

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
September 23, 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:**

Jim Freeman, City Clerk  
Scott Rudacille, Chief Assistant City Attorney  
Allen Tusing, Public Works Director  
Scott Tyler, Chief of Police  
Amber LaRowe, Assistant City Clerk

Mayor Bryant called 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.

**PRESENTATION:**

Reverend Renita A. Dixon made a presentation to the Commission on the 12<sup>th</sup> Street Drive Memorial Brick Project she is working on. A copy of the presentation is made a part of the minutes. The Brick Project was developed to remember the members of the community that have helped to shape Palmetto to where it is today. Mayor Bryant commended the project and stated that because MLK Park is in the CRA, she would prefer to inform Mr. Burton, CRA Director, and ask that this discussion be placed on the next Board meeting.

**1. CITY COMMISSION AGENDA APPROVAL**

**Motion:**        **Commissioner Davis moved, Commissioner Cornwell seconded, and the motion carried to approve the September 23, 2019 Commission Agenda with the removal of item C from the Consent Agenda (there is no Council of Governments meeting in October).**

**2. PUBLIC COMMENT**

The following members of the community spoke regarding the presentation made at today's Workshop meeting on the City's sewer system. They all expressed their opinions and desires to know what will be the outcome going forward/what should they expect regarding continued sewer spillage on their streets:

- Lynn Meier
- Steve Mason
- Matthew Lentz
- David Bobecki

Mr. Tusing gave a brief summary of today's Workshop presentation.

Commissioner Williams would prefer to have a town hall meeting with the community afflicted with the issue and with staff on what further can be done. Other Commissioners echoed that desire as well.

Betty Rhodes, resident, spoke regarding Public Works termination of employee and her opinions of racial discrimination at the Department.

### 3. CONSENT AGENDA APPROVAL

- A. Appointment of Trustee to Police Pension Board
- B. Minutes: August 26, August 30, September 9, and September 11
- ~~C. Resolution 2019-37 Council of Governments Meeting-Removed~~
- D. Special Function Permit: First Baptist Church Fall Festival 10/31
- E. Blalock Walters Legal Invoices

**Motion:** Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the September 23, 2019 Consent Agenda as recommended by staff.

### 4. PUBLIC HEARING--FINAL MILLAGE RATE AND FINAL FISCAL YEAR 2020 BUDGET

**Mayor Bryant opened the public hearing to discuss the final millage rate and final FY 2020 budget**

- We are here tonight to adopt the City of Palmetto tentative millage and budget for FY 2020 that begins October 1, 2019.
- The City proposes to adopt a FY 2020 Millage of 5.9671 per \$1,000 of taxable value, which is 5.94% greater than the rolled back rate of 5.6324. The rolled-back rate is the rate that will allow the City to collect the same amount of revenues in comparison to the prior year.
- Taxable value in the City for the FY 2020 budget is \$914,066,858, which represents an increase of 7.33% compared to the prior year.
- The overall City-wide budget is \$32,543,086, which is 11.5% higher than last year. The General Fund budget is \$12,386,933. Additional revenues are being used to fund personnel costs, capital expenditures, public safety, CRA expenditures, and utility infrastructure needs within the City.

**Mayor Bryant closed the public hearing after hearing no public comment**

#### A. RESOLUTION 2019-32 FINAL MILLAGE (read in its entirety)

**Motion:** Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2019-32.

#### B. RESOLUTION 2019-33 FINAL FY 2020 BUDGET (read in its entirety)

**Motion:** Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2019-33.

5. COMMUNITY DEVELOPMENT BLOCK GRANT SUBGRANT AGREEMENT

Mr. Freeman reminded the Commission of the project. He stated that the Florida Department of Economic Opportunity (FDEO) requires that the City participating agreement with the BACC, LLC for the Sheraton Hotel at the Civic Center because the main driver for the receipt of grant dollars is job creation. Also, FDEO requires the City enter into a sub-grant agreement to release the funds (\$1.5M) to the City. Once received, a budget amendment will come forward.

**Motion: Commissioner Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to approve and authorize the Mayor to execute the participating party agreement with BACC Hotel LLC and the Florida Department of Economic Opportunity Sub Grant Agreement for FFY 2018.**

6. PUBLIC HEARING ORDINANCE 2019-14 DAVITA MEDICAL GROUP GENERAL DEVELOPMENT PLAN

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING ADOPTION OF A GENERAL DEVELOPMENT PLAN AS DESCRIBED HEREIN FOR A MIXED USE, PLANNED DEVELOPMENT CONTAINING A ONE-STORY MEDICAL OFFICE BUILDING ON 1.9322 ACRES OF PROPERTY GENERALLY LOCATED AT 1120 U.S. HIGHWAY 301; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (PERRY/DAVITA)

MAYOR BRYANT OPENED THE PUBLIC HEARING.

