

CITY COMMISSION MEETING
JULY 25, 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 (Present via Zoom)
Tamara Cornwell, Commissioner-at-Large 2 (Present via Zoom)
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
Mohammed Rayan, Public Works Director
Scott Tyler, Chief of Police
Kera Hill, Development Services Supervisor
Cassi Bailey, Assistant City Clerk
Penny Johnston, Executive Assistant
Kenneth Sexton, Code Enforcement Officer

STAFF PRESENT ELECTRONICALLY:

Todd Williams, Information Technology (IT) Consultant

1. Mayor Bryant called the meeting to order at 7:01 pm., followed by the Pledge of Allegiance, and Pastor Larry Kestner, from Crossroads Christian Church, opened the meeting in prayer.

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

2. CITY COMMISSION AGENDA APPROVAL

MOTION:

Commissioner Jones moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the July 25, 2022 City Commission Agenda with the deletion of item 5.

3. PUBLIC COMMENT

None

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4. CONSENT AGENDA
 - a. Minutes: 06/27/2022
 - b. Special Function Permit- Palmetto Market
 - c. Special Function Permit –Generation Church Worship Night
 - d. Legal Bills
 - e. Resolution 2022-16 Council of Governments

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

5. ~~(REMOVED) FIRST READING ORDINANCE 2022-01 ZONING APPEALS (M.BARNEBEY/M.RAYAN)~~
~~AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING APPENDIX B (THE ZONING CODE) OF THE CODE OF ORDINANCES TO PROVIDE FOR APPEALS OF DETERMINATIONS BY THE DIRECTOR OF PUBLIC WORKS TO BE HEARD BY THE CITY COMMISSION; AMENDING THE REQUIREMENTS FOR RELATING TO THE GRANTING OF A VARIANCE; ADDING DEFINITION FOR DIRECTOR OF PUBLIC WORKS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.~~

6. PUBLIC HEARING-ORDINANCE 2022-08 COLA FOR GENERAL EMPLOYEE RETIREES (J. FREEMAN)
AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 22, PERSONNEL, ARTICLE IV, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-86, BENEFIT AMOUNTS AND ELIGIBILITY; 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 7:08 pm.

Mr. Freeman gave a brief description of the Ordinance.

Mayor Bryant closed the Public Hearing at 7:09 pm.

MOTION: **Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 5-0 to adopt Ordinance No. 2022-08.**

7. FISCAL YEAR 2023 PROPOSED AGGREGATE MILLAGE RATE AND DATES FOR TENTATIVE AND FINAL BUDGET HEARINGS (J.FREEMAN)

MOTION: **Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 approve a proposed aggregate millage rate of \$5.9671 for FY2023 and to schedule the tentative budget hearing for September 12, 2022 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers and a final budget hearing on September 26, 2022 at 7:00 p.m. or as soon thereafter as same can be heard in these Chambers.**

8. SANCTUARY COVE GENERAL DEVELOPMENT PLAN MINOR AMENDMENT (K.HILL/B.CORNELIUS)

Mr. Cornelius, Wade Trim – contracted Planner, gave a brief background. The applicant is requesting to reduce the previously approved 96 multi family dwelling units with 12 stories, down to 80 townhome units with 3 stories. It reduces the impact of the overall development. Staff recommended the minor approval. Rhea Lopes, RVi Planning, presented a PowerPoint that was entered into the record. She highlighted the project and explained the changes they were requesting.

Commissioner Williams questioned the placement of the units and the potential of them facing Feld Entertainment. Commissioner Varnadore shared the concern. Commissioner Williams also expressed his concern in reducing the commercial area. Mr. Barnebey suggested that if Commission liked the renderings shown, they include that in their motion as a condition of their approval. Commissioner Smith asked if it is within the City's code to make this amendment or would the code need to be changed. Mr. Cornelius responded that they do not have to change their code for this amendment.

MOTION: **Commissioner Williams moved, Commissioner Jones seconded, and the motion carried 5-0 to approve the Sanctuary Cove General Development Plan minor amendment consistent with the criteria of Section 8.8 of the Zoning Code with the renderings provided.**

9. CHECK REGISTERS (INFORMATIONAL ONLY)

STANDING AGENDA ITEMS:

10. Traffic Update

Mayor Bryant reported that the 23rd Street roundabout will begin in September 2022.

