

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
June 17, 2013
7:00 PM**

Elected Officials Present

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

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Scott Tyler, Deputy Chief of Police
Amber Foley, Assistant City Clerk

DUE TO A RECORDING ERROR, THE AUDIO FOR THIS MEETING DOES NOT BEGIN UNTIL ITEM #3 OF THE MEETING.

Mayor Bryant called the meeting to order at 7:00 p.m., followed by a moment of silence and the Pledge of Allegiance.

Recognition: Eagle Scout Nathaniel Thomas Miller
Judge Gilbert Smith, Boy Scouts of America, Manatee District Chairman
Mayor Shirley Groover Bryant and City Commission

All persons intending to address City Commission were duly sworn.

Non Public Hearing Item Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant removed item #5 from the agenda.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the June 17, 2013 Agenda as amended.

2. CONSENT AGENDA APPROVAL

A. Mayor's Office

1. Appointment to Housing Authority Board

B. City Clerk's Office

1. July 4th Special Function Permit
2. Resolution 2013-23 MPO Membership Apportionment Plan
3. Resolution 2013-24 Budget Amendment ASR Impact Fee Expenditure
4. Blalock Walters Legal Bills

C. Police Department

1. JAG Allocation Grant for FY2013

Attorney Barnebey removed item B.3. from the Consent Agenda for discussion.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded the motion to approve the June 17, 2013 Consent Agenda with the removal of item B.3. for discussion.

Commissioner Williams removed item B.1. from the Consent Agenda for discussion.

The motion on the floor was modified to include removal of item B.1. for discussion.

The modified motion carried 5-0.

2.B.1. July 4th Special Function Permit:

Commissioner Williams questioned if Riverside Drive would be closed from 8th Avenue to 3rd Street Drive because it was not requested on the permit. He also requested that 7th Avenue at Riverside be closed during the fireworks as well. Captain Tyler agreed that those roads should be blocked during the fireworks due to heavy pedestrian traffic. He would also like to see 10th Avenue closed as well and will meet with Mr. Tusing to discuss all the roads that should be closed for the event. Commissioner Williams asked that a map be provided to Commission to show all roads that will be blocked for the event.

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the July 4th Special Function Permit with the addition of the streets closed as requested and any streets that may come up with the meeting of the Police Department and Mr. Tusing and to provide a map and information to Commission with all closures.

2.B.3. Resolution 2013-24 Budget Amendment ASR Well Impact Fee Expenditure:

Attorney Barnebey stated the resolution is acceptable.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2013-24 Budget Amendment ASR Impact Fee Expenditure.

3. PUBLIC HEARING ORDINANCE 2013-02 MOBILE FOOD VENDORS AND TEMPORARY USES

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE FOR A DEFINITION OF MOBILE VENDORS; REVISING THE CURRENT TEMPORARY USE PERMIT CRITERIA AND ADDING CRITERIA FOR USE AND OPERATION OF MOBILE VENDORS, INCLUDING PUSH CARTS AND TEMPORARY VENDORS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearings continued from April 16, 2013 and May 20, 2013.

Andrew Seeley, on behalf of Suncoast Food Trucks, thanked the Commission and Mayor for allowing food trucks to operate in the City.

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

Attorney Barnebey informed Commission that he has added a fourth category of vendor called "vehicle vendors" to the proposed ordinance. This will allow such vendors as ice cream trucks. These vendors can operate on the streets but cannot be located in one spot for more than 15 minutes at a time. Additional regulation of these types of vehicles is being examined for possible adoption in the near future.

Commissioner Varnadore questioned the responsibilities of daily vendors disposing of their waste. Attorney Barnebey will add an additional condition that requires daily vendors adequately address their garbage and other solid waste.

In regard to who would be monitoring Temporary Use Permits, Mr. Tusing stated his staff will monitor which vendors have Temporary Use Permits and will insure the vendors comply with not being on a

property for longer than 120 days in a calendar year. He is working with staff to develop a new Temporary Use Permit application. Currently there is not a fee for a Temporary Use Permit.

Commissioner Smith stated he will not be approving the ordinance tonight without being provided a copy of the Temporary Use Permit application.

Mayor Bryant would like this ordinance, if adopted, to take effect July 1st due to the moratorium expiring on June 30th.

In regard to the Temporary Use Permit application, Mayor Bryant stated that staff will work on preparing that application and sending it to Attorney Barnebey for review. The application will also be sent to Commission once completed.

Commissioner Davis requested that the time be changed from sunset to 10:00 p.m. for daily vendors to remove their product or equipment. The consensus of Commission was to change to the time to read one hour after sunset as to when a daily vendor must remove their product, related equipment, and vehicle.

