

CITY COMMISSION MEETING

January 24, 2022

7:00 PM

This Commission Meeting was conducted utilizing Communications Media Technology. Some Staff members were present in the Commission Chambers while others were present via the Zoom application to respect the social distancing guidelines.

ELECTED OFFICIALS PRESENT:

Shirley Groover Bryant, Mayor (Not Present)
Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Harold Smith, Commissioner, Ward 1
Brian Williams, Vice Mayor, Commissioner, Ward 3
Sheldon Jones, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2

STAFF PRESENT:

Mark Barnebey, City Attorney
Mohammed Rayan, Public Works Director
Scott Tyler, Chief of Police
Jim Freeman, City Clerk
Kera Hill, Development Services Supervisor
Jeff Burton, CRA Director
Xavier Colon, Assistant CRA Director
Penny Johnston, Executive Assistant
Vanessa Cochran, Assistant City Clerk

STAFF PRESENT ELECTRONICALLY:

Todd Williams, Information Technology (IT) Consultant

Vice Mayor Varnadore called the meeting to order at 7:01 p.m., followed by a moment of silence and the Pledge of Allegiance.

All persons intending to address the Commission were duly sworn.

1. SWEARING IN OF NEW POLICE OFFICERS AND RECOGNITION OF RETIREMENTS (S. Tyler)

Chief Tyler swore in the following four police officers:

- Officer Jordan Caouette
- Officer Martin Illames
- Officer Juan Ibarra
- Officer Devin Delorenzo

Chief Tyler recognized the retirement of Sergeant Michael Kelly after 22 year of service.

2. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the January 24, 2022 City Commission Agenda with adding Item 9B Redistricting for discussion.

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3. PUBLIC COMMENT

- Ira Rodriguez – 1913 5th Street West had questions about her building permit. The City Attorney will review her concerns with the Planning Dept. and will report back to Commission.
- Ellen Wile – Encouraged by the Wade Trim Study regarding sanitary sewer system.
- Lynn Meier – She was happy with the progress and study, but wants to limit future development due to sewer system. Also, she suggested moving estuary playground equipment to another park.
- Rodney Jones spoke on how the parking project was handled and the cost of the project and the CRA Director's resignation. He will contact City of Tampa about the conduct. Attorney Barnebey commented the current parking at the church was not funded by the CRA, but land was donated to the CRA for future public parking.

4. CONSENT AGENDA

- a. Minutes: January 3, 2022
- b. Legal Bills
- c. Resolution 2022-01 Council of Governments Meeting
- d. Disposition of Surplus Property
- e. Resolution 2022-02 Local Funding Agreement FDOT Roundabout
- f. Sole Source Hach Purchase

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the consent agenda as presented by staff with adding Item 9B Redistricting for discussion.

5. PUBLIC HEARING CONDITIONAL USE 2021-02 KALI BUILDING

FINAL ORDER OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, APPROVING CONDITIONAL USE PERMIT NO.: CU 2021-02, FOR AN ELECTRONIC MESSAGE CENTER SIGN FOR KALI BUILDING, INC., LOCATED AT 433 8TH AVENUE WEST, IN PALMETTO, FLORIDA.

Continuation of Public Hearing from January 3, 2022

Attorney Barnebey clarified projecting signs versus projection signs. Projecting signs are allowed, but can only extend 2 feet from the building and this sign is 8 feet. He believes the applicant will convert to a pole sign which is permitted assuming it meets other requirements.

Commissioner Jones asked about the sign across from City Hall, and Attorney Barnebey indicated it was also a pole sign.

The applicant, Ms. Erin Brosious, President, Palmetto Communication Center, spoke and urged approval of the electronic sign as they are losing tenants.

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Ms. Conchita Delgado spoke that she is a tenant in the building and encouraged approval of the sign.

Mr. Melton Little spoke on the sign and expressed his frustration on the approval process. He stated that his sign is 4 feet wide, but he proposes to put the sign on a pole and encouraged approval of the electronic messaging sign.

Mr. Park Crisp, Magee Signs, spoke and brought drawings of the pole sign which is 32 square feet and meets current code and encouraged approval.

