

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
April 4, 2016
7:00 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor
Harold Smith, Vice Mayor, Commissioner, Ward 1
Tamara Cornwell, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 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
Scott Tyler, 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 person intending to address the City Commission were duly sworn.

PROCLAMATION: Commissioner Williams presented the National Tartan Day proclamation to Sondra Conlen, Vice President of the Manasota Chapter of the New World Celts. National Tartan Day is April 6, 2016.

PROCLAMATION: Commissioner Cornwell presented the Child Abuse Prevention Month proclamation to Major Connie Shingledecker, Manatee County Sheriff's Office, and Community Partners.

PROCLAMATION: Commissioner Davis presented the Water Conservation Month proclamation to Tara Poulton, Southwest Florida Water Management District.

PRESENTATION: Senator Galvano presented the Legislative Session wrap-up to the Commission. He discussed the redistricting that occurred, putting the City of Palmetto in Senate District 21 now. Mr. Galvano has filed and is running for that District. The budget has been established and some taxes were cut. He encouraged the City and the citizens to reach out to him with any concerns, comments, and questions.

1. CITY COMMISSION AGENDA APPROVAL

Motion: **Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the April 4, 2016 Agenda.**

2. PUBLIC COMMENT

Pat Bustle, Terry Wilson, David Clark, and Ray Niecestro, DeSoto Historical Society, thanked the City of Palmetto for hosting the Seafood Festival at Sutton Park for the third year in a row. They look forward to continuing to work with the City and hold their annual event here. Mr. Bustle commented on the Friday concert held by David Allen Coe, stating that it was a family friendly performance as the Society intended.

Heather Wallace, City resident, complained about the Friday night concert at the Seafood Festival. She opined that David Allen Coe was not the type of artist that should be allowed to be performing in that City Parks. She requested the Commission review and consider what should and should not be allowed during an event that is held at a City facility.

3. CONSENT AGENDA APPROVAL

A. Clerk's Office

1. Minutes: February 22, 2016 and March 7, 2016
2. It Works! Movie in the Park Special Function Permit
3. Blalock Walters Legal Invoices
4. Interlocal Agreement for Brownfields Creation and Assessment

B. Police Department

1. Resolution 2016-08 Voice Stress Analysis Equipment
2. 2015 Edward Byrne Memorial Justice Assistance Grant
3. Resolution 2016-09 Budget Amendment for Justice Assistance Grant
4. Surplus Vehicles

Commissioner Cornwell removed items A.4. and B.1. for discussion.

Motion: **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the April 4, 2016 Consent Agenda with the removal of items A.4. and B.1. for discussion.**

Interlocal Agreement for Brownfields Creation and Assessment Discussion:

Mr. Burton explained that the Interlocal involves the City of Palmetto, Manatee County, the City of Bradenton, and the Sarasota/Manatee Metropolitan Planning Organization. The Environmental Protection Agency awarded a Cooperative Agreement to Manatee County from October 2015 to September 2018. The Agreement creates a Coalition to carry out the activities in the EPA Cooperative Agreement. The County will manage the Coalition and the City will receive funds towards Brownfield assessments.

Motion: **Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the Interlocal Agreement for the Brownfields Creation and Assessment.**

Resolution 2016-08 Voice Stress Analysis Equipment Discussion:

Chief Tyler explained the Voice Stress Analysis Equipment is similar to that of a polygraph and can show when a person may not be telling the truth. There is ongoing training provided to the officers and will be the only foreseeable cost.

Motion: **Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to adopt Resolution 2016-08.**

5. CONCEPTUAL APPROVAL FOR THE RIVERWALK REGATTA 2017

The applicant, ISM USA, LLC, would like to have the City's conceptual approval for the 3rd Annual Riverwalk Regatta on February 4, 2017.

Action Request: **Motion to conceptually approve the 3rd Annual Riverwalk Regatta for February 4, 2017.**

NO ACTION TAKEN, THIS ITEM WILL BE CARRIED FORWARD TO THE NEXT AVAILABLE MEETING.

6. LIEN REDUCTION REQUEST 904 4TH STREET WEST

Mr. Freeman explained that the City received a request for the property located at 904 4th Street West. The City has two recorded liens; a Code Enforcement lien of \$262.85 and a Utility lien for \$6,419.18. There has not been any usage for the utilities since 2012. The current owner, Sarasota Investment Trust LLC acquired the property in 2014.

Ron Shenkin, representing Sarasota Investment Trust LLC, respectfully requested a reduction in the total lien amount.

Motion: **Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to deny the lien reduction and to collect the total amount of \$6,682.03.**

7. RESOLUTION 2016-11 INVESTMENT POLICY

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, TO ESTABLISH POLICY SETTING GUIDELINES FOR THE INVESTING OF PUBLIC FUNDS FOR PURPOSES OF ENSURING THE FINANCIAL STABILITY OF THE CITY.

Motion: **Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Resolution 2016-11.**

8. PUBLIC HEARING ORDINANCE 2016-04 CHARTER AMENDMENT

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING SUBMISSION OF AMENDMENTS TO THE CITY CHARTER TO THE VOTERS AT THE NOVEMBER, 2016 GENERAL ELECTION PROVIDING FOR AMENDMENT TO SECTIONS RELATING TO COMMISSIONER QUALIFICATIONS AND OFFICE HOLDING, TO THE VICE MAYOR, COMMISSIONER VACANCIES AND REPLACEMENT, TO CHARTER REVIEW; CLARIFYING THE EFFECTIVE DATE OF ANY AMENDMENTS TO THE CHARTER; PROVIDING FOR APPROVAL OF A BALLOT QUESTION; PROVIDING FOR APPROVAL OF BALLOT QUESTION TITLE; PROVIDING FOR PUBLICATION; PROVIDING FOR COORDINATION WITH SUPERVISOR OF ELECTIONS; PROVIDING FOR ELECTION DATE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Frank Brunner, resident of the City, requested that Commission consider continuing the public hearing to the next Commission meeting to allow more time for the public to review and speak regarding the changes proposed.

