

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
September 26, 2016  
7:00 PM**

Elected Officials Present:

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

Staff Present:

Mark Barnebey, City Attorney  
Karen Simpson, Deputy Clerk of Finance  
Allen Tusing, Public Works Director  
Scott Tyler, Chief of Police  
Penny Johnston, Executive Assistant

Mayor Bryant called the meeting to order at 7:02 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

**Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried unanimously to approve the September 26, 2016 Agenda.**

2. PUBLIC COMMENT

Mrs. Rachel Layton shared information about Bibbins Tae Kwon Do Academy at 101 8<sup>th</sup> Avenue West, in Palmetto. The community is invited to a Martial Arts Open House 11/05/16 beginning at 11:00 a.m.

3. CONSENT AGENDA APPROVAL

- A. City Clerk's Office
  - 1. Surplus Property
  - 2. Resolution 2016-23 FDOT LAP Agreement
  - 3. Resolution 2016-30 Manatee County Fair
- B. Police Department
  - 1. Surplus Property

**Motion: Commissioner Davis moved, Commissioner Varnadore seconded, and the motion carried unanimously to approve the September 26, 2016 Consent Agenda items 3.A. 1, 2 and B.1. Commissioner Smith removed item 3.A.3 for discussion.**

Commission clarified that the amount contributed to the County Fair was the same as allocated last year.

**Motion: Commissioner Smith moved, Commissioner Cornwell seconded, and the motion carried unanimously to approve item 3.A.3.**

#### 4. PUBLIC HEARING—FINAL MILLAGE RATE AND FINAL FISCAL YEAR 2017 BUDGET

Mayor Bryant opened the public hearing to discuss the final millage rate and final FY 2017 budget, including the following points:

- The final millage of 5.9671 per \$1000, which is 5.57% greater than rolled back rate of 5.6522, allows the City to collect the same amount of revenues in comparison to the prior year.
- The proposed final budget is \$763,820,230, which is 6.65% higher than the prior year.
- The additional revenues are being used to fund capital expenditures, personnel costs, public safety and utility infrastructure needs within the City.

After hearing no additional comments, Mayor Bryant closed the public hearing.

#### A. RESOLUTION 2016-28 FINAL MILLAGE RATE

**Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried unanimously to adopt Resolution 2016-28.**

#### B. RESOLUTION 2016-29 FINAL FY 2017 BUDGET

**Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried unanimously to adopt Resolution 2016-29.**

#### 5. PUBLIC HEARING ORDINANCE 2016-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 2006-876 TO APPROVE A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR PID # 2580010409 AND 2580010509 ON +/- 6.28 ACRES, ZONED PD-H (PLANNED DEVELOPMENT-HOUSING); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (GDP 2016-01, RIVIERA WEST LLC, PID#2580010409 AND 2580010509)

Mayor Bryant opened the public hearing. Attorney Barnebey explained continuance of the meeting until after the Planning Commission had taken action.

**Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried unanimously to continue the public hearing on Ordinance 2016-12 to October 3, 2016 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.**

#### 6. 1<sup>st</sup> READ ORDINANCE 2016-13

AN ORDINANCE FOR THE CITY OF PALMETTO, FLORIDA, VACATING A CERTAIN STREET, FIRST AVENUE COURT WEST, APPROXIMATELY 1,154+/- FEET IN LENGTH AND LOCATED NORTHWEST OF THE INTERSECTION OF 10<sup>TH</sup> STREET WEST AND US-41 NORTH, AS MORE PARTICULARLY DESCRIBED IN SECTION 2 OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried unanimously to schedule Ordinance 2016-13 for a public hearing on October 3, 2016 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.**

#### 7. PUBLIC HEARING CONDITIONAL USE PERMIT 2016-01

Request for a Conditional Use Permit by Bolles Construction, Inc. for a drinking establishment located at 615 8<sup>th</sup> Avenue West, Palmetto, FL.

Mayor Bryant opened the public hearing. Planning and Zoning Supervisor, Debra Woithe reviewed considerations in regard to purpose and intent; applicable regulations, citing parking not in compliance yet; compatibility with surrounding area, citing debris maintenance and noise levels as a concern. Mrs. Woithe discussed additional points to consider. Staff recommends denial of conditional use. Mrs. Woithe suggested stipulations for the Commission to consider including reducing length of approval time from 5 years to 2 years if they can provide parking, adequate lighting, and maintenance. Palmetto Police Chief Tyler asked stipulations to include windows need to remain unobstructed, and the back door needs to remain closed and locked, with a vision port to improve security.

