

**TAB 1**

**DRAFT  
SPECIAL CITY COMMISSION MEETING  
DECEMBER 19, 2011  
12:00 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Charles Smith, Commissioner, Ward 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  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 12:02 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

Swearing-in of all persons intending to address City Commission.

Public Comment: Jane Hunter commented on the parking lot at the Olympia Theater, which is public parking, being chained off this weekend.

1. CITY COMMISSION AGENDA APPROVAL

**MOTION: Commissioner Williams moved, Commissioner Cornwell seconded and motion carried 5-0 to approve the December 19, 2011 Agenda.**

2. CONSENT AGENDA APPROVAL

**A. CITY CLERK'S OFFICE**

1. Minutes: December 5, 2011
2. Energy Efficiency Block Grant #ARS050 funding for the replacement of HVAC units: Award of RFP to Air & Energy; authorization for staff to negotiate and prioritize the units to be replaced; and authorization for the Mayor's execution of the contract in an amount not to exceed \$132,600
3. Authorization to apply for the 2011 FLC Safety Grant for \$5,000 for the purchase and installation of four LED parking lights and authorize the Mayor to accept the grant funds if awarded.

**MOTION: Commissioner Varnadore moved, Commissioner Williams seconded and motion carried 5-0 to approve the December 19, 2011 Consent Agenda**

3. RESOLUTION NO. 2011-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA; MAKING FINDINGS OF ADDITIONAL BLIGHTED AREAS WITHIN THE CITY OF PALMETTO, FLORIDA; MODIFYING THE PALMETTO REDEVELOPMENT PLAN BY CHANGING THE BOUNDARIES OF THE REDEVELOPMENT PLAN BY ADDING LAND TO AND EXCLUDING LAND FROM THE REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Barnebey requested that the item be open with item #4, as the ordinance is related.

4. PUBLIC HEARING: ORDINANCE NO. 2011-34

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, MAKING FINDINGS OF ADDITIONAL BLIGHTED AREAS; EXPANDING THE AREA OF OPERATION OF THE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing for Ordinance No. 2011-34 and Resolution No. 2011-37. After no public comment, she closed the public hearing

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 4-1 to adopt Resolution No. 2011-37. Commissioner Williams voted no.**

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 4-1 to adopt Ordinance No. 2011-34. Commissioner Williams voted no**

5. RESOLUTION NO. 2011-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; APPROVING SUBSTANTIAL MODIFICATIONS TO THE CITY OF PALMETTO COMMUNITY REDEVELOPMENT PLAN PURSUANT TO SECTION 163.361, FLORIDA STATUTES; DEFINING THE REDEVELOPMENT AREA; FINDING THE EXISTENCE OF SLUM AND BLIGHTED CONDITIONS IN THE AREA; MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING CONFORMITY TO THE COMPREHENSIVE PLAN; FINDING AUTHORITY OF THE COMMUNITY REDEVELOPMENT AGENCY TO IMPLEMENT THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

6. PUBLIC HEARING: ORDINANCE NO. 2011-35

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, MODIFYING THE COMMUNITY REDEVELOPMENT PLAN, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing for Resolution No. 2011-38 and Ordinance No. 2011-35. After no public comment, she closed the public hearing.

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to adopt Resolution No. 2011-38**

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to adopt Ordinance No. 2011-35.**

Mayor Bryant recessed the meeting to open the December 19, 2011 Special CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting.

7. RESOLUTION NO. 2011-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 2011-31, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2011-2012, AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Freeman informed Commission that the correct amount in the resolution should be \$1.4 million.

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to adopt Resolution No. 2011-39 as corrected.**

8. BASEBALL FIELD UPDATE

There will be a joint meeting with the County Commissioners following the Council of Governments meeting.

The City received Image Manatee Beautification Award for Palmetto City Hall.

9. ASR WELL UPDATE

No report

10. DEPARTMENT HEADS' COMMENTS

No comments

11. MAYOR'S REPORT

None

12. COMMISSIONERS' COMMENTS

Mr. Williams

Commissioners will forward Mr. Freeman a list of emails they do not wish to receive.

Mr. Smith

Reported he had received an email from the Gulf Coast Builders Exchange regarding its golf tournament fund raiser.

Mayor Bryant asked Mr. Burton to email the digital plan to Ms. Hunter.

Meeting adjourned at 12:55 p.m.

