

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
May 6, 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
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

STAFF PRESENT:

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
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, followed by a moment of silence and the Pledge of Allegiance.

All persons intending to address the City Commission were duly sworn.

Commissioner Cornwell presented the Teen Pregnancy Prevention Month proclamation to Aminata Thiam and Anastashia Ramirez, Healthy Teens Coalition Teen Health Educators, Felicia Sesty, Healthy Teens Coalition Lead Teacher, Alison Bergman, Program Director, Drug Free Manatee, Janie Garza, Manatee Children's Services Truth Program and Mary Ann Legler, Chair, Board of Directors, Healthy Teens Coalition.

1. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant removed item 3.F. from the agenda; this meeting will be rescheduled. She added the discussion of refinancing debt to the agenda.

Motion: **Commissioner Davis moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the May 6, 2019 Commission Agenda with the removal of 3.F. and the addition of 12.A. for refinancing debt discussion.**

2. PUBLIC COMMENT

Jean Moreland, City resident, discussed the Housing Authority Board and the expiration of their appointments. She asked for information on who to talk to about meetings and reappointments of the Board.

Attorney Barnebey stated that even though their terms are considered "expired", according to State Statute, the members of the Board are still members until they are either reappointed or another person is appointed to take their place. If Ms. Moreland would like more information on their meetings, she would need to contact any of the members listed for the Board. The City appoints the members to the Board and after that, the Board is on their own.

3. CONSENT AGENDA APPROVAL

- A. Minutes Approval: March 18 and April 1
- B. Audit Services Agreement-1 Year Extension
- C. July 4th Special Function Permit
- D. Grant Administration/Contract Management Piggyback Contract
- E. Blalock Walters Legal Invoices
- F. ~~Resolution 2019-16 Joint Meeting with City of Bradenton City Council-Removed~~
- G. Police Department Boat

Items C, E, and G were removed for discussion.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve items A, B, and D of the May 6, 2019 Consent Agenda.

3C FOURTH OF JULY SPECIAL FUNCTION PERMIT DISCUSSION:

The topic of the sale of alcohol at the event was discussed. It was recommended that, if the sale of alcohol occurs, that patrons consume alcohol in a specific cup that cannot leave the confines of Sutton Park. Commissioner Williams opined that the playground area at Sutton be fenced off so as not to allow alcohol consumption in a designated kids area. Mr. Burton agreed and stated that, if the Commission would like a kids zone for the event, it would be placed in Lamb Park.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 3-2 to approve the Special Function Permit for the Fourth of July with alcohol [when bids come back] and the vendor will be appropriately trained and a kid's zone is approved for the event in Lamb Park and fencing around the Sutton Park playground. Commissioners Cornwell and Varnadore voted no.

3E BLALOCK WALTERS INVOICES DISCUSSION:

In regards to an active litigation list, Attorney Barnebey will be sending that to the Commission this week.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Blalock Walters invoices as presented.

3G POLICE DEPARTMENT BOAT DISCUSSION:

Chief Tyler explained that the City received three quotes for three different boats. The quote received from Yellowfin was the lowest bid of approximately \$60,000. This is for a 24-foot console boat with motor and trailer. The Chief budgeted an additional \$14,000 to outfit the boat with other police equipment with a final estimated cost of \$74,000.

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve item 3G Police Department Boat as recommended by staff.

4. FIRST READ ORDINANCE 2019-04 MECHANICAL EQUIPMENT SIDE YARDS

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING APPENDIX B, SECTION 5.3 OF THE PALMETTO CITY CODE OF ORDINANCES REGULATING

PROJECTIONS INTO REQUIRED YARDS; AMENDING SECTION 5.3(b) TO ALLOW MECHANICAL EQUIPMENT TO PROJECT INTO REQUIRED SIDE YARDS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Karla Owens, Development Services Director, stated that Section 5.3 of Appendix B of the City's Code of Ordinances was adopted in 1989 and has not been amended since. Over the last 30 years, lot sizes and structure sizes have changed making the current City Code out of date. Mrs. Owens is proposing the attached Ordinance to reflect more of today's land uses and home styles. She did note that the majority of cities and counties in the Tampa Bay area do not restrict placement of mechanical equipment in side yards. Staff is recommending approval of the first reading.

