

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
May 4, 2015  
7:00 PM**

Elected Officials:

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

Staff Present:

Mark Barnebey, City Attorney  
Jeff Burton, CRA Director—(arrived 7:18 p.m.)  
Jim Freeman, City Clerk  
Captain Steve Greer, Police Department  
Allen Tusing, Public Works Director  
Debra Woithe, City Planner  
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.

Commissioner Cornwell exited the meeting at 7:04 p.m. and returned at 7:06 p.m.

**RECOGNITION:** Captain Greer and K-9 Officers Adam Spatafora and Chris Leister recognized the following businesses for their outstanding support of the Palmetto Police Department and its canine program:  
Ellen Bannin and Fromm Family Foods (not in attendance)  
Ellenton Animal Hospital Staff  
Zack Kallis and staff at American Car Care

**PROCLAMATION:** Commissioner Varnadore read the Teen Pregnancy Month Proclamation. Representatives from the Manatee County Youth Commission and Teen Educators accepted the proclamation and played a Public Service Announcement they prepared to educate teens on pregnancy.

**PROCLAMATION:** Mayor Bryant read the National Day of Prayer Proclamation. National Day of Prayer is on May 7, 2015. Pastor Jason Lane, Skyway Community Chapel accepted the proclamation and announced the City of Palmetto will be having their National Day of Prayer at the Palmetto Historical Park on Thursday starting at 9:00 a.m.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant modified the Consent Agenda to read "A, B, C, D" as opposed to "A, B, B, C" as written. Also, Commission has a revised "Attachment A" that belongs with item 3.B.6. Mayor asked the item number 8, 2016 Riverwalk Regatta Discussion, be moved to item 2A and that item 8 becomes a discussion on the Mobility Review Study as distributed.

**Motion:** **Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the May 4, 2015 Agenda as amended.**

## 2. PUBLIC COMMENT

None.

### 2A. 2016 Riverwalk Regatta Conceptual Approval:

Mike Fetchko, ISM USA, event manager, and Terry Wilson, Hernando DeSoto Historical Society were in attendance to answer Commissioner's questions and concerns regarding the event.

Mr. Wilson informed Commission that DeSoto reached out to the City's local businesses to appear at a community meeting at the Historical Society's office to discuss the event for next year. Peter VanDerNoord of Riverhouse Reef and Grill was the only business owner that appeared. It was conveyed to DeSoto by other local vendors that they were not opposed to the event occurring again; however, they wanted to see more happen on this side of the River during the event.

Commissioner Davis displayed a map of the race course that was presented for the event this past February. He asked why the course did not go quite as far north as indicated. Mr. Fetchko feels very confident that after speaking with the Coast Guard and applying for the permit for the 2016 event, the race course can be extended further north.

Mr. Fetchko stated that he does not plan on using the Palmetto pier for fireworks this year. Instead, he would like it to be a viewing area for hydro cross events on this side of the River. Commissioner Williams opined that the further the race course is to the east of the Green Bridge the better the viewing will be for the spectators as well as extending it further north.

The issue of permitting was discussed. Mr. Fetchko will be working with the Florida Department of Transportation (FDOT) to amend the permit to allow for a trolley type system to traverse back and forth between the two cities over the Green Bridge during the event. He stressed that the permitting for the event takes a lot of time.

Commissioner Williams opined that the Tourist Development Council (TDC) needs to issue more funding for this event. He stated that the City of Palmetto saw no financial support during the last event and that the City of Bradenton received all the money for the event to occur on their side of the River. Mr. Fetchko stated that the City of Bradenton did not receive all of the funding; the funding was used for fireworks, permitting, operations, F-2 boats, etc. He explained that the City of Palmetto could request money from the TDC; he has nothing to do with that. Mayor Bryant would like to see more than \$25,000 designated for the events in Palmetto.

As far as what activities will be planned for Palmetto, Mr. Fetchko stated that he and DeSoto are working towards having the following occur on this side of the River:

- The St. Stephen's 5K will return with a portion of the 5K occurring in Palmetto
- DeSoto Pee Wee Fishing Tournament will be staged at the Palmetto pier during the morning before the Regatta event begins
- A 106.5 iHeart Radio country music pavilion could be stationed all day long at the pier with bands, continuous music and prizes
- F-2/HydroCross dry pit area will be in same location as last year with better spectator viewing logistics and walking pattern
- F-2/HydroCross boat entry will be at the Palmetto Riverside Boat Ramp
- A Christian concert or youth oriented concert at Sutton Park subject to TDC funding
- HydroCross Florida Winter Championships and heats will take place off the pier with permit approval
- HydroCross Guinness Book of World Records attempts and stunt shows
- Expand the F-2 inaugural and current 2015 approved circuit course slightly more towards north shore pier with permit approval
- Expand food and beverage locations and theme into Palmetto

- Explore possibility of a highly secured and well insured beer garden on Peter VanDerNoord's property
- A kids/family area of activities to include extreme sports

Commissioner Varnadore questioned if the event would go on without the City's support. Mr. Fetchko said that it could still occur without Palmetto but that he does not want to see that happen. He believes with the help of DeSoto that the event will work smoothly with both cities.

