

CITY OF PALMETTO
CITY COMMISSION MEETING
October 20, 2014
7:00 p.m.

Elected Officials Present

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

Elected Officials Absent

Tamara Cornwell, Commissioner-at-Large 2

Staff Present

Jeff Burton, CRA Director
Jim Freeman, City Clerk
Scott Rudacille, City Attorney
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Deanna Roberts, Administrative Assistant

Mayor Bryant called the October 20, 2014 City Commission 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.

Mayor Bryant announced that Form 8B, Memorandum of Voting Conflict, has been received from Commissioner Smith regarding a vote that was taken on September 29, 2014. The form is attached to and made a part of these minutes.

Mayor Bryant presented the Red Ribbon Week proclamation to members of the Manatee County Youth Commission. The Mayor thanked them for all their organization does to save our youth.

Mayor Bryant recognized all employees nominated for the Employee of the Quarter award. The award was presented to winner Cheryl Miller. She was chosen for her acceptance of the additional responsibility of the citywide software conversion. She never complained and remained patient. Ms. Miller thanked all her colleagues on the committee [BS&A Implementation Team] for their help.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant informed Commission that Item 3.A.3 on the Consent Agenda, the Church on the Rock Thanksgiving Outreach, has been withdrawn.

MOTION: Commissioner Varnadore moved, Commissioner Davis seconded, and motion carried unanimously to approve the October 20, 2014 Agenda, as amended.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA APPROVAL

A. Clerk's Office

1. Minutes: 8/25/2014, 9/8/2014, 9/22/2014, 9/29/2014
2. Veteran's Day Parade Special Function Permit
3. Church on the Rock- Thanksgiving Outreach (Withdrawn)
4. Resolution 2014-27 Lease Reimbursement for Capital Purchases

B. Police Department

1. Budget Resolution 2014-26 Honor the Badge Donation

C. Public Works

1. Settlement- Phyllis Lang

MOTION: Commissioner Varnadore moved, Commissioner Davis seconded, and motion carried unanimously to approve the October 20, 2014 Consent Agenda.

4. LIEN REDUCTION FOR PROPERTY LOCATED AT 1502 14 ST W

The property located at 1502 14 Street West was obtained through foreclosure by U.S. Bank. The new property owners are requesting a reduction in liens for the property. The current payoff amount is \$6,755.56.

Mr. Freeman said the property was the subject of Code Enforcement action. The new owner is requesting that the interest on the fines in the amount of \$1,191.06, be waived. Mr. Freeman said the City's hard costs will still be covered.

MOTION: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried unanimously to approve the request of a reduction of Code Enforcement lien to \$5,564.50 for the property located at 1502 14th Street West, PID #2800001253 and to establish a thirty-day period to receive payment in full.

5. PUBLIC HEARING ORDINANCE 2014-15 NOISE CITATION

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, REGULATING AND PROHIBITING THE EMISSION OF HARMFUL NOISE; AMENDING SECTION 5-8, INCLUSIVE, FO CHAPTER 5 OF THE CITY OF PALMETTO CODE OF ORDINANCES; PROVIDING FOR ADDITIONAL CIVIL PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Dr. Rebecca Moreland, 606 Riviera Dunes Way, shared her thoughts about a remedy for excess noise and loud music from outdoor restaurants. She opined that a homeowner who buys a beautiful home next to a restaurant should know there will be noise and loud music, but the counter is that if a restaurant moves into a neighborhood where there are residents within 100 yards, the owner should know that there cannot be loud, amplified music. There has been no mention of homeowners who have had to leave their homes due to the intolerable situation. The number of phone calls to the police department was not monitored. She hopes for collaboration and a multi-faceted approach involving the police, code enforcement, planning and zoning and community association representatives. There needs to be town hall meetings in neighborhoods where there may be loud music generated. She suggested we may need a community relations manager as in Manatee County. Outdoor establishments with loud noise need to be forced to meet with city officials, neighborhood residents and various departments.

There being no further public comment, Mayor Bryant closed the public hearing.

MOTION: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried unanimously to adopt Ordinance 2014-15.

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 September 22, 2014. There being no public comment, Mayor Bryant closed the public hearing.

MOTION: Commissioner Davis moved, Commissioner Williams seconded, and motion carried unanimously to transmit the text amendments to the Department of Economic Opportunity and applicable review agencies for review.

7. PUBLIC HEARING ORDINANCE 2013-21 USE AND LOCATION OF PORTABLE STORAGE CONTAINERS

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR THE REGULATION OF THE USE AND LOCATION OF PORTABLE STORAGE CONTAINERS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant informed Commission that Attorney Barnebey has advised the City to re-advertise the ordinance due to the time lapse, and he is asking for more specific detail on the size of the storage that would be acceptable.

Mayor Bryant reopened the public hearing from August 4, 2014. There being no public comment, Mayor Bryant closed the public hearing.

MOTION: Commissioner Varnadore moved, Commissioner Davis seconded, and motion carried unanimously to continue the public hearing for Ordinance 2013-21 to December 15, 2014.

Commissioner Varnadore asked for a workshop on the ordinance prior to the December 15, 7:00 p.m. meeting.

8. PUBLIC HEARING SPECIAL FENCE PERMIT 2014-01

Redfish Cove Marina, LLC, applicant, is requesting a permit for a six-foot high black vinyl coated chain link fence along 10th Street West.

