

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
April 15, 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
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.

Commissioner Varnadore presented the National Arbor Day Proclamation to Eric Gilbert, Chair of the Planning and Zoning Board. National Arbor Day is April 26, 2013.

Mayor Bryant presented the National Day of Prayer Proclamation to Joel Mimbs of Manatee Religious Services. National Day of Prayer is May 2, 2013.

PRESENTATION: Rose Quin-Bare informed Commission that on March 6th Waste Management kicked off a new program in Manatee County and the City of Palmetto called Waste Watch. It is a partnership between Waste Management, law enforcement, emergency services and Highway Watch, Neighborhood Watch, and Amber Alert. Waste Management drivers have undergone training to spot and report anything suspicious or dangerous to their dispatcher or directly to 9-1-1.

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 Cornwell seconded, and the motion carried 5-0 to approve the April 15, 2013 Agenda.

2. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. Minutes: April 1, 2013
2. Resolution 2013-10 Budget Amendment Ward 1, Phase 2
3. Resolution 2013-14 Budget Amendment for Installation of COBAN Units
4. Special Function Permits
 - a. Jerry Hill Memorial Fishing Tournament 5/11/2013
 - b. Cinco De Mayo 5/4/2013
 - c. Slicks Garage First Fridays 5/3/2013, 6/7/2013, 7/5/2013

B. Public Works

1. Cintas Fire Protection Service Agreement
2. FDOT Highway Lighting and Sign Agreement

Motion: Commissioner Cornwell moved to approve the April 15, 2013 Consent Agenda.

Commissioner Varnadore pulled item A.4.c. for discussion.

Commissioner Cornwell modified her motion to approve the April 15, 2013 Consent Agenda excluding item A.4.c. Commissioner Smith seconded, and the motion carried 5-0.

2.A.4.c. Slicks Garage First Fridays Special Function Permit 5/3/2013, 6/7/2013, and 7/5/2013

Rita Osterberg, business owner at the Palmetto Farmer's Market, spoke in support of the First Fridays event and the closure of 10th Avenue.

Maria Sevier, owner of Imagine Gifts on 10th Avenue, spoke in support of the First Fridays event and the closure of 10th Avenue.

Slick, owner of Slicks Garage, requested the closure of 10th Avenue West for his events on Friday. He discussed an accident that occurred on 10th Avenue West during his last event that, in his opinion, would not have occurred had the street been closed.

Commissioner Williams suggested the use of Sutton and Lamb Park for the event. Slick stated that it is not feasible to move the event from where his shop is.

Commissioner Davis would approve the closure of 10th Avenue with a start time of 5:30 or 6:00 p.m. Commissioner Smith agreed.

Mayor Bryant expressed several concerns with the closure of 10th Avenue West. She has received complaints from business owners along 10th Avenue regarding patrons not being able to park near the shops for their appointments. She also expressed concerns with customers that have been threatened with towing of their vehicle.

Commissioner Cornwell asked that the Chief have someone be at the event to make sure the road is not closed early to prevent another aggressive situation from happening.

Motion: Commissioner Smith moved, Commissioner Cornwell seconded the motion to approve the First Friday application and the closing of 10th Avenue West and 5th Street at 5:30 p.m. for the May 3rd event only and June 7th and July 5th at 5:30 p.m. only at 5th Street West at this time [if there are no issues during the May 3rd event, the Mayor can approve the closure of 10th Avenue for June and July] and with the caveat no demanding that people move their vehicles.

Commissioner Williams would like to see the approval of all events or to not approve the event any longer.

Commissioner Cornwell asked Chief Wells to find out if there is parking behind the businesses along 10th Avenue and provide information at the next meeting.

The motion on the floor carried 3-2 with Commissioner Varnadore and Commissioner Williams voting no.

3. CANDY FLAVORED TOBACCO RESOLUTION 2013-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ADOPT STATEWIDE RULES AND REGULATIONS CONTROLLING THE SALE AND MARKETING OF CANDY FLAVORED TOBACCO PRODUCTS; AND PROVIDING AN EFFECTIVE DATE.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded the motion to adopt Resolution 2013-11.

Lindsey Wheeler and Alex Finken, members of Students Working Against Tobacco (SWAT), gave a presentation on information about candy flavored tobacco products and how the tobacco companies are targeting youth.

The motion on the floor carried 5-0.

4. 2nd PUBLIC HEARING ORDINANCE 2013-05 DOWNTOWN CORE DESIGN

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE FOR REVISIONS TO THE ADMINISTRATIVE INTERPRETATION AND PROCEDURES, AMENDING AND CLARIFYING THE DOWNTOWN CORE DESIGN GUIDELINES; AMENDING THE GOVERNMENTAL SIGN REGULATIONS; AMENDING THE AREAS AFFECTED BY THE GUIDELINES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing. There being no public comment, Mayor Bryant closed the public hearing.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded the motion to adopt Ordinance 2013-05 as recommended by staff.

