

TAB 1

**DRAFT
CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
June 18, 2012
4:30 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor
Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 2
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Alan Zirkelbach, Commissioner-at-Large 1

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Lorraine Lyn, Planning and Zoning Supervisor
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 4:34 p.m.

Mayor Bryant announced that she attended a ribbon cutting for the opening of the new restaurant Chatterbox Bar and Grill.

1. DISCUSSION: PROPOSED ORDINANCE 2012-12 ALCOHOL SALES ON CITY PROPERTY DURING EVENTS

Attorney Barnebey discussed that the current code, under sections 4-2 and 4-3, prohibits the locations where alcohol can be sold and consumed, so what's been done is a proposed exception to all of section 4-2 and some of 4-3 of current code. At a minimum this proposed ordinance would make the selling party indemnify, defend, and hold harmless the City and/or the CRA, provide both liquor liability and general liability insurance and obtain all appropriate licenses and permits, and they would clean the area designated by the Commission for consumption of alcoholic beverages of trash and debris after the City meeting or event. Also, the proposed ordinance would allow City Commission to identify the time, date, and places where such consumption shall be permitted.

At this time there has been no recommendation to change the special function permit to allow selling or consumption of alcoholic beverages by other organizations at other events.

Questions were asked regarding the limiting of selling and consumption of alcohol to certain areas and regarding the law restricting the area near a church. Attorney Barnebey noted that the Commission would be allowed to specify where the consumption and sale of alcohol on city property could be located, provided the location complies with existing laws.

Discussion ensued regarding Section 4-3 of proposed ordinance, specifically relating to subsection (a) 1-8.

Attorney Barnebey noted that if this ordinance is approved at the public hearing on June 25, 2012, then a separate agenda item should be added to allow consideration of permission of sales and consumption of alcohol in Sutton Park during the 4th of July event. Also, if there are other events at other parks, then at that time, the Commission would have to take a specific vote on allowing sales and consumption at that event. This proposed ordinance change applies only to non-profit organizations.

Commissioner Varnadore stated she feels that there needs to be more research done before this ordinance gets approved. She would like staff to look into what kind of beverages can be sold, if there will be cabs available for the public to use, and she would like to look at what parameters the City of Bradenton and Manatee County have in place regarding their sales and consumptions of alcohol during events.

In response to Commissioner Varnadore's concerns, Mr. Freeman noted that those details have not been looked into, but insurance costs have been looked into with the Florida League of Cities. The Florida League did say that as long as the City is not directly involved with the sale then there will be no additional costs that the City will have to incur.

Commissioner Varnadore asked Chief Wells about staff for the events, specifically regarding July 4th. Chief Wells advised that they are staffed properly, whether there are sales of alcohol or not. He will have 42 law enforcement officers at the event including deputies from the Manatee County Sheriff's Office.

Commissioner Zirkelbach noted, according to section 6-4 of the City of Bradenton code, it allows for the consumption of alcoholic beverage on the City Street from a clearly marked container during City events.

Commissioner Williams suggested limiting the number of times the sales and consumption of alcohol is allowed instead of having it every time there is a special event.

Commissioner Cornwell asked Chief Wells to look into the City of Bradenton about any incidents that have taken place during their City Events related to alcohol consumption. She also asked Attorney Barnebey to look into the contract with the Historic Board about the sale and consumption of alcohol on their sites before moving forward with ordinance.

Discussion ensued regarding the application process and how would it be determined which non-profit agencies would be chosen for an event.

Jeff Burton explained the planned street closures that will occur during the event. Regarding how much money has been spent on this 4th of July event, Mr. Burton noted that they are up to \$80,000 on the whole event, including firework display.

Discussion ensued on Commissioner Varnadore and Commissioner Cornwell's concerns regarding their opinion that a lack of research on surrounding municipal events had occurred. They also discussed concerns regarding the fact that no operational or enforcement procedures had been developed.

Mr. Burton discussed his attempt to establish last year's vendors participation again this year, noting that non-profit organizations can provide support to the community that the CRA cannot legally provide.

Mayor Bryant suggested stronger guidelines for this ordinance. The Mayor would like to see a limit on the number of events per year and a limited area where the sales and consumption of alcohol will be permitted. Also, she would like to see the selection process based on the best proposals in the interest of the City and in conjunction with that, Mayor Bryant requested that there be proposals from local vendors that can provide rides in the event that the public shouldn't be driving. Mayor Bryant stated she would like Commissioners to promise that if this becomes problematic that there is support for reconsideration on this issue.

