

CITY COMMISSION MEETING

September 27, 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 IN CHAMBERS:

Shirley Groover Bryant, Mayor

Brian Williams, Vice Mayor, Commissioner, Ward 3 (Entered the meeting at 7:08 p.m.)

Sheldon Jones, Commissioner-at-Large 1

Tamara Cornwell, Commissioner-at-Large 2

Harold Smith, Commissioner, Ward 1

Tambra Varnadore, Commissioner, Ward 2

STAFF PRESENT IN CHAMBERS:

Marisa Powers, City Attorney

Mohammed Rayan, Public Works Director

Scott Tyler, Chief of Police

Jim Freeman, City Clerk

Cheryl Miller, Finance Director

Kera Hill, Planning Analyst

Jeff Burton, CRA Director (Not Present)

Xavier Colon, Assistant 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. Mr. Larry Kestner, Crossroads Christian Church, gave the tonight's invocation, 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

(Note: Agenda was revised to include the addition of item #8 below and a correction to the resolution title on item #5b.)

Motion: Commissioner Varnadore moved, Commissioner Jones seconded, and the motion carried 4-0 to approve the September 27, 2021 City Commission Agenda. Commissioner Williams was not present for the vote.

3. PUBLIC COMMENT

Mr. St. John requested to make a public comment on agenda item #6 Ordinance 2021-15 Signage.

4. CONSENT AGENDA

- a. Minutes: August 2 and August 16, 2021
- b. Legal Bills
- c. Resolution 2021-29 American Rescue Plan Act Budget Amendment
- d. Resolution 2021-30 CIP Paving Funding

Motion: Commissioner Varnadore moved, Commissioner Smith seconded, and the motion carried 4-0 to approve the Consent Agenda as presented by staff. Commissioner Williams was not present for the vote.

5. PUBLIC HEARING ---FINAL MILLAGE RATE AND FINAL FISCAL YEAR 2022 BUDGET (J. Freeman)

Mayor Bryant opened the public hearing to discuss the final millage rate and final FY 2022 budget at 7:05 p.m.

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

Mayor Bryant closed the public hearing after hearing no public comments at 7:07 p.m.

a. RESOLUTION 2021-24 FINAL MILLAGE (to be read in its entirety)

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2021-24.

b. RESOLUTION 2021-25 FINAL FY 2022 BUDGET (to be read in its entirety)

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 4-1 to adopt Resolution 2021-25. Commissioner Jones voted nay.

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6. 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 3-70 TO ALLOW ELECTRONIC MESSAGE CENTER SIGNS IN NON-RESIDENTIAL AND PUBLIC DISTRICTS BY CONDITIONAL USE PERMITS; 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.

In regards to Mr. John's public comment, Mayor Bryant expressed that Ordinance 2021-15 Signage is for a First Read tonight and not a Public Hearing. Mr. Freeman, City Clerk, gave the possible dates October 18th and November 1st for the Public Hearing. After receiving the information, Mr. St. Johns decided to make his comments when the Public Hearing is scheduled.

Motion: Commissioner Jones moved, Commissioner Smith seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2021-15 and authorize staff to schedule for a public hearing.

7. PUBLIC HEARING ORDINANCE 2021-04 GENERAL DEVELOPMENT PLAN/RIVIERA DUNES APARTMENTS (K. Hill)

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 MULTI-FAMILY, PLANNED DEVELOPMENT CONTAINING 255 MULTI-FAMILY RESIDENTIAL UNITS ON 8.37 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE EAST SIDE OF U.S. 41 SOUTH OF HABEN BOULEVARD AT THE WESTERN ENTRANCE TO THE RIVIERA DUNES DEVELOPMENT; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (RIVIERA DUNES APARTMENTS)

Continuation of Public Hearing from August 2, 2021.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to continue Ordinance 2021-04 to November 1, 2021 at 7:00 p.m.

8. PUBLIC HEARING CONDITIONAL USE 2021-01 (K. HILL)

Ms. Hill gave a brief review on the Public Hearing Conditional Use 2021-01. She stated that during the April 5th Commission Meeting, the Board had questions concerning the conditional use and instructed staff to have a telecommunications company perform an analysis. A copy of the analysis is a part of the minutes.

Ms. Hill stated that staff agrees with the consultant that the application is incomplete and advised applicant about the situation. The applicant has not submitted any correspondences/documents, so staff recommends that applicant's request for the conditional use be denied due to incomplete application.

Continuation of Public Hearing from June 21, 2021.

Mayor Bryant closed the Public Hearing at 7:17 p.m.

Commissioner Varnadore expressed concerns that since the City hired a specialist to provide information, should the item be continued until the information is provided. Ms. Hill replied that the applicant was informed on the requirements and has not responded.

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 based upon the staff report, the comments made at the public hearing, and finding the request to be inconsistent with the Telecommunications Towers regulations set forth in Appendix XVII, Section 17 of the City of Palmetto Code of Ordinances move to deny Conditional Use No. 2021-01, and direct City Attorney to draft the final order.

STANDING AGENDA ITEMS:

9. TRAFFIC UPDATE

Mayor Bryant commented on the inquiry received from the 7-Eleven Convenience Store that is located north of town about traffic issues. She added that the Florida Department of Transportation (FDOT) will reach out to the store.

Mr. Rayan, Public Works Director, gave updates on the message boards placed on 23rd Street West and 8th Avenue West.

10. POLICE DEPARTMENT BUILDING UPDATE

Chief Tyler reported that there were no new updates.

COMMENTS:

11. DEPARTMENT HEADS' COMMENTS

In regards to the September 13th Commission Meeting, Commissioner Jones requested an update on 11th Street Drive ditch problem. Mr. Rayan referenced the City's survey and reported that the location is private property and is the owner's responsibility to have the ditch cleaned. Commissioner Smith remarked that the ditch is located on the City's property and has been cleaned in the past by the City. Mr. Rayan will research and bring information back to the Board.

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Mr. Rayan gave updates and answered the Board's questions on various projects within the City.

Commissioner Smith inquired about the start date for the road projects at 4th Avenue West, 15th Street West, and 16th Street West. Mr. Rayan replied that once the Southwest Florida Water Management (SWFWMD) permits are received, the projects will begin.

12. MAYOR'S REPORT

Mayor Bryant stated that she met with the Colonial Mobile Home Park/Palm Bay RV Mobile Home Park President, and he welcomes the Board to schedule a park visit.

Next, Mayor Bryant discussed attending the Destination Zero Workshop and acknowledged that their motto is "No death on the highway is acceptable". She commented that a link about the organization will be sent for informational only to the Board.

13. COMMISSIONERS' COMMENTS

Commissioner Williams asked Public Works to look at the storm drain covers at 7th Avenue West and Riverside Drive. Then, he asked Commissioner Jones about the outcome from the discussion with Manatee County about grant money obtainability for body cameras for the Police Department.

Commissioner Cornwell reported on the Palmetto Historical Commission, which she serves on.

Commissioner Jones inquired about a PD applicant. Chief Tyler communicated that he will speak with the Commissioner after the meeting.

Mr. Freeman gave a recap on the upcoming meetings.

Mayor Bryant adjourned the meeting at 7:45 p.m.

MINUTES APPROVED: NOVEMBER 15, 2021

JAMES R. FREEMAN

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CITY CLERK