

CITY COMMISSION MEETING

October 18, 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 (Via telephone into Zoom Meeting at 7:16 p.m. to 8:03 p.m.)

STAFF PRESENT:

Mark Barnebey, City Attorney

Mohammed Rayan, Public Works Director

Scott Tyler, Chief of Police

Jim Freeman, City Clerk

Cheryl Miller, Finance Director

Nixa Haisley, Purchasing Agent

Jeff Burton, CRA Director (Not Present)

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., Mr. Edward Gresham, Fresh Start Housing Ministries, did the invocation followed by a moment of silence and the Pledge of Allegiance.

All persons intending to address the City Commission were duly sworn.

2. PRESENTATION: Ms. Eryn Russell, Florida League of Cities, presented Commissioner Tamara Cornwell with the Mayor John Land Years of Service Award.
3. PROCLAMATION: Mayor Bryant presented the Boys & Girls Clubs 75th Anniversary Proclamation to Dawn Stanhope, President/CEO of the Boys & Girls Clubs of Manatee County, and Anne Lee, Board Chair.
4. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 4-0 to approve the October 18, 2021 City Commission Agenda.

5. PUBLIC COMMENT

Ellen Wile, a resident of Palmetto, gave her opinion on the City sewage issues on 20th Avenue.

Commissioner Williams made a motion to have Commissioner Varnadore join the Commission Meeting via telephone into Zoom Meeting.

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 4-0 to allow Commissioner Varnadore to join the meeting via telephone into Zoom Meeting.

6. CONSENT AGENDA

- a. Minutes: August 23, September 8th, and September 13th
- b. Legal Bills
- c. City Worship Night x Vital Gathering Special Event Permit
- d. Surplus Police Vehicles
- e. Conditional Use 2021-01 CIEM REFU, Order of Denial Use Permit
- f. Resolution 2021-32 Council of Governments Meeting November 2, 2021
- g. 7th Street Extension Interlocal Agreement with Manatee County

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Consent Agenda as presented by staff with the removal of Item 6.C City Worship Night x Vital Gathering Special Event Permit for discussion.

6.C CITY WORSHIP NIGHT X VITAL GATHERING SPECIAL EVENT PERMIT DISCUSSION

Commissioner Cornwell expressed that the event's title that includes City may be mistaken as a City event and requested that it be noted that it is not a City event.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve Consent Agenda Item 6.C City Worship Night x Vital Gathering Special Event Permit.

7. POLICE DEPARTMENT BUILDING GUARANTEED MAXIMUM PRICE (GMP) (M.RAYAN/S.TYLER/ J.FREEMAN)

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve and accept the Guaranteed Maximum Price Addendum for Construction Management at Risk Services between the City of Palmetto and HJ High Construction for the construction of a new Police Department Building in the amount of \$10,341,705 dollars and authorize the Mayor to sign the Addendum and any associated documents.

POLICE DEPARTMENT BUILDING GUARANTEED MAXIMUM PRICE (GMP) DISCUSSION:

The below public speakers provided comments on their approval of the new Police Department (PD) Building project.

- Carol Huttinger
- Herman Cadena
- Jim Corbett

Commissioner Smith expressed his concerns about the new PD Building project regarding the location and the City funding the project instead of the CRA. Mayor Bryant communicated that the Commission voted to not use CRA funds to build the new PD Building and asked how many times the PD project has been an agenda item at meetings. Mr. Freeman replied that it has been a standing item on the City Commission agendas at 7:00 p.m. since 2018.

