

City Commission Meeting
Monday, September 14, 2020
7:00 pm

This Commission Meeting was conducted utilizing Communications Media Technology in accordance with the Governor's Executive Order. Some Elected Officials and 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
Harold Smith, Commissioner, Ward 1

ELECTED OFFICIALS PRESENT ELECTRONICALLY:

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

STAFF PRESENT IN CHAMBERS:

Mark Barnebey, City Attorney
Mohammed Rayan, Public Works Deputy Director
Scott Tyler, Chief of Police
Penny Johnston, Executive Assistant
Vanessa Cochran, Assistant City Clerk

STAFF PRESENT ELECTRONICALLY:

Jeff Burton, CRA Director
Todd Williams, Information Technology (IT) Consultant

Mayor called the meeting to order at 7:00 p.m., and followed by a moment of silence and the Pledge of Allegiance.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the September 14, 2020 Commission Agenda.

2. PUBLIC COMMENT

None.

3. CONSENT AGENDA APPROVAL

- a. Minutes: August 24, 2020, August 26, 2020
- b. IT Support Services Contract
- c. Minor Modification to Manatee School for the Arts General Development Plan 2015-14

Motion: Commissioner Smith moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the Consent Agenda.

MINOR MODIFICATION TO MANATEE SCHOOL FOR THE ARTS GENERAL
DEVELOPMENT PLAN 2015-14

Karla Owens, Development Services Director (DSD), discussed the minor modifications to the Manatee School for the Arts (MSFA) General Development Plan. She stated that the school started with 8.314 acres, grew to 13.275 acres in 2011, added 1.5 acres in 2015, and 3.75 acres were annexed and rezoned and a comp plan change was completed in 2019 by the Planning Department. In 2011, the school had a 41,000 square foot classroom building constructed, and in 2015, some interior modifications were completed such as repairs/replacement to the air conditioning units, added a kitchen facility, separated classrooms, replaced stage, and installed a fence. She added that no other buildings have been constructed, and only interior modifications have been completed.

Mrs. Owens, DSD, stated that Jason Coats, Shroyer Engineering, submitted a revised plan to incorporate the 3.75 acres into the GDP that was annexed last year along 15th Street Drive. The school now owns the property west of 15th Street Drive, and it has been included into this plan. The plan also includes the 3 houses used as classrooms, the storage facilities, the construction time line update, the building's square footage that is less than in 2015, and the parking area. She added that the entrance previously approved for 15th Avenue Drive East remains a restricted access, however, the plan shows that it will be widened for better emergency access and other priority admissions. There is no entry to 301, and it is only indicated because it was in the 2015 and possibly the 2011 Plans, but probably will be considered in the future. There are no anticipated changes at this time, and this should bring the GDP Plan up to date. Mrs. Owens requested the Commission's approval for the project.

Mayor Bryant asked Commissioners if they have any questions.

Commissioner Williams asked Mrs. Owens if the buses have been removed, and if MSFA were using the homes as classrooms.

Mrs. Owens, DSD, stated that the buses were removed, and MSFA was using 2 homes as classrooms until last school year. She added that these homes were inspected by the Fire Department and the Building Department. Also, MSFA added 1 of those homes that was annexed last year for use this year. The homes will continued to be inspected annually by the Fire Department and Building Department to make sure that the school stay in compliance.

Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the proposed minor modification to GDP 2015-14 dated July 8, 2020.

5. PUBLIC HEARING ORDINANCE 2020-06 (K.OWENS)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, SUBSTANTIALLY AMENDING AND REPLACING ARTICLE III, DIVISION 1, SECTIONS 3-61 THROUGH 3-72 OF APPENDIX "B" OF THE PALMETTO CITY CODE OF ORDINANCES REGULATING SIGNS; PROVIDING FOR APPLICABILITY, PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITS AND REQUIREMENTS FOR PERMITS; PROVIDING REGULATIONS FOR PROHIBITED, EXEMPT, NONCONFORMING, AND UNSAFE SIGNS; REGULATING FREE-STANDING SIGNS, WALL SIGNS, BILLBOARDS, CHANGEABLE MESSAGE SIGNS, TEMPORARY SIGNS AND OTHER TYPES OF SIGNS; PROVIDING FOR DESIGN, CONSTRUCTION, AND MAINTENANCE OF SIGNS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Bryant asked if there were any questions.

