

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND SPECIAL CRA BOARD MEETING
November 26, 2018
7:00 PM**

ELECTED OFFICIALS PRESENT:

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

ELECTED OFFICIALS ABSENT:

Tamara Cornwell, Commissioner-at-Large 2

STAFF PRESENT:

Jeff Burton, CRA Director
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.

Mayor Bryant presented the Certificate of City Canvassers for the City of Palmetto reflecting the results of the City of Palmetto Election held November 6, 2018. The results were as follows:

Harold Smith was elected as Commissioner, Ward 1, unopposed
Tambra Varnadore was elected as Commissioner, Ward 2, unopposed
Brian Williams was elected as Commissioner, Ward 3, unopposed

Mayor Shirley Groover Bryant administered the Oath of Office to Commissioner Smith, Commissioner Varnadore, and Commissioner Williams.

Motion: **Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 4-0 to adjourn the meeting sine-die.**

ELECTED OFFICIALS PRESENT:

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

ELECTED OFFICIALS ABSENT:

Tamara Cornwell, Commissioner-at-Large 2

STAFF PRESENT:

Jeff Burton, CRA Director
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 7:11 p.m. with newly sworn in Commissioners.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 4-0 to approve the November 26, 2018 Commission Agenda.

2. PUBLIC COMMENT

Joshua Santillan, Palmetto resident, plays basketball at the courts located at Lamb Park. He and his friends were playing until the lights turned off at 11:00 p.m. Recently, the lights at the Court have been shut off right before 10:00 p.m.; Mr. Santillan was made aware by a City staff member that Lamb Park closes at 10:00 p.m. Since he has not noticed any trouble, he asked the Commission to consider extending the hours at the court until 11:00 p.m.

The Commission asked to bring this discussion to the next meeting and for staff to discuss this internally before that time.

Dean Cully, property owner in Palmetto, discussed the one time annual free pickup from Waste Management not being free if the property is not owned by the person occupying it.

Mayor Bryant asked Mr. Tusing and Mr. Freeman to contact Mr. Cully to discuss the issue further.

3. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. Special Function Permits:
 - a. Holiday Market 11/29/2018
 - b. DeSoto Children's Parade 4/19/2019
2. Taylor Brothers Stucco Agreement
3. Manson Roofing Agreement
4. ITN 706 13th Street West
5. Resolution 2018-33 End of Year Budget Cleanup

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 4-0 to approve the November 26, 2018 Consent Agenda with the removal of item 3.A.2. for further discussion.

3.A.2. TAYLOR BROTHERS STUCCO AGREEMENT DISCUSSION:

In regards to DeLesline's name being on the agreement, Mr. Freeman informed the Commission that staff reached out to Mr. DeLesline to get a recommendation for stucco repair so that the City could obtain three quotes. The City of Palmetto will be contracting directly with Taylor Brothers for this project.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 4-0 to approve item 3.A.2.

4. 1ST READ ORDINANCE 2018-31 GENERAL DEVELOPMENT PLAN PINZON

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING ADOPTION OF A GENERAL DEVELOPMENT PLAN AS DESCRIBED HEREIN FOR A MULTIPLE USE, PLANNED DEVELOPMENT CONTAINING AN EIGHT STORY, 251 ROOM HOTEL INCLUDING A ROOF-TOP LOUNGE AND RESTAURANT, ONE OUTPARCEL CONTAINING UP TO 7,500 SQUARE FEET OF RESTAURANT/OFFICE/RETAIL, AND ONE OUTPARCEL CONTAINING UP TO 7,500 SQUARE FEET OF RESTAURANT/OFFICE/RETAIL/HOTEL ON A 12.53 ACRE SITE GENERALLY LOCATED AT THE NORTHEAST CORNER OF U.S. 41 NORTH AND 7TH STREET WEST IN PALMETTO; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (PINZON/CONVENTION CENTER PROPERTY)

Karla Owens, Development Services Director, explained that this item is a first read for General Development Plan for the Planned Development located on the property next to the Convention Center. The Applicant is requesting five deviations that include:

1. REDUCE THE MINIMUM OPEN SPACE FROM 25 PERCENT TO 20 PERCENT
2. REDUCE THE PERIMETER SETBACKS ON PARCEL 1 FROM THIRTY-FIVE FEET TO ALLOW A ZERO SETBACK ON THE SOUTHEAST CORNER TO PROVIDE FOR A COVERED WALKWAY ENCLOSURE FOR A WEATHER-PROOF CONNECTION FROM THE SOUTH END OF THE HOTEL TO THE EXISTING CONVENTION CENTER NORTH ACCESS AND A TWENTY FOOT SETBACK FOR THE HOTEL BUILDING FROM THE SOUTH PARCEL BOUNDARY AND A TWENTY FIVE FOOT SETBACK FOR THE HOTEL FROM THE EAST PROPERTY BOUNDARY.
3. REDUCE PERIMETER SETBACKS FROM THIRTY FIVE FEET TO ALLOW A ZERO BUILDING SETBACK FOR THE EAST AND SOUTH PARCEL BOUNDARIES FOR PARCEL 2.
4. REDUCE PERIMETER SETBACKS FROM THIRTY FIVE FEET TO ALLOW A FIFTEEN FOOT SETBACK FROM THE EAST AND NORTH PROPERTY BOUNDARIES FOR PARCEL 3.
5. REDUCE SETBACKS FOR STRUCTURES OVER THIRTY FIVE FEET IN HEIGHT FROM FORTY FIVE ADDITIONAL FEET TO THE SETBACKS DESCRIBED IN NUMBER THREE ABOVE.