Minutes approved:

James R. Freeman  
City Clerk



# MANATEE COUNTY FLORIDA

## MINUTES of the JOINT WORKSESSION of BOARD of COUNTY COMMISSIONERS PALMETTO CITY COMMISSION SCHOOL BOARD of MANATEE COUNTY

Tuesday, January 3, 2012

5:45 to 7:20 p.m.

Manatee Civic Center, Longboat Key Room  
One Haben Boulevard, Palmetto, FL 34221

**Present:**

**City of Palmetto:** Mayor Shirley Bryant, Charles Smith, Tamara Cornwell, Tandra Varnadore, Brian Williams, Alan Zirkelbach, Jim Freeman (City Clerk), Mark Barnebey (Attorney), Jeff Burton (Palmetto CRA)

**Manatee County:** John Chappie, Donna Hayes, Joe McClash, Larry Bustle, Robin DiSabatino, Carol Whitmore, Michael Gallen, County Administrator Ed Hunzeker, Cindy Turner (Parks & Recreation), Karen Windon (Deputy County Administrator), County Attorney Tedd Williams, Rodney Wade (Deputy County Attorney)

**School Board of Manatee County:** Member Bob Gause, Superintendent Tim McGonegal, Mike Pendley

**Meeting Called To Order**

**Commissioner John R. Chappie**

**1. Palmetto Ballfields: Status Update**

**Mayor Shirley Groover Bryant**

Mayor Bryant read a summary of the last meeting from November 2, 2011 and commented from that meeting that Manatee County doesn't have any money or staff resources to devote to the project. The City is considering breaking the project into phases for bidding and construction as funds are available. The city's engineering firm, Lombardo and Skipper, is currently working on a design with timelines for construction.

Jim Freeman noted that the engineering firm is working on design plans, a budget and a construction timeline for the site at Blackstone Park. He requested that County staff share ballfield specifications with City staff to ensure that the designs are adequate. The engineer indicates it will be two months to complete design specs, and two to four months for bidding while applying for stormwater permits, etc.

Mayor Bryant shared the difficulties of Palmetto being the smallest city with smallest staff available to work on this project.

Mark Barnebey added the City will need a temporary construction easement on County property at Blackstone Park as well as an interlocal agreement for the use of facilities and maintenance.

**Discussion:**

Commissioner Whitmore noted that the City of Holmes Beach built the Babe Ruth field twelve years ago and the only help received from the County on that project was fill dirt and a spreader. The costs were borne by the City of Holmes Beach.

Mayor Bryant added that they are looking for help from the School Board and County for grant writing to raise funds to offset the costs. Derrick Goforth, President of the North American Little League, has reached out to some pro ball teams for support. It's been difficult to get the fields built in time to support the North River Little League and keep them in operation. Membership in the League continues to drop.

Commissioner McClash shared that the Little League was the only entity not left whole in this process. He proposed that the burden does not belong to the City alone for replacing the fields and would like to finish the project by helping the city, with either impact fees or other funds. He noted that the project has not come before the BCC as a conceptual plan; the diagram provided does not provide enough parking spaces. One option would be to use the old Palmetto Elementary School property for softball fields; and use the Blackstone fields for baseball; however he needs more information before making any decision. Mayor Bryant noted that they had considered softball fields in that location but an active business is still located in the heart of the area.

Commissioner Chappie agreed that the County needs to be involved to some degree. But the City of Palmetto needs to take the lead and tell the Commission what and where you want the field — he needs to see a plan. Prior discussion included the amount of \$1.2 million needed and moving the fields to different locations.

Mayor Bryant responded that they now know where to put the fields but need the involvement of County staff in helping with design to avoid wasting the time of the engineers or funds.

Commissioner Chappie noted that what he needs to see from the City is documentation. Did the City Commission vote on this decision? Mayor Bryant responded 'Yes'.

Commissioner Zirkelbach said 'Yes' we voted on it and know that this is the location the City wants to use. We'd like to work on a design utilizing County staff to be sure that our plans comply with the County's standards. The North River complex is utilized by people county-wide and north of the river, so this is Manatee County's problem too.

Karen Windon responded that the agreement reached at the meeting of 11/2/11 was that Parks and Recreation would be involved and would provide technical assistance through the master planning process. This is the foundation needed in order to pursue grant opportunities and the pricing of the project. Cindy Turner and her staff are ready and willing to help.

Commissioner Chappie asked who will be the lead person from the City of Palmetto on the project.

Mayor Bryant responded - Alan Tusing, Public Works Director, from City of Palmetto  
For Manatee County: Karen Windon and Cindy Turner will continue to assist.

