

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
MAY 21, 2012
4:30 PM**

Elected Officials Present

Brian Williams, Vice Mayor, Commissioner, Ward 3
Tamara Cornwell, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2

Elected Officials Absent

Shirley Groover Bryant, Mayor
Alan Zirkelbach, Commissioner-at-Large 2

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Executive Director
Bob Marble, CRA staff member
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

Vice Mayor Williams called the meeting to order at 4:30 p.m.

1. DISCUSSION: OPEN BURN REGULATIONS

Attorney Barnebey introduced Mike Keegan, Forest Area Supervisor with the Myakka River District of the Florida Forest Service. Mr. Keegan discussed the agricultural, civil and land development open burn regulations regulated by the State. The burning of yard waste, campfires and bonfires are regulated by the Department of Environmental Protection (DEP). He confirmed that while Manatee County regulations still exist, it disbanded its department that regulates open burning approximately three years ago, thus enforcement reverts back to the DEP.

He informed Commission that legislation adopted last year restricts any local government from enacting rules on open burning that affects agricultural, civil or land development. Local governments can enact rules that regulate yard, camp and bonfires, provided the Division approves those rules. Mr. Keegan stated the Division of Forestry will entertain only a county open burn ordinance because of enforcement issues.

Mr. Keegan stated that local complaints should be started with the Division of Forestry. A ranger will visit the site and issue warnings if warranted. If compliance is not met by the homeowner, then the DEP is involved. Attorney Barnebey also confirmed that open burning could potentially be a public nuisance. He also opined that the offended party can pursue civil enforcement.

Commissioner Varnadore suggested that the City should request that this topic be placed on a Council of Governments agenda.

2. DISCUSSION: BROWNFIELDS PROGRAM WITHIN THE CRA DISTRICT

Bob Marble, CRA staff member, introduced Charles Ray of PPM, and prior Economic Development Coordinator in St. Petersburg. Mr. Ray narrated a PowerPoint presentation which explained how a site can be designated as a brownfield even though it may not be contaminated. He also explained that one

or more contiguous brownfield sites can be designated as a brownfield area. Both designations can enhance redevelopment through available state and federal grant funds.

Mr. Burton explained that the term "greenzone" will identify brownfields in the City. Sites that have been identified that could receive this designation are a fertilizer company, gas station and a railroad property. Mr. Ray confirmed that any property owner can opt out of the program. Mr. Burton credited the MPO with bringing this program to his attention through the assessment being performed on the gas station property

Mr. Ray explained the Voluntary Cleanup Tax Credits are capped at \$2 million annually and Cleanup Grants are available up to \$200,000 per site, with a maximum of three sites per entity annually.

Attorney Barnebey opined that he will need further research before recommending whether or not this is a program the City should pursue. Any designation of a community zone will require public hearings. He did confirm that the Commission can authorize Mr. Burton to move forward in the process to gather information in recommending potential sites.

Commission agreed to move the topic forward to the 7:00 agenda for consideration.

Meeting adjourned at 5:45 p.m.

Minutes approved: June 4, 2012

James R. Freeman

James R. Freeman
City Clerk