

TAB 1

**DRAFT
CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
MAY 21, 2012
4:30 PM**

Elected Officials Present

Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2

Elected Officials Absent

Shirley Groover Bryant, Mayor
Alan Zirkelbach, Commissioner-at-Large 2

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Executive Director
Bob Marble, CRA staff member
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

Vice Mayor Williams called the meeting to order at 4:30 p.m.

1. DISCUSSION: OPEN BURN REGULATIONS

Attorney Barnebey introduced Mike Keegan, Forest Area Supervisor with the Myakka River District of the Florida Forest Service. Mr. Keegan discussed the agricultural, civil and land development open burn regulations regulated by the State. The burning of yard waste, campfires and bonfires are regulated by the Department of Environmental Protection (DEP). He confirmed that while Manatee County regulations still exist, it disbanded its department that regulates open burning approximately three years ago, thus enforcement reverts back to the DEP.

He informed Commission that legislation adopted last year restricts any local government from enacting rules on open burning that affects agricultural, civil or land development. Local governments can enact rules that regulate yard, camp and bonfires, provided the Division approves those rules. Mr. Keegan stated the Division of Forestry will entertain only a county open burn ordinance because of enforcement issues.

Mr. Keegan stated that local complaints should be started with the Division of Forestry. A ranger will visit the site and issue warnings if warranted. If compliance is not met by the homeowner, then the DEP is involved. Attorney Barnebey also confirmed that open burning could potentially be a public nuisance. He also opined that the offended party can pursue civil enforcement.

Commissioner Varnadore suggested that the City should request that this topic be placed on a Council of Governments agenda.

2. DISCUSSION: BROWNFIELDS PROGRAM WITHIN THE CRA DISTRICT

Bob Marble, CRA staff member, introduced Charles Ray of PPM, and prior Economic Development Coordinator in St. Petersburg. Mr. Ray narrated a PowerPoint presentation which explained how a site can be designated as a brownfield even though it may not be contaminated. He also explained that one or more contiguous brownfield sites can be designated as a brownfield area. Both designations can enhance redevelopment through available state and federal grant funds.

Mr. Burton explained that the term "greenzone" will identify brownfields in the City. Sites that have been identified that could receive this designation are a fertilizer company, gas station and a railroad property. Mr. Ray confirmed that any property owner can opt out of the program. Mr. Burton credited the MPO with bringing this program to his attention through the assessment being performed on the gas station property

Mr. Ray explained the Voluntary Cleanup Tax Credits are capped at \$2 million annually and Cleanup Grants are available up to \$200,000 per site, with a maximum of three sites per entity annually.

Attorney Barnebey opined that he will need further research before recommending whether or not this is a program the City should pursue. Any designation of a community zone will require public hearings. He did confirm that the Commission can authorize Mr. Burton to move forward in the process to gather information in recommending potential sites.

Commission agreed to move the topic forward to the 7:00 agenda for consideration.

Meeting adjourned at 5:45 p.m.

Minutes approved:

James R. Freeman
City Clerk

**DRAFT
CITY OF PALMETTO
CITY COMMISSION MEETING
MAY 21, 2012
7:00 PM**

Elected Officials Present

Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2

Elected Officials Absent

Shirley Groover Bryant, Mayor
Alan Zirkelbach, Commissioner-at-Large 2

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Executive Director
Karen Simpson, Deputy Director-Finance
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

Vice Mayor Williams called the meeting to order at 7:00 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

PROCLAMATION: Attorney Barnebey read a Proclamation declaring May as Civility Month.

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

Non-agenda Item Public Comment: None

Diane Ponder introduced Amber Foley. Ms. Foley comes to the City as Assistant City Clerk and will assume those responsibilities at Mrs. Ponder's retirement.

1. CITY COMMISSION AGENDA APPROVAL

MOTION: Commissioner Cornwell moved, Commissioner Smith seconded and motion carried 4-0 to approve the May 21, 2012 Agenda.

2. CONSENT AGENDA APPROVAL

Vice Mayor Williams noted a correction to item #5, Resolution 2012-13; funding is \$400.00 rather than the stated \$500.00. He also called attention to the fact the \$400 is a partnership with the BeeSafe Program.

Commissioner Cornwell removed item 2B for discussion.

A. CITY CLERK'S OFFICE

1. Minutes: May 7, 2012
2. Minutes: Joint meeting with Board of County Commissioners April 3, 2012
3. Blalock Walters April Legal Fees
4. Special Function Permit: Palmetto B&B through December 29, 2012
5. Resolution No. 2012-13 Budget amendment to allocate budget for the Police Department \$400 partnership with the BeeSafe Program

6. Resolution No. 2012-14 Budget amendment to allocate budget for the awarded \$5,000 Florida Municipal Insurance Trust Safety Grant

MOTION: Commissioner Cornwell moved, Commissioner Varnadore seconded and motion carried 4-0 to approve item 2A of the Consent Agenda, with item #5 designated as \$400.00.