Commissioner McClash suggested that since the County owns the property the County should take the lead in the project. The City of Palmetto should commit the dollars they have available and the County should step in and find the balance remaining. He expressed a concern about the detrimental effect on the children without having fields to play on. If this design is acceptable to staff, the Board should approve it and move forward. He said it is irresponsible for the City to build on the County's property.

Commissioner Charles Smith agreed with Mr. McClash – but expressed concerns about different messages being received tonight from commissioners vs the Parks and Recreation staff. The City of Palmetto cannot build the fields without the participation of the County. He is concerned about the needs of our children, having gang problems, and often victims of violence. He wants the County to take the lead – but County staff has said that Palmetto should take the lead.

County Administrator Ed Hunzeker: These were ball fields that were originally owned by the City of Palmetto. The county provided maintenance but never had ownership. When the School Board and the City came to an agreement to build a new school, the ballfields went away. The Board has never made any commitment to fund any portion of this other than to lend our expertise in building ballfields. It is not an impact fee eligible project. The estimated cost is over \$1.5 million dollars; the City has \$800,000. The BCC would have to commit \$700,000 to finish the fields. We have always agreed on continuing maintenance of the fields. We were never authorized by the Board to take ownership of the project from the city – it was a joint School Board and City project.

Cindy Turner noted that the cost will be \$1.5 to 2 million to complete the fields and that the problem has always been who should come up with the money. It would be the County Commission's decision to take on this project.

Commissioner Chappie suggested that at our next meeting that the Board discuss this – someone make a motion to have staff provide the dollars needed.

**Discussion:** Commissioner Varnadore expressed her agreement with Mr. McClash and that the BCC verbally committed in Nov. 2010 to have staff committed to this project. Commissioner Williams related some history on the building of ball fields in North County and believes that the onus should be on the county and the School Board to finish the project. Commissioner Chappie said he will request that this item be on the next BCC agenda. Mayor Bryant requested a time certain and will send a representative to the meeting. Commissioner Hayes requested that the source of the \$700,000 be identified and that the School Board should also contribute a portion. Commissioner Whitmore noted that she could not vote to spend \$700,000 on ballfields when the county may have to layoff staff next year.

Superintendent Tim McGonegal noted that all parties to the agreement fulfilled their obligations. Mike Pendley observed that the School Board no longer needs a ¾ acre lot across from the old Palmetto Elementary School that falls into the downtown revitalization plans of the City. It has been a tutoring center on the west side of 10<sup>th</sup> Street but is no longer used. Mr. McGonegal said that the School Board could donate it to the City of Palmetto, which could then sell it to the Palmetto CRA, and the funds used for the ball fields.

Commissioner McClash suggested having an agreement to use available funds to complete the design while construction dollars could follow. He suggested looking for all other sources of revenue – impact fees – or otherwise. He again questioned whether the Board would be comfortable allowing the City to build the fields on County-owned land.

School Board Member Bob Gause: The bottom line is that the Little League is dying without having fields to play. As the former president of that Little League, I appreciate all that has been done so far, but their basic needs are a T-ball field, a regulation little league field and a concession stand. If you can get those 3 items plus room for a second little league field, it will have room to grow and thrive. The junior/senior field is not the most important at this time. Only two fields, one of them lit, with a concession stand is all that is needed to start.

Commissioner Gallen suggested that the County partner with some professional teams, take the leadership of the project just to get it going with the money that is available, and construct in phases.

Commissioner Whitmore said she would be more comfortable with a design to build in stages with the money available.

Commissioner Chappie stated the question: Will the county take the lead on this? Then the details - the phasing will be decided later.

Cindy Turner: We have had a series of meetings and have looked at all options. The first option was to design a clover leaf which was too cost prohibitive. At our last meeting we had a consensus to move forward with engineering and designing the project, based on the money available. We will continue to offer any advice and support needed.

Commissioner Bustle acknowledged that a master plan is needed.

Commissioner McClash asked: "If the County decides to take the lead, would the City have any problem with dedicating their funds?"

Mayor Bryant responded, ' No – no problem' and the Little League has confidence that they can obtain donations to help build the project, but needs a firm decision of support and funding from all parties.

**Action Items:**

A. City of Palmetto staff to provide Commissioner Chappie with documentation showing the City Commission's approval of the ballfield layout and site.

B. Topic to be placed on the next County Commission regular meeting agenda as a time certain for discussion. County staff will notify the Mayor's office in Palmetto of the date and time.

