

**CITY OF PALMETTO
CITY COMMISSION MEETING
August 3, 2015
7:00 PM**

Elected Officials:

Shirley Groover Bryant, Mayor
Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 1
Harold Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2

Staff Present:

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Scott Tyler, Chief of Police
Debra Woithe, City Planner
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.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant removed item 3.C.1. from the agenda.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the August 3, 2015 Agenda with the removal of item 3.C.1.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA APPROVAL

- A. Mayor's Office
 - 1. Appointment to Library Board of Trustees
- B. Clerk's Office
 - 1. Blalock Walters Legal Bills
 - 2. Banking Agreement Extension
- C. Public Works
 - 1. Roadside Memorial Policy (**Removed**)
 - 2. Resolution 2015-16 FDOT Traffic Light Maintenance

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the August 3, 2015 Consent Agenda.

5. PUBLIC HEARING ORDINANCE 2015-10 REZONE OF 705 AND 715 10TH AVENUE WEST

AN ORDINANCE OF THE CITY OF PALMETTO, PROVIDING FOR FINDINGS OF FACT; REZONING OF APPROXIMATELY 0.9 ACRES OF PROPERTY GENERALLY LOCATED 705 AND 715 10TH AVENUE WEST FROM THE ZONING DESIGNATION PUBLIC (P) TO THE ZONING DESIGNATION OF COMMERCIAL CORE (CC); PROVIDING FOR REPEAL OF PORTIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (OWNERS: CITY OF PALMETTO AND PALMETTO COMMUNITY REDEVELOPMENT AGENCY)(Primary PID #27032.0000/2; 27011.0010/9; 27011.0005/9, containing 0.9 acres MOL)

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

Mrs. Woithe explained that the property was purchased in 2014 by the CRA with the intent to sell the buildings and parcel to an appropriate builder/developer as selected through an RFP process. The parcel was split so that the eastern twelve feet can be used for diagonal parking in the future. The southern portion of the parcel is angled to allow for a roundabout. A contract is currently being negotiated with the selected party to purchase and develop the primary portion of the parcel that retained the 705 10th Street address. Phase I and Phase II Environmental Site Assessments were completed for both parcels for the Sarasota/Manatee Metropolitan Planning Organization in 2012 and 2013.

The Planning and Zoning Board met and voted unanimously in support of the adoption of Ordinance 2015-10 at their public hearing on July 16th. Staff also recommends that the City Commission adopt Ordinance 2015-10 in support of the zoning amendment to change 705 and 715 10th Avenue West to Commercial Core (CC).

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

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2015-10.

6. 715 10th AVENUE QUIET TITLE ACTION

Attorney Barnebey stated that in 2013, the City acquired the parking lot at 715 10th Avenue West from the School Board of Manatee County. There was never a clear deed conveying the property to the School Board or any other entity, and the School Board could only grant the City a quit claim deed. The property had been under School Board control and operation for over eighty years at the time of conveyance and was conveyed to the City for nominal consideration. The City may desire to potentially surplus the parking lot and sell it at some time in the future. The inability to provide a warranty deed will impact the value and any potential sale of the property. Attorney Barnebey explained that to clear up any title issues on a potential sale, the City would have to initiate a Quiet Title Action in the Circuit Court and request the court grant clear title to the City.

Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to authorize the filing of a Quiet Title Action for City owned property located at 715 10th Avenue West.

7. SURPLUS OF CITY OWNED PROPERTY

Attorney Barnebey explained that this is a request to surplus the property located on 14th Avenue West just south of 10th Street West, AKA Soccer Fields. There has been discussion of selling the property in the future and in order to do that, the property must first be declared as surplus.

Discussion ensued regarding what the parcels will be zoned as, if rezoned; and will the two parcels be split and sold differently. Mayor Bryant stated that the first step is to surplus the property then bring forward at a workshop to discuss the rezoning and splitting of the parcels.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 4-1 to surplus the property known as PID #290200005 and #290180009. Commissioner Cornwell voted no.

8. TRAFFIC UPDATE

Mayor Bryant updated Commission on the meeting that the Florida Department of Transportation (DOT) had on July 28th regarding the proposed improvements to be made to US 301 at Haben Boulevard. She stated several issues and concerns were raised from businesses regarding reduced access if the

proposed solid median was installed at the left turn lane; these will be sent to DOT regarding the improvements.

9. DEPARTMENT HEADS' COMMENTS

Mr. Freeman—reminded Commission of the budget hearing dates as follows:

- August 4th scheduled workshop is canceled
- August 17th at 5:30 p.m. has been added
- August 18th at 5:30 p.m.

10. MAYOR'S REPORT

None

11. COMMISSIONERS' COMMENTS

None.

Public Comment:

Michael Yetter spoke regarding the roadside memorial policy that was removed from the agenda. He does not agree that memorial's need to be regulated if it is not causing any hazards.

Haley Sivilich, resident of the City of Palmetto, spoke regarding the roadside memorial in recognition of Kyle O'Halloran who recently passed away. She is against any policy that prohibits such memorials as they do not cause any problems.

Ezekiel Hilley, resident of the City, spoke in opposition of a roadside memorial policy.

Mayor Bryant adjourned the meeting at 7:30 p.m.

Minutes approved: August 24, 2015

James R. Freeman

James R. Freeman
City Clerk