

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
May 1, 2017  
7:00 PM**

Elected Officials Present:

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

Elected Officials Absent:

Shirley Groover Bryant, Mayor

Staff Present:

Mark Barnebey, City Attorney  
Jeff Burton, CRA Director  
Jim Freeman, City Clerk  
Allen Tusing, Director Public Works  
Scott Tyler, Chief of Police  
Amber LaRowe, Assistant City Clerk

Vice Mayor Williams called the meeting to order at 7:05 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:** Commissioner Varnadore presented the Teen Pregnancy Prevention Month proclamation to the Teen Health Educators: Perla Borja-Morales, Anastashia Ramirez and Jesse Danke. Mary Ann Legler, Healthy Teens Coalition Board Chair, and Drug Free Manatee and Health Department Representatives.

**RECOGNITION:** Vice Mayor Williams recognized the following City Employees for their recent nomination for Employee of the Second Quarter:

Juan Madrid	Olga Wilson
Tonya Wonderly	Kathy Riley
Penny Johnston	Nixa Haisley

Vice Mayor Williams and the City Commission recognized Kathy Riley, Code Enforcement Officer, as Employee of the Second Quarter.

1. CITY COMMISSION AGENDA APPROVAL

**Motion:** Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the May 1, 2017 Agenda.

2. PUBLIC COMMENT

Ann Marshall, resident, questioned when the tennis nets would be placed back up on the tennis courts after they were taken down for the Seafood Festival. Mr. Tusing said he will take care of it.

Tammy VanderMolen, resident, would like to see consideration of the game Pickleball added to the Sutton and Lamb Park discussions.

### 3. CONSENT AGENDA APPROVAL

#### A. Clerk's Office

1. New Copier Lease
2. Special Function Permits
  - a. It Works Weeklong Event 6/21 to 6/24/2017
  - b. It Works Memorial Day BBQ 5/25/2017
  - c. Night of Hope 5/20/2017
3. Resolution 2017-11 (SCRIVENER'S ERROR)
4. Resolution 2017-12 Mid-Year Budget Cleanup
5. Blalock Walters Legal Bills

#### B. Public Works

1. Traffic Lighting Maintenance Agreement

#### C. Police Department

1. New Copier Lease

**Motion:** Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the May 1, 2017 Consent Agenda with the removal of 3.A.2. and 3.A.5. for discussion.

#### 3.A.2. Special Function Permits Discussion:

Commissioner Varnadore questioned where the It Works! events were to occur? Mr. Freeman explained the attached map and layout of the events. The use of the parking lot located across from the boat ramp on Riverside Drive West and 8<sup>th</sup> Avenue will be used; the northwest corner is the only available lot for use at this time. The southwest corner will remain open for boat ramp parking with the north and southeast corners unavailable for use or parking at this time. There is not a fee structure at this time for the parking lot rental; however, staff is working on new fees for the City, not only for this location, but a few other parks as well.

#### 3.A.5. Blalock Walters Legal Bills Discussion:

Commissioner Varnadore questioned the three opinion letters attached to this item; why the EQ Basin opinion letter was a higher charge than normal. Attorney Barnebey clarified that this opinion letter/project has a higher claim risk than the other opinion letters he had wrote.

**Motion:** Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to approve items 3.A.2. and 3.A.5.

### 4. PUBLIC HEARING ORDINANCE 2017-05 VACATION

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY, APPROXIMATELY 320 SQUARE FEET, AND LOCATED ON THE EAST SIDE OF LOT 503 OF TROPIC ISLES MOBILE HOME ESTATES ALONG 29<sup>TH</sup> AVENUE WEST; SAID PARCEL IS LOCATED GENERALLY AT 2902 WEST 13<sup>TH</sup> STREET, PID#2925524609, AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Vice Mayor Williams opened the public hearing.

Charles Cannon, resident, questioned if the fire hydrant would need to be removed or moved from its current location on this property. He also expressed concerns about the right-of-way size for the marina. Mr. Tusing indicated that the fire hydrant will stay exactly where it is located and he also showed Mr. Cannon what the right-of-way will look like and what it means to vacate the piece of land.

Rita Collins, resident, signed up to speak; however, her questions were the same as Mr. Cannon and were answered by Mr. Tusing.

Kay Lynn Duncan, resident, expressed concerns regarding the boundaries of the property and the location of the fire hydrant.

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

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2017-05.**

#### 5. ACCEPTANCE OF RFQ FOR DESIGN ENGINEER FOR EQ BASIN

The City solicited engineering firms to submit qualifications for the design and engineering oversight for the EQ Basin. Five engineers answered and were reviewed by a committee. The committee short listed the five submissions down to four with the four firms coming in to make a presentation. At the end of the presentations, the committee ranked them with two tying; the two were ranked by the committee with Wade Trim being the final one picked by the committee.

**Motion: Commissioner Davis moved, Commissioner Smith seconded the motion to accept the committee's selection of Wade Trim as the Design Engineer for the Equalization Basin and to authorize staff to negotiate with Wade Trim and authorize the Mayor to execute the agreement.**

Attorney Barnebey questioned the charts as provided in the agenda. It was noted that the first chart indicates a higher score is better than a lower score but the last two charts show a lower score as better than a higher score. Attorney Barnebey wanted to make that distinction for the record.