Motion: **Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2019-04 and authorize Staff to advertise for the appropriate public hearings.**

5. PUBLIC HEARING ORDINANCE 2018-33 FLUMA HARLLEE PACKING

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. (HARLEE PACKING)

6. PUBLIC HEARING ORDINANCE 2018-34 REZONE HARLLEE PROPERTY

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, REZONING APPROXIMATELY 18.12 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF US 301 NORTH AND 24TH AVE EAST, FROM COUNTY ZONING LM (LIGHT MANUFACTURING) TO CITY ZONING CHI (HEAVY COMMERCIAL AND INDUSTRIAL), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (HARLEE PACKING)

Mayor Bryant opened the public hearing for both Ordinance 2018-33 and Ordinance 2018-34.

Mrs. Owens stated that on November 29, 2018, Harlee Packing, Inc. submitted an application for future land use map amendment and rezoning of the subject parcel. The subject parcel has been annexed into the City. The applicant anticipates subdividing the property and constructing an industrial subdivision. Since the subject parcel contains more than ten acres, Chapter 163, Florida Statutes, required transmittal of the proposed amendment to the Florida Department of Economic Opportunity (FDEO) prior to final adoption. The proposed amendment was submitted to FDEO on March 11, 2019. On April 11, 2019, the City received written notice from the FDEO that they had no objections. The Planning and Zoning Board met and voted unanimously to recommend adoption of both Ordinances to the City Commission.

Attorney Patricia Petruff, representing Harlee Packing, Inc., respectfully requested the Commission adopt both Ordinances.

After hearing no further public comment, Mayor Bryant closed the public hearing on Ordinance 2018-33.

Motion: Finding the request consistent with Chapter 163 Florida Statutes and the City of Palmetto Comprehensive Plan, Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 move to adopt Ordinance 2018-33.

After hearing no further public comment, Mayor Bryant closed the public hearing on Ordinance 2018-34.

Motion: Based upon the staff report, the comments made at the Public Hearing, and finding the request to be consistent with the City of Palmetto Comprehensive Plan, Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2018-34.

7. ARCHITECTS DESIGN GROUP CONTRACT

Mr. Freeman reminded the Commission that on March 4, 2019 they approved and authorized to negotiate with the first ranked firm Architectural Design Group (ADG) for architectural design services for a new Palmetto Police Department. The attached Contract is for \$632,702 and includes initial site master planning, community outreach meetings, conceptual designs (to be reviewed with the Commission), schematic design, design development, construction documents, and bidding coordination and construction administration. At the conclusion of their work, the City will have full construction drawings for the new Police Department. Mr. Freeman introduced Fred Rambo from ADG who was present to answer any questions.

In regards to Leadership in Energy and Environmental Design (LEED), Mr. Rambo explained that they are fully prepared to make any available energy and environmentally friendly designs for the Police Department. He stated that the LEED certification is a piece of paper at a cost and does not feel it is necessary to be LEED certified to make energy efficient enhancements to the Department.

Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve and authorize the Mayor to sign the AIA Document B101-2017 Standard Form of Agreement between Architectural Design Services Inc. (ADG) and the City of Palmetto for architect design services associated with a new Police Department Building.

MAYOR BRYANT RECESSED THE CITY COMMISSION MEETING AT 8:30 P.M. TO OPEN THE MAY 6, 2019 CRA BOARD MEETING.

MAYOR BRYANT RECONVENED THE CITY COMMISSION MEETING AT 9:07 P.M.

8. RESOLUTION 2019-17 BUDGET AMENDMENT

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2019-17.

STANDING AGENDA ITEMS

9. TRAFFIC UPDATE

Mr. Tusing discussed the Florida Department of Transportation (FDOT) project along 10th Street West between 6th Avenue and 3rd Avenue to upgrade the railroad crossings and to install left turn lanes in both directions along the corridor. FDOT is scheduled to begin this project at the end of the month with approximately 70 days of closure on 10th Street between 6th and 3rd Avenues.

Mr. Tusing handed out a map of the 10th Avenue right of way and 23rd Street West. This map shows the current ownership and proposed ownership with a land swap for the property owned by Preston Whiting. A copy of the map is attached to the minutes.

Mr. Tusing stated that FDOT informed him of a project on 26th Street West by the 7-11 and Holy Cross Catholic Church. They are planning to do restrictions on turn movements and redo the medians through that street. When he has the information from FDOT he will bring forward to the Commission.

10. PALMETTO POOL UPDATE

11. POLICE DEPARTMENT BUILDING UPDATE

12. 2020 MANATEE RIVER REGATTA

Mayor Bryant recently met with Mr. Fetchko, event organizer for the Manatee River Regatta. She distributed an email to the Commission recapping their discussion.