Mayor Bryant closed the public hearing after public comment.

Commissioner Williams opined that a workshop should be held between the Charter Review Committee and the Commission.

Mayor Bryant reopened the public hearing.

Motion: **Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to continue the public hearing on Ordinance 2016-04 to April 18, 2016 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.**

Living Shoreline Discussion:

Bob Gause, Project Manager, informed Commission that he should be in receipt of the bond in the next couple of days and then the project can begin.

9. PUBLIC HEARING READ ORDINANCE 2016-05 UNSAFE STRUCTURES

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR AMENDMENTS TO CHAPTER 16, ARTICLE II, OF THE CODE OF ORDINANCES RELATED TO NUISANCES;

PROVIDING FOR AMENDED REGULATIONS RELATED TO THE ELIMINATION OF NUISANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2016-05.

10. 1ST READ ORDINANCE 2016-08 MORATORIUM DOWNTOWN ZONING

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, DECLARING A MORATORIUM AS TO THE FILING AND/OR APPLICATION FOR THE ESTABLISHMENT OF BUSINESSES KNOWN AS SERVICE STATION, AUTOMOTIVE REPAIR-MINOR AND AUTOMOTIVE REPAIR-MAJOR WITHIN AN AREA BOUNDED BY THE CSX RAILROAD TO THE EAST, THE MANATEE RIVER TO THE SOUTH AND BY PROPERTIES BORDERING ON BOTH SIDES OF 11TH AVENUE WEST TO THE WEST AND ON BOTH SIDES OF 10TH STREET WEST TO THE NORTH; PROVIDING SUSPENSION OF ANY SUCH ZONING, PERMITTING AND LICENSING; PROVIDING THAT SAID MORATORIUM SHALL BE IN EFFECT UNTIL APRIL 30, 2017, UNLESS TERMINATED BY THE CITY COMMISSION AT AN EARLIER DATE; PROVIDING FOR LEGISLATIVE FINDINGS, INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS; PROVIDING FOR BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule Ordinance 2016-08 for a Public Hearing on April 18, 2016 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.

Mayor Bryant recessed the City Commission meeting at 8:21 p.m. to open the April 4, 2016 CRA Board meeting.

Mayor Bryant resumed the City Commission meeting at 8:26 p.m.

11. TRAFFIC UPDATE

Discussed during the workshop meeting.

12. DEPARTMENT HEADS' COMMENTS

Mr. Freeman—informed Commission of the remodeling that will be occurring over the next few months in Chambers; new fabric on the walls, new wood carved City seal, Commission chairs, and refinishing of the dais.

Mr. Tusing—stated that he received a call from Jay Taylor regarding the Cemetery and the chain link fencing. He stated he will be donating the hedges to replace the fencing along 8th Street to match the hedges along 10th Street.

Ms. Foley—informed Commission that last year the City applied for a grant from the State to install lighting and an educational kiosk at the Yellow Fever Cemetery. Ms. Foley received confirmation that the City has been awarded the grant (unofficially) with a letter and information confirming that to follow in the next few months.

Chief Tyler—stated that the weekend was busy with the Seafood Festival, an event at Palmetto High School, and an event at the Civic Center; there were no major issues at any of those events.

He announced that the last session for the Citizens Academy was last week with graduation to be tomorrow at 7:00 p.m. Mayor Bryant asked Vice-Mayor Smith to attend in her absence.

Attorney Barnebey—he is still diligently working on the contract for the Veterans of Foreign Wars building.

13. MAYOR'S REPORT

Mayor Bryant stated that at a recent Department Head meeting it was discussed about the reduction of liens, specifically the utility liens; utility liens are an actual cost to the City and should not be reduced or waived. This will be further looked into and a policy written and brought forward to Commission.

Mayor recently did an interview with Linda Carson for a segment on "My Home Town." She invited both Dan West and Mr. Wright to speak regarding the City and the history. This interview will be airing in about two weeks.

Mayor and Commission requested a workshop discussion regarding what types of musical acts and events should or should not be held in a public park or facility. [This is based upon the public comment at the beginning of the meeting.]

14. COMMISSIONERS' COMMENTS

Commissioner Williams—asked Attorney Barnebey to make the track changes of the drafts his office prepares to be in a bolder, more noticeable color than light blue.

Commissioner Cornwell—commented that she can only attend tomorrow's Council of Government meeting for a short time.

She recently attended the Historical Park meeting for Commissioner Davis and will provide him with her notes.

Commissioner Davis—asked if more recent pictures could be posted on the City's website.

He thanked Public Works staff for coming around with the notices that the sewer lines were going to be under repair (system one).

Commissioner Varnadore—inquired about the fencing removal/replacement for the basketball and tennis courts during the Seafood Festival. Mr. Tusing stated that the DeSoto Society only removed part of the basketball court fencing for the event; that is why the layout was changed from previous. They will be putting the fencing back up that they removed. He will provide a status on the safety of the fencing surrounding both courts at the next meeting.

She looks forward to having the discussion at a workshop regarding events in public parks.

Mr. Tusing updated the Commission on the FPL cable install under the Manatee River.

Mayor Bryant adjourned the meeting at 8:53 p.m.

Minutes approved: May 2, 2016

James R. Freeman

James R. Freeman, City Clerk