

Christina Behr, Community Representative for the American Cancer Society-Relay for Life, spoke about the upcoming Relay for Life event to be held at Palmetto High School on May 4th through 5th from 1:00 p.m. to 7:00 a.m. She stated that over 50 percent of funding for the American Cancer Society comes from the Relay for Life fundraiser. Kim Bailey and Karis Meier, Co-Chairs for the Relay for Life Palmetto High School event, said they are looking for sponsors for the Relay for Life fundraiser event.

Cis Paulsen, Vice President of the Historical Park Committee, informed Commission of the Heritage Day Festival at the Park on March 9th. There will be food and craft vendors and a pie baking contest.

Ms. Paulsen discussed the vandalism that has been going on at the Historical Park. She has met with Deputy Chief Tyler who did a walkthrough of the Park. The hedges along 10th Avenue are a concern, and the Historical Park would like permission from the City to remove those hedges.

Cornelius Jackson, Sr., resident of Palmetto, spoke about the nature trail/ MLK pavilion along 12th Street. He expressed several concerns he and his neighbors have with the development of the trail.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the February 18, 2013 Agenda.

2. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. Minutes: January 28, 2013 and February 4, 2013
2. Special Function Permits: Florida Friendly Family Festival 3/2/2013

March for Rights, Respect, and Fair Food 3/11/2013
Slick's Garage First Fridays 3/1/2013 and 4/5/2013
Palmetto B&B Wedding 4/28/2013
Gulf Coast Rhythm and Rib Fest Rib Run 5K 4/12/2013

North Manatee 5K Challenge 10/5/2013
Palmetto Historical Park: Heritage Day Reception 3/8/2013
Heritage Day 3/9/2013
Family Fun Day 3/29/2013
Fishing Themed Summer Social
7/20/2013
Annual Yard Sale 10/5/2013
Halloween Social 10/19/2013
Christmas in the Park 12/6-12/7/2013

3. Resolution 2013-07 Budget Amendment
4. Disposition of Surplus Property
5. Family Resources Safe Place Site Agreement
6. Blalock Walters Legal Billings

Commissioner Cornwell pulled Items 2, 3 and 4 for discussion.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve 2.A.1, 5, and 6.

2.A.2. Florida Friendly Family Festival 3/2/2013

Attorney Barnebey informed Commission that the applicant needs to provide adequate insurance before the event.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to approve Special Function Permit Florida Friendly Family Festival 3/2/2013 subject to adequate insurance being provided.

2.A.2. March for Rights Respect and Fair Food 3/11/2013

Deputy Chief Tyler explained that the Police Department will be using on-duty officers to assist with traffic control and road closure during the event.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to approve March for Rights Respect and Fair Food 3/11/2013.

2.A.2. Slicks Garage First Fridays 3/1/2013 and 4/5/2013

Commissioner Cornwell questioned how the event went last month without 10th Avenue being closed.

Slick, of Slicks Garage, stated that, because 10th Avenue was not closed, they were unable to use the train ride from the church for the kids. There was less available parking for the event as well.

Commissioner Cornwell would like to see local shops along 10th Avenue be incorporated into the First Fridays event.

Debbie Hubbard of Rose's Styling Salon, spoke against the closure of 10th Avenue because it makes it difficult for her clients to get in and out of the salon.

Discussion ensued regarding parking and using other streets for the event. Commissioner Varnadore would like to have Slick bring back suggestions for the First Fridays event in regard to road closure and parking.

Commissioner Varnadore stated that she would not like 5th Street to be closed until 5:30 p.m. to allow time for the businesses to close for the day.

Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the March 1st and April 5th, 2013 closure of 5th Street for First Fridays from 5:30 p.m. to 9:30 p.m.

2.A.2. Special Function Permits: Palmetto B&B Wedding, Gulf Coast Rhythm and Rib Fest Rib Run 5K, North Manatee 5K Challenge, Palmetto Historical Park (7 Permits)

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve Palmetto B&B Wedding 4/28/2013, Gulf Coast Rhythm and Rib Fest Rib Run 5K 4/12/2013, North Manatee 5K Challenge 10/5/2013, and the seven Palmetto Historical Park applications between 3/8/2013 and 12/7/2013.

2.A.3. Resolution 2013-07 Budget Amendment

This item was discussed and clarified for Commissioner Cornwell.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution No. 2013-07 budget amendment.

2.A.4. Disposition of Surplus Property

This item was discussed and clarified for Commissioner Varnadore.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the disposition of surplus property.

3. SANCTUARY COVE REQUEST FOR ONE YEAR BOND EXTENSION

Application of Subdivision Code Amendments (CH. 26-27&28) to extend the performance security bond one additional year and the defect security bond for one remaining year.

Attorney Barnebey stated that the motion needs to be modified for approval after Sanctuary Cove provides the City with executed copies of all documents.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the aforementioned documents as approved by the attorney to grant a one-year extension of the performance bond and a final year for the defect security bond for Sanctuary Cove.

