

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
January 23, 2017  
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:

Jeff Burton, CRA Director  
Jim Freeman, City Clerk  
Scott Rudacille, Chief Assistant City Attorney  
Allen Tusing, Public Works Director  
Scott Tyler, 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.

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

Det. Richard Wilson	Det. David Burns
Det. Joe Rogers	Lorna White
Ofc. Ben Schlabach	Ofc. Chris Cavazos
Cpl. Micah Mathews	Ofc. Nico Lee
Oscar Kieffer	Paula Hall
Kim Cooper	

Mayor Bryant and the City Commission recognized Detective Richard Wilson as Employee of the First Quarter.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant made a change to the 2017 Board Appointments; removing Commissioner Davis from the Historical Commission and asked if Commissioner Cornwell could be the primary and Commissioner Varnadore as the alternate. Both Commissioners agreed to this modification.

**Motion:** **Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the January 23, 2017 Agenda.**

2. PUBLIC COMMENT

None.

3. CONSENT AGENDA APPROVAL

A. Mayor's Office

1. General Employees' Pension Board Appointment
2. 2017 Board Appointments

B. City Clerk's Office

1. 12/5/2016 Workshop Minutes and 12/19/2016 Commission Minutes
2. Special Function Permits:
  - a. Falcon 5K River Run 2/4/2017
  - b. 2017 River Regatta 2/4/2017
  - c. Zambelli Fireworks for Regatta 2/4/2017
  - d. Paws in Motion Walkathon 3/4/2017
3. New Postage Meter Lease

**Motion:** Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the January 23, 2017 Consent Agenda.

#### 4. PUBLIC HEARING COMMUNITY DEVELOPMENT BLOCK GRANT

The City will accept public comment regarding the City's application for a Community Development Block Grant (CDBG) for up to \$750,000.

Mayor Bryant opened the public hearing.

Mr. Alday, Grant Administrator, gave a brief presentation to the Commission regarding the CDBG application. He reminded Commission that the Citizens Advisory Task Force met on March 4, 2016 and recommended application for the proposed Neighborhood Revitalization project. On March 7, 2016 the City Commission authorized the Application. This Public Hearing tonight is the second Public Hearing for this application to review the specific project and allow public comment. The project funds will be used to provide water main and fire hydrant replacement for low to moderate income households and then street paving also in those same areas. February 16<sup>th</sup> is the date the application is due.

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

**Motion:** Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to accept the Citizens Advisory Task Force recommendation regarding the Neighborhood Revitalization as presented and accept grant funds if awarded.

#### 4.A. RESOLUTION 2017-03 CDBG APPLICATION

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE MAYOR, OR THE CITY CLERK IN THE MAYOR'S ABSENCE, TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF THE CIT OF PALMETTO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND AUTHORIZE LOCAL REVENUES AS CDBG LEVERAGE, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Motion:** Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2017-03 which authorizes submitting the application and authorizes \$50,000 of City funds towards the project.

Mayor Bryant left the meeting at 7:15 and Vice Mayor Williams presided over the remainder of the meeting.

#### 5. PUBLIC HEARING CONDITIONAL USE PERMIT 2016-04

Vice Mayor Williams opened the public hearing continued from January 9, 2017.

Mr. Tusing stated that this is an application for a Conditional Use Permit for a home business, Slow Foods Kitchen, located at 1499 17<sup>th</sup> Street West. Section 4.2 of the Zoning Code requires a Conditional Use approval for all home base businesses. When reviewing the Supplemental Regulations, (Section 6.12), this business abides by the standards listed. Mr. Tusing said that staff has reviewed the

Application with respect to standards and procedures and recommends approval with the following stipulations:

1. No person shall be employed other than members of the immediate family residing on the premises.
2. The home occupation use for wholesale food production shall be limited to 968 square feet within the attached garage, as depicted on the site plan attached as Exhibit A.
3. There shall be no change in the outside appearance of the building or premises as a result of such occupation with the exception of an unlighted sign or nameplate, not more than one (1) square foot in area, attached to and not projecting from the building.
4. No mechanical equipment shall be used on the premises that creates levels of noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses outside the dwelling unit in excess of that normally associated with household use. In the case of electrical interference, no equipment or process shall be used which creates a visual or audible interference in any radio or television sets off the premises or causes fluctuations in line voltage in excess of that normally associated with household use.
5. No direct retail sales shall occur on site.
6. There shall be no deliveries to the property by semi-trucks. Deliveries shall only be by conventional postal services (ex. USPS, UPS, FedEx).
7. The remainder of the property shall at all times remain a single-family residential.

The Planning and Zoning Board met and recommend approval of the Permit with the seven above stipulations and also stated that the Applicant's Permit is good for two years from the date of approval by Commission (if approved).

Felicia Tappan, applicant, respectfully requested that Commission approve the Permit as Planning and Zoning approved it. She read an email from City Planner Debra Woithe that indicated a Permit would not be necessary as she was working on changing the Code of Ordinances to allow home based businesses to not have to go through this process if the business would not be interfering with surrounding properties. Mrs. Tappan was directed to speak to the Building Department to receive a Permit to make improvements to her home for her business.

