

**CITY COMMISSION MEETING**  
**APRIL 18, 2022**  
**7:00 P.M.**

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  
Tambra Varnadore, Vice Mayor, Commissioner, Ward 2  
Tamara Cornwell, Commissioner-at-Large 2 (Joined the meeting @ 7:03pm)  
Sheldon Jones, Commissioner-at-Large 1  
Harold Smith, Commissioner, Ward 1  
Brian Williams, Commissioner, Ward 3

**STAFF PRESENT IN CHAMBERS:**

Mark Barnebey, City Attorney  
Xavier Colon, Interim CRA Director  
Jim Freeman, City Clerk (Not Present)  
Kera Hill, Development Services Supervisor  
Cheryl Miller, Finance Director  
Mohammed Rayan, Public Works Director  
Scott Tyler, Chief of Police  
Cassi Bailey, Assistant City Clerk  
Penny Johnston, Executive Assistant

**STAFF PRESENT ELECTRONICALLY:**

Todd Williams, Information Technology (IT) Consultant

1. Mayor Bryant called the meeting to order at 7:01 P.M, followed by the Pledge of Allegiance. Father Glen Graczyk, from St. Mary's Episcopal Church, opened the Commission meeting in prayer.

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

2. **PROCLAMATION: NATIONAL ARBOR DAY**

Commissioner Smith presented the Proclamation. Kera Hill, Development Services Supervisor, accepted the Proclamation.

3. **PROCLAMATION: SEXUAL ASSAULT AWARENESS DAY**

Commissioner Varnadore presented the Proclamation. Tari Allan and team, from Centerstone Trauma Services, accepted the Proclamation. April 27<sup>th</sup>, 2022 was declared as Sexual Assault Awareness Day.

4. **PROCLAMATION: SUNCOAST REMAKE LEARNING DAYS**

Commissioner Cornwell presented the Proclamation. Karen Windon, Suncoast Campaign for Grade-Level Reading, the Patterson Foundation, accepted the Proclamation.

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5. CITY COMMISSION AGENDA APPROVAL

**MOTION:** **Commissioner Cornwell moved, Commissioner Jones seconded and the motion carried 5-0 to approve the April 18, 2022 City Commission Agenda with the removal of the last bill in 5b. and the removal of 5f.**

6. PUBLIC COMMENT

Betty Rhodes gave her opinion on redistricting. She also expressed concern with the lack of police officers at Lincoln Memorial Middle School when school is dismissed.

7. CONSENT AGENDA

- a. Minutes: 03/07/2022, 04/04/2022
- b. Legal Bills- **last bill removed**
- c. Special Function Permit – Fire Charity Fishing Tournament
- d. Special Function Permit – S.A.W.
- e. Debris Management Contract Extension
- f. ~~Invitation to Bid Recommendation – 7<sup>th</sup> Street Extension~~ **(removed)**
- g. Resolution 2022-09 Council of Governments

**MOTION:** **Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 5-0 to approve the April 18, 2022 Consent Agenda as presented by staff with the removal of item C for discussion.**

Cornwell asked for clarification on the Fire Charity Fishing Tournament.

**MOTION:** **Commissioner Cornwell moved to approve item 7c from the Consent Agenda as presented by staff. Commissioner Jones seconded, and the motion carried 5-0.**

Attorney Lobeck spoke regarding the first readings for the three Ordinances below. He encouraged the Commissioners to not move forward with the first readings until the full Ordinances had been produced.

Attorney Barnebey clarified that the full Ordinances are not required to have a first reading. He recommended moving forward with the first readings.

The Commissioners decided to move the first readings to the May 2<sup>nd</sup> City Commission Meeting.