Mr. Brian Bolles owns property at 615 8<sup>th</sup> Avenue West, in Palmetto. Mr. Bolles had previously leased the property to night club owners. Mr. Bolles stated he is trying to comply as much as possible. Discussion included questions about security cameras, a current survey, parking, structural integrity, new tenant maintaining the property daily, and noise level.

Mr. Jim Moore, business owner at 601 8<sup>th</sup> Avenue West, talked about garbage, human waste, drugs, and other debris left in parking lot when previous bar was open. He urged Commission not to grant conditional use.

Mr. Leo Mills, business owner at 620 8<sup>th</sup> Avenue West, cited six years of past history with a night club at this location was horrendous. Previous bar had lack of parking, lack of supervision, and no space for screening or buffering; public safety was a concern. Mr. Mills submitted exhibits which are made a part of these minutes.

Mr. Tusing, Director of Public Works, stated if building space was increased, parking requirements would increase too. Public Works will follow ordinances of the City.

Mayor Bryant closed the public hearing.

**Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded and the motion carried 4-1 to deny Conditional Use Permit 2016-01. Commissioner Smith voted no.**

#### 8. PUBLIC HEARING CONDITIONAL USE PERMIT 2016-03

Request for a Conditional Use Permit by Restaurante La Rancherita located at 1210 8<sup>th</sup> Avenue West.

Mayor Bryant opened the public hearing. Planning and Zoning Supervisor Debra Woithe stated staff recommends approval of conditional use. Mr. Julio Masias, restaurant owner, is requesting permit to serve beer and wine for patrons of the restaurant. Restaurant hours are currently 5:00 a.m. – 9:00 p.m. Mr. Masias wants to extend hours during soccer games. He agreed to continue being primarily a restaurant, having more than 50% of sales coming from food, and understood alcohol was sold only for on-site consumption. Mayor closed the public hearing.

**Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried unanimously to approve Conditional Use Permit 2016-03 with stipulations to include the sale of beer and wine between the hours of 6:00 a.m. to 11:00 p.m., and that the business continues to be primarily a restaurant.**

#### 9. TRAFFIC UPDATE

Mayor Bryant shared news from the Public Transportation Task Force Meeting. Manatee County Area Transit (MCAT) is making service modifications for route optimization. Grant money was obtained for disadvantaged individuals to receive health care bus pass, distributed by the health care facilities. Local packing houses are invited to Freight and Economic Development Summit scheduled 10/24/16 at Port Manatee. Transportation projects are the top priority, according to 2017 Sarasota-Manatee MPO State Legislative Priorities. Desoto Bridge replacement is #2 on the transportation project list.

#### 10. DEPARTMENT HEADS' COMMENTS

Karen Simpson- A list of preliminary capital improvement projects (CIP) were given to Commission for early review, as CIP list will be on 10/03 agenda.

Attorney Barnebey- Manatee County Commission is considering preliminary agreement with developer of the hotel at Convention Center. Mr. Barnebey confirmed again that City Commission is not opposed conceptually to hotel on site. There are still many details and discussions ahead, in which City Commission will be involved, including site plans and incentives.

Commissioner Varnadore cited traffic flow as the biggest problem. Debra Woithe, Planning and Zoning Supervisor, stated the next steps will be assigning a zoning category and submitting a conceptual plan.

#### 11. MAYOR'S REPORT

Mayor Bryant commented, and Mr. Tusing concurred, about the CIP steps taken to improve our storm water system prior to facing the problem St Pete is facing.

#### 12. COMMISSIONERS' COMMENTS

Commissioner Cornwell- disappointed County canceled joint committee meeting, as there were many issues to discuss.

Commissioner Davis- acknowledged Commission needs to look at CIP carefully, and listen to our plant operator and Public Works director recommendations to avoid infrastructure problems.

Commissioner Varnadore- surprised a city the size of St. Petersburg or Tampa had not dedicated money toward fixing their infrastructure.

Mayor Bryant and Vice Mayor Smith adjourned meeting 8:56 pm

Minutes approved: October 17, 2016

*James R. Freeman*

James R. Freeman  
City Clerk