

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
February 5, 2018  
7:00 PM**

Elected Officials Present:

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

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Director of Public Works  
Scott Tyler, Chief of Police  
Amber LaRowe, 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 Davis presented the Engineer's Week proclamation to Bob Lombardo and staff at WRA Engineering. Engineer's Week is February 18-24<sup>th</sup>.

**RECOGNITION:** Mayor Bryant recognized the following City Employees for their recent nomination for the Employee of the 1<sup>st</sup> Quarter.

Grace Johnson	Sebastian Smith
Fletcher Mobley	Robert Lathinghouse
Ofc. Harold Baez	

Mayor Bryant and the City Commission recognized Grace Johnson as the Employee of the 1<sup>st</sup> Quarter.

## 1. CITY COMMISSION AGENDA APPROVAL

**Motion:**        **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the February 5, 2018 Commission Agenda.**

## 2. PUBLIC COMMENT

Before public comments began, Mayor Bryant recognized the large public speaking audience in attendance. She stated that in the essence of time and to allow everyone to speak, the City Commission would conduct the first 30 minutes of public speaking at this time and then after the main agenda items have been discussed, the remaining public speakers would be called upon to speak.

Attorney Barnebey recognized that most members in the audience were in attendance to speak regarding the recent adoption of Resolution 2018-01 the Interlocal Services Boundary Agreement that discussed annexations. He clarified that this Resolution was the first step of many to come regarding an Interlocal Agreement with Manatee County for voluntary annexations into the City of Palmetto. He reiterated that the intent of the Resolution was to allow City staff and legal to meet, discuss, and write an agreement with Manatee County for voluntary annexations of property outside the City limits for voluntary annexations; not involuntary. It is not the intent of the City to force anyone to annex into the City that does not want to willingly.

Jerry Donley, resident of the City of Palmetto, commented on the Manatee River Regatta event that was held over the weekend. He was pleased with the event and glad that the event organizer heeded the community's requests of making the announcements of the boat races more audible to those on the City of Palmetto side who were watching the races.

The following residents of Snead Island spoke in opposition of the Resolution 2018-01 that was adopted by the City Commission at the January 22, 2018 7:00 p.m. Commission meeting. Their disdain with the Resolution was the term "involuntary" that was highlighted in the Agenda Memorandum that was attached to the Resolution. It shall be noted that the word "involuntary" is not written in any part of the actual adopted Resolution. The Agenda Memorandum simply stated the statutory provisions, not the intentions of the City and/or County.

- Rita Bernot
- Larry Looper
- John McDonald
- Jeff Herba
- Annette Cato

After the above five Snead Island residents spoke and reiterated their displeasure regarding the term "involuntary", a discussion ensued amongst Attorney Barnebey and the City Commission. Commissioner Varnadore suggested that the word "involuntary" be removed from Resolution

2018-01. Attorney Barnebey will revise the Resolution to make it clear on the intent of the City of Palmetto and voluntary annexations.

This concluded the first 30 minutes of public speaking time.

### 3. CONSENT AGENDA APPROVAL

#### A. City Clerk's Office

1. January 22<sup>nd</sup> Minutes
2. Special Function Permits:
  - a. 30<sup>th</sup> Annual St. Pete Bicycle Club Classic Ride 2/11
  - b. DeSoto Heritage Grand Festival 4/28
3. Blalock Walters Legal Bills

#### B. Public Works

1. Resolution 2018-04 FDOT Maintenance Agreement

**Motion:** Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the February 5, 2018 Consent Agenda.

### 4. LIEN REDUCTION REQUEST

Mr. Freeman explained to Commission that this is the same lien reduction request as presented at the January 22<sup>nd</sup> Commission meeting. The resident is asking for any relief on the lien that has been placed on property 1104 26<sup>th</sup> Ave W.

Takeira Holloway, owner of the property, explained that she recently purchased the house. Before purchasing the house she researched on the Clerk of the Court's website and could not locate any liens. She stated that she also went to the Manatee County Clerk's Office and asked for their assistance, they were unable to locate the lien also.

Commissioner Smith questioned Mr. Freeman as to why the resident and the clerk were unable to locate the lien. Mr. Freeman stated he was not sure why they could not locate the lien as it was filed with the Clerk on May 16, 2006 in book 2125 page 1428.

Mayor Bryant made a recommendation that the Commission not reduce the lien and Commissioner Williams agreed.

**Motion:** Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to deny a reduction on the lien for the property located at 1104 26<sup>th</sup> Ave W, Palmetto, FL 34221.

### 5. FIRST READ ORDINANCE 2018-01 PARK AND PUBLIC FACILITIES USE REGULATIONS

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, REGARDING PROHIBITED ACTIVITIES IN CITY PARKS, AT CITY FACILITIES, AND ON PUBLIC PROPERTY AND

FACILITIES WITHIN THE CITY OF PALMETTO; AMENDING CHAPTER 20 OF THE CITY CODE OF ORDINANCES; ESTABLISHING PROHIBITED ACTIVITIES IN CITY PARKS; AMENDING THE HOURS OF OPERATION FOR CITY PARKS; DEFINING UNLAWFUL LOITERING AT CITY FACILITIES; RESTRICTING LODGING OUT-OF-DOORS ON PUBLIC PROPERTY; PROVIDING FOR TRESPASS WARNINGS AND PENALTIES FOR BEING IN VIOLATION OF TRESPASS WARNINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion:** Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to schedule Ordinance 2018-01 for a public hearing on February 26, 2018 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.

