

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
June 2, 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
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.

RECOGNITION: Allen Tusing recognized Matt Bloome, Joel Carranza, Mike Alderman, Juan Madrid, Odilon Madrid, Jr., and Javier Vargas for obtaining the Level 3-Water Distribution System Operator Certification through the Florida Department of Environmental Protection and/or State Backflow Prevention Assembly Tester Certification:

RECOGNITION: Mayor Bryant recognized employee Richard Carter Jr for his 32-plus years of service with the Public Works Department of the City of Palmetto.

All persons intending to address 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 June 2, 2014 Agenda.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA APPROVAL

- A. Mayor's Office
 - 1. Approval of Veolia Waste Water Treatment Plant Operator Brett Taylor
- B. Clerk's Office
 - 1. May 5, 2014 Minutes
 - 2. Blalock Walters Legal Bill
 - 3. July 4th Special Function Permit
- C. Community Redevelopment Agency
 - 1. July 4th Event Contracts

Commissioner Varnadore removed item B.3., July 4th Special Function Permit, from the Consent Agenda for discussion.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the June 2, 2014 Consent Agenda with the removal of the July 4th Special Function Permit.

Mayor Bryant introduced Brett Taylor the new Veolia Waste Water Treatment Plan Operator.

B.3. July 4th Special Function Permit Discussion:

Commissioner Varnadore questioned if there would be alcohol sold at the event because the Permit says unknown when asked if there will be alcohol sales. Mr. Burton stated that no, no alcohol will be sold during the event.

In regard to the map being a rough draft and if it will be changing, staff stated that the only change to the map as presented will be that food vendors will be located in Sutton Park, not Lamb Park as shown.

Commissioner Williams questioned if the CRA has ever thought of charging a small entrance fee like the DeSoto Society does during their Seafood Festival. Mayor Bryant said that is something that is being discussed, but not this year.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve Consent Agenda Item B.3., July 4th Special Function Permit.

4. APPEAL OF LIENS 1805 12TH STREET WEST

There is a buyer for the vacant land located at 1805 12th Street West (PID# 280630035). This property has two liens, a Code Enforcement lien that was recorded in 2013, and a Street Assessment that was recorded in 1998, which total the amount of \$28,242.26. The buyers are willing to pay the principal amount of \$11,208.65 to satisfy the liens. Staff conducted research regarding the property, the amount of the lien plus the cost of to the City to mow the property amounts to \$12,133.06. Ms. Foley spoke with the buyer's representative during the break and the buyers are in agreement to pay the \$12,133.06.

Attorney Michelle Champion, representing Fordson Homes, informed Commission that the buyer is interested in the lots. Fordson Homes would like to build affordable housing and is asking for a reduction in the lien for the property.

Attorney Barnebey stated that, if the City agrees to the reduction in lien, a requirement should be to have the total amount paid in full in 90 days.

Commissioner Williams would agree to a reduction of 50% of the total lien; \$14,121.13

Discussion ensued regarding the amount of the lien. Commissioner Varnadore stated she agrees that the request for lien reduction is fair as this is a vacant lot and the buyer would like to build affordable homes. Commissioner Williams stated that the lien should include administrative charges; he opined that it should not be less than half of the total lien amount.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded the motion to approve the request of a reduction of two liens in the amount of \$12,750.00 for the property located at 1805 12th Street West, PID# 280630035, and establish a date the liens must be paid in full within 90 days from this date.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 3-2 to amend the motion on the floor to approve the request of a reduction of two liens in the amount of \$14,121.13 for the property located at 1805 12th Street West, PID#280630035, and the liens must be paid in full within 90 days from this date. Commissioners Cornwell and Varnadore voted no.

5. PUBLIC HEARING ORDINANCE 2014-13 PURCHASING

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PURCHASING CODE IN THE CITY CODE OF ORDINANCES; PROVIDING FOR SUPPLEMENTAL AUTHORITY TO APPROVE CERTAIN CONTRACTS; PROVIDING FOR PURCHASES FROM CONTRACTS FROM OTHER GOVERNEMENTAL AGENCIES AND RESPONSIBLE COMPETITIVE PURCHASING COOPERATIVES AND THEIR SUPPLIERS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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

Commissioner Varnadore questioned the language in Section 2 (c). She asked if the contracts that will be signed by the Mayor that are up to \$100,000 will be for budgeted items only. Attorney Barnebey will make the requested change to Section 2 (c) to include the contracts to be for budgeted items only.

Commissioner Varnadore would like a quarterly report sent to Commission that notifies them of all contracts up to \$100,000 that have been signed by a Department Head and/or the Mayor.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to adopt Ordinance 2014-13 with the requested change made to Section 2(c).