Discussion ensued regarding the plans, the project, and the information provided in the agenda packet. It was noted that updates will be presented, as necessary, to the Commission.

**The motion on the floor carried 5-0.**

#### 6. SURPLUS OF 715 10<sup>TH</sup> AVENUE WEST

Mr. Burton asked the City to surplus the property located at 715 10<sup>th</sup> Avenue West.

It was discussed what will be done with this property once it is surplus. No specific plan was mentioned.

Commissioner Varnadore mentioned that this is the first step in the process and that she understands that there will be contracts/plans brought forward as they become available.

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to surplus the parking lot at 715 10<sup>th</sup> Avenue West.**

#### 7. SUTTON/LAMB PARK NOISE DISCUSSION

Greg Herndon, Mojo Sound, was in attendance to discuss a sound wall and/or reversing the direction of the concerts on the Sutton Park stage.

Mr. Herndon discussed the layout of the stage and the direction the sounds goes. He noted that he is speaking regarding how his business operates and is not speaking on behalf of all sound businesses.

He stated that there will always be sound carryover no matter what the direction of the stage/music. He is not aware of any sound barriers that could be used to prevent the travel of music. Commissioner Cornwell questioned the use of coverings or blockings that could be used on the back of the stage, especially if the stage was to be turned and project east instead of west. Discussion continued on reversing the direction of the stage to the east instead of the west.

Commissioner Varnadore opined limiting major events in residential areas (more specifically Sutton Park) that have amplified sounds.

Commissioner Davis questioned the decibel levels at the back of Sutton Park furthest from the stage. Mr. Herndon noted that there cannot be a precise decibel reading due to the different bands, different bass and treble and volumes; wind also carries the sound with solid buildings allowing music to bounce off and go a different direction.

Commissioner Smith would like to know the cost to turn the stage around to face into Lamb Park as opposed to the direction it is currently facing. Mr. Smith would like to turn the stage around to solve most of the problems. Mr. Burton agreed and discussed options for a short term fix as a long term solution is determined.

Discussion continued regarding sound and decibels of the events at the park and noise.

Gretchen Leclazio, resident, discussed frequency of events and the noise and direction of the stage.

*Vice Mayor Williams recessed the City Commission meeting at 8:51 p.m. to open the May 1, 2017 CRA Board agenda.*

*Vice Mayor Williams reconvened the City Commission meeting at 9:45 p.m.*

#### 8. RESOLUTION 2017-13 AMENDED PARTICIPATION AGREEMENT

A RESOLUTION OF THE CITY COMMISSION OF PALMETTO, FLORIDA; APPROVING THE AMENDED CONVENTION CENTER COMPLEX IMPROVEMENT PARTICIPATION AGREEMENT ("AMENDED AGREEMENT") AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AS REQUIRED; PROVIDING FOR AN EFFECTIVE DATE.

**Motion:** Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2017-13 with the change to the date in the amended agreement document.

#### 9. RIVERSIDE DAY DOCK

**Motion:** Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to approve conceptual plan for a day dock in Riverside Park.

#### 10. TRAFFIC UPDATE

#### 11. PALMETTO POOL UPDATE

#### 12. CONVENTION CENTER HOTEL UPDATE

#### 13. DEPARTMENT HEADS' COMMENTS

Chief Tyler—Detective Wilson is being honored at the VFW tonight for Officer of the Year.

#### 14. MAYOR'S REPORT

#### 15. COMMISSIONERS' COMMENTS

Commissioner Cornwell—has noticed that the soccer fields on 14<sup>th</sup> Avenue and 9<sup>th</sup> Street West being heavily used. She questioned where the Lincoln Park soccer fields will be relocated and Mr. Tusing informed her that, in the development of the pool, the soccer fields will not be moved, they will remain at the Park.

Commissioner Varnadore—had done research regarding past July 4<sup>th</sup> events and the alcohol sales during the events. She corrected a statement that was made at the last meeting where it was indicated the City does not profit from the sale of alcohol. During the first year of Rotary having alcohol sales during July 4<sup>th</sup> a check was presented to the City on July 21, 2014 from the Rotary from proceeds of the event in the amount of \$600.00

She attended the law seminar today and took some notes specifically on the capacity issues when having a meeting. She requested discussion regarding capacity in Chambers and what accommodations will be made.

Commissioner Varnadore talked about the staff meetings on Thursday afternoons and is appreciative as they have been very helpful to her.

She wished Commissioner Williams a Happy Anniversary.

**Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to extend the meeting by 10 minutes.**

Commissioner Williams—questioned the ASR approval? Mr. Tusing announced that the City received the first round of comments back from the Department of Environmental Protection and they said it could take up to six months, could be sooner.

He questioned the addition of signage on the seawall for boats coming up over the seawall. Mr. Tusing indicated that he can put the signs up but is unsure of how effective the signs will be. Mr. Williams suggested an ordinance might be necessary. Chief disagreed and opined the signs are a good choice, Mr. Tusing indicated that staff will be working on the signage.

Mr. Williams discussed items on the agenda with missing point papers or no backup material at all that is necessary for the Commission to review to make an informed decision on the items.

Vice Mayor Williams adjourned the meeting at 10:05 p.m.

Minutes approved: June 5, 2017

*James R. Freeman*

James R. Freeman  
City Clerk