

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
August 7, 2017  
7:00 PM**

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, Director Public Works  
Scott Tyler, Chief of Police  
Amber LaRowe, 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 City Commission were duly sworn.

1. CITY COMMISSION AGENDA APPROVAL

**Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the August 7, 2017 Agenda.**

2. PUBLIC COMMENT

None.

3. CONSENT AGENDA APPROVAL

A. Clerk's Office

1. Minutes: July 17, 2017
2. Hernando DeSoto Half Marathon Special Function Permit 10/14/2017

B. Public Works

1. Interlocal Post Disaster Debris Management Manatee County
2. Sanctuary Cove Minor Modification
3. Resolution 2017-17 Veolia Reimbursement

Mayor Bryant removed item 3.A.1. Minutes from the meeting due to a couple missing pages.

Items 3.A.2., 3.B.2. and 3.B.3. were removed for discussion.

**Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve item 3.B.1. Interlocal Agreement with Manatee County for Post-Disaster Debris Management.**

3.A.2. Hernando DeSoto Half Marathon Special Function Permit 10/14/2017 Discussion:

Commissioner Cornwell's questioned regarding restrooms were answered by Pat Bustle, representing the Hernando DeSoto Society.

**Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the Hernando DeSoto Half Marathon Special Function Permit.**

3.B.2. Sanctuary Cove Minor Modifications Discussion:

Commissioner Cornwell's questions were answered by Karla Owens, City Planner. No high level changes to the Plan are being made; the modification included the moving of the community pool to a more centralized location.

**Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Sanctuary Cove Minor Modifications.**

3.B.3. Resolution 2017-17 Veolia Reimbursement Discussion:

Commissioner Cornwell's questions were answered by Mr. Tusing; this is an annual rebate.

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2017-17.**

4. PUBLIC HEARING ORDINANCE 2017-08 ABANDONED VESSELS

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, ADOPTING REGULATION OF LOST AND ABANDONED VESSELS; PROVIDING FOR PURPOSES AND FINDINGS; PROHIBITING LOST AND ABANDONED VESSELS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR REMOVAL, STORAGE AND DISPOSAL OF LOST OR ABANDONED VEHICLES; PROVIDING FOR COSTS AND LIENS; PROVIDING FOR PROCUREMENT OF SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing. After hearing no public comment, Mayor Bryant closed the public hearing.

**Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2017-08.**

5. PUBLIC HEARING ORDINANCE 2017-10 SITE PLAN REVIEW

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PROVISIONS FOR THE PROCESSING OF SITE PLANS PURSUANT TO THE ZONING CODE AS CONTAINED IN THE CODE OF ORDINANCES; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

Attorney Barnebey clarified that the Ordinance does state that a hearing has to be scheduled within 60 days of receipt of a Development Plan, not that it has to be heard within the 60 days.

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2017-10.**

#### 6. ACCEPTANCE OF LIFT STATION FROM RIVERSIDE SUBDIVISION

At the last meeting it was discussed to reach out to the property owners/Home Owner's Association regarding entering into an annexation agreement once their properties are contiguous to the City of Palmetto. Mr. Tusing indicated that the HOA states they are not interested in entering into that type of agreement at this time in exchange for their private lift station being maintained/owned by the City of Palmetto. Mr. Tusing is in favor of accepting the lift station.

Mr. Freeman presented some information regarding the subdivision and the revenue for water, sewer, and potential property taxes if they annexed in. He reminded Commission that this subdivision, also known as "Hooker's Point", includes 13 homes and 4 vacant lots that receive water and sewer from the City but are located in the County. Currently, the water and sewer for these properties generates approximately \$18,600 a year and this total includes a 25 percent surcharge (because they are not in the City) of \$2,200 per year. If they were to annex into the City, the surcharge would go away and the ad valorem revenue for all those properties would generate approximately \$57,000 per year to the City

Mr. Freeman also displayed a map as made by Geographic Information System (GIS) Tech Zachary Schwartz and Sebastian Smith. This map shows the properties west of 28<sup>th</sup> Avenue that are City properties and are County properties. Commissioner Varnadore requested a map that displays the entire City to see what other properties are not part of the City but receive City services, i.e. water and sewer.