Commissioner Cornwell questioned if anything can be advertised on the billboard.

Mr. Barnebey, City Attorney, stated it could as long as it is not obscene.

Commissioner Cornwell stated that there is no clause to prevent this in the ordinance, and could one be added.

Mr. Barnebey, CA, stated that it would not be a problem putting provisions on obscene language and pictures in the sign ordinance.

Mrs. Owens, DSD, recommended the following amendments to Ordinance 2020-06.

- a. Section 3-69, add there will be no obscene message on signage including but not limited to obscene language or nudity.
- b. Paragraph C-5, change Dwell Time, interval of change between each individual message, from 5 seconds to 10 seconds.

Mayor Bryant opened Public Hearing.

Mr. Ron Connolly, a developer, stated that the 2 billboards owned by Riveria Dunes do not have any obscene messages on them, and this is a publicly listed company that abide by the rules of protocol.

Mayor Bryant closed Public Hearing after comments.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2020-06.

6. PUBLIC HEARING CONDITIONAL USE CU-2018-02 CHURCH ON THE ROCK (K.OWENS)

Mrs. Owens, DSD, requested this item be continued to September 28th Commission Meeting since the CU 2018-2 Church On The Rock has not been brought to the Planning Commission Meeting, which is scheduled September 17th. She also added that there are no changes to this item.

Mayor Bryant opened Public Hearing.

Mayor Bryant asked if there were any Commissioners that would not be able to attend the rescheduled meeting for September 28th to address the CU 2018-02 Church On The Rock. There were none.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded and the motion carried 5-0 to continue CU 2018-02 until September 28, 2020 to be heard in the Commission Chamber.

7. PUBLIC HEARING CONDITIONAL USE CU-2020-05 OLD SALT MARINE (K.OWENS)

Kera Hill, Planning Analyst (PA), gave the presentation for CU 2020-05 regarding the property located at 405 8th Avenue West, which recently became vacant. She stated that it consists of 2.33 acres, and it's zoned Commercial Core (CC) in the downtown of the Comprehensive Plan and downtown guidelines for Mid-town District.

A request was submitted to sell new boats onsite, and that is only allowed by conditional use. She added that there will not be any maintenance performed, however, if there is a 1 year warranty that involves minor adjustments it can be done inside a closed garage. Mrs. Hill expressed that some modified stipulations were added to the conditional use that addressed the landscaping meeting the guidelines for section 7-216, and the clear site triangle, located on the corner of 8th Avenue West and 4th Street West, could not be blocked by boats or any items. Mrs. Hill added that the sales of use boats are prohibited in the Commercial Core District and is included in the order.

Mayor Bryant opened the Public Hearing.

Donald LaChante, Old Salt Marine, stated that he will be selling only new boats at the 405 8th Avenue W location, and used boats are sold at his other 2 locations.

Commissioner Smith asked why the business was not selling used boats at the location at 405 8th Avenue W.

Mark Barnebey, City Attorney, stated it is prohibited in the ordinance to sell used boats, and the ordinance would have to be changed to allow it.

Mayor Bryant closed the Public Hearing.

Motion: Commissioner Davis moved, Commissioner Smith seconded, and motion carried 5-0 on the staff report, the comments made at the Public Hearing and findings that request to be consistent with the City of Palmetto Comprehensive Plan, I move to approve Conditional Use 2020-05 with recommended conditions.

8. AUGUST CHECK REGISTER (Informational Only)

MAYOR BRANT RECESSED THE CITY COMMISSION MEETING AT 8:10 P.M. TO OPEN THE SEPTEMBER 14, 2020 CRA BOARD MEETING.

