

CITY COMMISSION MEETING

September 13, 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
Cheryl Miller, Finance Director
Paula Hall, HR Administrator
Kera Hill, Planning Analyst
Jeff Burton, CRA Director
Xaiver Colon, Assistant CRA Director
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. 50TH ANNIVERSARY OF USA FENCE COMPANY PROCLAMATION
Mayor Bryant presented the 50th Anniversary of USA Fence Company Proclamation to L.G. "Butch" Glasgow.
3. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the September 13, 2021 City Commission Agenda.

**City Commission Meeting
September 13, 2021
Page 2 of 6**

4. PUBLIC COMMENT

Mrs. Johnston, City employee, spoke passionately about opening the meetings with prayer and treating one another with kindness and respect.

Mr. DeRusso, Managing Director for In Development Partners, provided updates on the Sheraton Hotel and 7th Street Extension projects.

Mrs. Wile gave her opinion on the Sheraton Hotel project public comment and the City sewage issues on 20th Avenue.

5. CONSENT AGENDA

- a. August 2, 2021 Minutes
- b. Resolution 2021-21 Authorizing Adoption of the Statewide Mutual Aid Agreement
- c. Surplus Property
- d. Classification and Compensation Study
- e. Cell Tower Consulting Agreement
- f. Police Department Building Financing
- g. FDOT Subordination of City Utility Interests
- h. Resolution 2021-28 FDOT Agreement Safety Markings Haben Boulevard

Items 5.D, 5.E, 5.F, and 5.H were removed for further discussion.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the Consent Agenda items A, B, C, and G as presented by staff.

5.D. CLASSIFICATION AND COMPENSATION STUDY

In response to questions raised, Paula Hall, HR Administrator, stated that the study analyzed the City's current pay, and it was determined that the employee's salaries are competitive with the survey marketed areas that were included in the Classification and Compensation Study.

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the Consent Agenda Item 5.D. as presented by staff.

5.E. CELL TOWER CONSULTING AGREEMENT

Commissioner Cornwell expressed concern if the cell tower could facilitate the entire City of Palmetto. Mr. Freeman, City Clerk, stipulated that he will address the concern with the consultant, and Commissioner Williams' question on future cell towers.

Motion: Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 5-0 to approve the Consent Agenda Item 5.E. as presented by staff.

5.F. POLICE DEPARTMENT BUILDING FINANCING

Commissioner Smith voiced that he disagrees with the 1/2 cent sales tax and reserve funds used to build the new PD building. Then, he emphasized that if the new PD building was built in Ward 1, CRA funds could be used.

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 4-1 to approve Consent Agenda Item 5.F. as presented by staff. Commissioner Smith voted nay.

5.H. RESOLUTION 2021-28 FDOT AGREEMENT SAFETY MARKINGS HABEN BOULEVARD

Commissioner Varnadore inquired about the cost for equipment maintenance. Mr. Rayan, Public Works Director (PWD), responded that the cost is for various signs and the Florida Department of Transportation (FDOT) and local jurisdictions pays the expense.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve Consent Agenda Item 5.H. as presented by staff.

6. PUBLIC HEARING TENTATIVE MILLAGE AND TENTATIVE FISCAL YEAR 2022 BUDGET (J. Freeman)

- Discuss the percentage increase/decrease in proposed tentative millage over rolled back rate.
- Discuss the specific purposes for which the ad valorem revenues are being increased/decreased.
- Discuss the proposed tentative budget.

Mayor Bryant opened the Public Hearing at 8:09 p.m.

Mayor Bryant Closed the Public Hearing at 8:09 p.m.

a. RESOLUTION 2021-22 FY 2022 TENTATIVE MILLAGE (Resolution to be read in its entirety)

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2021-22

b. RESOLUTION 2021-23 FY 2022 TENTATIVE BUDGET (Resolution to be read in its entirety)

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2021-23

7. PUBLIC HEARING ORDINANCE 2021-13 PROPERTY RIGHTS ELEMENT (K. Hill)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CITY OF PALMETTO COMPREHENSIVE PLAN TO ADD A PRIVATE PROPERTY RIGHTS ELEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the Public Hearing at 8:15 p.m.

Mayor Bryant closed the Public Hearing at 8:15 p.m.

Motion: Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 4-1 to adopt Ordinance 2021-13. Commissioner Williams voted nay.

8. FIRST READ ORDINANCE 2021-14 POLICE OFFICERS' PENSION INTERNAL REVENUE CODE CHANGES (J. Freeman)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 22, PERSONNEL, ARTICLE V, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-176, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 22-186, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 22-198, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2021-14 and authorize staff to advertise for a public hearing.