Commissioner Williams stated he would like the ordinance to say that the Community Redevelopment Agency shall keep a copy of the Downtown Core Design Code on file. Attorney Barnebey said he will amend the ordinance to reflect that.

Commissioner Cornwell modified the motion on the floor to include the above mentioned amendment to the ordinance; Commissioner Davis seconded the modified motion. The motion carried 4-1 with Commissioner Varnadore voting no.

Commissioner Varnadore does not agree with the allowance of electronic message signs for governmentally owned information signs.

Attorney Barnebey noted that the boundaries have been changed to include the southernmost boundary of the City.

5. 2nd 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 hearing.

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to continue the second public hearing on Ordinance 2013-02 to May 20, 2013 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

6. MARCH 2013 CHECK REGISTER (Informational Only)

Mayor Bryant recessed the City Commission meeting at 8:00 p.m. to open the April 15, 2013 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 9:00 p.m.

7. BASEBALL FIELD UPDATE

Mr. Tusing stated the County is continuing to work on the utility portion of the project. The County should be selecting a contractor soon to finish the remaining portion of the project.

8. ASR WELL UPDATE

Mr. Tusing informed Commission that the wells were inspected today and have water in them. There is a small punch list that has to be completed.

He met with SWFWMD regarding funding of \$859,000 for the project; the City is ranked number two in the high ranking.

9. DEPARTMENT HEADS' COMMENTS

Mr. Tusing—Discussed the draft paving schedule he passed out to Commission. He stated this is a work in progress. Commissioner Varnadore requested a meeting with Mr. Tusing to discuss the schedule and which streets are priorities.

Mr. Freeman—Informed Commission that he is working with the Parks Department on new landscape for the front of City Hall. He is working on new lighting as well, and moving the flag pole back further. He is exploring the possibility of putting some type of sign out front. The funding for this project is being used from citywide facilities as part of the CIP.

He stated that at the May 6th workshop meeting there will be a CAFR presentation with representatives from Mauldin & Jenkins.

Mr. Freeman requested direction from Commission on having a workshop on the Downtown Commercial Core Redevelopment Incentives. The consensus of Commission was that another workshop was not needed and that the incentives can be brought forward for approval at the next CRA Board meeting.

Attorney Barnebey—Stated that he is still working on rewriting the Downtown Core Design Code and plans to bring it back to Commission shortly.

He informed Commission that he is working with Mr. Freeman to obtain a list of outstanding liens that are \$10,000.00 or more. They are discussing a procedure for a more aggressive approach to be paid on those liens. Mayor Bryant stated she would like to see staff move quickly on this issue.

Mr. Barnebey is also working with Mr. Freeman regarding foreclosures and liens and the establishment of procedures on which liens to focus on.

10. MAYOR'S REPORT

Mayor Bryant stated that her assistant, Deanna, is working on creating a spreadsheet of the City's Code of Ordinances with a generalization of the chapters. Each Department Head will work on a chapter that is specific to their department. This will be brought forward for Commission to review and make recommendations on prioritization.

She discussed an email that she sent to Commission regarding the Manatee County Commission meeting that was held on March 26th. They discussed the 301/41 corridor and the PD&E study. She asked Mr. Freeman to send out a copy of the meeting to Commission so they can listen to it.

She informed Commission that Housing Authority Board Appointment recommendations will be brought forward at the next meeting.

11. COMMISSIONERS' COMMENTS

Commissioner Davis—Thanked Public Works, Javier Vargas, and Mike Alderman for work they did for Mr. Roberts at [Heritage Bay]. He also thanked all City staff for their hard work.

Commissioner Varnadore—Discussed the parking issues along the 900 block of 4th Street West. Mr. Tusing suggested posting a No Parking sign along the street if it is to remain a two-way street. He also offered to remove the sidewalk on one side and add parallel parking along the street. Commissioner Varnadore requested Mr. Tusing reach out to the businesses along that block to see if they have alternative resolutions to the parking on that street.

Commissioner Williams—Discussed an incident with a semi-truck traveling down Riverside Drive and breaking a storm water drain. He asked if a no trucks sign could be posted along that road. Attorney Barnebey stated that an ordinance can be written to prohibit semi-trucks in residential areas.

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Lois Davis, City resident, stated she called and asked Public Works to clean the yard debris and trash along 12th Street. After a few weeks it was never done, so she and her husband cleaned the street themselves. She would like to see more care be given along their road [4th Avenue and 12th Street]. Mr. Tusing was asked to look into this issue and provide information to Commission and Mrs. Davis.

Mayor Bryant adjourned the meeting at 9:35 p.m.

Minutes approved: May 6, 2013

James R. Freeman

James R. Freeman
City Clerk