

**CITY OF PALMETTO
CITY COMMISSION MEETING
February 6, 2017
7:00 PM**

Elected Officials Present:

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
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.

PROCLAMATION: Commissioner Williams presented the Engineers Week proclamation to Bob Lombardo, Neirda Lafontant, and Michael Janokowski. Engineers Week is February 19th to the 25th.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant requested the addition of the Carnegie Library Estimated Proposal be added to the agenda as item 3.C.1.

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the February 6, 2017 Agenda with the addition of item 3.C.1. as requested.

2. PUBLIC COMMENT

Jerry Donley, City resident, commented on the Regatta that occurred this weekend. He was very complimentary of the event, making one suggestion; he would like to request a P.A. system added to the Green Bridge somewhere to allow for spectators to hear the commentary regarding the boat races that happened on the Bradenton side of the event.

3. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. 12/19/2017 Workshop Minutes and 1/9/2017 Commission Minutes
2. Special Function Permits:
 - a. Historical Park Yard Sale 2/18/2017
 - b. Historical Park Heritage Art Show 3/4/2017
 - c. Historical Park Heritage Festival
 - d. Historical Park Family Fun Day 4/14/2017
 - e. Historical Park Halloween Social 10/21/2017
 - f. Historical Park Christmas in the Park 12/2/2017
 - g. Grilled Cheese Festival 2/25/2017
 - h. Wheels for Purple Hearts Fundraiser 3/25/2017
 - i. Wheels for Purple Hearts Fundraiser 11/4/2017

3. Resolution 2017-01 Anthem Bank and Trust
 4. Blalock Walters Legal Invoices
- B. Police Department
1. Resolution 2017-03 Byrne Grant

Commissioner Williams requested the removal of item 3.A.3. and item 3.A.2.g. for discussion.

Mr. Freeman clarified and recognized the typographical error in Section VI of Resolution 2017-01; this item was no longer removed for further discussion.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the February 6, 2017 Consent Agenda with the removal of item 3.A.2.g.

3.A.2.g. Grilled Cheese Festival Special Function Permit Discussion:

Commissioner Williams questioned why the application was not turned in within the 60-day timeframe and did not agree with the submittal of an incomplete application. He was not inclined to approve the Permit at this time. Discussion ensued regarding the submittal of the application less than 60-days. Peter Frank, applicant, apologized for not getting the application in within the time frame and respectfully requested approval. He highlighted the event and noted that the event will benefit the Electus Charity.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-1 to approve the Grilled Cheese Special Function Permit with the caveat that all missing items are received prior to the event date of February 25, 2017. Commissioner Williams voted no.

4. EASEMENT ENCROACHMENT AGREEMENT

A request for an encroachment agreement at 1316 28 Avenue Drive West.

Mr. Tusing explained that the applicant, Mr. Esgro, requested an encroachment agreement to allow for installation of his mobile home. Frontier, TECO, FPL and Brighthouse have all provided letters indicating no objection to the encroachment. Mr. Tusing requested the motion be for 5 feet not 3-5 feet.

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to grant an encroachment agreement of 5 feet to an existing easement along the East property line of 1316 28 Avenue Drive West.

Commissioner Williams requested, in the future, maps are provided to Commission along with the point paper to show where in the City the encroachment will be.

5. 1st READ ORDINANCE 2017-01 HABEN BOULEVARD REZONE

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; REZONING APPROXIMATELY 24.61 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF U.S. 41 N AND HABEN BOULEVARD, PALMETTO, FROM PUBLIC (P) TO PLANNED DEVELOPMENT – MULTIPLE USE (PD-MU); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to schedule Ordinance 2017-01 for a Public Hearing on February 27, 2017 for 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.

Discussion ensued regarding the scheduling of all these Ordinances for a Public Hearing on February 27th with three days to review all of these Planning and Zoning items. Attorney Barnebey explained in the Ordinance it states that the Planning and Zoning Board shall hear General Development Plans within 30

days of receipt of a completed application with the City Commission to hear the items within 30 days of the Planning and Zoning Board. Advertisements consist of a newspaper ad as well as a mailing to the surrounding property owners. Attorney Barnebey explained that these items have been advertised; if Commission does not feel they will be adequately prepared to make an educated approval of these items on February 27th, the Public Hearings can be continued to another Commission meeting date after the 27th. Due to the advertisements already being in the newspaper as well as mailed out (because of the timeframe for the Planning and Zoning Board) he stated that the Public Hearings will be placed on the February 27th agenda to open the advertised Hearings. It was requested a discussion be placed on the next Workshop meeting regarding advertisements and the Ordinance related to the General Development Plan hearings.