Attorney Barnebey will make the following changes to the ordinance:

1. Daily vendors shall adequately address their garbage and solid waste
2. Effective date shall be July 1, 2013
3. Daily vendors shall remove their vehicles, product, or related equipment each evening within one hour after sunset

Motion: **Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 3-2 to adopt Ordinance 2013-02 as amended. Commissioners Cornwell and Smith voted no.**

4. 1st READ ORDINANCE 2013-10 MEETING REQUIRMENTS FOR CITY COMMISSION
AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA; AMENDING THE REQUIRED NUMBER OF MONTHLY REGULAR MEETINGS; ALLOWING FOR THE ADOPTION OF RULES FOR PUBLIC HEARINGS; AMENDING THE REFERENCES TO "COUNCIL" TO "COMMISSION" IN ARTICLE II OF CHAPTER 2; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The consensus of Commission was to modify the proposed ordinance to only include the option of one monthly regular meeting during the month of July only or in the event of an emergency.

Motion: **Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule Ordinance No. 2013-10 for a public hearing on July 22, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers and direct staff to advertise for same as amended.**

Mayor Bryant introduced Cecelia Love Hopkins, newly appointed Board member to the Housing Authority Board.

5. ACCEPTANCE OF QUIT CLAIM DEED FROM SCHOOL BOARD
Quit Claim Deed for the property known as 705 and 715 10th Avenue West, Palmetto, Florida, from the School Board of Manatee County, Florida.

Action Request: **Motion to accept the Quit Claim Deed for the property known as 705 and 715 10th Avenue West in Palmetto, Florida, from the School Board of Manatee County, Florida.**

No action was taken; this item was removed from the agenda.

6. MAY CHECK REGISTER (Informational Only)

Mayor Bryant recessed the City Commission meeting at 8:13 p.m. to open the June 17, 2013 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:47 p.m.

7. BASEBALL FIELD UPDATE

Mr. Freeman stated he has not received any new information from the County; he will follow up this week.

8. ASR WELL UPDATE

Mr. Tusing stated that staff has met with each Commissioner over the past week to discuss funding for Work Assignment #2 for the ASR Well. Funding options include using current funds through a loan program through the City or to do a conventional loan to be determined. Attorney Barnebey stated that Commission is not required to approve Work Assignment #2; however, Commission has the authority to approve funds available to commit to the project with the availability to change the funding when and if other funds become available. Mr. Barnebey recommended not authorizing Work Assignment #2 until there is adequate funding available.

Mr. Freeman informed Commission that a potential funding option would be to borrow money from the Trailer Park Trust Fund subject to Commission approval as a loan. He does not have a proposal together tonight, but will have it ready for Commission at the next meeting on July 22nd.

Discussion ensued regarding funding for the work assignment. Commission requested a special meeting be held on June 19, 2013 at 5:30 p.m. to review and approve funding for the ASR Well Work Assignment #2.

9. DEPARTMENT HEADS' COMMENTS

Mr. Tusing—Stated he neglected to mention the name of the employee he recognized for exceptional service at the last meeting in May. He stated Oscar Kieffer was the Public Works employee that received a letter of gratitude from a resident for exceptional service and going above and beyond his job to help this customer.

Mr. Freeman—Informed Commission of the upcoming Commission and budget meeting dates:

- June 19th at 5:30 p.m. special Commission meeting
- July 22nd regular scheduled Commission workshop and 7:00 p.m. meeting
- July 29th budget workshop and regular scheduled 7:00 p.m. Commission meeting, if proposed ordinance 2013-10 is adopted on July 22nd, the 7:00 p.m. could be cancelled and scheduled as a budget workshop meeting only
- July 31st 6:00 p.m. budget workshop
- August 5th budget workshop and 7:00 p.m. Commission meeting
- August 6th 6:00 p.m. budget workshop
- August 12th 6:00 p.m. budget workshop
- August 19th budget workshop and 7:00 p.m. Commission meeting
- August 20th 6:00 p.m. budget workshop

Mr. Freeman will send an email to Commission with all of these dates.

Mr. Barnebey—Reminded Commission to send their Financial Disclosure Form 1 to the Supervisor of Elections by July 1st.

10. MAYOR'S REPORT

Mayor Bryant approved Slicks Garage Special Function Permit for the First Friday event July 5th to include the closure of 10th Avenue from 4th to 5th Street.

She informed Commission that she received an email from Stacy Morgan of the Marauders regarding a City of Palmetto Night at the Marauders. Some of the proceeds from each ticket sold for the City of Palmetto Night would go to the Palmetto Little League. She is waiting to hear from Ms. Morgan regarding some dates for the City of Palmetto Night.

11. COMMISSIONERS' COMMENTS

Commissioner Williams—Asked Mr. Tusing if he received an email about bricks subsiding at Slicks Garage. Mr. Tusing confirmed that he received the email this afternoon and he will look into it.

Commissioner Davis—Thanked Oscar Kieffer for his hard work and service and also Javier Vargas for sending the information he asked for.

Commissioner Smith—Asked Mr. Tusing to check the lights on the City's side of the Green Bridge that are not working.

Asked Mr. Barnebey to review the Charter that states three votes are needed to make an appointment to Commission if there is a vacancy seat. He opined this needs to be looked into and cleaned up.

Mayor Bryant adjourned the meeting at 9:26 p.m.

Minutes approved: July 22, 2013

James R. Freeman

James R. Freeman
City Clerk