

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
November 7, 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
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Scott Tyler, 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.

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

PROCLAMATION: Mayor Bryant presented the Farm City Week proclamation to Patty Keen-Freed and Amber Foley, Farm City Week Committee Members. Farm City Week is November 9th through the 19th.

PROCLAMATION: Mayor Bryant presented the Entre Nous 2016 Tour of Homes proclamation to Caroline Hoffner and Lisa Pratt. The annual tour of homes is December 3rd.

RECOGNITION: Chief Scott Tyler recognized the following volunteers from Lowe's Home Improvement Store for the Hometown Heroes Program volunteer work at the Palmetto Police Department:

Sandy Costello	Daniel Craft	Phil Davenport-Sessions
Mary Fisher	Jessica Gardner	Gaylord Goucher
Ryan Hansen	Sonya Hukill	Kinikia Kaponu-Hughes
Jamie McKinney	Shelley Powers	Amber Ray
April Reynolds	Anthony Robinson	David Rouleau
Bethany Smith	Mandy Sommer	Tim Swanson
Palmer Thornton	Jeanna Tito	Ally Weaver

Chief Tyler also recognized Assistant City Clerk Amber Foley and Detective Sergeant Ryan LaRowe for their assistance in recommending the Police Department to Lowe's for this program.

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

Ofc. Chris Cavazos	Det. Sgt. Ryan LaRowe
Det. Richard Wilson	Nixa Haisley
Penny Johnston	Jorge Aguilar
Ken Green	Neal Mazzei
Rudy Gonzalez	

Mayor Bryant and the City Commission recognized Rudy Gonzalez as the Employee of the Fourth Quarter.

RECOGNITION: Rodney Walton, Services Representative for the Florida League of Cities, presented Commissioner Tamara Cornwell with the Years of Service Award for her 20 years of service as Commissioner of the City of Palmetto.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the November 7, 2016 Agenda with the removal of Tyler Technologies Contract from the Consent Agenda.

2. PUBLIC COMMENT

None.

3. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. Minutes: September 12, October 3, October 10, October 17
2. 2017 Commission Meeting Calendar and Holiday Calendar
3. Special Function Permit: Vintage Wheels 2/5/2017
4. Resolution 2016-34 Lease Reimbursement for 2016 Capital Items
5. Blalock Walters Legal Bills

B. Public Works

1. Special Category Grant for Carnegie Library
2. Traffic Signal Maintenance and Compensation Agreement Amendment

C. Police Department

1. Retirement Presentations
2. ~~Tyler Technologies Agreement~~ *Removed*

Commissioner Cornwell removed items 3.A.2., 3.B.1., and 3.C.1. for discussion.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the November 7, 2016 Consent Agenda with the removal of 3.A.2., 3.B.1., and 3.C.1. for discussion.

3.A.2. 2017 Commission Meeting and Holiday Calendar Discussion:

Commissioner Cornwell discussed the August 7th Commission meeting and questioned whether it may need to be changed in the future once the Manatee County School Board establishes their calendar.

In regards to the cancellation of the November 21st regularly scheduled meeting, Mayor Bryant requested a motion to reschedule that meeting due to Judge Gallen being available that date to swear in her and the Commissioners.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to reschedule the November 21, 2016 Commission workshop (4:30 p.m.) and the 7:00 p.m. meetings.

3.C.1. Retirement Presentations Discussion:

Chief Tyler explained this is common practice and the gun and badge will only be offered to a retired officer who leaves in good standing.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve items 3.A.2 and 3.C.1.

3.B.1 Special Category Grant for Carnegie Library Discussion:

Mr. Tusing informed Commission that he along with Cheryl Miller will be administering the grant.

Commissioner Varnadore questioned the language in the contract that states no modifications will be made to the property except for minor repairs. She asked for Attorney Barnebey to gain some understanding and clarification as to what that means specifically as the Historical Park has several small buildings not in the scope of work; are they included?

Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to accept the Special Category Grant Agreement and Restrictive Covenants and authorize the Mayor to sign each.

4. 1ST READ ORDINANCE 2016-10 SPECIAL FUNCTION PERMIT

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF THE REGULATIONS FOR SPECIAL FUNCTION PERMITS AND THE USE OF PUBLIC PARKS AND PUBLIC FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to schedule Ordinance 2016-10 for a Public Hearing on December 5, 2016 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and direct staff to advertise for same.

5. LIEN REDUCTION REQUEST 514 12TH STREET DRIVE WEST

Mr. Freeman informed Commission that this property has a code enforcement and a utility lien that were recorded in 2009. The utility lien is \$4,626.85 which is associated with the readiness to serve fees. There has been no usage on the account since 2009. The code enforcement lien is \$1,466.88 for associated costs with mowing and clearing of the lot. The total amount due for both liens is \$6,093.73 and the owner has requested to pay \$3,500 to satisfy both liens.