6. 1ST READ ORDINANCE 2017-02 HOTEL GENERAL DEVELOPMENT PLAN

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR A 250-ROOM FULL-SERVICE HOTEL, THE EXISTING 98,722 SF CONVENTION CENTER, 18,000 SF ENTERTAINMENT CENTER, BANQUET HALL, 110,000 SF OF TEMPORARY EVENT SPACE AND 50,000 SF OF FUTURE COMMERCIAL SPACE ON A 37.14-ACRE SITE ZONED PD-MU AND LOCATED GENERALLY AT THE NORTHEAST CORNER OF U.S. 41 N AND HABEN BOULEVARD, PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion: **Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to schedule Ordinance 2017-02 for a Public Hearing on February 27, 2017 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.**

7. 1ST READ ORDINANCE 2017-03 BONITA VISTA GENERAL DEVELOPMENT PLAN

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR AN 18-UNIT, THREE-STORY MULTI-FAMILY BUILDING ON A 0.90-ACRE SITE ZONED PD-H AND LOCATED GENERALLY AT THE SOUTHWEST CORNER OF 14TH AVENUE WEST AND 23RD STREET WEST, PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion: **Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to schedule Ordinance 2017-03 for a Public Hearing on February 27, 2017 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. 1ST READ ORDINANCE 2017-04 MEDICAL OFFICE GENERAL DEVELOPMENT PLAN

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR 20,000 SF OF MEDICAL OFFICE ON A 1.82-ACRE SITE ZONED PD-MU AND LOCATED GENERALLY AT THE NORTHEAST CORNER OF US 41 NORTH AND 1ST STREET EAST, PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion: **Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule Ordinance 2017-04 for a Public Hearing on February 27, 2017 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.**

9. RESOLUTION 2017-05 SRF LOAN FUND COMMITMENT EQ BASIN

A RESOLUTION OF CITY OF PALMETTO FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Attorney Barnebey stated that the motion for this item should be to adopt Resolution 2017-05 subject to the legal opinion from the City attorney showing this item as acceptable.

Corbett Alday, Guardian, informed Commission that everything that is being requested is normal procedure.

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Resolution 2017-05 subject to legal opinion from the City Attorney and final review of the Agreement.

10. RESOLUTION 2017-06 SRF LOAN FUND COMMITMENT RECLAIMED WATER

A RESOLUTION OF CITY OF PALMETTO FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Resolution 2017-06 subject to legal opinion from the City Attorney and final review of the Agreement.

11. JANUARY CHECK REGISTER (Informational Only)

12. TRAFFIC UPDATE

Mayor Bryant informed Commission that she sent them a letter from the Florida Department of Transportation regarding upcoming projects planned for 16 area bridges; DeSoto Bridge is not on that list.

She recently received a Citizen Complaint regarding traffic detour preparation for the Regatta event. The citizen requested that notification be made available to the public more than 2 weeks before the event to allow for adequate preparation and notification.

13. PALMETTO POOL UPDATE

Mayor Bryant met with the County regarding the pool proposed for the City area. She explained that they are considering development of the pool at Lincoln Park which is a County owned park on City owned property. They estimate the total expense to be \$3 million dollars with \$2 million to be paid for by the County and \$1 million to be paid for by the City. Mayor Bryant is not in agreement with this figure and expressed her displeasure to the County; while the \$1 million would not be paid all up front, it would be approximately \$90,000 per year over the course of 15 years. Mayor Bryant will be having further discussion on this topic.

14. DEPARTMENT HEADS' COMMENTS

None.

15. MAYOR'S REPORT

Mayor Bryant announced that she received a couple letters from the Governor thanking members of City staff for their help during Hurricanes Hermine and Matthew: Amber Foley, Allen Tusing, and Javier Vargas.

Mayor Bryant discussed wanting to have discussion regarding TIF funding and the CRA dollars for incentive programs as well as adding the opportunity for Code Enforcement to go out and look at a property applying for a Façade Enhancement Incentive. Commission agreed on having this discussion placed on a future CRA Board agenda or Workshop.

Commissioner Cornwell addressed a correspondence she received regarding community gardens in the CRA. Mayor Bryant asked to receive a copy of this letter so that she can further discuss with the CRA.

Mayor Bryant complimented the River Regatta and stated she received many compliments regarding the well-attended event on Saturday.

16. COMMISSIONERS' COMMENTS

Commissioner Davis—attended the River Regatta event this past weekend and complimented it.

He invited everyone to attend the Historical Park Yard Sale on February 18th. Mr. Davis also informed everyone that Col. Pack with the Historical Park is working with Mr. Glasgow, USA Fence, on the storage of the antique fire truck in the City of Bradenton. It will be on view and the public will be able to go see it.

Commissioner Williams—announced that the Historical Park needs volunteers for their Yard Sale event.

He attended the River Regatta gala event that was held Saturday night. He complimented the fireworks and the fly board show.

Commissioner Williams mentioned House Bill 17 that proposes prohibiting certain local governments from imposing or adopting certain businesses, professions, and occupations after a certain date; preempts to state regulations concerning businesses, professions, and occupations; and provides exceptions to preemption.

Mr. Williams stated that he would like to have some more information on derelict boats and when they come ashore on other people's property.

Commissioner Cornwell—thanked Commissioner Varnadore for attending the Historical Board meeting on Thursday.

Mayor Bryant adjourned the meeting at 8:51 p.m.

Minutes approved: March 13, 2017

James R. Freeman

James R. Freeman
City Clerk