

**DRAFT
CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
November 3, 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
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Rachel Layton, Interim City Planner
Debra Woithe, City Planner
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 7:03 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 Veterans Day Proclamation to Don Courtney, Chairman of the Veterans Council. Mr. Courtney reminded everyone that the Veterans Day Parade is next Tuesday beginning at the Manatee County Fair Grounds and ending at Sutton and Lamb Parks.

PROCLAMATION: Mayor Bryant presented the Farm City Week Proclamation to Ann Marshall and Patty Keen-Freed, Farm City Week Committee. Farm City Week is November 13th-21st. Ms. Marshall informed Commission that there will be a hall of fame luncheon at the Women's Club on November 20th for the induction of Linda Parks and Dick Shores into the Agricultural Hall of Fame.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the November 3, 2014 Agenda.

2. PUBLIC COMMENT

None.

3. CONSENT AGENDA APPROVAL

- A. Clerk's Office
 - 1. 2015 Commission Meeting and Holiday Schedule
 - 2. Special Function Permits:
 - a. Martin Luther King JR. Parade 1/17/2015
 - b. B&B Weddings January through June 2015
 - 3. Resolution 2014-28 Riverside Boat Ramp Grant
 - 4. Blalock Walters Legal Bills
- B. Public Works

1. Redfish Cove GDP Modification

Commissioner Cornwell removed item A.1. for discussion.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the November 3, 2014 Consent Agenda.

A.1. 2015 Commission Meeting and Holiday Schedule Discussion:

Commissioner Cornwell asked if the meeting on February 16th could be moved to another date in February due to that day being President's Day. Commissioner Davis suggested cancelling that meeting in February instead of re-scheduling it. Commissioner Cornwell agreed and suggested moving the February 2nd date to February 9th so as to not have back to back meetings in January and February.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to cancel the February 16, 2015 Commission meeting and to move the February 2nd meeting to February 9, 2015.

4. REGATTA BOAT FESTIVAL FEBRUARY 2015

Approval of plans as discussed during the Workshop meeting. The plans that were discussed are attached to and made a part of the Workshop minutes.

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to conceptually approve the plans as presented for the February 2015 Regatta Boat Festival.

5. PUBLIC HEARING 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).

Mayor Bryant opened the public hearing.

Rachel Layton, Interim City Planner, stated that Charles and Levora Simmons have requested a vacation of the platted ten foot easement on Lots 19 and 20 of Block D of the H.W. Harrisons Subdivision that was platted in 1926. The easement vacation may be granted by the City Commission under Policy 2.10.3.4 where it is determined that granting the vacation is necessary to resolve an illegality or inequity created by some action or inaction of the City. No objection letters have been received by Florida Power and Light, TECO, Bighthouse, Verizon, the City's Public Works Department, and North River Fire District, as well as Lombardo, Foley, and Kolarik, the City's surveyor. Staff recommends approval of vacating the easement on the platted lots at 300 15th Street East finding no objections regarding utilities.

Charles Simmons, property owner and applicant, respectfully requested the City approve the vacation of the easement.

Jacqueline Rue, City of Palmetto resident, neighbor to applicant, explained to Commission some unresolved issues she was experiencing. She questioned if this will create any problems with her property rights. Attorney Barnebey explained that this is just vacating the easement and will not affect her property. He explained to Ms. Rue that if she would like to take care of the easement on her property, she can discuss her options with the City Planner too.

After no further public comment, Mayor Bryant closed the public hearing.

Motion: Commissioner Smith moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2014-18.

6. PUBLIC HEARING CONDITIONAL USE PERMIT 2014-03 PET'S LIFE NATURALLY

Rachel Layton, informed Commission that this is a request for Conditional Use Permit for an electronic sign from Pet's Life Naturally located at 523 8th Avenue West. A Conditional Use Permit may be issued for the establishment of an electronic message sign pursuant to Section 3-66 of the City's Code of Ordinances. The applicant is proposing to replace the existing sign cabinet with a sign containing 16.52 sq. ft. of electronic message surface area and 23.96 sq. ft. for an identification sign for a total sign area of 46.88 sq. ft. The following were taken into consideration by staff from the Planning and Building Departments regarding the proposed electronic sign:

- The general character of the immediate area including proximity and orientation of residential uses in the immediate area.
- 8th Avenue West is a 4-lane arterial.
- Other Conditional Use approvals within the City for electronic signs.