Commissioner Cornwell questioned how much the fees are without interest. Mr. Freeman stated that approximately \$600.00 was interest and penalty fees, leaving the balance at about \$5500. Commissioner Cornwell expressed her opinion on reducing some of the total of both liens (\$6,093.73).

Ms. Ann Broomes, property owner, stated that she can pay off the lien within the week.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to reduce the liens associated with 514 12th Street Drive West to \$4,630.00 to be paid within 30 days of today's date.

6. PUBLIC HEARING ORDINANCE 2016-15 IMPACT FEES

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; AMENDING THE REGULATIONS RELATED TO WATER AND SEWER IMPACT FEES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2016-15.

7. 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.

Debra Woithe, City Planner, gave a presentation to the City Commission regarding the General Development Plan (GDP) presented. She explained that the above property is requesting a new GDP for a seven story, 150 unit, market-rate housing. The 6.28 acre site is owned by Riviera West, LLC and is across Haben Boulevard from Manatee School for the Arts. This property is located within the Community Redevelopment Area (CRA). She stated that the use and density of the project are consistent with the surrounding area and the Comprehensive Plan. The applicant is requesting a variance to the density allowed by the zoning code. Mrs. Woithe added that the project will take access from Haben Boulevard and a northbound west turn lane will need to be added. A final site plan/construction plan approval will be required prior to the issuance of building permits.

Mayor Bryant exited the meeting at 8:14 p.m. and returned at 8:15 p.m.

Mrs. Woithe discussed the density/intensity requirements. The base density permitted in this land category is 16 du/ac as provided in the zoning code. If the subject property is located within the CRA, application of the averaging formula may be modified to permit densities exceeding the calculated average so long as compatibility and concurrency requirements are met. Riviera West proposes 150 dwelling units over 6.28 acres, 23.88 du/ac. The proposed density is over the base density of 16 du/ac, yet well under the maximum density of 45 du/ac. The proposed density exceeds the 10.64 du/ac average of adjacent property densities. Exceeding the average adjacent density is permitted within the CRA so long as compatibility and concurrency are met.

Mrs. Woithe discussed the transportation element. She stated that a 2016 traffic study was undertaken for the project. The project is estimated to generate 1,034 trips daily, with 77 am peak and 100 pm peak hour trips. The project study area roadways and intersections were all found to operate acceptably for all analysis scenarios, including the site access connection to Haben Boulevard. Mrs. Woithe noted that the report concluded that a northbound-to-westbound left-turn lane was found to be warranted at the project driveway connection. Roadway segment analysis results indicate that Haben Boulevard is currently operating acceptably and is anticipated to continue to operate acceptably for future background and total traffic conditions.

The Planning and Zoning Board met on October 27th and approved the conceptual/general development plan with the following conditions:

1. Final Site Plans/Construction Plans shall be submitted within three years from the adoption of this Ordinance, unless modified by City Commission or extended as provided herein. A maximum of two 1-year extensions may be granted by the Director of Public Works with good cause.
2. The project shall demonstrate compliance with the School Concurrency requirements at Final Site Plan/Construction Plan stage.
3. The dumpster will be placed and screened from site at the southwest corner of the property to safeguard residences.

Commissioner Williams expressed his displeasure with a building that is seven stories stating that it is too close to the main road; he opined 150 units is too much.

Rachel Layton, representing the applicant, stated that this application is consistent with the surrounding densities as mentioned in the Comprehensive Plan. The proposed GDP is also compatible with the surrounding properties. Mrs. Layton discussed the surrounding properties stating that The Courtney-3 stories, Riviera Palms-2 stories, Palms of Riviera Dunes-11 stories are within a ¼ mile of the property site.

Mrs. Layton reminded Commission of Policy 2.1.3 of the Comprehensive Plan that states the City of Palmetto is a Transportation Exception Area, and therefore development is exempt from Maintaining Transportation.

Michael Raysor, Raysor Transportation Consulting, performed a traffic analysis for the subject property. His report is part of the agenda packet. He highlighted his report noting that the project site is estimated to generate 1,034 daily trips, with 77 trips during the AM peak hour and 100 trips during the PM trip hour; the project site's study area roadways and intersections were all found to operate acceptably for all analysis scenarios, including the site access connection to Haben Boulevard; a new northbound-to-westbound left-turn lane was found to be warranted on Haben Boulevard at the project site driveway connection. In consideration of an assumed 40 mph design speed, the warranted left-turn lane would require a minimum length of 180 feet, including a 50 foot taper; and a new southbound-to-westbound right-turn lane was found to not be warranted on Haben Boulevard at the project site driveway connection.

