

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
AND CRA BOARD MEETING  
December 2, 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, Public Works Director  
Scott Tyler, Chief of Police  
Amber LaRowe, Assistant City Clerk

Mayor Bryant called to 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.

Chief Tyler accepted the donation of teddy bears from American Legion to the Police Department.

Detective Sergeant Ryan LaRowe and Chief Tyler presented a check to Lauren Blenker, Director of Operations for Healthy Start Manatee County for the purchase of teaching dolls that simulate babies who are born with drug addictions and fetal alcohol syndrome.

**1. CITY COMMISSION AGENDA APPROVAL**

**Motion: Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the December 2, 2019 Commission Agenda.**

**2. PUBLIC COMMENT**

John Wright, property owner on 10<sup>th</sup> Avenue, discussed lighting in historic district. He requested better lighting along 4<sup>th</sup> and 5<sup>th</sup> Street West between 8<sup>th</sup> to 10<sup>th</sup> Avenues and along 10<sup>th</sup> Avenue between Riverside Drive and 7<sup>th</sup> Street West.

The Commission agreed to add this discussion to tonight's CRA Agenda.

Mayor Bryant announced the holiday lighting contest that Mr. Wright is putting on to recognize residents in the historic district and their holiday lights. Mr. Wright left a card with information that will be displayed at City Hall. He will also be advertising on the City's Gateway Sign for the contest; the deadline is December 6<sup>th</sup>.

Herman Cadena spoke regarding the relocation of his business to the City of Palmetto. Their family owned construction business is currently located in Bradenton and they are looking to move to the City of Palmetto within the next few months. He requested information on available commercial properties that the City has that he could purchase for their business.

The Commission agreed to add this discussion to tonight's CRA Agenda.

### 3. CONSENT AGENDA APPROVAL

- A. Vintage Wheels Car Show Permit 2/2/2020
- B. Hernando DeSoto Children's Parade Permit 4/10/2020
- C. Resolution 2019-34 Capital Lease Reimbursement Amended
- D. Resolution 2019-46 CDBG 7th Street West Extension
- E. Resolution 2019-47 WCIND Boat Removal FY19
- F. Resolution 2019-48 WCIND Equipment for PD Boat

**Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the December 2, 2019 Consent Agenda.**

### 4. PUBLIC HEARING ORDINANCE 2019-05 LAMBRECHT ANNEXATION

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING A PARCEL CONTAINING 3.8313 ACRES OF UNINCORPORATED MANATEE COUNTY, FLORIDA LOCATED AT THE NORTHWEST CORNER OF 17TH STREET EAST AND 16TH AVENUE EAST INTO THE CITY OF PALMETTO; THIS 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 SEVERABILITY AND AN EFFECTIVE DATE. (LAMBRECHT)

Mayor Bryant opened the public hearing.

### 5. PUBLIC HEARING ORDINANCE 2019-06 LAMBRECHT FLUMA

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR A 3.8313 ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF 17TH STREET EAST AND 16TH AVENUE EAST, FROM COUNTY FUTURE LAND USE MAP DESIGNATION IL (INDUSTRIAL-LIGHT), 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. (LAMBRECHT)

Mayor Bryant opened the public hearing.

6. PUBLIC HEARING ORDINANCE 2019-07 LAMBRECHT REZONE

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, REZONING APPROXIMATELY 3.8313 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 17TH STREET EAST AND 16TH AVENUE EAST, PALMETTO, FLORIDA, FROM COUNTY ZONING LM (LIGHT MANUFACTURING) TO CITY ZONING CHI, (HEAVY COMMERCIAL AND LIGHT INDUSTRIAL), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (LAMBRECHTGRABER)

Mayor Bryant opened the public hearing.

Karla Owens, Development Services Director, explained that these three Ordinances are a request for the annexation, future land use map amendment, and rezone for a 3.8313 acre of vacant land located on the northwest corner of 16<sup>th</sup> Avenue West (Canal Road) and 17<sup>th</sup> Street East. The property is directly contiguous to existing City limits along the western boundary and the boundary to the south across 17<sup>th</sup> Street East. Mrs. Owens stated that the notice for this public hearing, and the public hearing for the Planning and Zoning Board were advertised and re-advertised due to these Ordinances being continued since July 2019. There was no public objection at the Planning and Zoning Board public hearing in November. By annexing this property, it promotes Objective 1.12 of the Comprehensive Plan by eliminating enclaves and providing for the continuation of more efficient and effective municipal services.

