

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND SPECIAL CRA BOARD MEETING
November 16, 2015
7:00 p.m.**

Elected Officials Present:

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
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Scott Tyler, Chief of Police
Deanna Roberts, Administrative Assistant

Mayor Bryant called the November 16, 2015 City Commission meeting to order at 7:00 p.m. She called for a moment of silence and asked all present to remember the people of Paris in their thoughts and prayers. The moment of silence was followed by the Pledge of Allegiance.

All persons intending to address City Commission were duly sworn.

RECOGNITION: Mayor Bryant announced that Detective Chris Cavazos was chosen Employee of the Year. The finalists were: Geoff Seger, Employee of the First Quarter, Officer Micah Mathews, Employee of the Second Quarter, Jen Silverio, Employee of the Third Quarter and Detective Chris Cavazos, Employee of the Fourth Quarter. Detective Cavazos will receive two paid days off, \$400.00 and her name will be engraved on a plaque at City Hall.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried unanimously to approve the November 16, 2015 Agenda with the addition of Item 8.A, the purchase of the property at the northeast corner of the intersection of US 301 and CSX railroad line (PD 2598600001).

The backup for the addition to the agenda (Item 8.A) is attached to and made a part of these minutes.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA APPROVAL

A. Clerk's Office

1. Blalock Walters Legal Bills
2. 2016 Commission Meeting Schedule and Holiday Calendar
3. Resolution 2015-38 2016 Lease Reimbursement

Commissioner Cornwell asked to remove item 3.A.2 for discussion.

Motion: **Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried unanimously to approve the remainder of the November 16, 2015 Consent Agenda (Items 3.A.1 and 3.A.3.).**

Discussion ensued on the 2016 City Commission meeting schedule (Item 3.A.2.)

Motion: **Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried unanimously to approve the calendar with the removal of March 21 and November 7.**

4. PUBLIC HEARING CU PERMIT 2015-01 ELECTRONIC BILLBOARD (D. Woithe)

Mr. Barnebey left the dais at 7:15 p.m. and Attorney Bill Lisch took his seat at the dais. Mayor Bryant opened the public hearing.

City Planner Debra Woithe went through a PowerPoint presentation, which is attached to and made a part of these minutes. She pointed out that there are some considerations to be made based on the code. Public zoned properties are not addressed in the code, but electronic message signs are all brought to the Planning and Zoning (P&Z) Board and City Commission for a Conditional Use Permit. Mrs. Woithe said she thought the sign was appropriate for the site, but the Planning and Zoning Board voted 2-1 on November 3, 2015 against locating it in a conservation area.

Mrs. Woithe commented that 301/41 is first and foremost a transportation corridor. The billboard is next to a road, not in the heart of the conservation area, and the lights will not spill over into the estuary.

Her recommendation is to go with commercial rather than industrial zoning. The sign can be lowered to a maximum of 24 ft., and it will blend with the landscape and people could still walk under it.

She is recommending approval with stipulations included in the attached PowerPoint.

Barbara Bush, president of the board of Jet Mobile Home Park, said they are concerned with the light shining into the park. Mrs. Woithe said the location is the same as the previous sign, and lights will fall far short of spilling into the park. Chris Burns of Impact Local Florida said the V-shaped design of the sign assures no light would shine back into the park community.

Mayor Bryant closed the public hearing.

Commissioner Williams asked Mrs. Woithe if the sign would cross the trail. She said the way it is shown right now it would, but once we have a survey and confirm the right-of-way, the location can be determined more precisely. Mr. Williams said he is not in favor of moving the trail. He would like to see the sign in the open space. Mr. Tusing said the trail could go under the sign without any problems with the height discussed.

Commissioner Varnadore said the fact that the P&Z Board denied the sign gives her great pause. The sign seems to be intrusive. She would like to keep it one-sided and in the current location. Mrs. Woithe informed Commission that the current sign is in the right-of-way and must be moved.

Mayor Bryant opined that the billboard is a revenue source for the City, it is contained, it takes into account the effect on surrounding communities, and it can be used for emergency alerts. Information sharing is a positive for the City.

Mrs. Woithe stated that area will never be pristine because it is next to a major roadway. But, the mangroves are a benefit for the river and the estuary is a habitat that will never be developed, which is wonderful for the City.

Motion: **Commissioner Davis moved to approve Conditional Use Permit 2015-01 with stipulations. Commissioner Smith seconded the motion.**

Commissioner Williams called for discussion. He wanted to make sure that this would come back to Commission as far as the exact location is concerned. Mrs. Woithe said not the way it is written right now, but she knows what the concerns are and the team can work out the optimal location. The considerations are that it will have to stay out of the right-of-way, avoid being over the trail or moving the trail if we don't have to, provide access for trucks and stay out of the natural vegetation. The final decision will be made when they have a survey in hand.

Motion: Commissioner Williams amended the motion to include the stipulation that the sign be moved slightly to the north, Commissioner Smith seconded the amended motion, and the motion carried 4-1 with Commissioner Varnadore voting nay.

Mr. Barnebey returned to the dais at 8:05 p.m.

5. RESOLUTION 2015-34 LAND USE AND DEVELOPMENT FEES (D. Woithe)

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.

