

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
August 25, 2014  
7:00 PM**

Elected Officials Present

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

Elected Officials Absent:

Charles Smith, Commissioner, Ward 1

Staff Present

Mark Barnebey, City Attorney  
Jeff Burton, CRA Director  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
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.

PROCLAMATION: Mayor Bryant presented the Florida Water Professionals Month Proclamation to Patrick Murphy, Region XII, Florida Water and Pollution Control Operations Association.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant added a discussion of the Riverside Boat Ramp proposals rating as item 8A of the agenda.

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to approve the August 25, 2014 Agenda with the addition of item 8A.**

2. PUBLIC COMMENT

David Potter, resident of Palmetto, had several questions and concerns regarding the purchase of the house on 20<sup>th</sup> Avenue and 10<sup>th</sup> Street to house the chlorination tank. Mr. Tusing was asked to schedule a meeting with Mr. Potter to address all of his concerns.

3. CONSENT AGENDA APPROVAL

- A. Clerk's Office
  - 1. August 6, 2014 Minutes (Budget Workshop Only)
  - 2. Banking Agreement Extension
  - 3. Special Function Permit (Community Yard Sale-Historical Park)
  - 4. Legal Bills
- B. Public Works
  - 1. Traffic Regulation School Zone Change

Item 3B1 was removed for discussion.

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to approve the August 25, 2014 Consent Agenda with the removal of item 3B1.**

3B1 Traffic Regulation School Zone Change Discussion:

Mr. Tusing explained that this regulation is a request to change the speed limit from 15 mph to 20 mph along 17<sup>th</sup> Avenue in front of Palmetto High School to create consistency with the rest of the County and to match the school zone speed limits in front of Lincoln Middle School and Palmetto Elementary School.

**Motion:**           **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 4-0 to approve item 3B1.**

4. 1st READ ORDINANCE 2014-10 PAIN MANAGEMENT CLINIC REGULATIONS

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AFFECTING THE USE OF LAND IN THE CITY OF PALMETTO; PROVIDING FOR AMENDMENTS TO THE ZONING CODE RELATED TO PAIN MANAGEMENT CLINICS; SETTING FORTH DEFINITIONS, STANDARDS AND REGULATIONS FOR PAIN MANAGEMENT CLINICS, PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion:**           **Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 4-0 to schedule a public hearing on Ordinance 2014-10 for September 8<sup>th</sup> and September 22<sup>nd</sup>, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers and direct staff to advertise for same.**

5. 1st READ ORDINANCE 2014-11 MEDICAL MARIJUANA FACILITIES ORDINANCE

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AFFECTING THE USE OF LAND IN THE CITY OF PALMETTO; PROVIDING FOR AMENDMENTS TO THE ZONING CODE RELATED TO MEDICAL MARIJUANA DISPENSARIES; SETTING FORTH DEFINITIONS, STANDARDS AND REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion:**           **Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 3-1 to schedule a public hearing on Ordinance 2014-11 for September 8<sup>th</sup> and September 22<sup>nd</sup>, 2014 at 7:00 pm or as soon thereafter as same can be heard in these chambers and direct staff to advertise for same. Commissioner Cornwell voted no.**

6. PUBLIC HEARING ORDINANCE 2014-14 COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE 2030 PALMETTO COMPREHENSIVE PLAN, ORDINANCE 2010-01, AS AMENDED; AMENDING AND ADDING DEFINITIONS; AMENDING THE FUTURE LAND USE ELEMENT, THE TRANSPORTATION ELEMENT, THE COASTAL MANAGEMENT ELEMENT, THE CONSERVATION ELEMENT, THE PARKLAND OPEN SPACE, AND RECREATION ELEMENT, AND THE PUBLIC SCHOOL ELEMENT; PROVIDING FOR AMENDMENTS RELATED TO THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR UPDATES; PROVIDING FOR A CODIFIED COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant reopened the public hearing from August 4, 2014.

Commissioner Williams exited the meeting at 7:22 p.m.

Commissioner Varnadore requested a workshop be scheduled for this item before approval.

**Motion:**           **Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 3-0 to continue the public hearing on Ordinance 2014-14 to September 22, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers. Commissioner Williams was absent for the vote.**

Commissioner Williams returned to the meeting at 7:25 p.m.

7. CIP WATER AND SEWER LOAN RESOLUTION 2014-15

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ACCEPTING A PROPOSAL OF BRANCH BANKING AND TRUST COMPANY TO PROVIDE THE CITY WITH A LOAN IN ORDER TO FINANCE THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING THE ISSUANCE OF A NOTE PURSUANT TO SUCH LOAN AGREEMENT IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,250,000 IN ORDER TO EVIDENCE SUCH LOAN; AUTHORIZING THE REPAYMENT OF SUCH NOTE FROM A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES; DELEGATING CERTAIN AUTHORITY TO THE MAYOR, CITY CLERK AND OTHER OFFICERS OF THE CITY FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF THE NOTE AND VARIOUS OTHER DOCUMENTS WITH RESPECT THERETO; DESIGNATING SUCH NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION WITHIN THE MEANING OF SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND PROVIDING FOR AN EFFECTIVE DATE.

Ritesh Patel, Attorney with Nabors, Giblin & Nickerson, answered Commission's questions regarding the municipal loan agreement.

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to adopt Resolution 2014-15.**

8. RIVERSIDE BOAT RAMP UPDATE

8A Riverside Boat Ramp RFP Committee Report

Bob Gause, Project Manager for the Riverside Boat Ramp Project, explained that the substantial completion date for this project will be February 2015 and it has been reported to the Southwest Florida Water Management District (SWFWMD) that the boat ramp will be completed by April 2015. There is room to add an extension to the agreement with SWFWMD; however, Mr. Gause prefers not to do that. The contractors that submitted their proposals for this project based their timeline on a start date after Labor Day. If this gets delayed, the substantial completion and final completion date will be pushed back further.

Mr. Burton agreed with Mr. Gause in regards to asking for an extension of the completion date with SWFWMD. He stated that there will be another application submitted to SWFWMD for grants for another project next year and he would like to remain in good standing with them in order to receive the funding.

**Motion: Commissioner Davis moved, Commissioner Cornwell seconded and the motion carried 3-1 to accept the Riverside Boat Ramp Project ranking of 1. Halfacre Construction, 2. DeLesline Construction, and 3. Mathews Construction and authorize the Mayor to negotiate the contract with Halfacre Construction. Commissioner Varnadore voted no.**

9. ASR WELL UPDATE

Mr. Tusing stated the well is substantially complete. The ultra-violet testing should be underway mid-September to mid-October. Once the Department of Environmental Protection's requirements have been met, the water can start going down the well when available.

10 DEPARTMENT HEADS' COMMENTS

None.

11. MAYOR'S REPORT

Mayor Bryant informed Commission that she handed out a document today regarding the Mental Health Bill that Congressman Vern Buchanan is trying to have adopted. She asked Commission to review the

handout because it will be put on the next agenda for consideration. Chief Wells stated he is very supportive of the Bill.

12. COMMISSIONERS' COMMENTS

Commissioners Cornwell and Varnadore reminded everyone to vote tomorrow.

Mayor Bryant adjourned the meeting at 8:15 p.m.

Minutes approved: October 20, 2014

*James R. Freeman*

James R. Freeman  
City Clerk