Staff recommends approval of all the above requested deviations. Mrs. Owens stated that the Planning and Zoning Board met on November 13th on this item and continued it until December 6th.

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 4-0 to approve the first reading of Ordinance 2018-31 and authorize staff to advertise for the appropriate public hearings.

5. ANNEXATION AGREEMENTS

Mrs. Owens explained that attached are two separate proposed voluntary annexation agreements for Dr. Keith Lassen and Ms. Jill Brown; both properties are located to the west of the City in the unincorporated area of the County. Dr. Lassen is currently building a house located at 4315 Pompano Lane and Ms. Brown's property at 3312 7th Street Court West contains an existing single family home. Mrs. Brown's septic system is failing and she desires to connect to central sewer rather than construct a new septic system on her property. Both Dr. Lassen and Ms. Brown have executed and submitted applications for annexation to the City. Due to the recent opposition from Manatee County, however, neither application was processed.

Mrs. Owens stated that the attached agreements provide for a legally binding agreement to voluntarily annex the subject properties and contain a petition to annex. The agreements will be recorded in the public records of Manatee County and bind, not only the applicant, but the successors and assigns of the parties as well as any current or future owner of the property. In addition, both property owners are required to pay all impact, connection and/or other fees as set forth in City Code.

Commissioner Varnadore expressed her opinion regarding Manatee County and their lack of problem solving to help the environment.

Discussion ensued regarding annexations of these properties and that it could take decades before they are contiguous to annex into the City of Palmetto.

Commissioner Varnadore exited the meeting at 8:18 p.m. and returned at 8:21 p.m.
HS-

A. Dr. Keith Lassen: property located at 4315 Pompano Lane, Palmetto, FL 34221

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion failed 2-2 to approve the Voluntary Annexation Agreement and Petition to Annex with Dr. Keith Lassen and authorize the Mayor's execution of same. Commissioners Smith and Varnadore voted no.

Motion: Commissioner Smith moved, Commissioner Williams seconded, and the motion carried 4-0 to reconsider item 5.A. and bring back to the next meeting on December 3rd.

B. Jill Brown: property located at 3312 7th Street Court West, Palmetto, FL 34221

~~**Acton Request:** Motion to approve the Voluntary Annexation Agreement and Petition to Annex with Jill Brown and authorize the Mayor's execution of same.~~

No motion necessary, this item will be brought forward to the next Commission meeting on December 3rd.

6. REGATTA POINTE LEASE ASSIGNMENT

Attorney Barnebey reminded the Commission that on October 15, 2018, the City approved a Consent to Assignment. After approval, SMH Regatta Point, LLC requested revisions to the Consent. After discussion between the various parties, the proposed attached Consent was determined to be acceptable. The new Consent is very similar to the one approved by the City previously. This Consent has only items 1 and 2, the prior one had numbers 1 through 4.

Motion: Subject to review and approval of the Assignment between the current Sublessee and SMH by the City Attorney, Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 4-0 to rescind the prior Consent approved on October 15, 2018, and approve and authorize the Mayor to sign the attached Consent.

7. OCTOBER CHECK REGISTER (Informational Only)

MAYOR BRYANT RECESSED THE CITY COMMISSION MEETING AT 8:44 P.M. TO OPEN THE NOVEMBER 26, 2018 SPECIAL CRA BOARD MEETING.

MAYOR BRYANT RECONVENED THE CITY COMMISSION MEETING AT 8:56 P.M.

STANDING AGENDA ITEMS:

8. TRAFFIC UPDATE

No new update.

9. PALMETTO POOL UPDATE

Mayor Bryant mentioned that Manatee County has requested a joint meeting with the City Commission for January 9th at the Convention Center at 5:00 p.m. to further discuss this item.

10. POLICE DEPARTMENT BUILDING UPDATE

Mr. Freeman informed the Commission that he is working on the format for the Request for Bids and it should be distributed early January.

COMMENTS:

11. DEPARTMENT HEADS' COMMENTS

MR. FREEMAN--informed the Commission that the Credit Card Policy that was approved at the last meeting will be coming forward again at the December 3rd meeting with a slight modification.

12. MAYOR'S REPORT

Mayor Bryant informed the Commission and public that the Historical Park has their annual Christmas in the Park event this Saturday from 3:00 p.m. to 8:00 p.m. They are in need of baked good donations as well as volunteers for the event.

13. COMMISSIONERS' COMMENTS

COMMISSIONER WILLIAMS—looks forward to further discussion regarding the public comment of the basketball court time change as mentioned during public comment.

In regards to the other public comment of the waste discussion and one free pickup, Mr. Freeman explained that he has spoken with this property owner recently regarding this comment. Per the Ordinance, it states that owner occupied homes receive one free annual pickup of debris, yard waste, etc.

COMMISSIONER VARNADORE—discussed garbage cans that are being placed on the sidewalk during garbage day and questioned what will be done about that if we are enforcing people not parking on sidewalks due to ADA violations. Mr. Tusing will provide further education to residents to remind them about not placing garbage cans on the sidewalks obstructing pedestrian and let Waste Management know so that they can ask their employees to put the garbage cans on the side of the road or in the right of way between the sidewalk and the road.

COMMISSIONER DAVIS—discussed the nominating committee for the Tampa Bay Regional Planning Council.

COMMISSIONER SMITH—asked Mrs. Owens to have Code Enforcement contact Pacific Tomato Plant regarding mowing the area by the weight scale along 5th Avenue West 10th Street West.

Mayor Bryant adjourned the meeting at 9:15 p.m.

MINUTES APPROVED: January 7, 2019

James R. Freeman

JAMES R. FREEMAN
CITY CLERK