

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
April 7, 2014  
7:00 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
Jonathan Davis, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Charles Smith, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
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 7:01 p.m., followed by a moment of silence and the Pledge of Allegiance.

**PROCLAMATION:** Commissioner Williams presented the National Tartan Day proclamation to Todd MacClincy and Robert Green who were representing the St. Andrew Society of Sarasota, Inc., the Caledonian Club of Florida West, the Scottish Heritage Society of Sarasota, Inc., and the New World Celts, International. National Tartan Day was April 6, 2014.

**PROCLAMATION:** Commissioner Varnadore presented the National Crime Victims' Rights Week proclamation to Natasha Nixon, Victim Advocate, Manatee Glens West. Ms. Nixon informed Commission that there will be a candlelight vigil held on Thursday at the Bradenton Riverwalk. National Crime Victims' Rights Week is April 6-12, 2014.

Mayor Bryant introduced Kevin Gush from Manatee School for the Arts. He brought two of his students, Danielle Pawlikowski and Gabrielle Jarmoszko who are excited to adopt 17<sup>th</sup> Street Park and Sutton Park. They will be working with other students to clean up the graffiti from the parks so that children do not have to be exposed to that while playing. Public Works will be providing the supplies to keep the parks clean.

All persons intending to address the City Commission were duly sworn.

1. CITY COMMISSION AGENDA APPROVAL

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the April 7, 2014 Agenda.**

2. PUBLIC COMMENT

Ian Boyle, Government Affairs Manager, Progressive Waste Solutions of FL, Inc., stated that he is looking forward to submitting a bid on the City's solid waste Request for Proposal (RFP).

John Geeslin, City of Palmetto resident, explained that he does not agree with the City's current ordinance that requires him to attach his carport to his house instead of having it along his driveway. He opined that a carport should remain detached from the house if it meets the building code standards.

Rose Quin-Bare, Waste Management Representative, opined that the City should not base the new solid waste contract on price alone. She plans on attending the April 21<sup>st</sup> meeting and making a presentation regarding Waste Management and solid waste services.

### 3. CONSENT AGENDA APPROVAL

#### A. Clerk's Office

1. Minutes: 3/6/2014 and 3/17/2014
2. Waiver of Debt Covenant
3. AED Maintenance Agreement
4. Blalock Walters Legal Bills
5. Special Function Permit: Kids Fishing Tournament

#### B. Police Department

1. PD Vehicle Surplus
2. Resolution 2014-07 ECD (Stingers)
3. Resolution 2014-08 Additional Budget for Lease

#### C. Public Works

1. Resolution 2014-03 Park Department Reorganization

**Motion:** **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the April 7, 2014 Consent Agenda.**

### 4. POLICE DEPARTMENT BUILDING SPATIAL ANALYSIS PRESENTATION

Ugarte Associates will make a presentation regarding the spatial analysis that was performed for the needs of the police department.

This item will be on the next agenda for presentation.

### 5. RESOLUTION 2014-04 REVISED PLANNING FEE SCHEDULE

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA; PROVIDING FOR FINDINGS OF FACT; ESTABLISHING AND PROVIDING A SCHEDULE OF LAND USE AND DEVELOPMENT FEES; SUPERSEDING RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion:** **Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2014-04 Land Use and Development Fees.**

### 6. 1<sup>ST</sup> READ ORDINANCE 2014-05 BUILDING DEPARTMENT FEE SCHEDULE

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, REPEALING THE CITY OF PALMETTO BUILDING RELATED FEE SCHEDULE AS CONTAINED IN SECTION 7-25 OF THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR A NEW SECTION 7-25 OF THE PALMETTO CODE OF ORDINANCES TO ALLOW ADOPTION OF A BUILDING RELATED FEE SCHEDULE BY RESOLUTION AND PROCESSING OF FEES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion:** **Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule a public hearing on Ordinance 2014-05 for April 21, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers and direct staff to advertise for same.**

### 7. 1<sup>ST</sup> READ ORDINANCE 2014-04 UTILITY EASEMENT VACATION

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, VACATING A UTILITY EASEMENT OF THE WEST HALF (1/2) OF LOT 12, LOT 13, BLOCK E, RIVERSIDE PARK PLACE, PID# 2850100109 AND ALSO THE SOUTH 7 FEET OF THE WEST 50 FEET OF LOT 10, AND THE SOUTH 7 FEET OF THE EAST 25 FEET OF LOT 1, BLOCK E, RIVERSIDE PARK PLACE, PID# 2850100059. (VAC-2014-01).

**Motion:** Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to schedule Ordinance 2014-04 for a public hearing on April 21, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers and direct staff to advertise for same.

8. 1<sup>ST</sup> READ ORDINANCE 2014-03 REDFISH COVE GDP

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 2011-17 TO APPROVE A CONCEPTUAL/GENERAL DEVELOPMENT PLAN AND PRELIMINARY PLAT FOR 6 SINGLE FAMILY LOTS ON +/- 1.69 ACRE PARCEL, ZONED PD-H (PLANNED DEVELOPMENT-HOUSING) AND LOCATED AT 4009 11<sup>TH</sup> STREET COURT WEST, PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (GDP 2014-01, Redfish Cove, Manatee LLC, PID#2936300209)

**Motion:** Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to schedule Ordinance No. 2014-03 for a public hearing on April 21, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers and direct staff to advertise for same.