4. VOLUNTEERS OF AMERICA (VOA) AGREEMENT FOR SEWER AND WATER SYSTEM CONNECTION

Mr. Tusing explained to Commission that this agreement was approved by Commission in July of last year. He stated since it was approved, there was a minor change made to the document. The original agreement stated that the City was going to maintain the lift stations, and the new agreement states that the lift stations will be maintained by Volunteers of America. They will provide the City with a maintenance agreement.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the agreement with Volunteers of America, of Florida, Inc., for connection to the City's sanitary sewer system and authorize the Mayor to execute the agreement.

Mayor Bryant discussed House Bill 733 that would:

- Prohibit municipal utilities from extending utility lines outside the municipality without first getting approval by the county;
- Broaden the regulatory authority of the Public Service Commission (PSC) to include any municipality that supplies electricity or gas outside of its incorporated limits, including selling electricity or gas to other municipalities or providing electricity or gas to customers outside the municipality; and

- Provide that any municipality that provides water or wastewater services outside the municipality is subject to regulation by the PSC

Mayor Bryant is opposed to this Bill being passed and will be communicating that to House and Senate members.

5. RESOLUTION 2013-09 AGREEMENT WITH CSX RAILROAD

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, CONSENTING TO AND APPROVING THE FACILITY ENCROACHMENT AGREEMENT BETWEEN CSX TRANSPORTATION, INC., AND THE CITY OF PALMETTO, AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve Resolution 2013-09 that authorizes the Mayor to execute the CSX Encroachment Agreement.

6. 1ST READ ORDINANCE 2013-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES, ZONING CODE, TO AMEND THE DEFINITION OF RECREATION AND AMUSEMENT SERVICES AND THE SCHEDULE OF PERMITTED AND CONDITIONAL USES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Varnadore requested that “dance schools or classes” be further specified and defined.

In regard to Section 3.2 of the proposed ordinance, Mr. Tusing stated that the first dry cleaning that is proposed to be removed should remain in the ordinance because it implies a pick-up facility for the dry cleaning which is a personal service.

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to schedule Ordinance 2013-03 for a public hearing on March 4, 2013 and March 18, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.

7. JANUARY CHECK REGISTER (Informational Only)

Mayor Bryant recessed the City Commission meeting at 8:27 p.m. to open the February 18, 2013 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:50 p.m.

8. BASEBALL FIELD UPDATE

Mr. Tusing stated that Manatee County met last week and reviewed the 90 percent drawings. The County has received the SWFWMD permits for the park.

Mayor Bryant discussed the article in the Bradenton Herald on Sunday written by Vin Mannix regarding the ball fields. She is working on a response.

She will be attending the event at McKechnie Field on the 24th where the County will be presented with a \$75,000 check from the Pittsburgh Pirates for help with the construction of the Little League Fields.

9. ASR WELL UPDATE

Mr. Tusing gave each Commissioner a copy of the monthly progress report of the well.

10. DEPARTMENT HEADS' COMMENTS

Mr. Freeman—Will be working on transferring the funds [for the Blackstone Park Ball Field Project] to the County per the Interlocal Agreement. This should be completed by the end of the month. He has been working with Chief Wells regarding the installation and replacement of COBAN units. He will be using impact fee dollars, and there will be a budget amendment brought forward in the future.

In regard to the funds being transferred to the County, Mayor Bryant asked that Mr. Freeman calendar time periods in which the City should be receiving financial updates on the expenditure of those funds.

Attorney Barnebey—He has been working with staff on rewriting the Downtown Design Guidelines. He discussed an alternative provision that will be written in the interim of the rewriting of the Guidelines.

His office has also been working on the ten foot hiatus issue at the Circle K/Shell Property.

11. MAYOR'S REPORT

Mayor Bryant handed out an email the City received from DabWear. She asked Commission to review the email and bring forward any comments or concerns to her. A copy of the email is attached to and made a part of these minutes.

In regard to the proclamation for Coach Willie Taggart, Commissioner Smith stated that he is working with Mr. Taggart's family to get a time when Mr. Taggart will be in the City to be presented with the proclamation.

12. COMMISSIONERS' COMMENTS

Commissioner Smith—Announced that he will be traveling to Washington D.C. with the Manasota League of Cities next week. He will be meeting people and discussing issues that are important to Florida.

Stated he will be holding a press conference on Wednesday at 9:30 a.m. in Chambers.

Commissioner Smith questioned why the Mayor position is not in the retirement system. He stated he has done research and noticed that other cities have higher pay for their Commission and Mayor and the Mayor is in their retirement system. He would like to have discussion regarding an increase in pay for Commission and the Mayor. The Mayor's position is considered a full-time position in the City and should be compensated as such.

Commissioner Varnadore—Agreed with Commissioner Smith's comments about a pay increase for Commissioners and the Mayor. Since budget time is approaching, she would like to have discussion about this.

Commissioner Williams—Discussed changes he would like to see made to the Downtown Development Guidelines. Mayor Bryant stated that these issues are being addressed and will be brought forward to Commission for discussion.

Mayor Bryant adjourned the meeting at 9:07 p.m.

Minutes approved: March 18, 2013

James R. Freeman

James R. Freeman
City Clerk