

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND SPECIAL CRA BOARD MEETING  
December 19, 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 persons intending to address the City Commission were duly sworn.

RECOGNITION: Mayor Bryant recognized Rudy Gonzalez as the City's Employee of the Year.

1. CITY COMMISSION AGENDA APPROVAL

**Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the December 19, 2016 Agenda.**

2. PUBLIC COMMENT

None

3. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. November 7 and November 21 Minutes
2. Special Function Permits
  - a. Bed and Breakfast Weddings January through June 2017
  - b. Tanya Clavey Memorial Car Show
3. Resolution 2016-37 Budget Carryforward

B. Public Works

1. Surplus Property

Mr. Freeman requested item 3.B.1. Surplus Property be pulled and placed on the next agenda.

**Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the December 19, 2016 Consent Agenda with removal item 3.A.3. Budget Resolution for discussion.**

3.A.3. Resolution 2016-37 Budget Carryforward Discussion:

Commissioner Varnadore questioned the consulting line budget in the Resolution. Mr. Burton explained that this amount is budgeted for Lombardo Foley Kolarik to perform preliminary work on 11<sup>th</sup> Avenue West

in regards to parking; additional parking is being considered on 11<sup>th</sup> Avenue West, the south side of Sutton Park.

**Motion:**           **Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2016-37.**

4. PUBLIC HEARING ORDINANCE 2016-18 GENERAL EMPLOYEE PENSION PLAN

AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 22, PERSONNEL, ARTICLE IV, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCE OF THE CITY OF PALMETTO; AMENDING SECTION 22-81, DEFINITIONS; AMENDING SECTION 22-82 MEMBERSHIP; AMENDING SECTION 22-84, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 22-86, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 22-88, DISABILITY; AMENDING SECTION 22-89, VESTING; AMENDING SECTION 22-90, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 22-94, MAXIMUM PENSION; AMENDING SECTION 22-95 MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 22-107, PRIOR GOVERNMENT SERVICE; AMENDING SECTION 22-108, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 22-109, REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

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

Several items of the Ordinance were questioned. Due to the different questions, staff decided it would be better to ask Attorney Christiansen, attorney for the Pension Board, to come to the Workshop on January 9, 2017 to answer these questions. It was recommended that the Public Hearing be reopened on this Ordinance and continued to the January 9<sup>th</sup> meeting date.

Mayor Bryant reopened the public hearing

**Motion:**           **Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to continue Ordinance 2016-18 to January 9, 2017 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.**

5. PUBLIC HEARING ORDINANCE 2016-10 SPECIAL FUNCTION PERMIT

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF THE REGULATIONS FOR SPECIAL FUNCTION PERMITS AND THE USE OF PUBLIC PARKS AND PUBLIC FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing continued from December 5, 2016, after hearing no public comment, Mayor Bryant closed the public hearing.

Commissioner Varnadore opined a hard and fast rule for the 30 day and 60 day deadlines should be included, but also accepts the alternate language to the bullet point that allows for the Mayor to review the application if not received in the time frames and the event is scheduled before the City Commission is to meet. The Mayor would then forward her approval of the event or denial of the event to the City Commission who would be expected to respond to her within 48 hours if a special meeting is requested. If no meeting is requested, then the permit shall be approved or denied as consistent with the Mayor's approval or denial of the event. [This alternate language would be applied to Section D.2.]

**Motion:**           **Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2016-10 with the deletion of Section D.1. and D.2. and insert the alternate language as presented in the Workshop Agenda Point Paper.**

6. 1<sup>ST</sup> PUBLIC HEARING ORDINANCE 2016-17 REGULATION OF MOTOR VEHICLE SERVICE AND REPAIR

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, REGARDING THE REGULATION OF VEHICLE REPAIR, MOTOR VEHICLE REPAIR USES, SERVICE STATIONS AND INDUSTRIAL USES; AMENDING APPENDIX B (THE ZONING CODE); AMENDING THE PALMETTO DOWNTOWN DESIGN CODE; DEFINING AND AMENDING THE DEFINITION OF CERTAIN TERMS; ESTABLISHING THE LIMITATIONS ON THE LOCATION OF VEHICLE REPAIR, MOTOR VEHICLE REPAIR, SERVICE STATIONS AND INDUSTRIAL USES; CREATING A "TENTH AVENUE/OLD MAIN" CHARACTER DISTRICT AREA; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR TERMINATION OF THE MORATORIUM RELATED TO MOTOR VEHICLE REPAIR-MINOR AND MOTOR VEHICLE REPAIR-MAJOR AND SERVICE STATIONS (ADOPTED JUNE 2016); AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant open the public hearing continued from December 5, 2016.