B. PUBLIC WORKS DEPARTMENT

1. Approval and authorization for the Mayor to execute a Quit Claim Deed to Renaissance Arts and Education, Inc. for the school's drive way

Mr. Tusing confirmed the dedication is to Renaissance Arts and Education, aka Manatee School for the Arts. He gave a history of the ownership of the strip of property that will be quit claim deeded and assured Commission the City will never use it to access other properties in the area. Attorney Barnebey confirmed the Commission could dispose of the property if it is in the best interest of the City.

MOTION: Commissioner Smith moved, Commissioner Cornwell seconded and motion carried 4-0 to approve Consent item B.

3. PUBLIC HEARING: ORDINANCE NO. 2012-04

AN ORDINANCE OF THE CITY OF PALMETTO FLORIDA AMENDING THE SIGN CODE, ARTICLE III OF CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO REVISING THE REQUIREMENTS FOR POLITICAL SIGNS; UPDATING REFERENCE TO CITY DEPARTMENTS; PROVIDING FOR UNSAFE SIGN REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Barnebey corrected Section 1, Sec. 3-68B(2) to properly read..."sign on" rather than sign or.

Vice Mayor Williams opened the public hearing. After no public comment, Vice Mayor Williams closed the public hearing.

MOTION: Commissioner Varnadore moved, Commissioner Cornwell seconded and motion carried 4-0 to adopt Ordinance No. 2012-04.

4. 1st PUBLIC HEARING: ORDINANCE NO. 2012-07

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE STANDARDS FOR FARM WORKER HOUSING AND BOARDING/ROOMING HOUSES AS CONDITIONAL USES IN THE RM-5 AND RM-6 ZONING DISTRICTS; REMOVING BOARDING/ROOMING HOUSES AS A PERMITTED USE IN THE CN AND CG ZONING DISTRICTS; AMENDING GENERAL STANDARDS FOR CONDITIONAL USES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Barnebey informed Commission that the Planning and Zoning Board continued its public hearing to June 21, 2012 and recommended that Commission continue this public hearing to July 16, 2012.

Vice Mayor Williams opened the public hearing.

MOTION: Commissioner Cornwell moved, Commissioner Varnadore seconded and motion carried 4-0 to continue the public hearing for Ordinance No. 2012-07 to July 16, 2012 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

Attorney Barnebey confirmed that the Business Tax Receipts for these types of business will be a separate issue that will be brought to City Commission at a future meeting.

5. CRA GREENZONE OVERLAY

Mr. Burton requested a motion to proceed with the item discussed in the workshop. He agreed with Commissioner Varnadore's suggestion that a Palmetto Greenzone Overlay should be created to consider the advantages outside the CRA District. Attorney Barnebey also explained that there may be part of the CRA District that may not be included.

MOTION: Commissioner Varnadore moved, Commissioner Cornwell seconded and motion carried 4-0 to authorize staff to proceed with the process to create a Palmetto Greenzone Overlay.

Vice Mayor Williams recessed the City Commission meeting at 7:30 p.m. to open the CRA Board meeting.

Vice Mayor Williams reconvened the City Commission meeting at 8:45 p.m.

6. BASEBALL FIELD UPDATE

Discussion ensued on the recent article regarding the ballfields and the soil contamination. Discussion ensued on the Mayor's continuing efforts to locate a viable site for the fields and the suggestion that the adult softball fields at Blackstone Park could be converted into two little league fields. It was consensus of Commission that Manatee County should be formally requested to look at that conversion as soon as possible so ensure that the North River Little League is able to remain operating for the youth of the City.

MOTION: Ms. Varnadore moved and Mr. Williams seconded to authorize the Mayor to request Manatee County to look at converting the two softball fields at Blackstone to little league fields for either little league use or for dual use.

Mr. Williams stated that it has come to his attention through the Little League that even though the School Board volunteered the Palmetto High School fields for the league's use, the coach has not allowed that use. Mr. Tusing confirmed that the Superintendent did volunteer the fields for the junior/senior little league, which happened one year.

Motion on the floor carried 4-0.

7. ASR WELL UPDATE

The Basin Board will make the final decision on the grant, as well as MLK Park at tomorrow's meeting.

8. 5TH STREET STREETScape AND SUTTON PARK PROJECTS UPDATE

None

9. DEPARTMENT HEADS' COMMENTS

Mark Barnebey

Mr. Barnebey requested that Commission authorize the Mayor to accept the \$500,000 Southwest Florida Water Management District SWIM Grant.

MOTION: Commissioner Cornwell moved, Commissioner Williams seconded and motion carried 4-0 to authorize the Mayor to accept the \$500,000 SWIM Grant.

Regarding the demolition of the old bait shop at the Green Bridge, the Interlocal agreement with Manatee County requires their approval before the building is altered or modified.

MOTION: Commissioner Varnadore moved, Commissioner Williams seconded and motion carried 4-0 to authorize the Mayor to send a letter to Manatee County requesting the demolition of the existing facility.

Karen Simpson

The first version of the budgets will be distributed to Commission before July 4, 2012. A meeting calendar will be developed and distributed.

10. MAYOR'S REPORT

None

11. COMMISSIONERS' COMMENTS

Mrs. Ponder's tenure was acknowledged by the Commission.

12. ADJOURNMENT

Meeting adjourned at 9:00 p.m.

Minutes approved:

James R. Freeman
City Clerk