6. 1ST PUBLIC HEARING ORDINANCE 2014-09 ALCOHOLIC BEVERAGE ORDINANCE

AN ORDINANCE OF THE CITY OF PALMETTO AMENDING THE CITY OF PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT TO THE REGULATION OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES, INCLUDING PACKAGE SALES AND CONSUMPTION ON PREMISES; PROHIBITING CONSUMPTION IN CERTAIN AREAS; REGULATING CONSUMPTION OF ALCOHOLIC BEVERAGES OR POSSESSION OF AN OPEN CONTAINER CONTAINING ALCOHOLIC BEVERAGES; AMENDING THE ZONING CODE AND THE USE OF LAND AS TO LOCATIONS WHERE ALCOHOLIC BEVERAGES MAY BE SOLD OR CONSUMED ON PREMISES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

No motion required. Mayor Bryant announced that the 2nd public hearing for Ordinance 2014-09 will be on June 16, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

7. PUBLIC HEARING ORDINANCE 2013-21 USE AND LOCATION OF PORTABLE STORAGE CONTAINERS

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 PORTABLE STORAGE CONTAINERS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing continued from April 21, 2014.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to continue the public hearing on Ordinance 2013-21 to August 25, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

8. PUBLIC HEARING TRAFFIC REGULATION

Mr. Tusing informed Commission that staff is proposing the installation of an all-way stop at 9th Street West at 16th Avenue and 18th Avenue West and at 8th Street West at 16th Avenue and 18th Avenue West. With this intersection being near the elementary school, many children walk these streets to school and cross at the crosswalk at the intersection. Because of the school zone on 10th Street, traffic patterns have shifted causing there to be more traffic along these streets. Mr. Tusing stated that making this intersection an all-way stop would make it much safer for the children.

Mayor Bryant opened the public hearing.

Jeff Higgins, resident of Palmetto, is in favor of the traffic regulation for the installation of stop signs.

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

Commissioner Williams would like to see the installation of sidewalks in this area to help the children that are walking to school.

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the Traffic Regulation to install all-way stops at 8th and 9th Streets at 16th and 18th Avenue West.

9. BUYBOARD CONTRACT

Mr. Tusing recommended entering into a piggyback contract with Instituform Technologies, LLC for services for the inspection, rehabilitation, protection and replacement of utilities infrastructure.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to enter into a piggyback contract with Instituform Technologies, LLC to provide services for the inspection, rehabilitation, protection and replacement of water, sewer, and stormwater systems.

10. EDENFIELD PROPERTY ENVIRONMENTAL VOLUNTARY CLEANUP

Mr. Burton asked for the City's approval to allow the CRA to begin the process to redevelop the City owned Edenfield Property.

Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to allow the CRA to begin Supplemental Site Assessment and Brownfields Consulting Services for the Former Edenfield Property not to exceed \$51,582.00.

Mayor Bryant recessed the City Commission meeting at 7:57 p.m. to open the June 2, 2014 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:26 p.m.

11. ASR WELL UPDATE

Mr. Tusing stated that the project is still on schedule.

12. DEPARTMENT HEADS' COMMENTS

Chief Wells—stated that the Police Department is getting prepared for the last day of school.

Attorney Barnebey—informed Commission of one of the legislative updates on the requirements of ethics training for City officials. There is a training being held by the County next week that Mr. Barnebey will send out to Commission. He will also provide information to the Commission as to when this requirement goes in effect.

Mr. Tusing—he will be applying for a grant from the Florida Department of Environmental Protection (FDEP) for stormwater infrastructure repairs, sidewalks, and street resurfacing from 7th Street to the south

and 10th Street to the north and from 5th Avenue to 2nd Avenue. The project will cost approximately \$1.5 million. He is applying for a \$900,000 grant from FDEP and will provide more information to Commission when it is received.

Ms. Foley—discussed the Commission meeting schedule in July and August with dates as follows:

- July 21
- July 28
- August 5

Seeing as there will be three consecutive meetings, and the recent Ordinance that was adopted regarding one meeting to be held in the month of July with Commission approval; staff is proposing to cancel the July 28th meeting date.

Motion: **Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to cancel the July 28, 2014 Commission Workshop and 7:00 p.m. meeting.**

13. MAYOR'S REPORT

Mayor Bryant would like to conduct an annual tour of the City with Commissioners and staff. Ms. Roberts and Ms. Kilgore are working on a few dates for the tour and will be emailing the proposed dates out to Commission to try to conduct a tour when it's convenient to everyone.

14. COMMISSIONERS' COMMENTS

Commissioner Cornwell—questioned the recent legislative requirement of four hours of ethics training per year. She would like more information if the four hours has to be done all at once or can be broken up in sessions. As more information becomes available, Mr. Barnebey will provide it to Commission.

Commissioner Varnadore—announced that she will be running for Commissioner for one more term.

Commissioner Williams—on Memorial Day, he and Commissioner Davis visited the Veterans Cemetery in South Sarasota. There was a nice service there and he plans on attending next year.

He complimented the paving along 8th Avenue and stated he was glad to see it was done very quickly.

Mr. Williams asked Mr. Tusing to look at the bricks that are down along Riverside Drive, it appears some of them are caving in.

He questioned the recent Community Development Block Grant legislation that was passed and if it will affect the City with grant applications. Attorney Barnebey will review that legislation and provide information to him.

He welcomed Brett Taylor to the Wastewater Treatment Plant.

Commissioner Davis—was honored that he was able to attend the Law Enforcement Awards where Detective Joe Rogers was recognized. Vern Buchanan was also in attendance.

Mayor Bryant adjourned the meeting at 8:45 p.m.

Minutes approved: July 21, 2014

James R. Freeman
James R. Freeman, City Clerk