Commissioner Williams read from Chapter 29, Master Utility Ordinance, which discusses annexations and City services. Section 29-7 D says:

"In order for a lot or parcel of land to receive any form of utility service from the city, it must be located within the city limits or contiguous to the city limits and consents to being annexed into the city; except that those lots or parcels located outside the city limits and receiving utility services from the city on November 1, 2013, that have not so consented at the time of approval of this article shall continue to receive such services from the city. Alternatively, if a lot or parcel is not contiguous to the city limits so as to permit voluntary annexation by the owner, then the owner must execute a valid and binding annexation agreement with the city whereby the owner agrees to and authorizes annexation of the property once the lot or parcel is contiguous and subject to voluntary annexation as allowed by state law. Such annexation agreements shall be recorded by the city in the Manatee County public records."

Section 29-10 says:

"In order to protect the city's ability to serve its residents and supply its customers, the city shall not connect or reconnect any water or sewer taps outside the city limits until the premises involved has been either annexed into the city or is the subject of a valid and binding annexation agreement as provided in this chapter, and has been inspected and approved by the city. Customers who are outside city limits and receiving water and sewer services as of November 1, 2013 or receiving water and sewer services as a condition of the Manatee County wholesale water agreement shall continue to receive service."

Further research and discussions need to be had between staff and the Attorney. More information will be forthcoming to the Commission.

**Action Request:           No action taken.**

#### 7. JULY CHECK REGISTER (Informational Only)

**There is no audio for the last half of the meeting due to technical difficulties.**

*Mayor Bryant recessed the City Commission at 7:34 p.m. meeting to open the July 17, 2017 CRA Board Meeting.*

*Mayor Bryant reconvened the City Commission meeting at 7:53 p.m.*

#### 8. TRAFFIC UPDATE

None.

#### 9. PALMETTO POOL UPDATE

#### 10. CONVENTION CENTER HOTEL UPDATE

Attorney Barnebey stated that the hotelier and developer are talking and a list was sent out to the developer regarding what needs to be done. The City is waiting on a response and, if any, changes are made, those will be brought forward to the Commission.

Tony DeRusso, InDevelopment Partners, gave an update to the Commission. October 1<sup>st</sup> is the closing date for the Pinzon Parcel. A change was made to the approved Contractor for the project. He will be having a meeting with the County to discuss financial participation for the project.

The financing is being worked on and the issues are being discussed with Mr. DeRusso. Information will be provided to the Commission as it is received.

#### 11. DEPARTMENT HEADS' COMMENTS

Mr. Freeman—reminded Commission of the August 14<sup>th</sup> and August 23<sup>rd</sup> budget workshop meeting at 5:30 p.m.

Chief Tyler—the Police Department is ready for school to start on Thursday.

Attorney Barnebey—informed Commission that there have been some legislative changes in regards to Medical Marijuana. He will be bring forward a moratorium about this and the topic will be discussed at the next meeting on August 28<sup>th</sup> at both the workshop and the 7:00 p.m. meeting. There are Administrative holds on permits for Medical Marijuana until the meeting is held.

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to have an Administrative hold on permits regarding Medical Marijuana until a decision is made regarding this issue.**

#### 12. MAYOR'S REPORT

Mayor Bryant informed Commission that she has received some complaints regarding the monopolizing of the bandstand at Sutton Park, Monday through Friday nights after 5:00 p.m. Other visitors have been on the bandstand using it and been intimidated by the large number of people coming to use it and have left. They do not have a Permit or Agreement for sole use, it is first come, first serve. Criteria will be looked into regarding excessive use and monopolizing of the bandstand for sole use.

#### 13. COMMISSIONERS' COMMENTS

Commissioner Varnadore—announced that she will not be at the October 2<sup>nd</sup> Commission meeting.

Commissioner Williams—informed Police and Public Works about the homeless living under the Green Bridge. Excessive trash has been found in and around the Green Bridge, especially in the shoreline at Riverside Park East.

Would like to be informed of any more abandoned boat community meetings.

Commissioner Davis—announced the August 20<sup>th</sup> fashion show put on by and benefitting Mount Carmel. He, Chief Tyler, Mr. Freeman and others will be walking the runway. He asked everyone to get their tickets and come down to the Renaissance on 9<sup>th</sup> at 5:30 p.m.

Commissioner Smith—asked Mr. Tusing about the railroad track on 2<sup>nd</sup> Avenue. Mr. Tusing has been in contact with the railroad company and is trying to discuss the repairs needed with them.

Mayor Bryant adjourned the meeting at 8:26 p.m.

Minutes approved: August 28, 2017

*James R. Freeman*

James R. Freeman  
City Clerk