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~~8. FIRST READING ORDINANCE 2022 05 AMENDMENT TO RIVIERA DUNES DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER (K.HILL/M.BARNEBEY/B.CORNELIUS)~~

~~AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING ORDINANCE 665, AS AMENDED, THE DEVELOPMENT ORDER FOR THE RIVIERA DUNES DEVELOPMENT OF REGIONAL IMPACT, GENERALLY LOCATED EAST OF U.S. 41 AND SOUTH OF HABEN BOULEVARD; PROVIDING FOR FINDINGS OF FACT; AMENDING SECTION 6, SUBSECTION G—TRANSPORTATION AND ADDING NEW CONDITIONS FOR TRANSPORTATION MITIGATION AND TRAFFIC MONITORING CONSISTENT WITH SECTION 380.06, FLORIDA STATUTES; ADDING A NEW TABLE A(1) RELATED TO THE PROPOSED RIVIERA DUNES APARTMENTS GENERAL DEVELOPMENT PLAN; AMENDING MAP H TO REFLECT CURRENT CONDITIONS; AND PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.~~

~~9. FIRST READING ORDINANCE 2022 06 AMENDMENT TO ORDINANCE 663 FOR RIVIERA DUNES PD-MU TO MAKE CONSISTENT WITH RIVIERA DUNES DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER (K.HILL/M.BARNEBEY/B.CORNELIUS)~~

~~AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING ORDINANCE 663, AS AMENDED, FOR THE RIVIERA DUNES PLANNED DEVELOPMENT MIXED USE PROJECT, GENERALLY LOCATED EAST OF U.S. 41 AND SOUTH OF HABEN BOULEVARD; PROVIDING FINDINGS OF FACT; AMENDING SECTION 1—SUBSECTION 8—TABLE 1 AND TABLE 2 TO UPDATE PARCEL IDENTIFICATION, DEVELOPMENT AREAS AND USES CONSISTENT WITH CURRENT CONDITIONS; AMENDING SECTION 1—SUBSECTION 13 TO UPDATE THE LAND USE EXCHANGE CONDITIONS AND TABLE 3 LAND USE EXCHANGE MATRIX TO REFLECT PREVIOUS CHANGES IN THE LAND USE EXCHANGE MATRIX THAT WAS ADOPTED WITH THE RIVIERA DUNES DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER AMENDMENTS PROVIDED IN ORDINANCE 03 774 AND ORDINANCE 08 956; AND UPDATE THE CONCEPTUAL DEVELOPMENT PLAN TO REFLECT CURRENT CONDITIONS; AND PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.~~

~~10. FIRST READING ORDINANCE 2022 07 RIVIERA DUNES APARTMENTS GENERAL DEVELOPMENT PLAN (K.HILL/M.BARNEBEY/B.CORNELIUS)~~

~~AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA; APPROVING ADOPTION OF A GENERAL DEVELOPMENT PLAN WITHIN THE RIVIERA DUNES DEVELOPMENT OF REGIONAL IMPACT 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 FINDINGS OF FACT; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.~~

**All 3 first readings were moved to May 2<sup>nd</sup>.**

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Public Comments:

The following individuals gave their opinions on the development of the Riviera Dunes Apartments.

- James Bailie (in opposition of the project)
- Attorney Dan Lobeck (in opposition of the project)
- Lynn Daniel (in opposition of the project)
- Cindy Ortiz (in opposition of the project)
- George Ernst (Provided a written comment via email - in favor of the project)

11. PUBLIC HEARING ORDINANCE 2022-04 MOORING OR ANCHORING OF LIVE-ABOARD VESSELS  
(M.BARNEBEY/S.TYLER)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA AMENDING CHAPTER 10, ARTICLE 1, TO ADD A NEW SECTION 10.1, REGARDING THE REGULATION OF MOORING OR ANCHORING OF LIVE-ABOARD VESSELS, FLOATING STRUCTURES, AND CERTAIN COMMERCIAL VESSELS; PROVIDING FOR EXCEPTIONS, DEFINITIONS, VIOLATIONS, ENFORCEMENT, AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

*PUBLIC HEARING opened at 7:57pm*

Allen Tusing expressed his opinion on the boats in the waterways. He stated that he is worried about the vessels' waste and sewage.

Ellen Wile asked for clarification as to what is allowed in the Ordinance. She also asked to hear more about the code enforcement that will occur.

*PUBLIC HEARING closed at 8:00pm*

Commissioner Varnadore asked about delivering the violations. Chief Tyler clarified the procedures. Attorney Barnebey also spoke on the current restrictions in the City codes.

Commissioner Smith asked if we could enforce this Ordinance. Chief Tyler responded that if the Commission passes it, they will use the Ordinance and enforce it.