Commissioner Varnadore does not want to take a vote on this tonight; she would prefer to continue this discussion to the May 18<sup>th</sup> Commission meeting to see how the Bradenton Downtown Development Authority (DDA) votes at their next meeting on the event. Mr. Fetchko clarified that the Bradenton DDA is working on the memorandum of understanding for the event next year.

Mr. Fetchko respectfully requested a conceptual approval tonight because of how long all the permitting takes. Mayor Bryant suggested a special meeting be held between tonight and May 18<sup>th</sup> to help move the event along.

Mayor Bryant requested staff gather information regarding City costs for overtime for the use of the Police Department and Public Works, the timeframe for permitting, and what will be involved on this side of the River. As Mayor gathers information from staff, she will provide to Commission and schedule a meeting before the 18<sup>th</sup> if available.

### 3. CONSENT AGENDA APPROVAL

- A. Mayor's Office
  - 1. Reappointment of Barbara Mollanazar to the Housing Authority Board
- B. Clerk's Office
  - 1. Minutes: April 15, 2015 and April 20, 2015
  - 2. Special Function Permits:
    - a. Wedding at Sutton Park 10/10/2015
  - 3. Blalock Walters Legal Bills
  - 4. Howze Estate Lien Reduction
  - 5. Guardian Piggyback Contract
  - 6. Resolution 2015-08 CIP Budget Adjustment
  - 7. Resolution 2015-09 Midyear Budget Cleanup
- C. Police Department
  - 1. Ballistic Vest Partnership
- D. Public Works
  - 1. Electronic Messaging Sign Standards

**Motion:** Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve items B1 and B3 of the Consent Agenda (all other items removed for discussion).

#### 3. B.2. Sutton Park Wedding Special Function Permit Discussion:

Commissioner Cornwell said that she is glad to see Sutton Park utilized as a venue for a wedding.

**Motion:** Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve item 3B2.

#### 3. B.4. Howze Estate Lien Reduction Discussion:

Mr. Freeman explained that Bonnie McMillian, representative for the Estate of Celma Howze, recently became aware of the lien the City has. She is requesting a lien reduction from the total due of \$526.05 to \$311.84, the total cost to the City. She has already submitted a \$100 payment to the City towards the lien as a good faith payment.

Commissioner Williams questioned if the property taxes have been paid and were paid at the time the lien was issued. Mr. Freeman confirmed that the property taxes were paid during the time the notice of lien was sent to the address on file.

**Motion:**           **Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to deny the lien reduction.**

Mayor Bryant exited the meeting at 8:30 p.m. and returned to the meeting at 8:32 p.m.

3. B.5. Guardian Piggyback Contract Discussion:

Mr. Freeman explained that this is a request to approve a contract that is a piggyback off of a request for proposal that was issued last year in Lake Placid, Florida. The RFP is for grant writing services and the contract includes a work order #1 for the CDBG application that is due in June.

**Motion:**           **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Guardian Piggyback Contract as recommended by staff.**

3. B.6. Resolution 2015-08 Budget Adjustment Discussion:

Mr. Freeman stated that at the last meeting Commission approved the recommendation to award the 13<sup>th</sup> Street Drainage Project to Woodruff and Son's in the amount of \$630,539.74, as well as a transfer of \$4,960.74 from the Road and Bridge fund to complete the project funding. This Resolution moves the necessary budget from Stormwater CIP accounts into the 13<sup>th</sup> Street Drainage Project account, and establishes the transfer from the Road and Bridge Fund.

3. B.7. Resolution 2015-09 Midyear Budget Cleanup Discussion:

Mr. Freeman said that twice a year staff completes a midyear review of the budget for reasonableness and adjusts any budget lines showing significant variances. Finance has identified several revenue lines and a few expense lines that need adjustments. These accounts are listed on Attachment A to the Resolution.

**Motion:**           **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve items 3.B.6 and 3.B.7.**

3. C.1. Ballistic Vest Partnership Discussion:

*No questions were asked.*

**Motion:**           **Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve item 3.C.1.**

3. D.1. Electronic Messaging Sign Standards Discussion:

Commissioner Cornwell questioned number 7 that states "The EMS shall be made available for the City of Palmetto and the Palmetto Community Redevelopment Agency public messages related to emergencies". She opined the CRA should be removed from the sentence. Commissioner Varnadore agreed, and stated she does not like the idea of "forcing" a private business to put up a message on their electronic sign that they paid for. She also questioned what the City's procedure were on notifying the private businesses of such emergency message to be displayed. Discussion ensued regarding the procedure. Mayor Bryant stated that is something that staff will work on. The consensus was to leave number 7 in the Standards; however, remove Community Redevelopment Agency.

Commissioner Williams exited the meeting at 8:49 p.m. and returned at 8:52 p.m.

**Motion:**           **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve item 3.D.1 with the removal of "Palmetto Community Redevelopment Agency" from number 7.**

4. 1<sup>ST</sup> PUBLIC HEARING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Mayor Bryant opened the public hearing.