Palmetto City Commission Workshop

June 18, 2012

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Discussion ensued on whether to incorporate the guidelines the Mayor brought forward as rules or put directly into the ordinance.

Regarding the Historic Board, Mayor Bryant would like the Board to write a letter stating their position on sales and consumption of alcohol on their property.

Consensus of Commissioners was to move this proposed ordinance to the 7:00 meeting. Commissioner Varnadore was opposed to moving it forward.

Discussion ensued on how the Mayor's issues should be written, either as rules or directly incorporated into the ordinance itself. It was decided that Attorney Barnebey would add these issues directly into the ordinance with the Commission being capable of pulling them out.

Meeting adjourned at 6:02 p.m.

Minutes Approved:

James R. Freeman

**DRAFT
CITY OF PALMETTO
CITY COMMISSION MEETING
June 18, 2012
7:00 PM**

Shirley Groover Bryant, Mayor
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Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 7:01 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

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

Mayor Bryant acknowledged that Attorney Mark Barnebey was honored by the Florida Bar and that she is proud to have him on board with the City.

Non-agenda Item Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to approve the June 18, 2012 Agenda.

2. CONSENT AGENDA APPROVAL

A. CITY CLERK'S OFFICE

1. Minutes: June 4, 2012
2. Approval: Designation of Mayor Bryant as the Voting Delegate to the 86th Annual Florida League of Cities Conference.
3. Special Function Permit: Slicks Garage, First Fridays:
July 6, 2012, August 3, 2012, September 7, 2012
4. Fiscal Year 2013 School Resource Officer Contract
The Manatee County School Board will reimburse the City for 50% of Fiscal Year 2013 total salary or \$62,000 for 2 designated sworn police officers.
5. Appointment of City Clerk and Mayor to the Canvassing Board
6. Legal Billing: Bryant Miller Olive Invoice Date 4/30/2012
Fournier and Connolly Invoices Dated 2/8/2012 and 5/8/2012

Motion: Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the June 18, 2012 Consent Agenda with the removal of item number three as requested by Commissioner Williams and removal of item number four as requested by Commissioner Cornwell.

Item #3 Special Function Permit for Slick's Garage First Fridays July 6th, August 3, and September 7. Commissioner Williams discussed the issues he sees with the road closure on the July 6th date. Due to construction on 5th Street, there should be no road closure there for now. Jim Freeman has been in contact with the contractor regarding 5th street and suggested that for July's date that 5th not be closed. There is a tentative date of August completion for the 5th Street project. As of now, for the First Fridays event, just close off 10th Avenue. Mr. Freeman will stay in touch with the contractor and let Slick's Garage know if 5th Street can be closed off for their events in August and September.

Motion: Commissioner Williams moved, Commissioner Zirkelbach seconded, and motion carried 5-0 to approve the First Fridays Special Function Permit for the closure of 10th Avenue between the 400 block and 500 block and closure of 5th Street would be contingent upon the completion of the construction project and the Mayor's approval.

Item #4 Fiscal Year 2013 School Resource Officer Contract. Commissioner Cornwell expressed concern about Manatee County pulling resource officers from their middle schools. She does not want this to be happening in Palmetto. Chief Wells explained that Palmetto Police Department is still going to keep with their plan of keeping resource officers in the middle schools here.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, and motion carried 5-0 to approve Fiscal Year 2013 School Resource Officer Contract with Manatee County School Board reimbursing the City for 50% of Fiscal Year 2013 total salary or \$62,000 for two designated sworn police officers, one at Lincoln Middle School and one at Palmetto High School.

3. 1ST READ: ORDINANCE NO. 2012-12 (Carried Forward from the Workshop Meeting)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF THE REGULATION FOR THE SELLING AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE CITY LIMITS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Williams moved to schedule a public hearing for Ordinance No. 2012-12 for June 25, 2012 and July 2, 2012.

Discussion ensued regarding a second public hearing date of July 2, 2012. Attorney Barnebey advised that this can be done as long as the public comment portion is kept open from the June 25th meeting date and continued to the July 2nd hearing date.

