

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
August 4, 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

Elected Officials Absent

Brian Williams, Commissioner, Ward 3

Staff Present

Mark Barnebey, City Attorney  
Jeff Burton, CRA Director  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Scott Tyler, Deputy 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.

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

PRESENTATION: Manatee County Commissioner Carol Whitmore made a brief presentation regarding fishing with certain hooks off of City/County owned piers. She explained that residents and visitors need to be educated on how fishing with different lures hurt and kills pelicans.

RECOGNITION: Mayor Bryant recognized the following City Employees for their recent nomination for Employee of the Third Quarter:

Officer Zachary Cissel  
Officer Lucianno Diaz  
Officer Angel Uruchima  
Officer Richard Wilson  
Officer Rebecca Evans  
Officer Luis Martinez  
Detective David Burns  
Corporal Mike Kelly  
Larry Gabbard  
Deanna Roberts  
Jen Silverio  
Joel Carranza  
Geoff Seger  
Matt Misco  
Cheryl Miller  
Odie Madrid  
Juan Madrid

Mayor Bryant congratulated Matt Misco, Finance/Accounting, who was chosen as the City's Employee of the Quarter.

1. CITY COMMISSION AGENDA APPROVAL

**Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 4-0 to approve the August 4, 2014 Agenda.**

## 2. PUBLIC COMMENT

None.

## 3. CONSENT AGENDA APPROVAL

- A. Clerk's Office
  - 1. July 21, 2014 Minutes
- B. Public Works
  - 1. Interlocal Participation Agreement with Instituform Technologies
  - 2. Traffic Agreement
- C. Police Department
  - 1. Budget Resolution 2014-02 PD Training

Attorney Barnebey removed item B.1. of the Consent Agenda for questions.

Commissioner Varnadore removed item B.2. of the Consent Agenda for discussion.

**Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 4-0 to approve items A.1 and C.1 of the August 4, 2014 Consent Agenda.**

### B.1. Interlocal Participation Agreement with Instituform Technologies Discussion:

Attorney Barnebey stated that this is a cooperative agreement that the City can cancel with 30 days' notice. Mr. Tusing was asked to determine if there are any other Florida government entities that are part of this cooperative.

**Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded the motion to bring this Agreement back to a subsequent agenda.**

Mr. Tusing indicated that he can do some research during tonight's meeting and determine if there are any Florida government agencies that participate in this cooperative.

**Commissioner Cornwell withdrew the motion on the floor, Commissioner Varnadore withdrew her second.**

### B.2. Traffic Agreement with Manatee County discussion:

Commissioner Varnadore's questions were answered regarding the changes that were made between this Agreement and the Agreement that was approved earlier this year. Mr. Barnebey and Mr. Tusing noted that no significant changes were made between this Agreement and the earlier Agreement.

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 4-0 to approve the Traffic Agreement.**

## 4. DESIGNATION OF VOTING DELEGATE FOR FLORIDA LEAGUE OF CITIES CONFERENCE

Commissioners Smith, Varnadore, and Williams will be attending the Florida League of Cities conference this month. The League has asked for one Commissioner to be designated as the voting delegate during the Annual Business Session.

**Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 4-0 to designate Commissioner Williams as the voting delegate for the Florida League of Cities Conference.**

## 5. PUBLIC HEARING ORDINANCE 2014-14 COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE 2030 PALMETTO COMPREHENSIVE PLAN, ORDINANCE 2010-01, AS AMENDED; AMENDING AND ADDING DEFINITIONS; AMENDING THE FUTURE LAND USE ELEMENT, THE TRANSPORTATION ELEMENT, THE COASTAL MANAGEMENT ELEMENT, THE CONSERVATION ELEMENT, THE PARKLAND OPEN SPACE, AND RECREATION ELEMENT, AND THE PUBLIC SCHOOL ELEMENT; PROVIDING FOR AMENDMENTS RELATED TO THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR

UPDATES; PROVIDING FOR A CODIFIED COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

**Motion:** Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to continue the public hearing on Ordinance 2014-14 to August 25, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

6. PUBLIC HEARING ORDINANCE 2013-21 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 June 2, 2014.

Commissioner Varnadore asked that different categories for square footage be written in the proposed ordinance allowing exemptions for smaller size storage containers.

Mayor Bryant commented that she has been working to coordinate a meeting with Commission and the media to tour the City and look at the issues regarding storage containers. She asked that Commissioners coordinate a time to meet with her and staff to discuss these issues before the meeting in October.

**Motion:** Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 4-0 to continue the public hearing on Ordinance 2013-21 to October 20, 2014 at 7:00 p.m. or as soon thereafter as same can be heard in these chambers.

7. SALE OF EDENFIELD PROPERTY 505 5<sup>TH</sup> STREET WEST

Attorney Barnebey explained that the CRA is interested in acquiring this property. The law requires that the property be declared surplus first then an advertisement will need to be placed in the newspaper with a public hearing to be held.

Mr. Burton stated he has a conceptual plan for the site that will be sent to the State. Then the plan will go in front for the CRA Advisory Board first for approval then to Commission.

**Motion:** Commissioner Smith moved, Commissioner Davis seconded, and the motion carried 4-0 to authorize the placing of the property located at 505 5<sup>th</sup> Street West up for sale, to declare said property as surplus and to authorize proceeding pursuant to Section 163.380, Florida Statutes.

