

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
February 25, 2019  
7:00 PM**

**ELECTED OFFICIALS PRESENT:**

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

**ELECTED OFFICIALS ABSENT:**

Tambra Varnadore, Commissioner, Ward 2

**STAFF PRESENT:**

Mark Barnebey, City Attorney  
Jeff Burton, CRA Director  
Jim Freeman, City Clerk  
Mike Stinson, Police Captain  
Allen Tusing, Director of Public Works  
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 Commissioner were duly sworn.

**1. CITY COMMISSION AGENDA APPROVAL**

**Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the February 25, 2019 Commission Agenda.**

**2. PUBLIC COMMENT**

No comment.

**3. CONSENT AGENDA APPROVAL**

A. Mayor's Office

1. Appointment to CRA Advisory Board

B. City Clerk's Office

1. Minutes: January 7<sup>th</sup>, January 28<sup>th</sup>, February 4<sup>th</sup>
2. Minutes: January 9<sup>th</sup> Joint Meeting Minutes Prepared by County
3. Special Function Permit: Easter Sunrise Service 4/1
4. Blalock Walters Legal Invoices

C. Public Works

1. Resolution 2019-04 Half-Cent Infrastructure Approval

**Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the February 25, 2019 Consent Agenda.**

4. PUBLIC HEARING ORDINANCE 2018-32 ANNEXATION HARLLEE

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING A PARCEL CONTAINING 18.12 ACRES OF UNINCORPORATED MANATEE COUNTY, FLORIDA INTO THE CITY OF PALMETTO WHICH PARCEL IS REASONABLY COMPACT AND IS CONTIGUOUS TO THE CITY OF PALMETTO; REDEFINING THE BOUNDARY LINES OF THE CITY OF PALMETTO, FLORIDA TO INCLUDE SAID PARCEL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Karla Owens, Development Services Director, explained that the reason this Ordinance is back on the Agenda tonight for adoption is due to an advertising error. [This Ordinance was previously adopted on January 28, 2019]

Mrs. Owens then discussed the next Ordinance on the Agenda, 2018-33 Future Land Use Amendment, for the same Harlee property. Ordinance 2018-33 is not on the Agenda for adoption; it will need to be transmitted to the State for review due to the size of the property.

Mrs. Owens stated that this property is located on the north side of U.S. 301, across from the Feld Entertainment Complex. The applicant is requesting a land use change from County IH, Heavy Industrial, to City HCOMIND, Heavy Commercial and Industrial. The applicant intends to utilize the former packing plant buildings for light industrial and heavy commercial activities and further intends to subsequently create a non-residential subdivision on the property to include and integrated and coordinated plan of development, which may include platting. The existing plant is connected to and utilizes Manatee County water and wastewater utility services. It is not anticipated that the City will provide these services to the property. The City will, however, provide solid waste service to the site.

The City of Palmetto is a Transportation Exception Area as set forth in Policy 2.1.3 of the Comprehensive Plan; however, any access from the site onto 24<sup>th</sup> Avenue East will be subject to review and issuance of a right-of-way use/access permit from Manatee County. The applicant will be required to submit a traffic analysis and study during the construction review process.

Mrs. Owens noted that there will be no effect on the City's recreational amenities and no effect on the Manatee County School Board since the property will be designated and used for non-residential purposes. The Planning and Zoning Board discussed this Ordinance on February 21<sup>st</sup> and voted unanimously to recommend transmittal to the Florida Department of Economic Opportunity for review.

Mayor Bryant closed the public hearing on Ordinance 2018-32 after hearing no public comment.

**Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 4-0 to adopt Ordinance 2018-32.**

5. PUBLIC HEARING ORDINANCE 2018-33 FUTURE LAND USE AMENDMENT

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA PROVIDING FOR A LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR THE TERRITORY HEREINAFTER DESCRIBED FROM COUNTY FUTURE LAND USE MAP DESIGNATION IH, HEAVY INDUSTRIAL, TO CITY FUTURE LAND USE MAP DESIGNATION HCOMIND, HEAVY COMMERCIAL INDUSTRIAL, CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY SECTION 163.3187, FLORIDA STATUTES; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (HARLLEE PACKING)

Mayor Bryant opened the public hearing.

**Motion:** Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to incorporate Mrs. Owens' comments from the Public Hearing on Ordinance 2018-32 into this Public Hearing.