Karla Owens, Development Services Director, explained that the Ordinance is for a General Development Plan of a 12,000 square foot, one story, medical services building. The current property is undeveloped and contains little vegetation other than grass and is surrounded by developed properties. The proposed development meets all parking, height, open space, and setback requirements as set forth in Section 8.5 of Appendix B of the Code of Ordinances, with the exception of the setback along the western property line. The applicant is requesting a deviation for a reduction of that setback from 35 feet to 10 feet along the western property line. Staff is recommending approval of the deviation as the driveway access for the property abutting to the west exists in this area and should cause no disruption to either business.

MAYOR BRYANT CLOSED THE PUBLIC HEARING AFTER NO PUBLIC COMMENT

**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 2019-14 with the requested deviation and Stipulations A through L.**

8. PUBLIC HEARING ORDINANCE 2019-10 MSA ANNEXATION

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING NINE PARCELS CONTAINING A COMBINED TOTAL OF 3.75 ACRES OF UNINCORPORATED MANATEE COUNTY, FLORIDA INTO THE CITY OF PALMETTO SPECIFICALLY LOCATED AT 611, 617, 623, 731, 807, 813, 819, 823, AND 911 15<sup>TH</sup> AVENUE DRIVE EAST, 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. (RENAISSANCE ARTS AND EDUCATION, INC./MSA)

MAYOR BRYANT OPENED THE PUBLIC HEARING.

9. PUBLIC HEARING ORDINANCE 2019-11 MSA FUTURE LAND USE MAP AMENDMENT

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 RES-6 (RESIDENTIAL), TO CITY FUTURE LAND USE MAP DESIGNATION PC (PLANNED COMMUNITY), ON APPROXIMATELY 3.0 COMBINED TOTAL ACRES MORE SPECIFICALLY LOCATED AT 611, 617, 623, 731, 807, 813, 819, AND 823 15TH AVENUE DRIVE 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. (RENAISSANCE ARTS AND EDUCATION, INC./MSA)

MAYOR BRYANT OPENED THE PUBLIC HEARING.

10. PUBLIC HEARING ORDINANCE 2019-12 MSA REZONE

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY 3.0 COMBINED TOTAL ACRES OF PROPERTY SPECIFICALLY LOCATED AT 611, 617, 623, 731, 807, 813, 819, AND 823 15TH AVENUE DRIVE EAST, PALMETTO, FLORIDA, FROM COUNTY ZONING RSF-4.5 (SINGLE - FAMILY RESIDENTIAL) TO CITY ZONING PD-MU (PLANNED DEVELOPMENT – MIXED USE), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (RENAISSANCE ARTS AND EDUCATION, INC./MSA)

MAYOR BRYANT OPENED THE PUBLIC HEARING.

11. PUBLIC HEARING ORDINANCE 2019-20 MSA FUTURE LAND USE MAP AMENDMENT

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 HEREIN AFTER DESCRIBED FROM COUNTY FUTURE LAND USE MAP DESIGNATION ROR (RETAIL/OFFICE/RESIDENTIAL) AND RES-6 (RESIDENTIAL), TO CITY FUTURE LAND USE MAP DESIGNATION PC (PLANNED COMMUNITY), ON APPROXIMATELY .7565 ACRES MORE SPECIFICALLY LOCATED AT 911 15TH AVENUE DRIVE 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. (RENAISSANCE ARTS AND EDUCATION, INC./MSA)

MAYOR BRYANT OPENED THE PUBLIC HEARING.

12. PUBLIC HEARING ORDINANCE 2019-21 MSA REZONE (K. Owens)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY .7565 ACRES OF PROPERTY SPECIFICALLY LOCATED AT 911 15TH AVENUE DRIVE EAST, PALMETTO, FLORIDA, FROM COUNTY ZONING GC (GENERAL COMMERCIAL) AND RSF-4.5 (SINGLE - FAMILY RESIDENTIAL), TO CITY ZONING PD-MU (PLANNED DEVELOPMENT – MIXED USE), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (RENAISSANCE ARTS AND EDUCATION, INC./MSA)

MAYOR BRYANT OPENED THE PUBLIC HEARING.