Mrs. Layton respectfully requested approval of the GDP with the conditions as mentioned by the Planning and Zoning Board with the exception of the dumpster being placed and screened at the southeast corner, not that southwest corner.

It was questioned when the site would be expected to be built upon. Mrs. Layton is optimistic that it will be developed within a year; Riviera West, LLC is actively seeking developers.

Commissioner Varnadore opined that this site is not appropriate for this large of a building.

Commissioner Smith exited the meeting at 8:34 p.m. and returned at 8:35 p.m.

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

Motion: Commissioner Varnadore moved, Commissioner Williams seconded the motion to deny Ordinance 2016-12.

Commissioner Williams opined that the GDP does not seem to fit in with the surrounding buildings in the area. He indicated it is incompatible with the surrounding neighborhood because of the height and intensity of the proposed building.

In regards to traffic issues, Chief Tyler indicated that traffic congestions is often an issue on Haben Boulevard.

The motion on the floor fails 2-3 with Commissioners Cornwell, Davis and Smith voting no.

Motion: Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 3-2 to adopt Ordinance 2016-12 with all the stipulations as indicated above by staff and screening the dumpster at the southeast corner. Commissioners Varnadore and Williams voted no.

Mr. Burton informed Commission that they and the CRA Board can consider adding stipulations to the property that no gifting or incentives for affordable housing will be given by the City.

8. CCNA FOR ENGINEERING, ARCHITECTURE, SURVEYING AND MAPPING, AND LANDSCAPE ARCHITECTURE SERVICES

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to authorize the Mayor to execute the appropriate service contracts for a term of five (5) years, with two (2) renewals, each of two (2) years each, for the particular service being requested, upon mutual agreement and City Commission approval.

Mayor Bryant recessed the City Commission meeting at 9:12 p.m. to open the November 7, 2016 CRA Board Meeting.

Mayor Bryant reconvened the City Commission Meeting at 9:32 p.m.

9. RESOLUTION 2016-35 EPA BROWNFIELD-EDENFIELD GRANT

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2016-35.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to add to the agenda a motion regarding Riviera West, LLC, consideration as item 9.A.

9.A. Riviera West, LLC Consideration (added to agenda)

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 that the City would not provide affordable housing incentives for a project on the Riviera West, LLC property ID #2580010409 AND #2580010509.

10. OCTOBER CHECK REGISTER (Informational Only)

11. TRAFFIC UPDATE

Mayor Bryant informed Commission that there is a traffic meeting coming up with the Florida Department of Transportation.

Commissioner Varnadore requested more information from the City of Bradenton; Mr. Tusing indicated that he is still working on it.

12. DEPARTMENT HEADS' COMMENTS

Mr. Tusing—will be meeting with the students from the University of South Florida (USF) on November 18th and would like to have them come during the 4:30 p.m. workshop for November 21st to provide an 8th Avenue corridor report.

He informed Commission that he will be coming forward with a resolution for the transfer of funds from the CRA to match the grant funding for the Carnegie Library that was approved tonight.

Mr. Burton—on November 14th USF will be at the Carnegie Library for a public meeting from 5:30 p.m. to 8:00 p.m. He will provide this information to the Commission for them to add to their calendars.

13. MAYOR'S REPORT

Mayor Bryant informed Commission that on November 21st Judge Gallen will be coming to swear her in along with Commissioners Cornwell and Davis.

She attended the Suncoast Beach and Reef cleanup, all the teams did a great job.

There was a huge turnout at the Fairgrounds on Saturday for the Veterans Stand Down event.

Mayor Bryant reminded everyone about the Veterans Day Parade that starts at 10:00 a.m. to end at Sutton Park for a presentation.

14. COMMISSIONERS' COMMENTS

Commissioner Williams—the dead tree down from his house has been removed.

In regards to the purple pipes sitting in the empty lots on 14th Avenue, Mr. Tusing stated that Sylvester will be installing the pipes (reuse lines) along 8th and 9th Streets.

Commissioner Varnadore—requested more discussion regarding Policy 2.1.3 of the Comprehensive Plan that states the City is a Transportation Exception Area. Mayor will add this to a future agenda for further discussion.

Commissioner Cornwell—encouraged everyone to vote.

She discussed the pool as recently mentioned at a Manatee County Commission meeting. She would like a discussion item placed on the next workshop to discuss how to organize people to speak at a County Commission meeting regarding the importance of a pool in the City of Palmetto.

Commissioner Davis—attended the mullet smoke-off on behalf of the Mayor. He participated in the cast net throwing contest and came in second place.

Mayor Bryant adjourned the meeting at 10:05 p.m.

Minutes approved: December 19, 2016

James R. Freeman

James R. Freeman
City Clerk