Mrs. Woithe informed Commission that the last time the planning and zoning fees were updated was in 2014. The reason for this resolution was the need to add an administrative appeal fee. Also, nothing is spelled out specifically for minor modifications to General Development Plans. The changes staff is proposing are highlighted in yellow and the red text is what the Planning and Zoning Board recommended in addition to what staff proposed. The proposed fees are attached to and made a part of these minutes.

Following discussion, it was decided to accept all staff recommended changes and additions except for the address letter which would go to \$10 per the Planning and Zoning Board recommendation. Staff time beyond 30 minutes was removed from the resolution.

Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried unanimously to adopt Resolution 2015-34 with the changes made.

6. LIVING SEAWALL SOLE SOURCE (J. Burton)

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-1 to declare the living shoreline with Reef Innovations as a sole source purchase and authorize the Mayor to negotiate a contract which will come back to Commission for approval. Commissioner Williams voted nay.

7. SALE OF EDENFIELD PROPERTY 505 5TH STREET WEST (M. Barnebey)

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried unanimously to authorize the sale of the property located at 505 5th Street West to the Palmetto Community Redevelopment Agency for \$100.00 and other good and valuable considerations and authorize the Mayor to sign all necessary documents to effectuate the sale.

8. PUBLIC HEARING ORDINANCE 2015-18 CRA PLAN (J. Burton)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, MODIFYING THE COMMUNITY REDEVELOPIVIENT PLAN, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried unanimously to continue the public hearing for Ordinance 2015-18 to December 7, 2015 at 7:00 p.m., or as soon thereafter as same can be heard in these Chambers.

8A. Purchase of property at the intersection of US 301 and CSX Railroad line (Mark Barnebey)

Mr. Barnebey informed Commission that the City was approached by the Wallace Trust to purchase an approximately 0.11 acre parcel at the northeast corner of the intersection of US 301 and CSX railroad line (PD 2598600001) for \$500.00.

In answer to Mrs. Varnadore's questions, he replied the City has access through Lincoln Park, and the City will pay incidental closing costs of approximately \$1,500. This will give the City control over the type of use of the property.

Motion: **Commissioner Davis moved, Commissioner Williams seconded, and the motion carried unanimously to approve the contract with the James Macaulay Wallace, Jr. Inter Vivos Trust, dated March 10, 2011, to purchase an approximately 0.11 acre parcel at the northeast corner of the intersection of US 301 and CSX railroad line (PD 2598600001) for \$500.00 and authorize the Mayor to approve and sign all related documentation to complete the transaction.**

9. OCTOBER CHECK REGISTER (INFORMATIONAL ONLY)

Mayor Bryant recessed the City Commission meeting at 8:41 p.m. to open the November 16, 2015 Special CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:57 p.m.

10. TRAFFIC UPDATE

Mayor Bryant reminded the Commission about the Florida Department of Transportation meeting at Ellenton Methodist Church tomorrow night (November 17) from 5:00 – 7:00 p.m.

11. DEPARTMENT HEADS' COMMENTS

Mr. Barnebey

Wished everyone a Happy Thanksgiving.

Mr. Burton

None

Mr. Tusing

None

Jim Freeman

Mr. Freeman reported that the City unfortunately did not receive the Selby Grant for Hydrant Park. The City will continue looking for grants. He informed Commission that he has been interviewing for the vacant Human Resources position, and he hopes to have someone in place by the first of next month.

Chief Tyler

Reported that Ruger, the police dog who went to live in Hendry County, is doing well. The only problem has been the language barrier, as he answers to Hungarian commands, and they use German and Dutch commands. Informed Commission that some officers are sporting beards. This is for a community service project called No Shave November, a fundraiser for Honor the Badge to buy Christmas gifts for kids.

He advised the Commission that he is starting the Citizens Academy again. It will begin January 12, 2016 and run for six-eight weeks. He invited any Commissioners that are interested to attend, or to send participants. There will be about twenty people per class.

12. MAYOR'S REPORT

Mayor Bryant expressed her appreciation for help in moving things forward to finish some goals that were set for the City [the CRA Plan, the Multimodal Project and the emergency repair of the seawall].

13. COMMISSIONERS' COMMENTS

Commissioner Davis

Wished Commissioner Varnadore a Happy Birthday.

Commissioner Varnadore

Wished everyone a Happy Turkey Day. She stated the Green Bridge traffic is getting worse.

Mayor Bryant commented she does not have the support of the County Commissioners at the Metropolitan Planning Organization (MPO) meetings. She said she is going to take a map over and get on the agenda and go through some concerns she has. She opined that things could be done to alleviate some of the problems: remove the camera at Third Avenue, create the turn lane scheduled for 2017-2018 now and tweak the parking at the ball field. The interchange also needs to be updated. She said the County Commissioners are failing people north of the River. There are three County Commissioners on the MPO, and she is only one voice.

Commissioner Williams

Reported he has received noise complaints about a dance group that practices at Sutton Park. The music goes on past the park closing times. Chief Tyler said the officers are monitoring the situation, but he encourages everyone to have citizens call the Police Department. He wished all a Happy Thanksgiving.

Commissioner Smith

None

Commissioner Cornwell

None

14. ADJOURNMENT

The meeting was adjourned at 9:09 p.m.

Minutes approved: December 7, 2015

James R. Freeman

James R. Freeman, City Clerk