Commissioner Zirkelbach seconded the motion on the floor and the motion carried 3-2 with Commissioners Varnadore and Cornwell voting nay.

4. PUBLIC HEARING: CONDITIONAL USE PERMIT 12-01

City Planner Lorraine Lyn explained how North River Properties Management has complied with the requirements of the CPTED review. Their proposal is for the 13 units that are on-site. Since 2008 they have made several improvements to the interior of the buildings and the water and sewer lines. This site has been used as farm worker housing; they are making a good faith effort to comply with the City's ordinance. It meets the requirements of the conditional use standards and planning and zoning staff recommend approval of the permit.

Discussion ensued regarding the Planning and Zoning Board meeting from May 17, 2012. On-site care taker and contact information to be visibly posted are two requirements that still need to be met.

Commissioner Varnadore asked if there has been research done on the business tax receipts for this type of housing. Discussion ensued regarding the modification for business tax receipts to include a farm worker housing class.

Commissioner Cornwell referenced section 3.C. of the ordinance and asked that it makes an on-site caretaker be a requirement when the facility is occupied and that contact information should always be posted.

Attorney Barnebey noted that this property is currently illegal because they are not permitted, but they will be brought into conformity with the conditional use approval. Commission has authority to approve this permit before Ordinance 2012-07 is adopted.

Commissioner Smith expressed his concerns about the property and how nuisances will be addressed. Mayor Bryant noted that farm worker housing ordinance that is coming forward, will include the addition of the lights and landscaping so that the property can be easily monitored. She also explained that it is also highly recommended that the property be equipped with security cameras, but that this cannot be made a requirement. Ms. Lyn also noted the property is completely fenced in now.

Commissioner Williams discussed appendix C, the Florida Department of Health (FDOH) Migrant Farm-Workers and Residential Migrant Housing Basic Guidelines. He had concerns with the compliance of sewage and liquid waste disposal. Ms. Lyn noted that appendix C is just for information; this was not a part of the conditional use permit. Further discussion ensued regarding these guidelines and compliance.

Discussion took place regarding compliance and the various recommendations made. Some issues are still outstanding and have yet to be complied with. Attorney Barnebey would like further clarification on the security conditions that Code Enforcement will enforce on the property. Chief Wells noted that CPTED is nothing but recommendations and it's up to the Commission on what they will mandate. Discussion continued regarding more concrete recommendations.

Commissioner Cornwell expressed concerns on the enforcement of the codes and what will happen if and when they are not met by the property. Mr. Tusing discussed the proper channels would be to go through code enforcement and apply proper fines and that they could be shut down by the City through a code enforcement hearing.

Attorney Barnebey explained that Commission needs to make sure to identify particular uses that are approved under this permit and that the conditions we are adopting show what we expect and what the applicant expects from the City. Attorney Barnebey recommended to Commission that this public hearing be continued.

Discussion ensued in regards to inspections of the property.

Mayor Bryant opened the public hearing.

Mayor Bryant closed the public hearing after no public comment.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and motion carried 5-0 to continue the public hearing for Conditional Use Permit CU 2012-01 to July 16, 2012.

Commissioner Varnadore departed the meeting at 8:00 p.m.

5. PUBLIC HEARING: MANATEE SCHOOL FOR THE ARTS (MSA) CONDITIONAL USE PERMIT
CU 2011-02

Lorraine Lyn noted that there has not been any negative impact noted because of this sign. The sign does not have continuous video. Studies have been done on the sign regarding safety, and there has been no evidence found impeding the safety of motorists because of the sign.
Mayor Bryant opened the public hearing.

Mayor Bryant read an email from Terrance Regan into the record.

Jon Moore, speaker on behalf of MSA stated he has not heard of any complaints regarding the sign.

Commissioner Varnadore returned to the meeting at 8:12 p.m.

Eric Gilbert commented in regards to the time frame that was referred to in the email from Terrance Regan. The Planning and Zoning Board discussed the timing issue and opted for the Department of Transportation's standard.

Mayor Bryant closed the public hearing.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, to approve the permanent revised Conditional Use Permit 2011-02 for Manatee School for the Arts' electric sign located at 700 Haben Boulevard, subject to stipulations set out in the conditional use permit.

Commissioner Varnadore discussed her feelings on the need for parameters on electronic signs.

Motion on the floor carried 4-1 with Commissioner Varnadore voting nay.