Commissioner Williams exited the meeting at 8:54 p.m.

Corbett Alday, Guardian Resource Management, gave a Power Point presentation to Commission regarding the CDBG. He discussed eligible applicants, the application process, the funding categories, and the time line. He noted that the application is due June 22<sup>nd</sup>. The Citizens Advisory Task Force met and made a recommendation to seek CDBG applications for the Neighborhood Revitalization Category. The second public hearing for the CDBG will be June 15<sup>th</sup>; the specific project that the City will be making application for will come forward then.

Mayor Bryant closed the public hearing after hearing no public comment.

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 4-0 to accept the Citizens Advisory Task Force's recommendation to seek CDBG applications for the Neighborhood Revitalization Category FFY 2014 and in FFY 2015 if necessary to achieve funding, and in the Economic Development Category should a suitable business partner come forward in either FFY 2014 or FFY 2015 and allow staff to proceed with the application. Commissioner Williams was absent for the vote.**

5. PUBLIC HEARING ORDINANCE 2015-03 CEMETERIES

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING AND MEMORIALIZING PROCEDURES FOR USE OF CITY CEMETERIES; PROVIDING FOR A NEW CHAPTER 9, CITY OF PALMETTO CODE OF ORDINANCES; PERTAINING TO USE OF CITY CEMETERIES; PROVIDING FOR AMENDMENT OF THE SUPPLEMENTAL RULES AND PROCEDURES; PROVIDING FOR AMENDMENT OF CEMETERY FEE SCHEDULE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Commissioner Williams returned to the meeting at 9:09 p.m.

Ms. Foley informed Commission that the changes made were indicated in red on the Ordinance as provided in the agenda packet. The changes made to the Supplemental Rules and Procedures were outlined on the Point Paper.

Mayor Bryant closed the public hearing after hearing no public comment.

Commissioner Varnadore questioned why the City would be inserting themselves in the transfer of burial rights by deed. Why isn't it allowed for an owner to transfer to someone and the City not have to be involved? Attorney Barnebey clarified that the City is not necessarily inserting itself in the transaction, but in the receiving of paperwork and transfer of ownership on their records. It is necessary for the City to be notified when a transfer takes place. It was requested that the noticing to the paper be removed from Section 9-4(f) of the Ordinance and be inserted in Section 9-6 (b) (2) g.

Commissioner Williams opined that a fee should be inserted for perpetual care and maintenance and not for additional interments. Ms. Foley explained that not all records have the address on file of the owner or next of kin. How would the City be able to collect for perpetual care? Discussion ensued regarding the charge of perpetual care versus the fee for additional interments.

**Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to adopt Ordinance 2015-03 with the removal of the requirement**

**to put a notice in the newspaper from Section 9-4(f) and add that language to Section 9-6(b)(2)g.**

**6. RESOLUTION 2015-07 CEMETERY FEE SCHEDULE**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ESTABLISHING A CEMETERY FEE SCHEDULE AS PROVIDED FOR IN ORDINANCE 2015-03; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 4-1 to adopt Resolution 2015-07. Commissioner Williams voted no.**

**7. 1<sup>st</sup> READ ORDINANCE 2015-05 LIQUIDATION AND GARAGE SALES**

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR A NEW CHAPTER 24, CITY OF PALMETTO CODE OF ORDINANCES; PROVIDING FOR THE REGULATION OF LIQUIDATION SALES AND GARAGE/YARD SALES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule Ordinance 2015-05 for a public hearing on May 18, 2015 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.**

**8. TRAFFIC MOBILITY STUDY (ADDED TO AGENDA)**

A handout was provided to Commission before the meeting.

Mr. Burton informed Commission that on November 1, 2017 the City will forward the next Comprehensive Plan Evaluation and Appraisal Report (EAR) to the Department of Economic Opportunity (FDEO). The EAR will contain an updated Transportation Element, now referred to as a Mobility Element. Staff has produced a document that reviews the current Comprehensive Plan as it relates to the 2014 Florida Department of Transportation (FDOT) Mobility Review Guide. A copy of the Mobility Review is attached to and made a part of these minutes.

**Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt the recommendations contained in the report and pursue implementation as appropriate.**

*Mayor Bryant recessed the City Commission at 9:41 p.m. meeting to open the May 4, 2015 CRA Board meeting.*

*Mayor Bryant reconvened the City Commission meeting at 9:46 p.m.*

**9. ASR WELL UPDATE**

**10. TRAFFIC UPDATE**

**11. DEPARTMENT HEADS' COMMENTS**

**12. MAYOR'S REPORT**

Mayor Bryant informed Commission that the City of Palmetto was recently awarded the Future of Regions Award and there is an article about that in the Bay Sounding Newsletter.

13. COMMISSIONERS' COMMENTS

Commissioner Cornwell—opined that web addresses should not be on the electronic sign. She was complimentary of the colors used.

Mayor Bryant adjourned the meeting at 9:48 p.m.

Minutes approved: June 1, 2015

*James R. Freeman*

James R. Freeman  
City Clerk