Mrs. Owens gave a history of this property and the four parcels. She discussed all Ordinances together as they pertain to one applicant, Manatee School of the Arts (MSA). A General Development Plan will be presented later, this is just the request to annex the property into the City and rezone the parcels from County Zoning to City Zoning. The Planning and Zoning Board met on these Ordinances and recommended approval unanimously. Mrs. Owens distributed a Comprehensive Plan and Article XI Rezoning considerations and a requirements sheet that identifies four criteria and how the annexation and rezone fit into those areas. Both Ordinances 2019-12 and 2019-21 were amended to add findings of facts and the duly advertised public hearings.

AFTER HEARING NO PUBLIC COMMENT, MAYOR BRYANT CLOSED THE PUBLIC HEARING ON ORDINANCES 2019-10, 2019-11, 2019-12, 2019-20 AND 2019-21.

**Motion: Commissioner Varnadore moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2019-10.**

**Motion: Finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, Commissioner Davis moved, Commissioner Smith seconded, and the motion carried 5-0 to adopt Ordinance 2019-11.**

**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 Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2019-12.**

**Motion: Finding the request consistent with Chapter 163, Florida Statutes and the City of Palmetto Comprehensive Plan, Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Ordinance 2019-20.**

**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 Williams moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Ordinance 2019-21.**

13. AUGUST CHECK REGISTER (Information Only)

**STANDING AGENDA ITEMS:**

---

**14. TRAFFIC UPDATE**

Mayor Bryant mentioned a discussion that occurred at the Metropolitan Planning Organization (MPO) regarding the DeSoto Bridge. There is an article posted on their website and the Florida Department of Transportation. A link will be emailed to the Commission.

**15. PALMETTO POOL UPDATE**

**16. POLICE DEPARTMENT BUILDING UPDATE**

Chief Tyler informed the Commission that the Request for Proposal (RFP) committee will be meeting tomorrow afternoon to discuss the RFP submissions and short list. After that, interviews will be conducted and the committee's decision for the contractor will be brought forth to the Commission sometime in October.

**COMMENTS:**

---

**17. DEPARTMENT HEADS COMMENTS**

**MR. TUSING**—thanked the Commission for the positive feedback and comments today.

**MR. FREEMAN**—thanked the Commission for their support on adopting the Fiscal Year 2020 operating budget. The Capital Improvement Plan was on for discussion at today's Workshop; however, due to the time was not discussed. He will bring this forward to the next Workshop. He stated that he will not be in attendance at the October 7<sup>th</sup> meeting due to his attendance at the Pension Trustee Conference.

**CHIEF TYLER**—discussed a recent armed robbery case that was solved.

**18. MAYORS REPORT**

Mayor encouraged everyone to view the artwork at the Manatee County Area Transit (MCAT) Station. It looks very nice.

In regards to the Commission's desires expressed at the first of the meeting regarding a Town Hall meeting, Mayor asked for their preferences on when and where.

The Commission expressed their opinions on having a meeting at City Hall, 6:30 p.m. or later, on a Monday that is not a Commission meeting day or a Thursday. They would like to see this happen very quickly. Mrs. LaRowe was tasked with obtaining dates and emailing them out to the Commission. Mr. Tusing informed the Commission that he will be leaving the first week of October and will be returning to work November 12<sup>th</sup>.

**19. COMMISSIONERS COMMENTS**

**COMMISSIONER DAVIS**—asked Chief to thank the detectives for their diligent work in solving the armed robbery.

**COMMISSIONER CORNWELL**—discussed the recent events that have occurred at Lincoln Memorial Academy. She asked Chief why a school resource officer (SRO) is not present and only a guardian.

Chief Tyler explained that per Florida State Statute, the Charter school has the right to determine if they would like to hire a guardian or a sworn officer to serve as the SRO. Discussion continued on the recent events and the presence of law enforcement.

Mayor Bryant will be reaching out to the Manatee County School Board Superintendent to obtain the facts, the rules governing guardian versus SRO and their take on the events and what can be further done. Once Mayor has that discussion, a synopsis will be distributed to the Commission.

**COMMISSIONER WILLIAMS**—discussed the First Baptist Fall Festival Special Function Permit that was on the Agenda tonight. He questioned why 10<sup>th</sup> Avenue was being closed. Mrs. LaRowe explained the conversation that was had with the applicant regarding the road closure on 6<sup>th</sup> Street West due to pedestrians crossing the road as they navigate from the Church parking lot to the event at Sutton. She stated that she will call the Church tomorrow to follow up with more clarifying questions on the event and necessary closures.

Mayor Bryant adjourned the meeting at 8:35 p.m.

MINUTES APPROVED: November 4, 2019

*James R. Freeman*

JAMES R. FREEMAN  
CITY CLERK