6. PUBLIC HEARING: ORDINANCE NO. 2012-09

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; ANNEXING APPROXIMATELY 0.8732 ACRES OF REAL PROPERTY INTO THE CITY OF PALMETTO GENERALLY LOCATED AT 409 20th STREET WEST, PALMETTO; MORE PARTICULARLY DESCRIBED IN EXHIBIT A; PROVIDING FOR AMENDMENT OF CITY BOUNDARIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (AN2012-01 Applicant: Volunteers of America of Florida, Inc. PID# 2432900005/0.8732 acres)

Mayor Bryant departed the meeting at 8:18 p.m.

Lorraine Lyn discussed that Volunteers of America (VOA) is applying for an annexation to hook up to the City's water and sewer services. VOA would be considered affordable housing and they have received a grant from Manatee County for this proposal.

Commissioner Williams opened the public hearing for comment.

Kevin Letch of Volunteers of America gave a brief presentation to the Commission introducing who VOA is.

Mayor Bryant returned to the meeting at 8:32 p.m.

Questions were asked regarding the guidelines used by VOA on the acceptance of tenants. Mr. Letch explained their screening process, describing the background checks they do and the eviction process when rules are broken.

Discussion ensued about what would happen if this property did not get annexed into the City.

Discussion took place regarding sewer and water lines and cost. Mr. Letch noted that the impact fees for tapping into the lines are projected in their budget.

Kevin Letch noted that the VOA follows the Fair Housing Laws. Every tenant has the same criteria and rules to follow to be able to live there. Eligibility is based on max income.

Mr. Letch introduced B.J. Graf, with VOA, to answer further questions from Commission.

Discussion ensued regarding the eviction process.

B.J. Graff gave the Commission a small presentation of the services offered by VOA. He noted great success with allowing safe and affordable housing to low income individuals and he is in favor of VOA being annexed into the City.

Suzy Dobbs, Community Development Manager for the Manatee County Neighborhood Services Department. She spoke in favor of allowing the annexation of VOA into the City.

In regards to the question of how the County would handle this property if an annexation is not approved, Ms. Dobbs noted that the land will need to be reassessed by the Department of Health for septic tanks.

A discussion took place regarding the deadline for this program to be completed and the land use restriction agreement of 20 years.

Concerns were raised regarding the benefits of allowing this property to be annexed into the City. There were concerns of no taxes being paid because of VOA being a non-profit organization.

The following individuals spoke in support of the VOA:

1. Tim Pedon, Bradenton
2. Suzanne Story, Bradenton
3. Jennifer Story, Bradenton
4. Jeffrey Renn, Punta Gorda
5. Stan Campbell, Punta Gorda
6. Terence Entrician, Punta Gorda

Mayor Bryant closed the public hearing.

Mr. Letch let Commission know, if they wanted to see a VOA housing unit, the closest open one at this time is located in Punta Gorda.

Commissioner Cornwell would like to see sidewalks and curbing built on this site, this would provide enhancements to the City. Mr. Tusing noted that if Commission allows for the annexation of this property, then the City has codes that the VOA will have to put on their site plan, allowing for the inclusion of sidewalks and curbing. Mr. Letch advised Commission that the VOA is on board with whatever enhancements the City may want. Mr. Tusing confirmed that Commission will not have the ability to improve the site plan if zoning and land use as proposed is approved. Discussion ensued on the possibility of approving the project as planned development, which will require Commissioner's approval of the site plan.

Motion: Commissioner Zirkelbach moved, Commissioner Cornwell seconded, and motion carried 5-0 to extend the meeting to 10:15 p.m.

Meeting recessed at 9:55 p.m.

Meeting back in session at 10:08 p.m.

Attorney Barnebey discussed that VOA is concerned about timing and suggested a special Planning and Zoning meeting may be necessary to help them with that. There is a risk that they will not get construction completed in time; however, the alternative is that the lot will remain vacant for some time.

Mayor suggested that perhaps the master utility ordinance could be amended to serve non-profit properties outside the City limits in the alternative of annexation.

Attorney Barnebey recommended continuing the public hearing to July 2nd for a special hearing.

Discussion ensued on design plans for site.

Motion: Commissioner Williams moved, Commissioner Zirkelbach seconded, and motion carried 5-0 to extend the meeting until 10:30 p.m.