Ms. Hill stated that the document (electronic pole sign) that was presented today by the applicant meets the code.

It was noted that the public hearing was not opened so it was opened at 7:39 p.m. and comments already made were entered into the record. Vice Mayor Varnadore asked for any other comments and none were noted.

Commission Varnadore stated she is not in favor of electronic signs and will not support the application.

Vice Mayor Varnadore closed the Public Hearing at 7:41 p.m.

Motion: Commissioner Williams moved, Commissioner Smith seconded, and the motion carried 4-1 to approve the Conditional Use Permit CU 2021-02 with the recommended conditions by staff and subject to the sign meeting all other City codes requirements. Commissioner Varnadore voted no.

6. PUBLIC HEARING ORDINANCE 2021-06 ART RENTAL ANNEXATION (K. HILL)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING TWO PARCELS CONTAINING A COMBINED TOTAL OF 5.22 ACRES OF UNINCORPORATED MANATEE COUNTY, FLORIDA INTO THE CITY OF PALMETTO SPECIFICALLY LOCATED AT 1907 AND 2003 16TH AVENUE EAST, PALMETTO, FL 34221, WHICH PARCELS ARE REASONABLY COMPACT AND ARE CONTIGUOUS TO THE CITY OF PALMETTO; REDEFINING THE BOUNDARY LINES OF THE CITY OF PALMETTO, FLORIDA TO INCLUDE SAID PARCELS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (ART RENTALS, LLC.)

Continuation of public Hearing from November 15, 2021

All three Ordinances 2021-06, 2021-07, and 2021-08 were read into the record, and Vice Mayor Varnadore continued the Public Hearings from November 15, 2021 for all three ordinances simultaneously.

Vice Mayor Varnadore opened the Public Hearing on Ordinance 2021-06, 2021-07 and 2021-08 at 7:45 p.m.

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Kera Hill, Development Services Supervisor, described the two properties that want to be annexed into the City. The property is contiguous to the City and the request is to change from County Industrial to City Industrial. This site may be used for boat parking and open storage.

Commissioner Williams asked if we are creating an enclave, staff responded no it does not.

Commissioner Varnadore asked what the benefit is for the applicant to annex into the City. Staff was not aware, but the applicant wants to be in City limits.

Commissioner Smith asked if the applicant was present, but no one was in attendance. Commissioner Smith expressed concerns about outside storage and would like to speak with the applicant.

Attorney Barnebey mentioned this property will become Commercial Heavy Industrial (CHI) and if annexed will be eligible for any use in that category.

Commissioner Smith recommended continuing this until the next meeting until the applicant is present.

Motion: Commissioner Smith moved, Commissioner Jones seconded, and the motion carried 5-0 to continue Ordinance 2021-06 to February 7, 2022 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

7. PUBLIC HEARING ORDINANCE 2021-07 ART RENTAL FUTURE LAND USE MAP DESIGNATION (K. HILL)

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 THE TERRITORY HEREINAFTER DESCRIBED FROM COUNTY FUTURE LAND USE MAP DESIGNATION IL (INDUSTRIAL LIGHT), TO CITY FUTURE LAND USE MAP DESIGNATION HCOMIND (HEAVY COMMERCIAL INDUSTRIAL), ON APPROXIMATELY 5.22 COMBINED TOTAL ACRES MORE SPECIFICALLY LOCATED AT 1907 AND 2003 16TH AVENUE EAST, 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. (ART RENTALS, LLC)

Vice Mayor Varnadore opened the Public Hearing at 7:45 p.m.

Motion: Vice Mayor Varnadore moved, Commissioner Jones seconded, and the motion carried 5-0 to continue Ordinance 2021-07 to February 7, 2022 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

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8. PUBLIC HEARING ORDINANCE 2021-08 ART RENTAL REZONE (K. HILL)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY 5.22 ACRES OF PROPERTY SPECIFICALLY LOCATED AT 1907 AND 2003 16th AVENUE EAST, PALMETTO, FLORIDA, FROM COUNTY ZONING A-1 (AGRICULTURAL SUBURBAN), TO CITY ZONING CHI (HEAVY COMMERCIAL AND LIGHT INDUSTRIAL), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (ART RENTALS, LLC.)