6. FIRST READ ORDINANCE 2018-02 CODE ENFORCEMENT BOARD SPECIAL MAGISTRATE

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, DESIGNATING SPECIAL MAGISTRATES TO CONDUCT CODE ENFORCEMENT HEARINGS; AMENDING THE CITY CODE; PROVIDING FOR THE APPOINTMENT OF SPECIAL MAGISTRATES; PROVIDING PROCEDURES FOR ENFORCEMENT HEARINGS; PROVIDING PENALTIES FOR CODE VIOLATIONS; PROVIDING FOR NOTICE AND APPEALS OF SPECIAL MAGISTRATE HEARINGS; REVISING SECTIONS OF THE CITY CODE REFERENCING THE CODE ENFORCEMENT BOARD; PROVIDING FOR CODIFICATION; 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 2018-02 for a public hearing on February 26, 2018 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 8:04 p.m. to open the February 5, 2018 CRA Board meeting.*

*Mayor Bryant reconvened the City Commission meeting at 8:07 p.m.*

7. TRAFFIC UPDATE

Mayor Bryant discussed the Central Manatee Network Alternatives Analysis (CMNAA) and all the entities that are involved in that. The information is on the Florida Department of Transportation's (FDOT) website.

#### 8. NOISE

Nothing to report.

#### 9. PALMETTO POOL UPDATE

No update.

#### 10. DEPARTMENT HEADS' COMMENTS

Mr. Tusing—informed the Commission that FDOT is currently in the bid process to create a pedestrian and bicycle shared pathway/walkway on the Green Bridge. FDOT is also planning to create a right turn lanes located at the intersections of Business 41 and 3<sup>rd</sup> and Manatee Avenues in the City of Bradenton

Chief Tyler—commented on the River Regatta event that was held this weekend; no issues.

He discussed the Uniform Crime Reporting Statistics for the City of Palmetto in regards to Part 1 Crimes; the City of Palmetto saw a 4 percent reduction in 2017 as compared to 2016's rate. Overall crime rate is approximately 3.66 percent.

Attorney Barnebey—gave a brief update on the Amberwynd legal case. He discussed the agreement that was made with Amberwynd in the past that has created a litigation issue now due to the City having to “force” the agreement that was made in the ‘90s.

Mayor Bryant continued the public comment from earlier in the meeting.

Matthew Matayas, resident of the City of Palmetto, spoke regarding Ordinance 2018-01, Park and Facilities. He is not necessarily in favor of the Ordinance as presented as he opined it targets the homeless population. He asked the City to take a different approach to the homeless instead of the Ordinance as drafted. Mayor Bryant asked him to come back with his solutions to the homeless situation in the City's park.

The following Snead Island residents spoke in opposition of the Resolution 2018-01 as mentioned earlier in the meeting:

- Henry Vaccaro
- Mark Conner
- Denise Cabanellos
- Bill Kaklis

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

Attorney Barnebey reiterated the intent of Resolution 2018-01 and will be making modifications to clearly outline that intent. This Resolution will be presented at the February 26<sup>th</sup> Commission meeting.

It should be noted that most Snead Island residents expressed concerns regarding forcing annexations of properties; but they also expressed concerns about densities per acre on undeveloped sites that are looking to annex into the City. The issue regarding densities per acre is not part of the Resolution that was adopted.

#### 11. MAYOR'S REPORT

None.

#### 12. COMMISSIONERS' COMMENTS

Commissioner Davis—stated, in regards to the annexation agreement/issue at hand; this agreement that may be developed as well as discussion for voluntary annexation have to be worked out with Manatee County as well, it is not a sole City of Palmetto decision.

Commissioner Smith—asked Mrs. Owens, City Planner, about the old Kentucky Fried Chicken property on 8<sup>th</sup> Avenue West and the issues he has brought up before. She stated that these issues are being discussed with staff. Mr. Smith will be in touch with Mrs. Owens.

He asked about mail being opened that comes to the City. It was explained that the customer service representatives pick up the mail and distribute. As part of their routine, they open the mail and place it into mailboxes. They do not necessarily read the mail, but open all mail as a courtesy. The other Commissioners noted that their mail gets open as well. Commissioner Smith expressed concerns with his mail being opened, stating that some mail seems to get opened and other pieces of mail do not.

Commissioner Smith discussed the recent events and issues that have been going on at the Palmetto Youth Center. He clarified that it is he, not his brother Manatee County Commissioner Charles Smith that has the issue with the decisions and choices going on at the Palmetto Youth Center. Commissioner Smith is displeased with the current leadership at the Youth Center and has been the one to take the stand on voicing his complaints and concerns with the operations there.

Commissioner Cornwell—complimented the River Regatta this weekend, she enjoyed the event. She did not find that traffic was terrible since the Green Bridge was closed for a majority of the day on Saturday, she was able to navigate easily and get where she needed to go.

She attended the recent Historical Park Board Meeting whereby they thanked the City for help in facilitating and obtaining the grant for the restoration of the windows at the Carnegie Library as well as other improvements to the Park as a whole. She stated that the Board has decided to keep the fire truck and will find storage for it. As of right now, they are planning to house it at the Ag Museum at the Park.

Mayor Bryant adjourned the meeting at 9:11 p.m.

Minutes approved: February 26, 2018

*James R. Freeman*

James R. Freeman  
City Clerk