Suzie Dobbs informed Commission that Manatee County Building Department has not viewed VOA site plan because they decided to try to get annexed into the City first. SWFWMD has reviewed and approved the site plans that have been made with 3 duplexes to be built on the land.

7. PUBLIC HEARING: ORDINANCE NO. 2012-10

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A SMALL SCALE DEVELOPMENT AMENDMENT TO THE CITY OF PALMETTO COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP BY REDESIGNATING CERTAIN LANDS FROM RES-9 (COUNTY) TO RES-10 (CITY); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA2012-01 Volunteers of America of Florida, Inc. PID# 2432900005/0.8732 acres).

Mayor Bryant opened the public hearing.

8. PUBLIC HEARING: ORDINANCE NO. 2012-11

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; REZONING APPROXIMATELY 0.8732 ACRES OF PROPERTY GENERALLY LOCATED AT 409 20th STREET WEST, PALMETTO, FROM GC, GENERAL COMMERCIAL (County) TO RM-5, DUPLEX AND SINGLE FAMILY RESIDENTIAL (City); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z-2012-01 Applicant: Volunteers of America of Florida, Inc. PID# 2432900005/0.8732 acres)

Mayor Bryant opened the public hearing.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and motion carried 5-0 to incorporate all the public comments made from item number 6 on the agenda into the public comment for items number 7 and 8 on the agenda.

After no further public comments, Mayor Bryant closed the public hearing on Ordinance No. 2012-10 and Ordinance No. 2012-11.

Motion: Commissioner Zirkelbach moved, Commissioner Smith seconded, and motion carried 5-0 to continue item number 6 to July 2, 2012 at 6:30 p.m., or as soon thereafter as same can be heard in these chambers.

Motion: Commissioner Williams moved, Commissioner Zirkelbach seconded, and motion carried 5-0 to continue item number 7 to July 2, 2012 at 6:30 p.m., or as soon thereafter as same can be heard in these chambers.

Motion: Commissioner Zirkelbach moved, Commissioner Williams seconded, and motion carried 5-0 to continue item number 8 to July 2, 2012 at 6:30 p.m., or as soon thereafter as same can be heard in these chambers.

It was the consensus of Commission to instruct staff to prepare an ordinance amendment [to the master utility ordinance] to allow consideration for non-profits to connect to sewer without being annexed into the City, with a first read to be held on June 25, 2012 and public hearing on July 2, 2012.

Commissioner Varnadore requested staff to research how many properties have been annexed into the City that do not have sewer.

Mayor Bryant adjourned meeting at 10:30 p.m.

Minutes approved:

James R. Freeman

DRAFT
CITY OF PALMETTO
SPECIAL CITY COMMISSION MEETING
June 25, 2012
7:00 PM

Elected Officials Present

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

Elected Officials Absent

Alan Zirkelbach, Commissioner-at-Large 1

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Rick Wells, 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.

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

Non-agenda Item Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded and motion carried 4-0 to approve the June 25, 2012 Agenda.

2. PUBLIC HEARING: ORDINANCE NO. 2012-12

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF THE REGULATION FOR THE SELLING AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE CITY LIMITS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Sharon Kramer, Executive Director with Manatee County Substance Abuse Coalition (MCSAC). Ms. Kramer handed the Commissioners a booklet regarding Safe Festivals. She discussed the services MCSAC provides including education, assistance with crafting an effective ordinance, and the loaning of ID scanners. A demonstration of the ID scanners they have was done.

Commission thanked Ms. Kramer for coming and speaking at the meeting tonight.

The following people spoke in opposition to the passing of Ordinance 2012-12:

1. Esther Parsons, Palmetto resident
2. Dolores Thiers, Palmetto resident
3. Cis Paulson, with the Palmetto Historical Commission

Mayor Bryant closed the public meeting after no further public comment.

Attorney Barnebey discussed the guidelines that were provided by Mr. Freeman and the map of the proposed area to sell and consume alcohol at Sutton Park designed by Mr. Burton.

Discussion ensued regarding the incorporation of the booklet that was provided by MCSAC into the proposed ordinance.

Commissioner Cornwell expressed her concerns with not for profit organizations not having enough volunteers and education to properly sell alcohol.