9. PUBLIC HEARING ORDINANCE 2013-20 OUTDOOR VENDING MACHINES

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR THE REGULATION OF THE USE AND LOCATION OF OUTDOOR VENDING MACHINES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Attorney Barnebey stated that the Planning and Zoning Board approved and recommends adoption of the Ordinance as presented; however, they also asked that Commission look at the following things:

- Allowing up to three (3) vending machines per parcel.
- Discourage screening
- Require a building permit for each machine
- Require each machine to be anchored/secured.

Discussion ensued regarding the anchoring/securing of the vending machines. Mr. Burton stated that requirement could be added to the City's Building Code and then notification would have to be made to the Florida Building Commission. Attorney Barnebey agrees that securing of a vending machine should be a requirement, but he does not feel that it should be mentioned in this ordinance; the Building Code would be a better fit.

Attorney Barnebey recommends continuing this ordinance to the next Commission meeting.

**Motion:** Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to continue the public hearing on Ordinance 2013-20 to April 21, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

10. PUBLIC HEARING ORDINANCE 2013-21 PORTABLE STORAGE CONTAINERS

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR THE REGULATION OF THE USE AND LOCATION OF PORTABLE STORAGE CONTAINERS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant re-opened the public hearing from March 3, 2014. After hearing no public comment, Mayor Bryant closed the public hearing.

**Motion: Commissioner Davis moved, Commissioner Williams seconded the motion to continue the public hearing on Ordinance No. 2013-21 to May 5, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.**

In regard to the Section 19-221 (a) 8 that states “Large Portable Storage Containers associated with construction at a site where a building permit has been issued shall be permitted for the duration of construction and shall be removed from the site at the end of construction...”, Commissioner Williams does not agree with the “end of construction” language. He would like to see a definitive time-frame be included in this Section.

**The motion on the floor carried 5-0.**

Mayor Bryant displayed the recent award to the City of Palmetto from the Tampa Bay Regional Planning Council (TBRPC). The City received second place for the 5<sup>th</sup> Streets practical low impact design (LID) work and was awarded “The Future of the Regions Developments/Infrastructure Award”.

*Mayor Bryant recessed the City Commission meeting at 7:52 p.m. to open the April 7, 2014 CRA Board meeting.*

*Mayor Bryant reconvened the April 7, 2014 City Commission meeting at 8:47 p.m.*

#### 11. ASR WELL UPDATE

Mr. Tusing stated that the project is coming along smoothly, and should substantially be completed by the beginning of June. The project is 90% complete on piping; they are still waiting on the new pump.

#### 12 DEPARTMENT HEADS' COMMENTS

Mr. Tusing—Ms. Lyn, City Planner, recently resigned and took another job, along with Building Permit Clerk. The Planning Technician’s last day with the City will be on Thursday. He has the job postings out and is looking for new personnel. Until the hiring of a City Planner, he will be using a consultant.

Mr. Freeman—updated Commission on the progress of the Community Development Block Grant. He received information from the Grant Administrator that the City scored 39 out of 55, so the City will not be receiving grant funds for the 28<sup>th</sup> Avenue revitalization and 13<sup>th</sup> Street drainage project; however, the City has fully funded that project in the Capital Improvement Plan (CIP). Another cycle will be coming forward and the City plans on applying again, but with a different project.

Staff has been working on making changes and updating the City’s current Special Function Permit, Facility Rental Agreement and Banner Agreement. A few of the significant changes being made are:

- Insurance requirements
- Non-refundable application fee for Special Function Permits
- Addition of new parks for rental
- Fee structure for rentals
- Resident vs. non-resident fees for rentals

This discussion will be placed on the next Workshop.

Attorney Barnebey—clarified that the Ordinance 2013-20 that was in the agenda packet was sent to him from the City Planner and is the Ordinance that Planning and Zoning was recommended. He did not realize that there were some blank spaces that were left for him to fill in.

### 13. MAYOR'S REPORT

Mayor Bryant thanked all the City staff for their hard work before, during, and after the Seafood Festival this past weekend.

### 14. COMMISSIONERS' COMMENTS

Commissioner Williams—questioned when the Sign Ordinance and Noise Ordinance would be on an agenda for discussion. Attorney Barnebey has been working on the Noise Ordinance and stated that it needs to go before the Planning and Zoning Board; however, it can be placed on the May 5<sup>th</sup> Workshop meeting for Commission discussion. Mr. Burton is working on the Sign Ordinance and stated he will email it out to Commission for their review and then put it on a future Workshop to discuss their comments.

Mr. Williams was very pleased with the turnout at the Seafood Festival. He thought that the Hernando DeSoto Society did an amazing job.

Commissioner Varnadore—was pleased with the Seafood Festival and thought it was a great event.

Commissioner Davis—thought the Seafood Festival was a great event and thanked all the staff that helped to make it successful.

Commissioner Cornwell—stated that the Manatee County Fair will be 99 years old this year. The Fair Board is asking for help on ideas for themes. If anyone has an idea please contact her or Mr. West at the fair office.

Mrs. Cornwell discussed change leadership plans and explained that whenever there is a change in leadership it is recommended that a survey be sent to the group that is affected by the leadership change to help include everyone and make everyone a part of the team.

Commissioner Smith—informed Commission that the Rib Fest will be at the Manatee County Fairgrounds this weekend.

He stated that the Seafood Festival was great and complimented the Palmetto Police Department for doing a good job monitoring the event.

Mr. Smith stated he sent an email out regarding the Manatee County Girls Club CEO.

Mayor Bryant adjourned the meeting at 9:07 p.m.

Minutes approved: April 21, 2014

*James R. Freeman*

James R. Freeman, City Clerk