Staff is recommending adoption of the Ordinances. In regards to the rezone, the district requires a minimum lot area of 15,000 square feet and a minimum lot width of 100 feet. The subject property contains at least 250 linear feet along 17<sup>th</sup> Street East and contains more than 160,000 square feet of lot area.

After hearing no public comment on Ordinances 2019-05, 2019-06, and 2019-07, Mayor Bryant closed the public hearing.

**Motion: Finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Ordinance 2019-05.**

**Motion: Finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2019-06.**

**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 Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2019-07.**

7. PUBLIC HEARING ORDINANCE 2019-22 TRAILER MEASUREMENT

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CITY CODE, APPENDIX "B", ZONING; AMENDING ARTICLE III, DEFINITIONS; AMENDING SECTION 3.2 DEFINITION OF "COMMERCIAL VEHICLE" TO INCLUDE MEASUREMENTS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Bryant opened the public hearing.

Mrs. Owens stated that Section 6.5 of Appendix B of the Palmetto Code of Ordinances regulates the parking of commercial vehicles within the City. Section 3.2, definitions, specifically describes commercial vehicle for the purposes of the Code to include trailers which exceed certain dimensions. No method for measuring the dimension is provided to determine whether the trailer exceeds the dimensions as described.

Mrs. Owens explained that it is important that each trailer be measured using the same methods so that enforcement of the City Codes is uniform and equitable. Without a prescribed method of measurement, trailer dimensions have been measured differently depending on the code enforcement officer. This amendment provides for a standard, defined method of measurement to determine compliance. Residents should be able to purchase a trailer using the Code provisions and be assured that it will be compliant with the City Code.

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

**Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2019-22.**

~~8. FIRST READ ORDINANCE 2019-24 PEDESTRIAN TRAFFIC SAFETY (S. Tyler/M. Barnebey)  
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, RELATING TO UNLAWFUL ACTIVITY  
WITHIN PUBLIC ROADS AND RIGHTS OF WAY; REVISING REGULATIONS RELATED TO  
SOLICITATION AND PERMITTING; AMENDING CHAPTER 19 AND CHAPTER 25 OF THE CITY OF  
PALMETTO CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND  
PROVIDING FOR AN EFFECTIVE DATE.~~

~~Action Request: Motion to approve the first read of Ordinance 2019-24 and authorize staff to  
schedule for a public hearing and advertise for same.~~

THIS ORDINANCE IS BEING PLACED ON THE DECEMBER 16, 2019 COMMISSION WORKSHOP AGENDA FOR DISCUSSION.

#### 9. POLICE DEPARTMENT SITE DISCUSSION

*This discussion was continued from today's Workshop Meeting.*

Mr. Freeman called Fred Rambo, Architects Design Group, architect for the new Police Department building.

Commissioner Smith followed up with his inquiry regarding the funds to purchase the CSX property to the north. Mr. Freeman discussed the option to use the interest that has been earned on the Trailer Park Trust Fund. Mr. Smith disagreed on the use of any funds to purchase the property when there is not enough available funds at this moment in time to build the Police Department. With that being said, he disagrees with the purchase of the CSX property.

Commissioner Cornwell discussed her hesitation with the parking lot for the Police Department being constructed to the west, along 10<sup>th</sup> Avenue West. She questioned if the road situation gets cleared up along 9<sup>th</sup> Street West, what else can be done with the parking lot once it's built. Mr. Burton stated that other functions can be made of the parking lot in the future like the construction of something over it (vertical construction) or construction of something on top of it (eliminate the parking lot).

Commissioner Varnadore discussed Option 1 and Option 2 as presented at today's Workshop Meeting. She prefers to move forward with the self-contained Option 2. She is unsure how long it will take to purchase the CSX property and to clean up the parcel to meet the correct environmental standards. Mrs. Varnadore does not want to hold up the construction of the Police Department.

Commissioner Davis would prefer to move forward with Option 2 at this time and continue working on obtaining the CSX parcel.

Commissioner Williams echoed Commissioner Davis' comments.

Commissioner Smith did not feel it was necessary to purchase the CSX property at this time seeing as Option 2 shows the Police Department self-contained; he wished to proceed with Option 2 at this time.