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

**Motion:** Finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 4-0 to approved transmittal of Ordinance 2018-33 to the Florida Department of Economic Opportunity for expedited review.

6. PUBLIC HEARING CONDITIONAL USE PERMIT 2019-01 DNA VAPING LOUNGE

Mrs. Owens stated that this is a request for a Conditional Use Permit for the business located at 839 8<sup>th</sup> Avenue West, Palmetto, FL 34221. The business owner has applied for this Permit to allow on premises consumption of beer and wine only. The property is zoned Commercial Core and allows for drinking establishments as a permitted use in the district upon approval of a conditional use permit. Mrs. Owens noted that the One Stop Food Store located in the same shopping plaza has a license for package sales of beer and wine. There are no conditions placed on the Permit as the applicant is just seeking to receive an alcohol license from the State.

Mayor Bryant opened the public hearing.

Discussion ensued on the Permit request. Questions were asked regarding does the establishment sell food, how big is the Lounge, and is this an appropriate request. Attorney Barnebey and Mrs. Owens reviewed the Code with the Commission; however, more time was needed to review the standards as set forth in the Code.

**Motion:** Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 4-0 to continue the public hearing on Conditional Use Permit 2019-01 to March 18, 2019 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

7. PUBLIC HEARING ORDINANCE 2018-29 EVALUATION AND APPRAISAL REPORT

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3191, *FLORIDA STATUTE*, AS PART OF THE REQUIRED EVALUATION AND APPRAISAL PROCESS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Mrs. Owens informed the Commission that this Ordinance was transmitted to the Florida Department of Economic Opportunity (FDEO) and three things were requested to be changed. Changes were made to Policy 8.5.9 that indicates consistency with the applicable flood plain management regulations; Policy 8.5.10 that any construction activities seaward of the coastal construction control lines will be consistent with Chapter 161 Florida Statutes; and Policy 8.5.11 that the City will continue participation in the National Flood Insurance Program administered by the Federal Emergency Management Agency.

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

**Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 4-0 to adopt Ordinance 2018-29.**

8. JANUARY CHECK REGISTER (Informational Only)

**STANDING AGENDA ITEMS:**

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9. TRAFFIC UPDATE

Mayor Bryant stated that there are studies ongoing and there is a meeting tonight held by Representative Wengay Newton at the Civic Center regarding transportation.

10. PALMETTO POOL UPDATE

Mayor Bryant stated that the County Commission voted to do an overall review of the project and the property and will be getting back to the City with that review.

11. POLICE DEPARTMENT BUILDING UPDATE

Mr. Freeman informed the Commission that the Committee reviewed the submission and their recommendation will be on the March 4<sup>th</sup> Agenda.

**COMMENTS:**

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12. DEPARTMENT HEADS' COMMENTS

**ATTORNEY BARNEBEY**—will be discussing the Comprehensive Plan with staff.

**MR. BURTON**—discussed topics for the upcoming CRA Board meeting on March 4<sup>th</sup>:

- Agreement for Heartland Fertilizer
- 7-11 Gas Station incentives
- Canal Road Incentives
- 7<sup>th</sup> Street and 8<sup>th</sup> Avenue Property
- Seafood Festival sponsorship
- Grower's and Slick's purchase update
- Report on Riverside Drive property

He is currently working on an update to the CRA Plan.

13. MAYOR'S REPORT

Mayor Bryant informed the Commission that Monica Carrillo was appointed to the CRA Advisory Board tonight.

14. COMMISSIONERS' COMMENTS

**COMMISSIONER DAVIS**—asked Mr. Tusing to send someone from his Department to take a look at the dip in the road at 27<sup>th</sup> Avenue and 10<sup>th</sup> Street West.

**COMMISSIONER CORNWELL**—reported on the recent Historic Board meeting. She informed the Commission of the upcoming Heritage Festival at the Historical Park on March 9<sup>th</sup>.

**COMMISSIONER WILLIAMS**—would like a follow-up to the Regatta Event from February 9<sup>th</sup>.

Inquired about 5<sup>th</sup> Street design plans; Mr. Tusing and Mr. Burton will follow-up.

Mr. Williams requested a temporary fill for the hole in the sidewalk located at 10<sup>th</sup> Avenue and 7<sup>th</sup> Street West.

Mayor Bryant adjourned the meeting at 8:15 p.m.

MINUTES APPROVED: March 18, 2019

*James R. Freeman*

JAMES R. FREEMAN  
CITY CLERK