

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
November 5, 2018
7:00 PM**

ELECTED OFFICIALS PRESENT:

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

STAFF PRESENT:

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Allen Tusing, Director of 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 the City Commission were duly sworn.

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

Sebastian (Sam) Smith	Fletch Mobley
Robert Opdyke	Officer Baez
Det. Rogers	Officer Matthews

Mayor Bryant and the City Commission recognized Fletch Mobley as the Employee of the Fourth Quarter.

PROCLAMATION: Mayor Bryant presented the Farm City Week proclamation to Patty Keen-Freed, Martha Glenn, and Amber LaRowe, Farm City Week Committee Members. Farm City Week begins November 9th and ends November 17th.

PROCLAMATION: Mayor Bryant presented the Veterans Day proclamation to Carl Hunsinger, Veterans Council Chairman and Don Courtney, Advisor, Past Chairman. The Veterans Day event begins at 11:00 a.m. on Sunday, November 11th. There will be a ceremony with the parade to follow. After the Parade, there will be live music, games, food, etc. held at Lamb Park in Palmetto.

PROCLAMATION: Mayor Bryant presented the Mobility Day 2018 proclamation to Madison Moyer and members of the Manatee Millennial Movement

(M3). The Mobility Day event will be on Saturday, November 10th at Sutton Park and along 10th Avenue West between 4th Avenue and 7th Avenue.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant requested the removal of item 5, Ordinance 2018-31 and item 8, the Regatta Point Assignment.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the November 5, 2018 Commission Agenda with the removal of Ordinance 2018-31 and the Regatta Point Assignment.

2. PUBLIC COMMENT

No comments.

3. CONSENT AGENDA APPROVAL

A. City Clerk's Office

1. 2019 Commission Schedule and Holiday Calendar
2. Minutes: October 1st and October 15th
3. Special Function Permits:
 - a. Regatta Beer Zone 2/9/2019
 - b. AMENDED Open Streets Permit 11/10/2018
4. Blalock Walters Legal Invoices
5. Resolution 2018-36 City Credit Card Use Policy
6. Interlocal Agreement for Usage of City Conduit System
7. Video and Storage Solution Purchase
8. Purchase of a 10 GIG Switch
9. SunTrust Banking Renewal Letter

B. Police Department

1. Resolution 2018-35 Law Enforcement Reserve
2. COBAN Equipment Purchase

C. Public Works

1. Agreement for Grant Application Canal Road and US 301
2. Position Description Service Worker III

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the November 5, 2018 Consent Agenda with the removal of item C.1. for discussion.

3.C.1. AGREEMENT FOR GRANT APPLICATION CANAL ROAD AND U.S. 301 DISCUSSION:

Karla Owens, Development Services Director, explained that the attached is a proposed funding agreement between the City of Palmetto, 301 North, LLC, and DFM, LLC that will allow for the

City to begin the Community Development Block Grant application process. The developers, 301 North, LLC and DFM, LLC have graciously offered to pay for the costs of the initial grant application, understanding that the grant may not be awarded and no monies will be refunded to them if the grant is not awarded. Staff is coordinating with Manatee County who has plans for roadway and drainage improvements along Canal Road, as well as the Florida Department of Transportation.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve item 3.C.1. Agreement for Grant Application Canal Road and U.S. 301.

4. 1st READ ORDINANCE 2018-07 PARKING TICKETS

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR AMENDMENT TO THE REGULATIONS RELATING TO PARKING, INCLUDING HANDICAPPED PARKING; PROVIDING A NEW SCHEDULE OF FINES FOR PARKING VIOLATIONS; PROVIDING FOR AN APPEAL PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to schedule Ordinance 2018-07 for a Public Hearing on December 3, 2018 at 7:00 p.m. in these Chambers and direct staff to advertise for same.

Commissioner Smith opined that ten days to pay the parking ticket is too short and he does not agree that a violator should have to pay for the appeal up front, only pay if they lose their case after a hearing in front of a magistrate.

Anne Marshall, City resident, requested further discussion on signs being placed along residential roads notifying large semi/delivery trucks that there is a weight limit and that they cannot turn around, etc. She is having an issue with large delivery trucks traveling down 7th Street West and not being able to turn around.

~~5. 1st READ ORDINANCE 2018-31 GENERAL DEVELOPMENT PLAN PINZON (K. Owens)~~
Removed.