Staff recommends approval of the proposed Conditional Use Permit for an electronic sign and the sign size with the following conditions for the changeable copy portion of the sign:

1. Brightness shall not exceed 5000 lumens in the daytime and 1500 lumens at night;
2. Changeable copy display shall not change more than once every fifteen (15) seconds;
3. The sign shall be in substantial conformance with the rendering presented at the hearing;
4. No sound shall be emitted from the sign.

The Planning and Zoning Board met on October 16, 2014 and approved the Conditional Use Permit with the following recommendations:

1. Changeable copy display shall change in coordination with the green traffic light at 7th Street West and 8th Avenue West;
2. The signature surface area shall not exceed 40 sq. ft.

Mayor Bryant opened the public hearing.

Park Crisp, Magee Sign Service, representing applicant, stated that after the Planning and Zoning Board meeting he went out to the intersection of 7th Street and 8th Avenue West to time the light. He stated that there were some time variances and suggested a 20-30 second change would be adequate to meet the Planning and Zoning Board's request.

Commissioner Varnadore expressed her concerns with allowing electronic signs all along the 8th Avenue corridor.

Mayor Bryant informed Commission that Leo Mills, City resident and business owner, contacted her today to let her know he is in support of the sign.

Commissioner Cornwell asked if there could be a stipulation placed on the Permit that states in an emergency situation their electronic sign shall be used to notify residents of the situation. Attorney Barnebey stated that the same stipulation can be used as was placed on the Permit for the electronic sign at Manatee School for the Arts that states "The sign shall be made available for public messages related to emergencies and other important public announcements." Mr. Crisp believed the applicant would be in agreement with that stipulation. Mayor Bryant would like that stipulation to become standard in all Conditional Use Permit Applications for electronic signs.

Discussion ensued regarding the sign. Mr. Crisp addressed several of the Commissioners concerns. He stated that the way the sign works is during the day there 1500 lumens and is decreased to 500 lumens at night.

Mr. Burton suggested a continuance of this public hearing until the next meeting to allow time for the CRA to review application and develop recommendations.

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to continue the public hearing on Conditional Use Permit 2014-03 to November 17, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

7. AWARD OF INVITATION TO NEGOTIATE TO THE CRA FOR 705 10TH AVE W

An invitation to negotiate was issued for the FFA building located at 705 10th Avenue West. The CRA submitted a proposal and wishes to purchase the property from the City for \$22,000 minus expenses.

Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to sell the FFA building located at 705 10th Avenue West to the CRA for the sum of \$22,000 minus CRA expenses such as surveys and titles.

Mayor Bryant recessed the City Commission meeting at 8:11 p.m. to open the November 3, 2014 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:51 p.m.

Mayor Bryant introduced Commissioner Elect Harold Smith.

8. ASR WELL UPDATE

Mr. Tusing stated that there will be a meeting with staff and the Department of Environmental Protection (DEP) regarding the ultra-violet (UV) filtration. He estimated that from December 1st through January 7th the UV test will be performed and a report will be provided to DEP on January 29, 2015. Mr. Tusing said that it should be operational by March 2nd and an open house on March 10, 2015.

9. DEPARTMENT HEADS' COMMENTS

Attorney Barnebey—reminded everyone that tomorrow is Election Day and wished all the candidates good luck. He told Commissioner Smith that it has been a pleasure working with him and he looks forward to continuing working with him as a Manatee County Commissioner.

10. MAYOR'S REPORT

Mayor Bryant thanked Commissioner Smith for his service through the years to the City of Palmetto and she will miss working with him. She wished him the best in his new endeavor as Manatee County Commissioner.

11. COMMISSIONERS' COMMENTS

Commissioner Williams—told Commissioner Smith that he has enjoyed working with him.

Commissioner Varnadore—wished Commissioner Smith good luck at the County.

Commissioner Davis—wished Commissioner Williams good luck during the elections tomorrow. He also congratulated Commissioner Smith.

Mr. Davis commended Chief and his officers for their work during Halloween night.

Commissioner Cornwell—congratulated Commissioner Smith and looks forward to working with Harold Smith.

Commissioner Smith—said that the Mayor, staff, and Department Heads have been such an inspiration to him. He stated he is a better person because he has had their guidance throughout his career. He is honored to live in the City of Palmetto and to have served in the capacity that he has for so long.

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Commissioner Smith reflected on his life here growing up in the City and as a Commissioner and is thankful that he was given the opportunity to serve.

He wished Commissioner Williams good luck tomorrow and invited everyone to attend his swearing in ceremony on November 19th at 9:00 a.m. in the Manatee County Commission Chambers.

Mayor Bryant adjourned the meeting at 9:06 p.m.

Minutes approved:

James R. Freeman
City Clerk