8. RESOLUTION 2021-33 POLICE DEPARTMENT BUILDING LOAN AND FUNDING PLAN (J.FREEMAN, M.BARNEBY)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA ACCEPTING A PROPOSAL OF STERLING NATIONAL BANK TO PROVIDE THE CITY WITH A TERM LOAN IN ORDER TO FINANCE CERTAIN COSTS OF THE CONSTRUCTION AND EQUIPPING OF A NEW POLICE DEPARTMENT BUILDING; APPROVING THE FORM OF A LOAN AGREEMENT; AUTHORIZING THE ISSUANCE OF A PROMISSORY NOTE PURSUANT TO SUCH LOAN AGREEMENT IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,000,000 IN ORDER TO EVIDENCE SUCH LOAN; AUTHORIZING THE REPAYMENT OF SUCH NOTE FROM A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES; DELEGATING CERTAIN AUTHORITY TO THE MAYOR, CITY CLERK AND OTHER OFFICERS OF THE CITY FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND THE NOTE AND VARIOUS OTHER DOCUMENTS WITH RESPECT THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Jones acknowledged that after reviewing the loan agreement, it is a great one. And, he expressed that he wants to make sure that the new PD Building will cost no more than the amount listed in the point paper (i.e., half cent sales tax, the general fund reserve, loan, etc.).

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt the Police Department funding plan as described and to adopt Resolution 2021-33 approving and authorizing the Mayor and Clerk to execute a Loan Agreement with Sterling National Bank and all related documents in connection with the issuance of the Special Obligation Revenue Note, Series 2021 in an amount not to exceed \$6,000,000.

Commissioner Smith requested clarification on the total funding plan for the new PD Building. Mr. Freeman referenced the point paper that summarizes the funding for the project that was included in the agenda packet and discussed all funding sources including the loan for the PD Building project.

9. PUBLIC HEARING 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.

Mayor Bryant opened the Public Hearing at 7:45 p.m.

Mayor Bryant closed the Public Hearing at 7:46 p.m.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2021-14.

10. SEPTEMBER CHECK REGISTER (Informational Only)

STANDING AGENDA ITEMS:

11. TRAFFIC UPDATE

No comments

12. POLICE DEPARTMENT BUILDING UPDATE

No comments

COMMENTS:

13. DEPARTMENT HEADS' COMMENTS

Mr. Colon, Assistant CRA Director, informed the Board that the parking alternatives for the Riverside property will be presented at the November 1st Commission Workshop Meeting.

Mr. Rayan, Public Works Director, gave updates on the various projects within the City.

Commissioner Jones inquired about the construction completion date for the MLK Restrooms Project, and an update on the flooding issue at 1508 20th Avenue. Mr. Rayan stated that the MLK Restroom construction starts November 1st and the completion within 135 days. In regarding to the flooding issue, Mr. Rayan stated that he will revisit the site.

Mr. Freeman reported that the November 1st meeting regarding the Continuation Public Hearing for Riviera Dunes Apartments was continued by the applicant, so the November 1st meeting will be held in the Commission Chambers instead of the Bradenton Area Convention Center.

Also, Mr. Freeman provided updates on the upcoming agenda items that will be presented to the Board. In regards to the today's Workshop Meeting discussion, Mr. Freeman asked if the Board wants to make a motion to cancel the December 20th Workshop and Commission Meetings.

Motion: Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 4-0 to cancel the December 20, 2021 Workshop and Commission Meetings. Commissioner Varnadore did not vote as she left meeting via telephone into Zoom at 8:03 p.m.

In reference to the new Police Department Building funding approval, Chief Tyler thanked the Board/staff for their support and work in accomplishing an outstanding task for the officers and the community.

14. MAYOR'S REPORT

Mayor Bryant commented on the CRA partnership with the Lincoln Park Pool construction project and stated that it is looking good. Today, she attended the Tourist Development Council Meeting and there was a great turnout.

15. COMMISSIONERS' COMMENTS

Commissioner Jones inquired about the CRA projects and an update on the Housing Board Advisory Board reactivation.

Commissioner Cornwell commented on discussions before motions and stated that a discussion can occur before a motion because sometimes during a discussion, the motion can change. Mayor Bryant requested that Attorney Barnebey look into the matter.

Commissioner Smith inquired about the Masonic Hall Lodge documents, and Ms. Johnston, Executive Administrative Assistant, replied that the documents will be available tomorrow.

Mayor Bryant adjourned the meeting at 8:24 pm

MINUTES APPROVED: DECEMBER 6, 2021

JAMES R. FREEMAN
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CITY CLERK