9. FIRST READ ORDINANCE 2021-15 SIGNAGE (K. Hill)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, REAFFIRMING AND RESTATING ORDINANCE 2020-06 AS AMENDMENTS TO ARTICLE III, SECTIONS 3-61 THROUGH 3-73 OF THE PALMETTO CITY CODE OF ORDINANCES REGULATING SIGNS, EXCEPT AS AMENDED BY THIS ORDINANCE; AMENDING SECTION 3- 68 TO AMEND THE MAXIMUM HEIGHT FOR CERTAIN SIGNS AND AMENDING THE MAXIMUM WALL SIGN AREA FOR NON-RESIDENTIAL DISTRICTS; AMENDING SECTION 3- 73 TO PROVIDE FOR NOTICE FOR REMOVAL OF SIGNS IN THE RIGHT OF WAY OR PUBLIC PROPERTY; ADDING A NEW SECTION 3-74 FOR APPEALS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

~~Motion: to approve the first reading and authorize staff to schedule for a public hearing.~~

No motion necessary, this item will be brought back to the next Workshop Meeting on September 27th.

10. AUGUST CHECK REGISTER (Informational only)

Recess the City Commission Meeting to open the September 13, 2021 CRA Board Meeting at 8:23 p.m.

Reconvene the City Commission Meeting at 8:51 p.m.

STANDING AGENDA ITEMS:

11. TRAFFIC UPDATE

Mayor Bryant reported that she reached out to FDOT to obtain directional signs installed at 23rd Street and 26th Avenue indicating no left turns.

12. POLICE DEPARTMENT BUILDING UPDATE

No comments

COMMENTS:

13. DEPARTMENT HEADS' COMMENTS

In regards to the directional signs at 23rd Street and 26th Avenue, Mr. Rayan communicated that he will work with FDOT on the signage. Next, he gave updates on the below projects.

- MLK Restrooms Project
- Proposal for Inflow & Infiltration (I&I) Study

Commissioner Cornwell thanked Mr. Rayan for the I&I Study update.

Commissioner Smith inquired about the construction start dates for the MLK Restrooms and 4th Avenue, 14th through 16th Street. Mr. Rayan stated that he is meeting with the engineers on Tuesday, September 14th on the MLK Project. And, it will cost about 4 million to complete 4th Avenue and 14th through 16th street construction. Presently, there is \$400,000 for the projects, and the remaining balance will come from the Recovery Act Fund.

Commissioner Williams reported that the stormwater cover at 7th Avenue West and Riverside Drive needs to be replaced. Mr. Rayan replied that he will be checked on it.

Mr. Freeman informed the Board that if the September 27th Meeting that is scheduled at the Bradenton Area Convention Center mainly for the Riviera Dunes Project is continued, he will contact the Board by email/individually if the meeting is moved back to the Commission Chambers, and the people will be informed as well.

Also, Mr. Freeman stated that the CIP Budget will be presented in October and acknowledged that the American Rescue Plan funding in the amount of 3.4 million was received. In addition, a request to purchase the property at 415 11th Street West was received, and Mr. Freeman asked the Board how he should proceed. Following a brief discussion, it was determined that more information was required, and the item will be brought back.

Attorney Barnebey provided updates on the contract/parking lot sale to R Cubed and is waiting for a decision on the motion to dismiss concerning Lincoln Memorial Academy.

City Commission Meeting

September 13, 2021

Page 6 of 6

14. MAYOR'S REPORT – 911 Ceremony

Mayor Bryant announced that she attended the 911 Ceremony held at Rossi Park. And, she reported that the Finance Department will be issuing a RFP for audit services within a month, and she was requested to participate on the Committee.

15. COMMISSIONERS' COMMENTS

Commissioner Varnadore commented on the accident that occurred on 4th Street and 8th Avenue. Also, she informed the Board that she will not be able to attend the October 18th meetings.

Commissioner Cornwell inquired about opening the meetings with prayer and requested who they should contact to sign up, and Mayor Bryant answered Penny Johnston.

Commissioner Jones reported that a resident at 201 11th Street Drive complained about a ditch behind his home usually gets clean by the City, but it has not been cleaned. Mr. Rayan replied that he will check on it.

Mayor Bryant adjourned the meeting at 9:30 pm

MINUTES APPROVED: OCTOBER 18, 2021

JAMES R. FREEMAN

JAMES R. FREEMAN

CITY CLERK