6. PUBLIC HEARING CONDITIONAL USE 2018-01 HYATT

Mayor Bryant opened the public hearing.

Mrs. Owens explained that this is a request for a Conditional Use Permit for the residence located at 1204 26th Avenue West. The property owner has applied for this Permit to allow the use of his home property for a home gun repair/gun-smithing home occupation. No other persons shall be employed other than the members of the family residing on the property. The applicant has agreed to store no more than 20 guns on site for sale and/or repair, and drop off/pick up of gun repairs

will be individual and by appointment only. No traffic will be generated which is greater in volume than would normally be expected from residential use. There will be no onsite sales of guns and all guns will be secured within a gun safe when not being serviced.

Mrs. Owens stated that this item was presented to the Planning and Zoning Board on October 18th and made the following stipulations to the Permit:

1. THE APPLICANT AGREES THAT NO MORE THAN TWENTY (20) GUNS SHALL BE MAINTAINED ON THE PREMISES FOR SALE AND/OR REPAIR AND THERE SHALL BE NO ON-SITE SALES OF GUNS OR AMMUNITION. ALL GUNS SHALL BE KEPT SECURED IN A GUN SAFE WHEN NOT BEING SERVICED; AND
2. NO PERSON SHALL BE EMPLOYED OTHER THAN MEMBERS OF THE IMMEDIATE FAMILY RESIDING ON THE PREMISES; AND
3. THE USE OF THE DWELLING UNIT FOR THE HOME OCCUPATION SHALL BE CLEARLY INCIDENTAL AND SECONDARY TO ITS USE FOR RESIDENTIAL PURPOSES. NOT MORE THAN 25% PERCENT OF THE FLOOR AREA OF THE HOME SHALL BE USED IN THE CONDUCT OF THE HOME OCCUPATION. NO OUTSIDE DISPLAY OR STORAGE OF GOODS IS ALLOWED; AND
4. THERE SHALL BE NO CHANGE IN THE OUTSIDE APPEARANCE OF THE HOME OR PREMISES EXCEPT THE APPLICANT WILL BE ALLOWED ONE UNLIGHTED SIGN OR NAMEPLATE, NOT MORE THAN ONE SQUARE FEET IN AREA TO BE ATTACHED TO THE HOME; AND
5. NO MECHANICAL EQUIPMENT SHALL CREATE LEVELS OF NOISE, VIBRATION, GLARE, FUMES, ODORS OR ELECTRICAL INTERFERENCE DETECTABLE TO THE NORMAL SENSES OUTSIDE THE HOME IN EXCESS OF THAT NORMALLY ASSOCIATED WITH HOUSEHOLD USE; AND
6. NO TRAFFIC SHALL BE GENERATED BY THE HOME OCCUPATION IN GREATER VOLUME THAN WOULD NORMALLY BE EXPECTED FROM THE RESIDENTIAL USE. ANY NEED FOR OFF-STREET PARKING SHALL BE MET IN AN AREA OTHER THAN IN THE REQUIRED FRONT YARD; AND
7. THE APPLICANT MUST COMPLY WITH ALL OTHER APPLICABLE LAWS AND ORDINANCES, INCLUDING BUT NOT LIMITED TO LICENSING REQUIREMENTS THROUGH THE FLORIDA DEPARTMENT OF ALCOHOL, TOBACCO, AND FIREARMS AND THE CITY OF PALMETTO; AND
8. THERE SHALL BE NO ON-SITE FIRING/TESTING OF FIREARMS; AND
9. NO AMMUNITION SHALL BE STORED IN THE GUN SAFE OR IN THE SAME ROOM AS THE BUSINESS CONDUCTED.

The above stipulations were heavily discussed as it relates to necessity. Commissioner Varnadore opined that stipulations one, eight, and nine should be removed. Discussion continued.

Richard Hyatt, applicant for the Permit, explained that he does not intend to store ammunition with the guns as that is his own personal habit and policy. Also, he indicated he will not ever be testing or firing on his property. The hours of operation for this business are Monday to Friday 9:00 a.m. to 5:00 p.m. and Saturday's from 9:00 a.m. to 12:00 p.m. by appointment only. There will be no inventory nor will there be any sale of firearms.