**Motion:** Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 4-1 to proceed with Option 2, self-contained, on the site for the Police Department. Commissioner Smith voted no.

Mayor suggested that the CSX Agreement be moved to the next City Commission agenda.

Commissioner Williams requested a workshop on the trail with the map.

*Mayor Bryant recessed the City Commission Meeting at 8:06 p.m. to open the December 2, 2019 CRA Board Meeting.*

*Mayor Bryant reconvened the City Commission Meeting at 8:54 p.m.*

## **STANDING AGENDA ITEMS:**

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### 10. TRAFFIC UPDATE

### 11. PALMETTO POOL UPDATE

**Motion:** Commissioner Varnadore moved, Commissioner Williams seconded the motion that the City contribute approximately 4 acres upon which the pool will be located on the Lincoln Park property to Manatee County. Further, Commissioner Varnadore moved, Commissioner Williams seconded to authorize the City Attorney to work with the County Attorney to draft an agreement to effectuate this intent. This action rescinds any prior action of the City Commission inconsistent with the foregoing. The motion carried 5-0.

**Motion:** Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Modified Option 1 that is dated October 30, 2019 and ask for the County to provide funding for alternates A through E for further discussion at a later date and to include the terms as stated in the previous motion made tonight.

Mayor Bryant stated that the action items taken tonight at this meeting and the CRA Board meeting will be drafted in a letter to the County to transmit tomorrow; she will be requesting that the joint meeting for December 17<sup>th</sup> be cancelled.

## 12. POLICE DEPARTMENT BUILDING UPDATE

### **COMMENTS:**

#### 13. DEPARTMENT HEADS COMMENTS

**MR. BURTON**—in regards to the property on 10<sup>th</sup> Street, Mr. Burton will bring back information to the City as soon as possible to surplus it and work with Mr. Freeman to look at other parcels that may be available for Mr. Cadena to purchase and relocate his business here in the near future.

Mr. Burton thanked Cheryl Miller, Finance Director, for her quick and diligent work in helping to submit the Environmental Protection Agency grant today.

**MR. TUSING**—informed Commission that he and staff prepared answers to some of the questions as posed at the November 13<sup>th</sup> Town Hall meeting; the question/answer sheet is uploaded to the City's Website. He will be working to create a permanent page under Public Works on the Website for ongoing information and updates.

He stated that the rain events in September and October led to \$43,000 in fines to the Florida Department of Environmental Protection (DEP). DEP would rather see that the City use that money to put back into the system and has allowed the Public Works Department to create a list of projects to utilize 1.5 times the fine charge, or \$67,000. This list will have to be approved by DEP before work will be performed.

**MR. FREEMAN**—the \$1.5M Economic Development Grant for the Civic Center Hotel was awarded. The City is working with the County staff to obtain the right-of-way at the Civic Center.

The next steps for the Police Department is the approval of the Construction Manager at Risk contract that will be coming forward to the Commission soon. Staff can finalize funding options now that direction has been given.

**CHIEF TYLER**—thanked the Commission on their support of the Police Department.

#### 14. MAYORS REPORT

Mayor Bryant was happy to see that a lot could be accomplished today in regards to the Lincoln Pool and the Police Department. Staff will continue to pursue the CSX property.

#### 15. COMMISSIONERS COMMENTS

**COMMISSIONER CORNWELL**—reminded Mr. Tusing to look into the proper lighting for Lamp Post subdivision.

**COMMISSIONER WILLIAMS**—asked Mr. Tusing and Mrs. Owens to ask code enforcement to look at the temporary structure located at the Aluminum Furniture building.

Questioned Chief Tyler about the property swap with the daycare located on 10<sup>th</sup> Avenue West near the new Police Department site. Chief Tyler explained that he discussed the idea with the owners of the facility and they are not interested in moving their business.

Mr. Williams discussed the upcoming Legislative session that begins December 9<sup>th</sup> with House Week and regular session will be ending March 13, 2020.

Mayor Bryant commended Palmetto Mobile Home Park on their pancake breakfast fundraiser that they are hosting on December 14<sup>th</sup> for the Palmetto High soccer team.

Mayor Bryant adjourned the meeting at 9:11 p.m.

MINUTES APPROVED: December 16, 2019

*Jim Freeman*

JAMES R. FREEMAN  
CITY CLERK