**Motion:** Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to continue the first public hearing on Ordinance 2016-17 to January 9, 2017 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

7. NOVEMBER CHECK REGISTER (Informational Only)

*Mayor Bryant recessed the City Commission meeting at 7:49 p.m. to open the December 19, 2016 Special CRA Board meeting.*

*Mayor Bryant reconvened the City Commission meeting at 8:14 p.m.*

8. RESOLUTION 2016-36 CRA CARRYFORWARD BUDGET

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION 2016-29, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2016-2017, AND PROVIDING AN EFFECTIVE DATE.

**Motion:** Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to adopt Resolution 2016-36.

9. CONCEPTUAL CONVENTION CENTER COMPLEX IMPROVEMENTS

**Motion:** Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve conceptual approval of CRA and City participation regarding Convention Center Complex Improvements and land acquisitions, and authorize staff and the City Attorney to continue working on finalizing documents to bring back to the Commission consistent with this approval.

Commissioner Varnadore questioned how much the attorney's fees would be on this project; Attorney Barnebey stated that he cannot give an accurate estimate at this time because there has been a lot of work going on and continuing but he will try to gather information to get an estimate together for Commission. Most of the fees will be paid through the CRA for the project; it has been budgeted. Commissioner Williams opined this Convention Center Complex discussion should remain a standing item on future agendas until the project is complete.

10. TRAFFIC UPDATE

11. PALMETTO POOL UPDATE

12. DEPARTMENT HEADS' COMMENTS

Mr. Freeman—discussed the Special Function Permit Ordinance that was adopted tonight; there are a couple clarifications he needed to ask the Commission to make.

**Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to reopen the Public Hearing on Ordinance 2016-10.**

Mr. Freeman corrected the Ordinance that was on tonight's agenda by clarifying that in Section 19-174, the words "to the extent practicable" was stricken; and also Section 19-176 language will be changed to read "In the event the City Commission is not scheduled to meet on an application prior to the date of the event, the Mayor shall review the application and prepare a notice of intent to approve or deny the request based on the review criteria set forth in Section 19-174. The notice of intent shall be forwarded to the City Commission. If a Commissioner requests a special meeting of the Commission within forty-eight (48) hours after transmittal of the notice of intent, the Mayor shall schedule a special meeting to review and consider the application. If no special meeting is requested within the forty-eight (48) hour time period, the special function permit application shall approved or denied consistent with the notice of intent and shall be considered a final order of the City."

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to reconsider the motion made on Ordinance 2016-10.**

**Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to strike "to the extent practicable" from Section 19-174 and to add the above language as mentioned into Section 19-176.**

### 13. MAYOR'S REPORT

Mayor Bryant commented on the Employee Appreciation Party that occurred last week. She thanked all the sponsors and contributors and to Veolia for cooking and providing all the meat for the employees for lunch. She thanked the Department Heads, Commissioner Davis, and Commissioner Williams for serving the employees at the Party.

### 14. COMMISSIONERS' COMMENTS

Commissioner Williams—asked if Commission could be notified when projects are completed in the City.

Commissioner Davis—discussed the heights of buildings in the City of Palmetto and would like to consider having public hearings to understand how the public feels and what they would prefer to see as far as various heights of buildings throughout the City; more specifically in the downtown corridor. Staff discussed issuing a survey as a way to gather public input as well.

Commissioner Varnadore—questioned when to expect a discussion about the rest of the Compensation Study results. Mr. Freeman will be scheduling individual meetings with the Commissioners to discuss the preliminary results [for pension and health insurance].

All of the Commission wished everyone a Merry Christmas and Happy Holidays.

Mayor Bryant adjourned the meeting at 8:45 p.m.

Minutes approved: January 23, 2017

*James R. Freeman*

James R. Freeman  
City Clerk