

CITY COMMISSION MEETING

February 7, 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 IN CHAMBERS:

Shirley Groover Bryant, Mayor (via telephone into Zoom Meeting)

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 IN CHAMBERS:

Mark Barnebey, City Attorney

Mohammed Rayan, Public Works Director

Scott Tyler, Chief of Police

Jim Freeman, City Clerk

Kera Hill, Development Services Supervisor

Xaiver Colon, Assistant CRA Director

Penny Johnston, Executive Assistant

Vanessa Cochran, Assistant City Clerk

STAFF PRESENT ELECTRONICALLY:

Todd Williams, Information Technology (IT) Consultant

1. Vice Mayor Varnadore called the meeting to order at 7:00 pm, Pastor Steve Goudy, Church of Hope, gave the innovation tonight followed by a moment of silence and the Pledge of Allegiance.

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

2. OFFICERS' RECOGNITION (S. TYLER)

Chief Tyler recognized the following officers:

- Retired Officers: Michael Kelly 22 years, Robert Johnston – 20 years
- New Officers: Jordan Caouette, Martin Illames, Juan Ibarra, Devin Delorenzo
- Special Recognition: Kim Corbett

3. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Jones moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the February 7, 2022 City Commission Agenda.

4. PUBLIC COMMENT

Mr. Davis gave his opinion on the proposed fee charge to park at the boat ramp.

5. CONSENT AGENDA

- a. Minutes: January 3, 2022
- b. Surplus Police Vehicles
- c. Special Event Permit - A Voice Of Hope In The Streets
- d. Special Event Permit - DeSoto Children's Parade
- e. Special Event Permit - Heritage Festival Grand Parade

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Consent Agenda as presented by staff with the removal of Consent Agenda Item 5D, Special Event Permit DeSoto Children's Parade for discussion.

5D. DESOTO CHILDREN'S PARADE DISCUSSION

Commissioner Williams asked if off duty security will be used to close the Green Bridge for the parade, and he was informed that 4 officers will assist in closing the Green Bridge for the parade.

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve Consent Agenda Item 5D, Special Event Permit Desoto Children's Parade as presented by staff.

6. PUBLIC HEARING - CDBG GRANT APPLICATION (J. FREEMAN)

Vice Mayor Varnadore opened the public hearing

Mr. Freeman, City Clerk, stated that tonight will be a discussion on the Community Development Block Grant (CDBG) process that will consist of the first of two public hearings that are required, and consider two potential categories. One category is neighborhood revitalization, which Ward 1 Phase III will be eligible, and the other is housing rehabilitation. Also, both grants award up to \$750,000. Mr. Freeman turned the presentation over to Mr. Corbett Alday, Grant Consultant from Guardian Resources.

Mr. Alday gave a presentation on the Fair Housing Act and CDBG Program, and the presentation is a part of the minutes. He discussed the Fair Housing Act creation objectives and the CDBG Program process that involves economic development, funding categories, and eligibility.

Commissioner Cornwell requested clarification if the home must be owner occupied, and Mr. Alday answered yes.

Commissioner Jones voiced that he favors the Housing Rehabilitation program.

City Commission Meeting

February 7, 2022

Page 3 of 8

Discussion ensued among Commissioner Williams, Mr. Alday, and Mr. Freeman regarding the Citizen Advisory Task Force (CATF), other open CDBG grants, and the American Recovery Protect Act (ARPA) Funding.

Commissioner Cornwell inquired if an applicant can apply for the CDBG grant and also the CRA grant. Mr. Alday answered the applicant can live anywhere in the City and apply for the CDBG grant.

Vice Mayor Varnadore closed the public meeting at 7:41 p.m.

Motion: Commissioner Williams moved, Commissioner Jones seconded, and the motion carried 5-0 to authorize staff to work with Guardian Community Resource Management, Inc to create a CDBG application which will come back to Commission at a future meeting for authorization to submit and accept the grant Housing Revitalization if awarded.