8. SALE OF PROPERTY AT 705 10 AVENUE WEST

Attorney Barnebey stated that this property is the site of the old FFA building. The CRA is interested in purchasing the property. The City acquired this property from the Manatee County School Board. Any proceeds, less legal expenses, will be donated to the County for the development of the ball fields at Blackstone Park.

**Motion:** Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 4-0 to authorize the placing of the property located at 705 10<sup>th</sup> Avenue West, less property retained for future right-of-way and mobility needs, up for sale, to declare such property as surplus and to authorize proceeding pursuant to Section 163.380, Florida Statutes.

9. ACQUISITION OF 2002 10<sup>TH</sup> STREET WEST

Attorney Barnebey explained that Public Works is looking to acquire this site for public use. Mr. Tusing stated that he has been looking for a site to place the chloramine injection system onto. This vacant house is located at the corner of 20<sup>th</sup> Avenue West and 10<sup>th</sup> Street West. The waterline that the injection system will go into is located right in front of this house. Mr. Tusing would prefer to house the injection

system in a house that is already built instead of purchasing property and installing a pre-fabricated building to house the system.

Commissioner Varnadore stated that she is not in support of the eminent domain process. She implored the City to exhaust all avenues on acquiring the property from the owner before eminent domain is done.

Attorney Barnebey informed Commission that it does not appear the property owners are willing to sell it to the City. He will try everything he can to buy the property from the owners before going the eminent domain route. Discussion continued regarding the eminent domain process. Attorney Barnebey agreed that Commission will be notified before any eminent domain process is started. Mayor Bryant stated that this item will continue to be a standing item on the agenda to allow for staff to update Commission on the process of the acquisition of this property.

Commissioner Cornwell left the meeting at 8:20 p.m. and returned at 8:21 p.m.

**Motion: Commissioner Smith moved, Commissioner Cornwell seconded, and the motion carried 3-1 to authorize the Mayor to negotiate with the property owners to purchase the property for the appraised value and in the event that is unsuccessful, authorize the City Attorney to pursue eminent domain to acquire the property. Commissioner Varnadore voted no.**

#### 10. JULY CHECK REGISTER (Information Only)

*Mayor Bryant recessed the City Commission meeting at 8:25 p.m. to open the August 4, 2014 CRA Board meeting.*

*Mayor Bryant reconvened the August 4, 2014 City Commission meeting at 9:07 p.m.*

#### 11. BOAT REGATTA FEBRUARY 2015

No current update.

#### 12. ASR WELL UPDATE

Mr. Tusing stated that the substantial walkthrough will be on Thursday. He will update Commission after the walkthrough with an estimated date of when water will go in the well and when testing will begin. He would like to schedule a ribbon cutting around the same time as when the water goes in.

Commissioner Varnadore would prefer to have the ribbon cutting during the lunch hour or after work.

#### 13 DEPARTMENT HEADS' COMMENTS

Mr. Tusing—informed Commission that a sink hole was found on the north-side of 10<sup>th</sup> Street. He has notified the Department of Transportation. He will hire a contractor that will dig down and make repairs to the sewer line that was struck (which caused the sink hole) and then resurface the road. This will all occur during the night hours.

In regards to the earlier discussion of the Interlocal Participation Agreement with Instituform Technologies, LLC, Mr. Tusing indicated he found a few Florida governmental agencies that participate in the Agreement. He requested a motion to approve the Agreement.

**Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 4-0 to approve item 3.B.1 Interlocal Participation Agreement with Instituform Technologies, LLC.**

Mr. Freeman—reminded Commission that a budget workshop is scheduled for Wednesday from 6:00-7:30 p.m. Staff sent out Version 2 last week. He received the final numbers on health insurance; a savings of approximately \$70,000.

He said that October 6<sup>th</sup> there is a workshop, Commission, and CRA Board meeting scheduled; however, most of the Commissioners will not be in attendance. The consensus of Commission was to cancel the October 6<sup>th</sup> meetings.

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to cancel the workshop, Commission, and CRA Board meeting scheduled for October 6, 2014.**

Attorney Barnebey—informed Commission that City has been awarded the 10-foot gap that is located on the “Shell” property located at the corner of 8<sup>th</sup> Avenue and Riverside Drive West.

#### 14. MAYOR’S REPORT

Mayor Bryant attended a ribbon cutting on Saturday for Gonzalez Auto Repair opened by Pastor Roberto Gonzalez.

The Wi-Fi agreement with Brighthouse has been signed. Wi-Fi will be installed in City parks over the next two months. Sutton, Lamb, and Historical Parks will be the first to receive it.

Mayor Bryant received a letter from Melody Brown, Hedgeville, West Virginia. Ms. Brown complimented the Girls Palmetto Softball Team that participated in the tournament over the weekend. She said that the 10 and 11-year old girls were well mannered, polite, respectful and showed great sportsmanship.

#### 15. COMMISSIONERS’ COMMENTS

Commissioner Cornwell—reminded Deputy Chief Tyler that the first day of school is coming up quickly and asked that the Police Department be prepared.

Mayor Bryant adjourned the meeting at 9:25 p.m.

Minutes approved: September 8, 2014

*James R. Freeman*

James R. Freeman  
City Clerk