Discussion ensued regarding the continuance of the public hearing. Attorney Barnebey made his recommendation to continue this public hearing to July 2nd.

Commissioner Williams discussed his position on having the designated area for the sale and consumption of alcohol and recommended the continuance of this public hearing to July 2nd.

Further discussion ensued regarding the July 2nd hearing and the implementing of the ordinance for the event on July 4th.

Commissioner Smith explained his concern has to do with the passing of the ordinance itself, not particularly the event on July 4th. He believes permits should be voted on as a case by case basis each time there is a City event.

Motion: Commissioner Williams moved, Commissioner Smith seconded to continue the public hearing on Ordinance No. 2012-12 to July 2, 2012.

Commissioner Varnadore asked to hear from Mr. Burton regarding the Sutton Park map outlining the proposed areas of sale and consumption of alcohol.

Commissioner Williams discussed amending the motion on the floor to exclude the proposed ordinance to apply to the 4th of July event.

Motion on the floor fails for lack of majority with Commissioners Cornwell and Varnadore voting no and Commissioners Smith and Williams voting for the motion.

In regards to bringing this proposed ordinance back again, Attorney Barnabey advised that Commissioner Smith can move to reconsider since he was on the losing end of the motion.

Mr. Burton discussed the 2 maps he designed. The first map is of Sutton Park and how it's set up now. The second Sutton Park map shows the proposed areas for the sale and consumption of alcohol. He advised Commission that they are free to make changes as they see fit, this map is just a proposed map.

Discussion ensued regarding coolers being brought to the event on the 4th. Chief Wells commented that people will not be allowed to bring coolers on the property and Mr. Burton also advertised that there will be no coolers allowed at the event.

Commissioner Varnadore commented on the proposed map. She believes there will need to be some other area designated for future events. Different ideas were discussed regarding designated areas for the sale and consumption of alcohol at Sutton Park.

Commissioner Cornwell expressed her concerns regarding public safety, specifically in regards to the construction area. Mr. Burton discussed the precautions that are being taken for public safety.

In response to Ms. Cornwell's concern of restrooms being available directly in Sutton Park, Mr. Tusing noted that there are port-o-lets on site and they will be relocated as to not be near the food vendors.

3. 1st READ: ORDINANCE NO. 2012-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF REGULATIONS RELATING TO THE PROVISION OF CITY UTILITY SERVICES TO LOTS OR PARCELS LOCATED OUTSIDE OF THE CITY LIMITS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded to schedule Ordinance 2012-13 for public hearing on July 2, 2012.

Mr. Tusing noted that there is a surcharge on sewer not water. Building codes will go through the County Building Department but will still go through the cross connection program because of the use of Palmetto's water.

In response to an agreement for the applicant to pay the City the impact fees, Attorney Barnebey advised that an agreement will be made and ready for the July 2nd meeting.

Discussion ensued regarding the property going from non-profit to private. Mr. Barnebey noted that if that happens, the new property owner will have to come before Commission to get annexed into the City.

Motion on the floor carried 4-0.

4. AMENDMENT OF JULY COMMISSION MEETING DATES

Mr. Freeman discussed the need to make July 2nd a regular meeting date and to cancel the July 30th meeting. He explained what was currently on the July 2nd agenda. Mr. Freeman advised Commission that since the advertisement for the 2012-13 public hearing is for 6:30 p.m. Commission would have to either shorten the workshop meeting or shorten their dinner break.

Discussion ensued regarding the time of the July 2nd meeting and it being a regular scheduled meeting.

Mr. Freeman advised that the workshop meeting on July 2nd would include an introduction of the budget and an update by Mr. Tusing regarding the ASR well.

Mr. Tusing advised he would like to present the ASR update to Commission during the workshop meeting on July 16, 2012.

Consensus was to have the workshop on July 2nd to be held from 4:30 p.m-5:30 p.m.

Mr. Freeman discussed the need to consider July 30th and 31st for budget workshops to further discuss the budget and to set the millage rate.

Mayor Bryant asked that Commission be updated at the July 2nd meeting regarding the July 4th road closures and to approve them.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded and motion carried 4-0 to approve the regular meeting dates for July 2nd and July 16th 2012 and to cancel the previously approved July 30, 2012 meeting date.

Mayor Bryant adjourned the meeting at 8:28 p.m.

Minutes approved:

James R. Freeman
City Clerk