

CITY COMMISSION MEETING

July 19, 2021

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
Brian Williams, Vice Mayor, Commissioner, Ward 3
Sheldon Jones, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Harold Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2

STAFF PRESENT:

Mark Barnebey, City Attorney
Mohammed Rayan, Public Works Director
Scott Tyler, Chief of Police
Jim Freeman, City Clerk
Nixa Haisley, Purchasing Agent
Kera Hill, Planning Analyst/Address Coordinator
Jeff Burton, CRA Director (Not Present)
Penny Johnston, Executive Assistant
Vanessa Cochran, Assistant City Clerk

STAFF PRESENT ELECTRONICALLY:

Todd Williams, Information Technology (IT) Consultant

1. 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.

2. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the July 19, 2021 City Commission Agenda.

LEGISLATIVE UPDATE (Senator Boyd)

(Item 5 Legislative Update was moved up on the agenda and was presented after the City Commission Agenda Approval)

Senator Jim Boyd gave an overview of the 2021 Legislative updates.

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3. PUBLIC COMMENT

Lynn Daniels presented petitions to the Board regarding the proposed Riviera Dunes Apartment Complex Development, and they are a part of the minutes.

Elizabeth Bluangtook gave her opinions on future developments along the waterfront.

James St. John spoke about the zoning issue regarding Feeding Empty Little Tum mies (F.E.L.T).

4. CONSENT AGENDA

- a. Minutes: June 7th, June 21st, and July 6th
- b. Legal Bills
- c. Manatee Community Band Concert Special Function Permit
- d. 2021-2022 School Resource Officer's Program Agreement (S. Tyler)
- e. MLK Restroom RFP Award of Bid (M. Rayan)
- f. Police Benevolent Association (PBA) Agreement 2021-2024 (S.Tyler)
- g. Resolution 2021-17 Council of Governments Meeting August 3, 2021 (M. Bryant)
- H. MCR's Back To School Health Fair Special Function Permit

Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the Consent Agenda as presented by staff with the addition of the MCR's Back To School Health Fair Special Function Permit and the removal of items B and E for discussion.

4B. LEGAL BILLS DISCUSSION

Commissioner Smith questioned the litigation charge for the Shade Meeting held on June 14, 2021. Attorney Barnebey requested to have the Shade Meeting charge pulled for further review and have the remaining charges on invoice 30985-007-94 approved for payment.

Motion: Commissioner Williams moved, Commissioner Jones seconded, and the motion carried 5-0 to approve all legal bills with the exclusion of the item related to the Shade Meeting with Attorney Barnebey in attendance in the amount of \$423.

4E. MLK RESTROOM RFP AWARD OF BID DISCUSSION

Commissioner Smith inquired about the scoring method used concerning minorities' participation. In response to questions raised by Commissioner Smith, Mr. Rayan, Public Works Director (PWD), and Nixa Haisley, Purchasing Agent, discussed the evaluation of proposals specifically the use of Minority Business Enterprise/Women's Business Enterprise (MBE/WBE's) and the list of proposed subcontractors. Mrs. Haisley voiced that every effort was made to reach out to various communities and organizations.

Next, Mrs. Haisley welcomed suggestions from the Board on potential process alternatives. Commissioner Jones suggested to change the title minority subcontractors to minority owners on the List of Proposed Subcontractors form and stated that this adjustment will alleviate misconceptions.

Motion: Commissioner Varnadore moved, Commissioner Jones seconded, and the motion carried 5-0 to approve the MLK Restroom RFP Award of Bid.

5. LEGISLATIVE UPDATE (Senator Boyd)

Senator Jim Boyd presented the Legislative update.

(Item 5 Legislative Update was moved up on the agenda and was presented after the City Commission Agenda approval.)

6. PUBLIC HEARING ORDINANCE 2021-06 ANNEXATION - ART RENTALS, LLC (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.)

Ordinances 2021-06, 2021-07, and 2021-08 were read into the record, and Mayor Bryant opened the Public Hearings for all three ordinances at 8:02 p.m. simultaneously.

Kera Hill, Planning Analyst, requested that City Attorney Barnebey discussed the legislation change that was passed on June 29, 2021. Attorney Barnebey stated that Legislation 2021-195 was signed into law by the Governor of Florida on June 29, 2021 that reads prior to adopting any additional Comprehensive Plans amendments, a property rights element has to be adopted for the Comprehensive Plan. And, this item is tied into an annexation and a rezone that was not considered by the Planning and Zoning (P&Z) Board until after June 29th. As such, Attorney Barnebey recommended that the ordinances are continued to October 4, 2021.

Ordinances 2021-06, 2021-07, and 2021-08 were continued, and each motion is listed separately.

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to continue Ordinance 2021-06 to October 4, 2021 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

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

Motion: Commissioner Cornwell moved, Commissioner Jones second, and the motion carried 5-0 to continue Ordinance 2021-07 to October 4, 2021 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

8. PUBLIC HEARING ORDINANCE 2021-08 REZONE - ART RENTAL, LLC (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.)

Motion: Commissioner Cornwell moved, Commissioner Williams second, and the motion carried 5-0 to continue Ordinance 2021-08 to October 4, 2021 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

9. PUBLIC HEARING ORDINANCE 2021-09 VACATION OF EASEMENT (K. Hill)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, VACATING A PLATTED EASEMENT LOCATED ALONG THE REAR OF LOT 9, BLOCK C, H.W. HARRISON'S SUBDIVISION, GENERALLY LOCATED AT 1511 2ND AVENUE WEST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (G & M PROPERTIES & INVESTMENTS, LLC)

Ordinances 2021-09 and 2021-10 were read into the record, and Mayor Bryant opened the Public Hearings for both ordinances at 8:10 p.m. simultaneously.