Vice Mayor Varnadore opened the Public Hearing at 7:45 p.m.

Motion: Commissioner Smith moved, Commissioner Williams seconded, and the motion carried 5-0 to continue Ordinance 2021-08 to February 7, 2022 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

9. DECEMBER 2021 CHECK REGISTER (Informational Only)

- 9B. REDISTRICTING (Z. SCHWARTZ/M. BARNEBEY)

Mr. Schwartz was present for discussion on this item.

Commissioner Smith stated we he would prefer to leave the Wards as is with no changes as he does not feel the City has grown that much.

Attorney Barnebey reiterated that the Wards are greater than a 10% margin, and he recommends minor changes, but it is up to Commission.

Commissioner Jones clarified that doing nothing is also an option, and Attorney Barnebey confirmed that it is, but he recommends making a minor adjustment. Commissioner Jones prefers to leave the Wards as is for now.

Commissioner Williams asked for Mr. Schwartz to review parts of the report. Mr. Schwartz commented on the methodology options and different scenarios including the graphs that were in the report that was distributed to the Commission. Further discussion was had on the scenarios and the options presented.

Commissioner Cornwell summarized the numbers and asked that this item be brought back to a future workshop as she would like more discussion before she finalizes her decision.

Commissioner Smith asked the City Attorney for additional details regarding potential lawsuits on this topic.

Vice Mayor Varnadore confirmed that this will need to be brought back to a future workshop for further discussion, and Mr. Schwartz will provide additional information and options for the Commission to consider.

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Discussion was had about scheduling this item at the February 7th Workshop, or an additional workshop on February 16th at 5:30 p.m. as a secondary option.

Vice Mayor Varnadore recessed the City Commission Meeting to open the January 24, 2022 Special CRA Meeting at 8:26 p.m.

Vice Mayor Varnadore reconvened the City Commission Meeting at 9:32 p.m.

STANDING AGENDA ITEMS:

10. TRAFFIC UPDATE

None

COMMENTS:

11. DEPARTMENT HEADS' COMMENTS

Attorney Barnebey and Chief Tyler had no comments.

Mr. Freeman recapped public meetings that the Florida Department of Transportation (FDOT) will hold on January 27th at the Palmetto Youth Center 6:00 p.m. and also a Zoom meeting on February 1st at 6:30 p.m. regarding the build grant pedestrian trail.

Mr. Rayan, Public Works Director, provided updates on construction projects within the City. Construction of the new Palmetto Police Department Building has started; MLK Restroom is waiting on interior fixtures; 4th Avenue and 5th Avenue reclaimed water connections are almost complete.

12. MAYOR'S REPORT

None

13. COMMISSIONERS' COMMENTS

Commissioner Smith inquired about legal fees and the status meeting regarding the Lincoln Memorial legal case. Mr. Barnebey reported it was a status conference with the judge.

Commissioner Williams requested an update on the Multicultural Festival. Commissioner Jones commented about the vendors' participation and confusion on the cancellation of the MLK parade by the event applicant.

Commissioner Williams provided updates on the Manatee County Fair which was very well attended.

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Commissioner Cornwell commented on the Fair, as well as the good attendance and thanked Mr. Jeff Burton for his service to the City.

Commissioner Jones inquired about an email on MLK Park regarding the contractors' restrooms and safety issues. Mrs. Johnston was not aware of any email on this matter. Mr. Colon said he will follow-up on the issues discussed. Mr. Rayan also mentioned the parks are cleaned weekly.

Vice Mayor Varnadore apologized for not being able to attend the ground breaking on the new police department building as she was ill. She congratulated Mr. Burton.

Commissioner Williams commented on getting involved in day to day operations. He congratulated Jeff Burton on his new position and thanked him for his services.

Vice Mayor Varnadore adjourned the meeting at 9:50 p.m.

MINUTES APPROVED: FEBRUARY 28, 2022

JAMES R. FREEMAN

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CITY CLERK