Commissioner Williams questioned if the derelict vessel fund is the City's fund, or the State's fund. Attorney Barnebey clarified that it is the City's fund.

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**MOTION: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Ordinance 2022-04.**

~~12. PUBLIC HEARING ORDINANCE 2021 12 MANATEE FRUIT COMPANY REZONE PID #2414520058 (K. HILL)~~

~~AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY 34.43 +/- ACRES OF PROPERTY GENERALLY LOCATED ON 17TH STREET WEST, APPROXIMATELY 430 FEET WEST OF THE INTERSECTION ON 17TH STREET WEST AND 24TH AVENUE WEST, FLORIDA, FROM CITY ZONING PD-H (PLANNED DEVELOPMENT HOUSING) TO CITY ZONING E-R, (ESTATE RESIDENTIAL), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (MANATEE FRUIT COMPANY)~~

**Applicant withdrew their application. No action was needed.**

The City Commission Meeting was recessed to open the April 4, 2022 CRA Meeting at 8:14 P.M.

Mayor Bryant reconvened the meeting at 9:43 P.M.

STANDING AGENDA ITEMS:

13. Traffic Update

None

COMMENTS:

14. DEPARTMENT HEADS' COMMENTS

Mr. Colon announced that the CRA Advisory Board Meeting would be on May 4, 2022. He also stated that a Special Function Permit would be coming forward for approval for the July 1<sup>st</sup>, City of Palmetto's 125<sup>th</sup> Anniversary event.

Commissioner Cornwell asked about the band for the 4<sup>th</sup> of July event. Mr. Colon answered that it

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has not been finalized.

Mr. Rayan provided updates on the following topics:

- Chloramine Station- Went online 1 1/2 weeks ago.
- MLK Project is near completion.
- Police Department Project- Building foundation is completed. Plumbing, mechanical and electrical are being put in. Vertical construction should begin in May.
- Reuse Water Supply- More restrictions may be forthcoming.
- Paving Schedule will be made available at the next meeting on May 2<sup>nd</sup>.

Commissioner Varnadore expressed her concerns with the Reuse Water Supply and enforcing possible restrictions.

Commissioner Williams asked to be updated when problems arise.

Commissioner Jones questioned the future of 21<sup>st</sup> Street, and the possibility of sidewalks.

Cheryl Miller provided updates on upcoming finance matters.

Chief Tyler gave updates on the Police Department.

Attorney Barnebey recapped the workshop discussion of redistricting and instructed the Commission to make a motion.

**MOTION:**                    **Commissioner Varnadore moved, Commissioner Jones seconded, and the Motion carried 4-1 to bring back the Redistricting Discussion after the first of the year. Commissioner Cornwell voted nay.**

Attorney Barnebey provided an update about the meeting they had with the Chairman of the County Commission and the County Attorney. The County and the City are going to update their interlocal agreement and it will be brought back before the Board.

**MOTION:**                    **Commissioner Williams moved, Commissioner Smith seconded, and the Motion carried 4-1 to extend the meeting for 10 minutes. Commissioner Cornwell voted nay.**

### 15. MAYOR'S REPORT

Mayor Bryant asked the Commissioners which date, May 10<sup>th</sup>, or 11<sup>th</sup>, they would be able to come listen to a presentation by Scott Paine from the Florida League of Cities. It will be from 5:30-7:30 P.M. The Commissioners agreed to May 11<sup>th</sup>.

Attorney Barnebey asked for consensus from the Commissioners for June 1<sup>st</sup> to be the Public Hearing for the Riviera Dunes' Ordinances. The Commissioners agreed.

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Manatee County asked the City for a letter of support to go to Vern Buchanan's office regarding the implementation of a pedestrian bridge connecting to the MLK Aquatic Center from the other side of U.S 41 Highway.

Palmetto High School's remodeling budget was increased to \$39 million by the School District of Manatee County.

16. COMMISSIONERS' COMMENTS

None

Vice Mayor Varnadore adjourned the meeting at 10:16 P.M.

MINUTES APPROVED: MAY 2, 2022

***JAMES R. FREEMAN***

JAMES R. FREEMAN  
CITY CLERK