Interim City Planner Rachel Layton presented the staff report. Staff recommends approval with the stipulation that the fence does not obstruct the visibility triangle at the intersection of 11th Street Court West and 10th Street.

Mayor Bryant opened the public hearing.

Amy Griswold, who owns the property immediately adjacent to the west of this development, stated she was at the meeting to let Commission know that Redfish Cove has been approved by the Florida Department of Environmental Protection for a ten-slip commercial marina. This is a residential neighborhood. She feels there is a conflict here between zoning and what they are planning to do. She hopes that Commission will help pay attention to what is happening. She stated she has no problem with the fence.

There being no further public comment, Mayor Bryant closed the public hearing.

MOTION: Commissioner Davis moved, Commissioner Smith seconded, and motion carried unanimously to approve Special Fence Permit 2014-01.

Commissioner Varnadore asked for clarification of the fence location. She was concerned that it would sit right next to the road. Mrs. Layton said the permit actually allows them to get closer to their property line. Mr. Tusing said the fence would be at the bottom of the slope. He commented that it is about 25' from the edge of the pavement.

9. 1st READ ORDINANCE 2014-18 UTILITY EASEMENT VACATION

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, VACATING THAT 10-FOOT EASEMENT SHOWN ON LOTS 19 AND 20 OF BLOCK D, H.W. HARRISON'S SUBDIVISION, LOCATED GENERALLY AT 300 15TH STREET WEST, PID# 2614600001. (VAC-2014-03).

MOTION: Commissioner Varnadore moved, Commissioner Smith seconded, and motion carried unanimously to schedule Ordinance 2014-18 for a public hearing on November 3, 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.

10. SEPTEMBER 2014 CHECK REGISTER (Informational Only)

Mayor Bryant recessed the City Commission meeting at 7:45 p.m. to open the October 20, 2014 Special CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 7:50 p.m.

11. REGATTA BOAT FESTIVAL FEBRUARY 2015 UPDATE

Mayor Bryant informed Commission that she will be meeting with Elliott Falcione [Bradenton Area Convention and Visitor's Bureau Executive Director] and Dave Gustafson [Bradenton Downtown Development Authority Executive Director] in the morning. They have requested a special meeting to get finalization on the Regatta. The latest is that the Green Bridge will be closed all day in both directions, and the City has serious concerns with that. Another concern is the funding for Public Works and the Police Department. She will ask them where the funding will come from. This information is needed before a special meeting can be held.

Commissioner Williams said closing the entire bridge was a surprise. Mayor Bryant said this came from the Florida Department of Transportation (FDOT). He said he is adamantly opposed to that, as there are no emergency lanes on the Desoto Bridge for emergency vehicles. Mayor Bryant said there is also a boat show at the Civic Center adding to the traffic.

Commissioner Williams asked for a letter to FDOT stating that we're not in favor of closing the entire bridge.

Mayor Bryant commented that originally the request was to close one side of the bridge, but FDOT had safety concerns with one side being kept open. Chief Wells said the police department has not signed off on the entire bridge closure, only on the northbound lanes being closed.

Mayor Bryant told the Commission that she will give them a synopsis of the meeting in the morning. Mrs. Varnadore echoed Mr. Williams' concerns. She opined that the City of Bradenton's situation is different because they have a lot of east – west corridors, but all of the City's corridors are north and south, and we need to be able to get across the bridge.

12. ASR WELL UPDATE

Mr. Tusing had no update.

13 DEPARTMENT HEADS' COMMENTS

Jeff Burton

Advised Commission that in two weeks he will likely be bringing back a request to begin design work for the pavilion next to the boat ramp. Once that is complete, he will be able to apply for a grant.

Mayor Bryant said the City is working with Moore 2 Design for Wi-Fi signage at Sutton Park.

Jim Freeman
No comments

Chief Wells
No comments

Mayor Bryant complimented Chief Wells on how well the Bridging the Gap event Saturday at the Palmetto Youth Center went. She said he was a great representative for the city. The meeting was well run and very helpful. She hopes more will follow.

Scott Rudacille
No comments

14. MAYOR'S REPORT

Mayor Bryant reported that the Historical Park had a wonderful event Saturday evening. The decorations were great and it was well attended. The newly installed lighting is very nice.

15. COMMISSIONERS' COMMENTS

Commissioner Smith
No comments

Commissioner Davis

Mr. Davis opined that the pavilion at Riverside Park would be a great place for a bait shop. Mr. Burton said if that is what the Commission would like, he could have the designer come in before he begins the design. Mr. Burton said CRA is looking at the December meeting for a joint meeting with the Advisory Board. Mr. Davis asked Mr. Tusing to thank Public Works storm water employees for help with the drainage issue.

Mayor Bryant interjected that one of the Advisory Board members told her the CRA office needs maintenance.

Commissioner Varnadore

Asked Mr. Burton if it was his intent to have some discussion about what the boards foresee there [Riverside Park], or will a design be presented. She opined it might be easier to get consensus on the direction in which the Board wants to go before money is spent on the design.

Mr. Burton said the grant application process for WCIND begins in February. If we plan now, it could be up to three years before we see the funding due to a backlog. He said he will have the CCNA contractor in to meet with Commission before the conceptual design is begun.

Commissioner Williams
No comments.

The meeting was adjourned at 8:14 p.m.

Minutes approved: November 17, 2014

James R. Freeman

James R. Freeman, City Clerk