

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
February 26, 2018
4:30 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—(arrived at 4:34 p.m.)
Tambra Varnadore, Commissioner, Ward 2—(arrived at 4:38 p.m.)
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 opened the meeting at 4:30 p.m.

1. RESOLUTION 2018-05 INTERLOCAL SERVICE BOUNDARY AGREEMENT

Mayor Bryant announced that she will be stepping out of the meeting shortly to attend a Florida Department of Transportation meeting regarding traffic and the DeSoto Bridge.

Mayor reminded the public who were in attendance that the Workshop meeting is not normally the forum where public comment takes place; this item is on the 7:00 p.m. agenda tonight where public comment will be heard.

Attorney Barnebey gave a brief summary of the adoption of Resolution 2018-01 and then the reason for this Resolution 2018-05. He explained that there were a number of questions raised by the public related to the scope of the initiating Resolution (2018-01). Although the Commission would have addressed the issues raised by the public in the process of working with the County on the Interlocal Service Boundary Agreement (ISBA), the City Commission requested that a revised resolution be prepared and some limiting terminology be placed in the Resolution. Resolution 2018-05 repeals and replaces Resolution 2018-01, and specifically limits the annexation under the ISBA to voluntary annexation by property owners. Additionally, it states that the intent of the City is to allow annexed property on Snead Island or Hooker's Point be limited to single family development. One other change was made to the map to include Emerson Point Park and a couple of other parcels on the western end of Snead Island for discussion with the County as the reasoning for the annexation of those parcels is similar to the other properties shown. Mr. Barnebey reiterated that this Resolution merely initiates the

discussion with the County. The terms and areas to be included will be finalized in the agreement.

The word “voluntary” in the title of the Resolution was discussed. Attorney Barnebey will revise the title to insert “voluntary” into the Resolution so now it will read as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA; REPEALING AND REPLACING RESOLUTION 2018-01; INITIATING THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT WITH MANATEE COUNTY FOR VOLUNTARY ANNEXATION PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES (INTERLOCAL SERVICE BOUNDARY AGREEMENT ACT); IDENTIFYING SPECIFIED AREAS AND ISSUES TO BE ADDRESSED IN THE INTERLOCAL SERVICE BOUNDARY AGREEMENT NEGOTIATIONS; PROVIDING FOR REQUIRED MAILING; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Cornwell was still concerned with the word “involuntary” being stated in the Point Paper as attached to the Resolution. It was noted by staff that the word “involuntary” has never been mentioned in the Resolution and is only referenced in the Point Paper that identifies Florida State Statute as it pertains to annexations. Also, Mrs. LaRowe indicated such in the minutes of the February 5, 2018 Commission meeting where this same topic was discussed.

The following are the changes made in Resolution 2018-05 that are different from Resolution 2018-01:

- Limits the annexation under the ISBA to voluntary annexation by property owners
- States that the intent of the City is to allow annexed property on Snead Island or Hooker’s Point be limited to single family development
- The map that is attached to the Resolution was modified to include Emerson Point Park and a couple other parcels on the western end of Snead Island for discussion with the County as the reasoning for the annexation of those parcels is similar to the other properties show.

This Resolution is on the 7:00 p.m. agenda for discussion and potential adoption.

2. ORDINANCE 2018-01 PARK AND PUBLIC FACILITIES USE REGULATIONS

Mayor Bryant left the meeting at 4:45 p.m.

Since the last Workshop on February 5, 2018, the following changes were made:

- Removed Section 20-10(e)- vague language about engaging in behavior specifically prohibited at the park
- Added to Section 20-10(d) the prohibition of operating radio controlled cars
- Revised language in Section 20-11(a) defining City Facility to cross-reference other section

- Revised language in Section 20-12(c) and (d) about providing the opportunity to be taken to a shelter and issuing a trespass warning pursuant to 20-13 before making an arrest.
- Removed all references to private property in Sections 20-12 and 20-13
- Specified that one year is the past 365 days in Sections 20-12 and 20-13
- Removed confusing language in Section 20-13(a) about public sidewalks adjacent to parks when there is a public sidewalk on the other side of the street
- Cleaned up language in Section 20-13(e) to include city and county parks
- Removed Section 20-13(h) regarding a city employee or official issuing a trespass warning
- Added hand delivery as a method to deliver decision of special magistrate to Section 20-13(i)10.
- Added Section 20-14 codifying Park hours from resolution

Discussion regarding the Special Magistrate in Section 20-13(i). The discussion was focused on the process for selecting qualified Special Magistrates. The Commission wanted to be sure that any Special Magistrate that was qualified and local was given the opportunity to provide their credentials so that the Commission could choose accordingly. Commissioner Williams opined that the City Attorney should be the one to choose the Special Magistrate that will be handling the trespass warnings, if issued, as they pertain to this Ordinance specifically.

The prohibition of remote control cars and drones was discussed. Staff was requesting further clarification on the last sentence of this prohibition that states “without written permission from the City”. What is the criteria and who in the City issues the written permission? Discussion continued with direction from the Commission being for the City Clerk and Assistant City Clerk to prepare criteria and provide to the Commission in a Resolution format to go with this Ordinance.

Vice Mayor Davis adjourned the meeting at 5:50 p.m.

Minutes approved: April 16, 2018

James R. Freeman

James R. Freeman
City Clerk