Commissioner Williams informed the Commission of his recent discussions with Mr. Fetchko and would prefer Mr. Fetchko come to a Commission meeting to discuss his plans to involve the City and the local businesses in the event for next year. He would like to make a motion to reconsider the previous action at the April 15th meeting.

Commissioner Cornwell expressed her opinions regarding the reconsideration of the last motion. She has been disappointed over the last several years in the lack of events for the City and does not want to see it anymore.

Commissioner Varnadore is not in favor of reconsidering the motion made; however, would be more comfortable with having Mr. Fetchko attend an upcoming meeting and supplying the Commission/City with something concrete. If a meeting can occur with Mr. Fetchko with concrete plans, then she may be more apt to reconsider the previous motion.

Commissioner Smith would like to make an attempt to have local businesses come to the next City Commission meeting to express how their businesses were hindered and how the event can improve so that it does not keep occurring.

Commissioner Smith exited the meeting at 9:32 p.m. and returned at 9:34 p.m.

Discussion continued regarding the event. Commissioner Varnadore left the meeting at 9:37 p.m.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 3-1 to reconsider the action taken on April 15, 2019 and for the 2020 Manatee River Regatta be placed on the next Commission meeting for discussion. Commissioner Cornwell voted no. Commissioner Varnadore was absent for the vote.

The Commission asked staff to reach out to Mr. Fetchko to see if he can attend the May 20th Commission meeting to discuss the 2020 Regatta.

12A REFINANCE DEBT DISCUSSION (ADDED TO THE AGENDA):

Mr. Freeman explained that the City has been looking to refinancing the current loans into one debt with a fixed rate. There is no additional money to be borrowed. The City's Financial Advisor issued a request for proposal (RFP) to banks and asked for their terms. The City met with the financial advisor to go over what was received and will be bringing that information forward to a future meeting. Mr. Freeman intends to have the financial advisor present at the next Workshop meeting to explain what the City is seeking to do. He is not asking for approval tonight, but wanted to provide the information to the Commission so that the City can lock in the rates on what was selected.

COMMENTS:

13. DEPARTMENT HEADS COMMENTS

MR. FREEMAN—discussed the elevator for the Carnegie Library. The CRA has budgeted funds for half of the cost and the City's portion has been budgeted in the half-cent sales tax project list. As stated, Staff has agreed to present a Resolution to the Commission any time money is going to be spent on an approved project from that list. He is asking Commission if they would be comfortable approving the expenditure with a Resolution to come before them at the next meeting.

Motion: **Mrs. Cornwell moved, Mr. Davis seconded, and the motion carried 4-0 to approve the elevator expenditure at the Carnegie Library with \$25,000 from the half-cent sales tax project fund.**

CHIEF TYLER—thanked the Commission on the support for the boat.

ATTORNEY BARNEBEY—would like to meet with Mr. Freeman regarding the agendas and iPad.

14. MAYORS REPORT

15. COMMISSIONERS COMMENTS

COMMISSIONER SMITH—asked Mr. Burton about the discrepancies with the advertisement for the Tempo News and the Multicultural Festival. He said that the Tempo News has not been paid for the ad they placed earlier this year. Mr. Burton stated that staff prepared a press release that was distributed to all newspapers but was not asked to advertise it specifically; the Tempo News chose to run the press release as an ad. He will discuss with Ms. Kilgore as she is the staff that handles the Multicultural event.

Tracy Washington, Tempo News, explained to Mr. Burton that Ms. Kilgore called in to the Tempo News and asked that they run an ad on Howard Huett's attendance at the Multicultural Festival. Mr. Burton will follow up with Ms. Kilgore.

Betty Sailes, City resident, asked how members were chosen to be on the Committee in regards to the discussion of the Lincoln Park Pool.

Mayor Bryant stated that the County initiated that request and made the choice on who would serve on their committee; the City of Palmetto is not involved in that.

COMMISSIONER DAVIS—informed Mr. Tusing of several new street lights that are not on; Mr. Tusing will have staff go out to see the cause.

COMMISSIONER CORNWELL—recently attended the Historic Board meeting where the elevator installation/purchase was discussed.

COMMISSIONER WILLIAMS—informed Mr. Tusing of another street light that is out or is not as bright as it should be in his neighborhood.

Mayor Bryant adjourned the meeting at 9:58 p.m.

MINUTES APPROVED: May 20, 2019

James R. Freeman

JAMES R. FREEMAN
CITY CLERK