7. PUBLIC HEARING ORDINANCE 2021-02 FLOOD REGULATIONS (K. HILL)
AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF PALMETTO AMENDING THE CITY OF PALMETTO CODE OF ORDINANCES, CHAPTER 14, FLOODPLAIN MANAGEMENT; ADOPTING UPDATED FEMA FLOOD INSURANCE ROUTE MAPS (FIRM); AMENDING SPECIFIC FLOOD MANAGEMENT DEFINITIONS; PROVIDING CRITERIA FOR ACCESSORY STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR A ONE-YEAR PERIOD FOR ACCUMULATION OF SUBSTANTIAL IMPROVEMENTS; REQUIRING DECLARATION OF LAND RESTRICTION/NONCONVERSION AGREEMENTS FOR ENCLOSURES UNDER ELEVATED BUILDINGS; PROVIDING SPECIFICATIONS FOR ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING FOR LOCAL AMENDMENTS TO THE FLORIDA BUILDING CODE FOR SIMILAR PROVISIONS IN CHAPTER 7, BUILDINGS AND BUILDING REGULATIONS; PROVIDING FOR APPLICABILITY AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Commissioner Cornwell questioned if the ordinance will change any building codes. Attorney Barnebey expressed that the Federal Emergency Management Agency (FEMA) maps were revised in 2021 and some things may have changed, but the City has no control over their changes to this ordinance.

Commissioner Williams referenced section 14-127 in the ordinance, and asked how it will affect Recreational Vehicles (RVs). Mrs. Hill responded that this section is not new, it is in place currently.

Vice Mayor Varnadore closed the Public Hearing at 7:53 p.m.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2021-02.

8. PUBLIC HEARING ORDINANCE 2021-12 MANATEE FRUIT COMPANY REZONE PID #2414520058 (K. HILL)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY 34.43+/- ACRES OF PROPERTY GENERALLY LOCATED ON 17TH STREET WEST, APPROXIMATELY 430 FEET WEST OF THE INTERSECTION ON 17TH STREET WEST AND 24TH AVENUE WEST, FLORIDA, FROM CITY ZONING PD-H (PLANNED DEVELOPMENT HOUSING) TO CITY ZONING E-R, (ESTATE RESIDENTIAL), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (MANATEE FRUIT COMPANY)

Continuation of Public Hearing from January 3, 2022

Vice Mayor Varnadore opened the Public Hearing at 7:55 p.m.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to continue Ordinance 2021-12 to April 18, 2022 at 7:00 p.m. or soon thereafter as can be heard in the City Commission Chambers.

9. 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.)

All three ordinances 2021-06, 2021-07, and 2021-08 were read into the record and the public hearing was open simultaneously on all three ordinances.

Continuation of Public Hearing from January 24, 2022

Vice Mayor Varnadore opened the Public Hearing at 8:00 p.m.

Commissioner Jones commented about a discussion that he had with the applicant prior to the meeting. Mr. Amerson asked Commissioner Jones about why he needed to attend the meeting as he thought he communicated what his plans were for the property.

City Commission Meeting

February 7, 2022

Page 5 of 8

Mr. Jim Amerson, owner of Art Rental properties was present via telephone into Zoom Meeting and available for questions.

Commissioner Jones asked Mr. Amerson his plans regarding the storage units. Mr. Amerson stated he plans to move some of his existing tenants who need outdoor storage to this location as it will be zoned heavy industrial.

Commissioner Williams requested clarification on what fees will be waived. Mrs. Hill answered that the waived fees are covered under the City's resolution that was passed in 2016. Also, an email was discussed that was sent to the Commissioners regarding the applicant's plans for the Art Rental properties and is a part of the minutes.

Commissioner Williams inquired about the storages locations in front of public works which is zoned general commercial. Mr. Amerson stated some of those tenants that need outdoor storage will move to this new location.

Commissioner Smith asked where outdoor storage will be on this property, and Mr. Amerson reported most everywhere on the property.

Vice Mayor Varnadore closed the Public Hearing at 8:10 p.m.

Motion: Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 5-0 finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, I move to approve Ordinance 2021-06.

10. 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)

Continuation of Public Hearing from January 24, 2022

Vice Mayor Varnadore opened the Public Hearing at 8:00 pm

Vice Mayor Varnadore closed the Public Hearing at 8:10 p.m.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, I move to approve Ordinance 2021-07.