Mrs. Owens stated that she will revise the Ordinance to remove stipulations 1, 8, and 9 as indicated by the Attorney and the Commission, due to these stipulations being covered in either Florida State Statute or City Ordinance.

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

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve Conditional Use 2018-01 with the removal of stipulations 1, 8, and 9 as listed above.

7. PUBLIC HEARING CONDITIONAL USE 2018-02 CHURCH ON THE ROCK

This application is being continued until March of 2019.

Mayor Bryant opened the public hearing.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to continue the public hearing on Conditional Use Permit 2018-02 to March 18, 2019 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

~~8. REGATTA POINTE LEASE ASSIGNMENT (M. Barnebey)~~

Removed.

Mayor Bryant recessed the City Commission meeting at 8:24 p.m. to open the November 5, 2018 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 8:36 p.m.

STANDING AGENDA ITEMS:

9. TRAFFIC UPDATE

Commissioner Varnadore expressed her concerns regarding turning left from 23rd Street West onto U.S. 41 North (8th Avenue West). She questioned what the City intends to do about this intersection.

Mayor Bryant informed the Commission that this particular intersection has been submitted to both the Metropolitan Planning Organization (MPO) and the Florida Department of Transportation (FDOT) for consideration of closing the median along U.S. 41 North so that no left hand turn from 23rd Street West can occur. U.S. 41 North is a federal highway and, as such, cannot be controlled by the City without FDOT consideration and approval. Before a major decision is made, FDOT needs to be involved as well as an agenda advertised appropriately for public input. Chief Tyler was asked to draft a new letter for submittal to FDOT and also to provide data to the Mayor for her MPO meeting this week.

Commissioner Varnadore opined that closing 23rd Street West is the best option and in the best interest of the City.

Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to place an item on the next advertised agenda to discuss

option for the intersection of 23rd Street West and U.S. 41 North (8th Avenue West).

Mr. Tusing was tasked with having a discussion with Mr. Preston, property owner, to discuss creating a road to connect 23rd Street with 10th Avenue West.

10. PALMETTO POOL UPDATE

No update.

11. POLICE DEPARTMENT BUILDING UPDATE

No update.

COMMENTS:

12. DEPARTMENT HEADS' COMMENTS

MR. FREEMAN—discussed the New Year's Eve holiday that occurs on Monday December 31st this year. In December of 2012, the Commission approved a one-time holiday of New Year's Eve to the holiday schedule since the City mirrors the holiday schedule of the County. Mr. Freeman wanted to give the Commission a heads up about this and to think about whether they will consider approving a holiday like this again. Commissioners Smith and Varnadore stated they wish to see if the County approves this for their employees and then discuss it again if that occurs.

ATTORNEY BARNEBEY—informed the Commission that Jeff Nichols, Assistant County Attorney, passed away on Sunday.

13. MAYOR'S REPORT

Mayor Bryant informed the Commission that there is a vacancy on the General Employees' Board of Trustees; she is seeking recommendations.

14. COMMISSIONERS' COMMENTS

COMMISSIONER WILLIAMS—noted that the Permit for the Regatta Beer Garden has dates stating February and March, which date is it? Mrs. LaRowe stated that the event is on February 9th.

COMMISSIONER CORNWELL—encouraged everyone to vote tomorrow.

COMMISSIONER VARNADORE—questioned a recent letter from the citizens of Snead Island. Mayor Bryant stated that the staff is to review this and that Manatee County is going to discuss it.

COMMISSIONER SMITH—asked Mr. Tusing when the holes along 2nd Avenue East will be repaired. Mr. Tusing stated it is on the schedule to be repaired soon. He stated that he has been trying to reach out to CSX Railroad regarding the 3rd Avenue sidewalk and repairs that need to be made near the railroad on that Avenue.

COMMISSIONER DAVIS—displayed a letter from the Tampa Bay Regional Planning Council that thanked the City of Palmetto for adopting the resolution for support of the Tampa Bay Regional Resiliency Coalition.

Mayor Bryant discussed the Economic Development Corporation luncheon on Friday. The City reserved a table and the Mayor invited several small business owners from the City of Palmetto.

Mayor Bryant adjourned the meeting at 9:06 p.m.

MINUTES APPROVED: December 17, 2018

James R. Freeman

JAMES R. FREEMAN
CITY CLERK