MAYOR BRYANT RECONVENED THE CITY COMMISSION MEETING AT 9:30 P.M.

STANDING AGENDA ITEMS:

9. TRAFFIC UPDATE

Mayor Bryant stated that she reached out to LK Nandam, FDOT, and they responded that if we could make sure that there was funding in the CIP for 1 million dollars, the process could start at intersection 23rd Street and US 41. Mayor Bryant stated that Mr. Barnebey have more information.

Mr. Barnebey, CA, stated that Cheryl Miller, Finance Director, is completing the paperwork to get the funding done.

10. PALMETTO POOL UPDATE

Mayor stated that the Palmetto Pool is moving forward, and a ground breaking will occur probably at the end of the year.

11. POLICE DEPARTMENT BUILDING UPDATE

Scott Tyler, Chief Police, stated that Mr. Ryan, Director of Public Works, and he is working with the design team to incorporate some of the comments the Commissioners made regarding the exterior of the building and bring back the renders to the Board.

Mr. Barnebey, CA, requested that an emergency motion be made to have the buildings at 904 4th Street West that are owned by the CRA be demolished.

Motion: Commissioner Davis moved, Commissioners Williams seconded, carried 5-0 to have the buildings at 904 4th Street West that are owned by the CRA be demolished.

COMMENTS:

12. DEPARTMENT HEADS COMMENTS

Mr. Barnebey, CA, reported that virtual meetings have not been extended past September 30th, and if the Governor do not extend the date, we will go back to regular meetings.

Mr. Rayan, DPW, gave updates on several projects. He stated that the Chlorimine Injection House is completed, and the MLK restroom project comments are being addressed. He also stated that on 20th Avenue there are 2 intersections that will be repaired this Wednesday and will take 3 weeks to complete. He reported that CSX, near the railroad tracks on 5th Street and 9th Avenue have a failure and will be repaired. He added that the Equalization (EQ) basin did very well, and there were no overflows due to the heavy rain.

Commissioner Cornwell reported to Mr. Rayan that on the repaved 14th Street areas there were several flooding spots.

Mr. Rayan, DPW, stated that he had noticed the flooding that was caused by 2 ½ inches of rain within 45 minutes, but after the rain dwindled the flooding stopped.

Cheryl Miller, FD, remained the Board about the Special Commission Meeting for Tuesday at 5:30 pm.

13. MAYORS REPORT

Mayor Bryant stated that she presented a proclamation at the 911 Patriot Ceremony that was done virtually, and Mayor Poston received an awarded for helping locate the monument on the River walk. Mayor Bryant added that the ceremony was well received.

14. COMMISSIONERS COMMENTS

Commissioner Williams stated that no meetings in the past were held before the election and wanted to make a motion that it continued this year.

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, carried 5-0 to move that no meeting be held before the election this year on November 2, 2020.

Commissioner Williams thanked Cheryl Miller, and Vanessa Cochran for doing a good job, and good well to Jim Freeman. Commissioner also commented that point papers help and continue to put them with the presentations.

Commissioner Cornwell expressed that she will not be able to stay for the end of the Special Commission Meeting, but will monitor it, and will not be able to speak. She also stated that the Seahorse was received well.

Commissioner Varnadore agreed with Commissioner Cornwell's comment about the Seahorse, and complimented Mr. Ryan on getting repairs done.

Commissioner Smith congratulated Jeff Burton, CRA Director, on doing a great job.

Commissioner Davis commented that he went to the Virtual Tampa Bay Planning Council today, and it went very well. He also stated that he is on the Covid-19 Task Force, and they are looking for projects to help the cities, and requested that staff come up with some ideas. He added that he shared the video that Jeff Burton and me did regarding the Seahorse and was told that it could be the future of the Region Award.

Mayor Bryant adjourned the meeting at 9:48 p.m.

MINUTES APPROVED: SEPTEMBER 28, 2020

JAMES R. FREEMAN

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CITY CLERK