11. 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.)

Continuation of Public Hearing from January 24, 2022

Vice Mayor Varnadore opened the Public Hearing at 8:00 p.m.

Vice Mayor Varnadore closed the Public Hearing at 8:10 p.m.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, I move to approve Ordinance 2021-08.

12. JANUARY 2022 CHECK REGISTER (Informational Only)

Vice Mayor Varnadore recessed the City Commission Meeting to open the February 7, 2022 CRA Meeting at 8:12 p.m.

Vice Mayor Varnadore reconvened the City Commission Meeting at 9:48 p.m.

STANDING AGENDA ITEMS:

13. TRAFFIC UPDATE
None

COMMENTS:

14. DEPARTMENT HEADS' COMMENTS

Mr. Freeman recapped the schedule meeting dates.

- Commission Meeting for the Redistricting Analysis – possible date February 16th
- February 28, 2022
- March 7, 2022

City Commission Meeting

February 7, 2022

Page 7 of 8

Commissioner Williams asked if Mr. Schwartz could reach out to the Commissioner before the February 16th Meeting, and Mr. Freeman replied that he will contact Mr. Schwartz and have him contact the Commissioner individually on the Redistricting.

Commissioner Jones commented on the Redistricting guideline pertaining to section 2 of Voting Rights.

Mr. Freeman reported that the Special Permit Event Tanya Clavey Annual Car Show that was scheduled January 29th was rescheduled to February 26th because of bad weather.

Mr. Ryan, Public Works Director, updated the Board on the proposed property purchase at 1410 24th Avenue for the Waste Water Treatment Plant expansion. The Board gave their consensus to move forward.

Motion: Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 4-1 to extend the meeting for 15 minutes. Commissioner Williams voted nay.

Mr. Colon, Assistant CRA Director, communicated that references for the Housing Rehabilitation Program is not limited to Code Enforcement, and the Commission can refer references as well.

Attorney Barnebey provided comments on the below issues.

- Redistricting Memorandum
- Parking Lot at corner side of Riverside and 10th Avenue West and the prohibition of overnight parking.

15. MAYOR'S REPORT

Vice Mayor Varnadore gave Mayor Bryant's report is as follow:

- Congratulated Commissioner Williams for being elected again as the Florida League of Cities Treasurer.
- Thanked Penny Johnston, Wesley Beauchamp, and Ron Berman for doing fantastic work on the City's Booth for the Manatee County Fair.
- Rodeo event was well attended.
- Reminder about the Bradenton Regatta on February 12th

Mr. Rayan reported that the Green Bridge will be closed to compensate the Bradenton Regatta from 4:00 a.m. to 11:00 p.m. on February 12th.

16. COMMISSIONERS' COMMENTS

Commissioner Smith reported that the restrooms were locked at Riverside Drive and asked if the meeting is necessary for February 16th. Commissioner Varnadore, Williams and Cornwell asked to have a meeting while Commissioner Jones and Smith did not want to have the meeting.

City Commission Meeting

February 7, 2022

Page 8 of 8

Mr. Barnebey discussed the criteria for redistricting and recommend some changes be made, but it is up to Commission.

17. COMMISSIONERS' COMMENTS

Commissioner Smith reported that the restrooms were locked at Riverside Drive and asked if the meeting is necessary for February 16th. Commissioner Varnadore, Williams and Cornwell asked to have a meeting while Commissioner Jones and Smith did not want to have the meeting. Mr. Barnebey discussed the criteria for redistricting and recommend some changes be made, but it is up to Commission.

Motion: Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 4-1 to extend the meeting for 10 minutes. Vice Mayor Varnadore voted nay.

Commissioner Williams asked if the Gateway sign has been ordered and staff indicated yes.

Commissioner Cornwell why the Ferris wheel is still up at the fair and Commissioner Williams will check on the status.

Commissioner Jones commented on Redistricting Analysis.

Vice Mayor Varnadore adjourned the meeting at 10:26 p.m.

MINUTES APPROVED: FEBRUARY 28, 2022

JAMES R. FREEMAN

JAMES R. FREEMAN

CITY CLERK