Vice Mayor Williams requested a copy of the Planning and Zoning minutes from January 5<sup>th</sup> when they approved this Permit.

Discussion ensued regarding the property being zoned as a duplex (per Manatee County Property Appraiser). Mrs. Tappan stated that it has never been a duplex since she purchased it. Neal Mazzei, City Building Official, addressed the issues of the property being a duplex. He stated that it is a single family house and the property owner, Mrs. Tappan, can have that changed at the Property Appraiser's Office.

Vice Mayor Williams questioned how this property will be monitored to ensure the above seven stipulations are followed? Attorney Rudacille stated that Code Enforcement would be the ones to monitor the stipulations that are put on the property that are on the outside. As far as the stipulations that are placed on the interior of the property, he stated those stipulations could not be monitored by Code Enforcement unless there is some type of warrant allowing them into the property. There could possibly be testimony from other sources that could report things that occur potentially on the inside of the property.

Commissioner Varnadore agrees with the stipulations as added by the Planning and Zoning Board and feels comfortable issuing the Permit for this home based business and agrees with waiving the application fee.

Commissioner Davis stated he is agreeable to approve this Permit for one year along with the seven other Planning and Zoning Board stipulations. Vice Mayor Williams agrees; however, would like the duplex zoning of the property to be addressed.

Commissioner Smith and Varnadore would prefer a two year approval and seven stipulations.

Vice Mayor Williams closed the public hearing after public comment.

**Motion:**           **Commissioner Davis moved, Commissioner Varnadore seconded, and the motion carried 4-1 to approve Conditional Use Permit 2016-04 with the modifications as made by the Planning and Zoning Board, no application fee needs to be paid by applicant, and the Permit is good for two years. Commissioner Williams voted no.**

#### 6. 2<sup>ND</sup> PUBLIC HEARING ORDINANCE 2016-17 REGULATION OF MOTOR VEHICLE SERVICE AND REPAIR

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, REGARDING THE REGULATION OF VEHICLE REPAIR, MOTOR VEHICLE REPAIR USES, SERVICE STATIONS AND INDUSTRIAL USES; AMENDING APPENDIX B (THE ZONING CODE); AMENDING THE PALMETTO DOWNTOWN DESIGN CODE; DEFINING AND AMENDING THE DEFINITION OF CERTAIN TERMS; ESTABLISHING THE LIMITATIONS ON THE LOCATION OF VEHICLE REPAIR, MOTOR VEHICLE REPAIR, SERVICE STATIONS AND INDUSTRIAL USES; CREATING A "TENTH AVENUE/OLD MAIN" CHARACTER DISTRICT AREA; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR TERMINATION OF THE MORATORIUM RELATED TO MOTOR VEHICLE REPAIR-MINOR AND MOTOR VEHICLE REPAIR-MAJOR AND SERVICE STATIONS (ADOPTED JUNE 2016); AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Williams opened the public hearing.

Mr. Tusing explained that the Planning and Zoning Board recommended approval with some concerns about the Downtown Design Guidelines. There will be a Workshop to discuss these Guidelines further after this adoption (if adopted).

Vice Mayor Williams closed the public hearing after hearing no public comment.

Commissioner Varnadore questioned where in the Guidelines does it state motor vehicle service and repair is not considered a permitted use. She opined adopting/changing the Guidelines is not necessary. Discussion continued regarding permitted and non-permitted uses in this district. Attorney Rudacille understood what Commissioner Varnadore was saying and stated that this Ordinance further solidifies Motor Vehicle Service and Repair as not allowed in this District.

**Motion:**           **Commissioner Davis moved, Commissioner Varnadore seconded, and the motion carried 5-0 to adopt Ordinance 2016-17 as recommended by staff and replacing the "Alternative Design Approaches" section of the Downtown Design Guidelines with Section 4.4 (d) of Appendix B of the City's Code of Ordinances.**

#### 7. TRAFFIC UPDATE

#### 8. PALMETTO POOL UPDATE

#### 9. DEPARTMENT HEADS' COMMENTS

Chief Tyler—the fair ended yesterday and there were no major problems this year.

Mr. Freeman—informed Commission that on Friday staff received a Special Function Permit for the Grilled Cheese Festival on February 25, 2017. This will be provided to them on the February 6<sup>th</sup> Agenda. It is basically the same as last October's event.

Mr. Burton—he will be having a meeting with Manatee County regarding landscape along Haben Boulevard.

#### 10. MAYOR'S REPORT

#### 11. COMMISSIONERS' COMMENTS

Vice Mayor Williams reminded Commission of the special set meeting Thursday, January 26<sup>th</sup> at 5:30 p.m.

Vice Mayor Williams adjourned the meeting at 8:45 p.m.

Minutes approved: March 13, 2017

*James R. Freeman*

James R. Freeman  
City Clerk