C. City of Palmetto and Palmetto CRA staff to coordinate with School Board staff on the possible sale of School Board property to the CRA, with the funds used to offset ballfield costs.

D. City and County staff working on the project will provide their respective Boards with a master site plan, budget estimates, and a timeline for construction as soon as possible.

**2. Palmetto Boat Ramp**

**Mayor Shirley Groover Bryant**

*Note: The Palmetto CRA recently requested the Manatee County Commission approve an interlocal agreement to provide \$800,000 in an eight-year funding plan to finance construction of a public parking lot and other improvements near the Riverside Drive Public Boat Ramp.*

Mayor Bryant gave a synopsis of the history of the boat ramp area on Riverside Drive. In 1955 the property was deeded to the City of Palmetto. The COP is negotiating for purchase with the bank that owns the former Shell station site along Highway 41. The plan is to work with the Metropolitan Planning Organization for brownfield clean-up funding as they perform due diligence. If the City is able to purchase this property the City would demolish the gas station building and improve the city's gateway. The second parcel that the city is considering for purchase is the vacant lot adjacent to the former gas station and across the street from the ramp. Boaters have been parking their vehicles and trailers on this lot but the bank's insurance company recently had some vehicles towed away and has greatly reduced available parking. Both sites have been utilized by boaters living in the City as well as from Manatee County (sometimes 40-50 at a time). About 10-11 parking spaces are available on the south side of Riverside drive. Mayor Bryant stated that the City's plan will provide a low-impact design, improve stormwater drainage; clean up the brownfield at the former gas station; add 48 boat trailer parking spaces, and greatly improve the city's gateway. A portion of the land would be designated as commercial and put back onto the market for development. She requested that the County Commission make a commitment to the City over the next 8 to 10 years to complete the project. This long-term project will involve the WCIND, EPA, DEP, MPO and Manatee County as the portal to making recommendations to WCIND.

Commissioner Whitmore questioned if the State of Florida owns the boat ramp property based on an opinion from the County Attorney's office.

Mayor Bryant responded that the state owns a portion next to the water, but that the City has owned the remainder of the site since 1955. The City would be willing to turn the boat ramp over to WCIND if required in order for improvements to be made.

Jeff Burton, Palmetto CRA Director, explained that the state owns the portion dedicated to the boat ramp. Charlie Hunsicker provided a redesigned plan of current City property that would add 20 parking spaces on the City's property in the existing boat ramp area. If his plan were to be added to the purchase of both sites a total of 68 boat



parking spaces could be created. The City Commission has voted to acquire the property and voted for an interlocal agreement, which the BCC has voted to have County staff work on. This will be a phased project. The city has the funds to acquire both properties but in order to get the plan done the county's help is needed. The City is requesting that the County contribute funds from WCIND or other navigational improvement funding available.

Rodney Wade, Deputy County Attorney, noted he looked at the plat and the 1955 deed and that it is unclear exactly where the property lines are today. The land south of Water Street did not exist at the time of the plat and is probably state-owned.

Jeff Burton explained that the seawall at the boat ramp was permitted by the state when it was built. Through the application to the state for permission to build the seawall, the state granted the permit and acknowledged that the land belongs to the city.

Commissioner McClash commented that this area is prior submerged land that belongs to the state, similar to Kingfish Boat Ramp. He noted that providing 60+ boat trailer spaces in Palmetto would be a great boon to recreational boating, allow joint use of the property, and a win-win for economic development. He complimented the City of Palmetto's CRA for their efforts at revitalizing the downtown. He referred to a handout from a prior meeting from Charlie Hunsicker showing a five-year work plan for WCIND projects that showed an \$800,000 unbudgeted balance and also recommended some changes to the fixed dollar amounts proposed in the interlocal agreement. The boat launch could also be expanded from 2 to 4 stalls to improve boat traffic.

Commissioner Chappie summarized that this topic would need further discussion at a worksession and that the Board needs copies of the interlocal agreement. He asked that the final interlocal agreement brought back to the BCC along with a list of projects – the five-year plan showing all our WCIND projects.

Commissioner McClash reminded that the Board voted 7-0 in early November 2011 for staff to work out the details with Palmetto on this project.

Mr. Hunzeker agreed that the Board did direct for county staff (Charlie Hunsicker) to work with the Palmetto CRA and develop a plan acceptable to the Board, the City, and WCIND. An interlocal agreement was proposed by the City but our attorneys need to review and decide if this is the best approach. We also need to know if WCIND will approve the funds to be spent for this purpose. We need to know the plan, the sources and uses of funds, and a clear plan showing the execution dates and how taxpayer monies will be spent. He shared that all those things could happen if in fact the money is available. The Board will have to review Charlie Hunsicker's plan probably at other workshop with WCIND and decide on which projects are eligible for funding and how to proceed. At an upcoming meeting with the Town of Longboat Key the Board will also be discussing their request for spending WCIND funds.