Commissioner Williams questioned the location where the easement will be placed. Mrs. Hill, Planning Analyst, made reference to the provided zoning map and pointed out where the easement would be placed. She added that the vacated properties are owned by the same owner. Attorney Barnebey informed the Board that Mr. Leo Mills, is present and represents the applicant.

Mr. Mills, agent for the owner, stated that the City has contacted all the utilities contractors that might utilize the easement, and there has not been any objections. Also, the properties are currently vacant, and the owner wants to provide housing on the properties.

Mayor Bryant closed the Public Hearings after comments for Ordinances 2021-09 and 2021-10 at 8:25 p.m., and each motion is listed separately.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Ordinance 2021-09.

10. PUBLIC HEARING ORDINANCE 2021-10 VACATION OF EASEMENT (K. Hill)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, VACATING A PLATTED EASEMENT LOCATED ALONG THE REAR OF LOTS 6, 7, AND 8, BLOCK C, H.W. HARRISON'S SUBDIVISION, GENERALLY LOCATED AT 203 16TH STREET WEST AND 1515 2ND AVENUE WEST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (G & M PROPERTIES & INVESTMENTS, LLC)

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2021-10.

11. FISCAL YEAR 2022 PROPOSED AGGREGATE MILLAGE RATE AND DATES FOR TENTATIVE AND FINAL BUDGET HEARINGS (J.FREEMAN)

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve a proposed aggregate millage rate of \$5.9671 for FY 2022 and to schedule the tentative budget hearing for September 13, 2021 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and a final budget hearing on September 27, 2021 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.

12. JUNE CHECK REGISTER (Informational Only)

STANDING AGENDA ITEMS:

13. TRAFFIC UPDATE

Mr. Rayan, Public Works Director (PWD), gave updates on various projects within the City. He indicated that a 4 way stop sign was requested at the intersection of 11th Street West and 11th Street Drive West between 3rd Avenue and 4th Avenue, and it will be presented to the Board for a decision. He also added that flooding repairs will be done soon at 4th Avenue West and 3rd Avenue West by the Palmetto Youth Center.

Commissioner Smith questioned the 4 way stop necessity and stated that the drainage issue is a result of debris covering the drainage inlets.

Commissioner Jones agreed with Mr. Rayan on the 4 way stop sign being installed at the mentioned location and added that it is a safety issue.

Chief Tyler reported that Manatee County stated that the left turn signal timing at Canal Road and US 301 meets Florida Department of Transportation (FDOT) specifications, so there is no decision to change the timing.

14. POLICE DEPARTMENT BUILDING UPDATE

None

COMMENTS:

15. DEPARTMENT HEADS' COMMENTS

Chief Tyler reported that the Police Department applied for a Justice Assistance Grant for body cameras and will keep the Board updated on the progress.

Mr. Freeman, City Clerk, informed the Board that the August 2nd Commission Meetings and CRA Meeting will be held at the Bradenton Area Convention Center. Also, the Commissioners will receive invites for the Budget Workshops for August 4th and 30th.

Attorney Barnebey announced that a Shade Meeting will need to be scheduled, and he will get with Penny Johnston, Executive Assistant, to assist with the scheduling.

16. MAYOR'S REPORT

Mayor Bryant announced that a Neighborhood Lamp Post Meeting is scheduled August 17th with the residents, and Mr. Rayan/Attorney Barnebey will be in attendance. Also, she stated that the Palmetto High School Tiger Fest and Lincoln Middle School requested to have the advertising fees waived for the Palmetto Electronic Gateway Sign, which needs the Board's approval. Next, Mayor Bryant asked the Board to report on the outside organizations they serve on.

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Commissioner Jones referenced the Palmetto High School Tiger Fest Electronic Gateway application and stated that the time frame be corrected from 15 days to 14 days per City's policy, and Mr. Freeman replied that the applicant will be notified and time frame will be corrected.

Motion: Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the Palmetto High School Tiger Fest and Lincoln Middle School Electronic Gateway Sign applications for 14 days.

17. COMMISSIONERS' COMMENTS

Commissioner Varnadore shared a few of the goings-on within the Manatee County 4H Foundation Board, which she serves on.

Commissioner Williams requested to have the Colonial Manor Mobile Home Park backflow preventer checked and reported overgrown vegetation near 6th Avenue and 4th Street. Mr. Rayan, PWD, replied that he will check on them. Commission Williams provided updates on the ManaSota League of Cities and Florida League of Cities.

Mayor Bryant provided information and comments on the Manatee Chamber Board of Directors, the Manatee County Tourist Council, and the Manatee County Economic Development Council.

Commissioner Cornwell provided updates on the Palmetto Historical Commission and the Manatee County Fair Board.

Commissioner Jones gave information on the Tampa Bay Regional Planning Council and commented on the CRA 4th Fest.

Mayor Bryant adjourned the meeting at 9:02 p.m.

MINUTES APPROVED: AUGUST 23, 2021

JAMES R. FREEMAN

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CITY CLERK