

**CITY OF PALMETTO
CITY COMMISSION MEETING
November 18, 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
Jim Freeman, City Clerk
Lorraine Lyn, City Planner
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 7:02 P.M., followed by a moment of silence and the Pledge of Allegiance.

Tom Yarger, Construction Services Manager at the Manatee County Property Management Department outlined the scope of the ball field project as being the design, permitting and construction of three little league baseball fields, field lighting, parking lot, drive isles, sidewalks, stormwater, concession/restroom/pressbox, fencing, bleachers, dugouts, utility and electrical upgrades and related amenities. He stated that the expected completion date is August 2014.

Commissioner Williams reiterated his concerns about no money being spent for the girls' softball league. He asked for pitching field maintenance, upgraded lighting, and portable fencing. Commissioner Varnadore asked if there had been any discussion on a future fourth field at the complex, stating the fourth field would be necessary to host tournament events. Mr. Yarger stated that, while their concerns were not in the scope of this project, he will keep them on board for future consideration.

All persons intending to address City Commission were duly sworn.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant added the Bank of America Merchant Services Agreement to the agenda as item 5A.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the November 18, 2013 Agenda with the addition of item 5A.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. Minutes: October 7, October 21, and November 4
2. Special Function Permits:
 - a. Slicks Garage First Fridays December 6, 2013
 - b. Palmetto B&B Weddings January-June 2014
3. 2014 Holiday and Commission Meeting Calendar
4. Blalock Walters Legal Bills
5. Budget Resolution 2013-36 Water, Sewer, Reuse rates

B. Police Department

1. Recertification of Police Benevolent Association Agreement

Mayor Bryant informed Commission that the Special Function Permit for Slicks Garage First Fridays is the same date as the Historical Park's Christmas in the Park. Item 3A2a, Slicks Garage Special Function Permit was pulled for discussion.

Commissioner Cornwell removed item 3.A.3, 2014 Holiday and Commission Meeting Calendar for discussion.

Motion: Commissioner Smith moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the November 18, 2013 Consent Agenda with the removal of items 3.A.2.a. and 3.A.3 for discussion.

3.A.2.a. Slicks Garage Special Function Permit Discussion:

Commissioner Varnadore expressed concern regarding this event and the Historical Park's Christmas in the Park occurring in the same vicinity on the same date without separation. Mayor Bryant reminded Commission that Slicks is asking for road closure of the 400 block of 10th Avenue which is south of the Historical Park's event, therefore providing some separation.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve Slicks Garage Special Function Permit for December 6, 2013 with the closure of the 900 block of 5th Street West and the closure of the 400 block of 10th Avenue West.

3.A.3. 2014 Holiday and Commission Meeting Calendar Discussion:

Commissioner Cornwell discussed the dates in January for the Commission meeting. She stated that the date of January 27th is the Monday after the Manatee County Fair. She opined that date be changed due to the Commissioner's involvement in the fair. She proposed to move the date to January 13th instead of January 27th.

Commissioner Varnadore mentioned the meeting date of August 18th. She stated that it is close to the Florida League of Cities Annual Conference they attend. Commissioner Williams noted that the conference is the week of August 18th.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 4-0 to approve the 2014 Holiday and Commission Meeting calendar with the second meeting in January being moved from January 27th to January 13th. Commissioner Williams voted no.

4. PUBLIC HEARING ORDINANCE 2013-11 COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO FLORIDA, AMENDING ORDINANCE 2010-01 (THE CITY OF PALMETTO 2030 COMPREHENSIVE PLAN); ADOPTING AMENDMENTS TO CERTAIN ELEMENTS INCLUDING THE DEFINITIONS SECTION, THE FUTURE LAND USE ELEMENT, THE TRANSPORTATION ELEMENT, THE POTABLE WATER ELEMENT, AND THE CAPITAL IMPROVEMENT ELEMENT REGARDING THE CONCURRENCY MANAGEMENT POLICY; ADOPTING THE COMPLETE STREETS PROVISIONS; AMENDING TIMEFRAMES FOR COMPLETION OF CERTAIN TASKS; ADOPTING THE 10- YEAR WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

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

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Ordinance 2013-11, text amendments to the City of Palmetto 2030 Comprehensive Plan.