DiSabatino shared her confusion from the two letters that state funds should be used exclusively for "boat ramp activity" and this project includes other types of expenditures. At the workshop a list was distributed showing projects through 2015 – the Board will have to take from other projects in order to allocate to this project. If \$3 million is needed for Longboat Pass then we'll need to decide on the best use of the funds. She asked that staff clarify the use of WCIND funding and the requirements will need to be met before the next worksession.

Commissioner McClash noted that the City is asking for \$100K per year on a reimbursement basis after the boat parking is completed and that if WCIND approves the project there should be no problem receiving reimbursement. He contended that the interlocal agreement with the City is just to seek the commitment of the County Commission and that no dollars would be spent by the County until the project was completed.

Commissioner Gallen shared that at the Board's worksession with Chuck Listkowski it was asked if WCIND funds could be used for this purpose. Mr. Listkowski said "yes" if it was exclusive for boat ramp parking. Mr. Gallen recommended that the parking area be designated as such.

Commissioner Charles Smith noted that the City is in dire need of this project to provide parking, reduce congestion, and improve local business and that it would be a missed opportunity to let someone else take control of this property.

Commissioner Bustle recognized that a process exists with WCIND for an application that can be approved. He applauded the CRA for trying to obtain the property and revitalize the City's commercial waterfront property.

Mayor Bryant shared her appreciation for the County Commissioners' support and wanting to share in this win-win opportunity for both city and county residents. The CRA has the applications in hand and are ready to move ahead. The merit of removing landscape buffers and islands to add parking spaces was discussed.

Commissioner McClash asked if the County Administrator and the CRA would come back to BCC in the next 30 days with a revised interlocal agreement. Mayor Bryant agreed to that timeframe. Mr. McClash then recommended that the Board first review and decide on the uses of funds prior to the worksession with the Town of Longboat Key.

Commissioner Chappie noted it is important to be fair to every entity coming before the BCC asking for funds. The five-year plan and the Palmetto interlocal agreement will be reviewed for how it helps the community as a whole. The City of Palmetto is doing an excellent job in revitalizing their downtown.

**Action Items:**

A. A Board worksession is needed to review and agree on a five-year plan for WCIND-funded projects prior to the February 14, 2012 worksession with the Town of Longboat Key. County staff should clarify for the Commission the usage and requirements of WCIND funding.

B. County staff and City of Palmetto CRA staff will revise the terms of the interlocal agreement for the County Attorney to review prior to presentation to the Board.

C. The County Attorney will research the question of land ownership at the boat ramp site and advise the Board.

D. The City of Palmetto CRA will submit applications to WCIND and other funding sources for the boat ramp project.

E. At the time the interlocal agreement is submitted to the County Commission for approval, the City of Palmetto CRA will provide the Board with a timeline showing the sources and uses of funds, dates of milestones to be achieved and how taxpayer monies will be spent.

**3. Commissioner Comments**

Request from Commissioner Charles Smith - Commissioner Smith made a request for the Board to waive the fee for using Lincoln Park for an upcoming Palmetto CRA multi-cultural event at Lincoln Park in March. The County Parks and Recreation Department policy would charge \$1,400 for the City to use the park. He asked that the BCC review the interlocal agreement and find a better working arrangement for applications made by other local government agencies. He also stated that in 2013 the City of Palmetto would like to use Lincoln Park as a parking and staging area for the Dr. Martin Luther King Jr. Day Parade.

Discussion: Commissioner Michael Gallen agreed to look into creating a fee waiver arrangement with the CRA and said he would bring this up at the next County Commission meeting to discuss the policy. Commissioner Whitmore noted that it is the county's policy to charge all users for the use of facilities, even county departments. Commissioner McClash said he would support a fee waiver if there is no cost to the county and the facility is not scheduled for another event.

**Action Item:** Commissioner Michael Gallen will bring this up for a policy discussion at the next meeting of the Board of County Commissioners.

Commissioner Carol Whitmore made an announcement that Sherrod Halliburton has decided to leave the City of Bradenton CCRA and Supervisor of Elections Bob Sweat has decided not to run again for reelection.

The meeting was adjourned at 7:20 p.m.

Kim Godbee, notetaker