

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
August 5, 2013
7:00 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor
Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Tamara Cornwell, Commissioner-at-Large 2—(Entered the meeting at 7:09 p.m.)
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—(Entered at 7:19 p.m.)
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. She asked all to remember Rose Worley, Commissioner Davis' grandmother and Jean Holland, former first lady of Palmetto. Both ladies were outstanding leaders in the community.

Mayor Bryant announced that Operation People for Peace, Chairman Art Rocker, and local churches, are sponsoring an event to celebrate the 50th Anniversary of Dr. Martin Luther King's "I Had a Dream" speech. The event will be held on August 16th at 6:00 p.m. at The Minister's House of God Church. Commissioner Smith will be one of the facilitators at the event, along with other area pastors. Commissioner Smith encouraged the other Commissioners to talk to their constituents and ask them to register on the website if they are in need of food.

Mayor Bryant informed Commission that the Palmetto Police Department has been re-accredited. Certification will be presented at the next CFA Conference in September. Chief Wells thanked Beverly Minnix for her hard work on the accreditation process.

PRESENTATION: R. Christopher Sharek, PE, Author of The Electric Vehicle Revolution, thanked Mayor Bryant and the City of Palmetto for their support of electric vehicles. He presented the Mayor with a copy of his book.

All persons intending to address City Commission were duly sworn.

Non-agenda Item Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the August 5, 2013 Agenda.

2. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. Special Function Permits
 - a. IT Works! Global Green Carpet, November 21st-23rd
 - b. First Baptist Church Picnic, September 8th
2. BI-IT Contract

3. Mobile Mini Storage Contract

Commissioner Varnadore removed item 2.A.2, BI-IT Contract, for further discussion.

Commissioner Williams removed item 2.A.3, Mobile Mini Storage Contract, for further discussion.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve item 2.A.1.a and b.

2.A.2 BI-IT Contract:

Commissioner Varnadore questioned what happens if all 40 hour are not used in a month. Mr. Freeman stated that if 40 hours are not all used in the month, the remaining balance will be carried forward to the next month.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve item 2.A.2, BI-IT Contract.

2.A.3 Mobile Mini Contract:

Commissioner Williams questioned how long the trailer will need to be used for. Mr. Tusing indicated that it should not be any longer than 4 months. Currently, the budget for this item allows for up to four months rental.

Attorney Barnebey asked that the contract be modified in paragraph three of the second page to include indemnification provided shall be limited by the provisions of Section 768.284, Florida Statutes. Also, a sentence should be added stating that notwithstanding any terms herein shall not be deemed a waiver of the City's sovereign immunity.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to approve item 2.A.3, contract with Mobile Mini, subject to the additions made by the City Attorney.

3. PUBLIC HEARING ORDINANCE 2013-08 GENERAL EMPLOYEES RETIREMENT SYSTEM

AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 22, PERSONNEL, ARTICLE IV, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-81, DEFINITIONS; AMENDING SECTION 22-83, BOARD OF TRUSTEES; AMENDING SECTION 22-84, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 22-94, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing. After hearing no public comment, Mayor Bryant closed the public hearing.

Motion: Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 5-0 to adopt Ordinance 2013-08.

4. PUBLIC HEARING ORDINANCE 2013-09 POLICE OFFICERS RETIREMENT PLAN

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 22, PERSONNEL, ARTICLE V, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-171, DEFINITIONS; AMENDING SECTION 22-174, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 22-185, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Attorney Barnebey stated that this item needs to be continued and the ordinance needs to be given to the Police Benevolent Association (PBA) for their review and approval.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to continue the public hearing on Ordinance 2013-09 to September 9, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

5. 1st READ ORDINANCE 2013-07 ABANDONED SHOPPING CARTS

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR THE MAINTENANCE OF A SYSTEM TO RETAIN SHOPPING CARTS WITHIN THE PROPERTY BOUNDARIES OF A BUSINESS LOCATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Barnebey stated he received a call from the Florida Retail Federation (FRF) about the ordinance and the requirement of the locking devices. He will forward information to Commission regarding the FRF's concerns of the ordinance.

Motion: Commissioner Smith moved, Commissioner Cornwell seconded the motion to move the meeting on the 19th to the 20th.

Staff asked that the motion be modified to state "Move the August 19th workshop and regular scheduled 7:00 p.m. meeting to August 20th at 4:30 p.m. for the workshop and 7:00 p.m. for the Commission meeting." Commissioner Smith and Commissioner Cornwell agreed to the modification of the motion.

The modified motion on the floor carried 5-0.

Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule a public hearing on Ordinance 2013-07 for August 20, 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.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried to schedule a public hearing on Ordinance 2013-11 (Comprehensive Plan Amendments) for August 20, 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.

Mayor Bryant recessed the City Commission meeting at 7:37 p.m. to open the August 5, 2013 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:28 p.m.

6. SUTTON PARK RESTROOMS APPROVAL

Motion: Commissioner Davis moved, Commissioner Smith seconded and the motion carried 5-0 to approve the final construction plans for Sutton Park Phase III: Bathrooms, for the 2013/14 CRA budget.

Commissioner Varnadore suggested that the City's maintenance staff and the Parks Department discuss the concerns of the restroom layout as suggested by the resident from Terra Ceia.

7. BASEBALL FIELD UPDATE

Mr. Freeman has left a message with the County's project manager for more information. When he receives any updated information, he will forward that to Commission.

8 ASR WELL UPDATE

Mr. Tusing stated that the money from SWFWMD should be available in October. He has ordered the UV disinfection equipment with an estimated 22 week delivery time-frame.

9. DEPARTMENT HEADS' COMMENTS

Mr. Freeman—Stated that staff is working on making modifications to the budget as directed at the July 31st meeting; there will be a change summary sheet included to show what changes were made. He reminded Commission that a budget discussion will be on the agenda for August 20th. The meeting on August 26th will be a joint budget meeting with the CRA Advisory Board.

Mr. Freeman asked Commission when they would like to see public meetings be held to discuss the proposed utility rate increase. The consensus of Commission was to have the first public hearing at the last meeting in October, and the second public meeting at the first meeting in November. Mayor Bryant requested that if any of the Commissioners have questions about the utility rate study, please meet with the Department Heads individually before the public meetings.

Attorney Barnebey—He has been working with staff on a revised personnel policy. He is proposing that a revised draft policy will be out to Commission in September and he is hopeful that a workshop can be scheduled in October for discussion.

10. MAYOR'S REPORT

Mayor Bryant informed Commission that the Manatee County Emergency Operation Center will be hosting a Hurricane Preparedness Public Meeting from 6:30 p.m. to 7:30 p.m. on August 15th at the Palmetto Library. She encouraged staff and Commissioners to attend.

11. COMMISSIONERS' COMMENTS

Commissioner Cornwell—Thanked Chief Wells for being prepared for the first day of school.

Commissioner Davis—Thanked Mr. Tusing and Mr. Vargas for the information they provided to him. He also thanked Chief for the good job he has been doing.

Mr. Davis also thanked the Commissioners for their condolences on the passing of his grandmother, Rose Worley.

Commissioner Smith—Requested that Attorney Barnebey call him tomorrow.

Mayor Bryant adjourned the meeting at 8:41 p.m.

Minutes approved: August 20, 2013

James R. Freeman

James R. Freeman
City Clerk