5. 1st READ ORDINANCE 2013-17 VACATING ALLEYWAY

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, VACATING A PORTION OF A PLATTED ALLEYWAY TRAVELLING NORTH AND SOUTH LOCATED NORTH OF 5TH STREET WEST, BETWEEN 9TH AVENUE WEST AND 10TH AVENUE WEST, AS MORE PARTICULARLY DESCRIBED IN SECTION 2 OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to schedule a public hearing on Ordinance 2013-17 for December 2, 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.

Attorney Barnebey clarified that this request is part of the agreement that was made with Mr. Berne and the 5th Street Property.

Commissioner Varnadore requested a copy of the final agreement be distributed to the Commissioners.

5A. Bank of America Merchant Agreement

Mr. Freeman stated that the contract with Bank of America is for the processing of online payment for the utility bills. The contract expires at the end of this month. He is asking for approval of the contract pending the attorney's final review. The new contract term is for five years and can be terminated for any reason within 90 days.

Discussion ensued regarding the convenience fee, currently \$2.00, which is charged to those customers who pay their utility bill online. Mr. Freeman stated that with the new software that will be implemented city wide, there may be an option to get rid of the convenience fee to encourage more payment online. Commission asked that they be updated in the next few months regarding the convenience fee for online payment. They would like to see that the convenience fee is eventually removed all together.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 4-1 for the approval of the Master Contract for ePayment Solutions and Services and authorize the Mayor to sign Attachment D, Participation Agreement between Bank of America, N.A. Banc of America Merchant Services, LLC and the City of Palmetto subject to final attorney approval. Commissioner Smith voted no.

6. OCTOBER CHECK REGISTER (Informational Only)

None

7. BASEBALL FIELD UPDATE

None

8 ASR WELL UPDATE

None

9. DEPARTMENT HEADS' COMMENTS

Chief Wells—clarified about calls to Police Department from the Historical Park, stating that if a person is smoking on the property, he encourages staff at the Park to approach the person and ask they stop before calling the police.

Attorney Barnebey-informed Commission that he will be bringing forward a proposed drop box ordinance to the next workshop meeting.

10. MAYOR'S REPORT

Mayor Bryant attended the grand opening of the Methodist Church's new thrift shop. She announced that they will be accepting donations at the store. Commissioner Williams also attended the opening and commented on how nicely the building turned out and noted that there were a lot of people that came to support the store's opening.

Mayor Bryant informed Commission that Charlie Ugarte recently resigned from the Planning and Zoning Board and she is looking for a recommendation on filling that vacancy.

11. COMMISSIONERS' COMMENTS

Commissioner Smith spoke with Manasota League of Cities and they said they have not received anything from the City to add to the legislative update. Manasota compiles a list of issues that local municipalities would like brought up at the next legislative session. Commissioner Smith will get with the Mayor to discuss this issue.

Commissioner Cornwell—asked if someone could go to the Historic Board Commission Meeting in her place this weekend. Commissioner Williams volunteered.

She wished everyone a Happy Thanksgiving.

Commissioner Williams—explained that he voted no on the motion to change the 2014 holiday and Commission meeting calendar because the date in August was not changed as discussed regarding the Florida League of Cities Conference. He clarified that the August 18th meeting date is the Monday after Commission will return from the Conference.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to reconsider the motion to approve the 2014 Holiday and Commission meeting calendar.

Motion: Commissioner Williams moved, Commissioner Varnadore seconded and the motion carried 5-0 to approve the 2014 Holiday and Commission meeting calendar with the meeting date changed from August 18th to August 25th.

Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the 2014 Holiday and Commission calendar as amended.

Commissioner Williams wished Commissioner Varnadore a happy birthday.

Mayor Bryant adjourned the meeting at 8:00 p.m.

Minutes approved: December 16, 2013

James R. Freeman

James R. Freeman, City Clerk