COMMENTS:

11. DEPARTMENT HEADS' COMMENTS

Mr. Rayan mentioned that he will bring Waste Management to present in the near future.

Bradenton's Mayor, Gene Brown, spoke on their city's updated Recycling Policy. They have adjusted their curb side pick-up to now have residents deliver their recycling to one of the recycling sites. There have been talks of growing their recycling across the county. He stated they are going to continue to evaluate and determine the best practices moving forward. The first month was very promising, they had more recycling at their recycling sites than they did when doing curb side pick-up.

*Skipped to item 12 on the Agenda.

Mr. Barnebey discussed the dispute resolution request involving Rivera Dunes. It is currently going through the legal process. He reminded the Commission that it may be coming back in the future, therefore, be careful not to have conversations about it. Regarding Waste Management, they do have a current contract and they can investigate the terms and provisions if they prefer.

Chief Tyler informed Commission that his department will be going through their onsite accreditation process Tuesday-Thursday of this week. They have been accredited with the Commission for Florida Law Enforcement Accreditation, CFA, since 2004.

Commissioner Jones questioned the CRA not paying for one officer this budget year. Chief Tyler responded that there will still be an Officer per shift designated in the CRA area.

Commissioner Smith questioned the back side of 4th Street, which he had previously mentioned to the Chief. Chief Tyler assured him that he will look into it.

Chief Tyler also reminded them that school will be starting in about 2 weeks.

Commissioner Varnadore questioned the theft of catalytic converters. Chief Tyler responded that there have only been two thefts in Palmetto within the last six months.

Mr. Freeman reminded the Commission of the budget workshop on Wednesday, July 27th from 5:30-7:00 pm. August 1st will be the regularly scheduled workshop and meetings. August 9th will be the next Budget Workshop. The ARPA Project list will be coming forward again for final approval. The surplus of the old Palmetto Elementary site will also be coming forward. Mr. Freeman mentioned the additional grant they applied for totaling \$3.1 Million for the extension of 7th Street. They were already approved for \$1.5 Million and have asked for a waiver request of an additional \$1.7 Million to complete the project.

Mr. Rayan mentioned the 23rd Street roundabout starting in September. He noted that during the meeting he received a call that a Contractor hit the power lines and terminated the power to the businesses east of 8th Street. FPL was out trying to restore services. He also mentioned that a former employee reported them to the state as to the water quality. He highly disagrees with that report. The county has been assisting and they are communicating with the state.

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Commissioner Jones questioned complaints he has received about portable storage containers. He read from the Code. He is asking for clarity. Kera Hill spoke on the subject. Mr. Barnebey and Kera Hill stated they will get back to him to clarify.

Mr. Colon provided the following updates:

- The Palmetto Bay Discussion will be happening at the August 1st workshop.
- The bids for the parking lot at First Baptist Church will be discussed at the August 1st meeting.
- Connor Park will be opening in December.
- Keep Manatee Beautiful will be coming forward in the future.
- Riverside-public input meetings, and the items found while researching will be forthcoming.
- Surplus Property off 11th Street

Commissioner Jones asked for an update on Heartland fertilizer property.

*Moved on to item #13.

12. MAYOR'S REPORT

Mayor Bryant shared an email sent to her by Xavier Colon, Interim CRA Director. Mr. Colon read the email into the record. The email referenced CRA properties that are being used for parking, which is against the City's Ordinance. He was asking for direction from the Commission.

Commissioner Williams gave his opinion on the subject. He believes we need to support the Ordinance. Commissioner Jones opined we need to follow the same rules across the board, not pick and choose properties. Discussions continued between the Commissioners and Mr. Colon. Commissioner Varnadore would like this to come forward at a future workshop. She would like to look at the Ordinances and a map of the areas in question. Commissioner Cornwell wants to make sure we are always following our Ordinances. Discussions continued between the Commissioners and questions were posed to Mr. Barnebey. Commissioner Williams expressed his concern over the City's liability if something were to happen on one of these properties.

Motion:

Commissioner Williams moved to direct staff to support Ordinance 28-75, Cornwell seconded, and the motion failed 2-3. Commissioners Jones, Smith, and Varnadore voted nay.

Commissioner Jones had previously asked where signs can go for the candidates. Mr. Barnebey will do a future presentation for all of those involved.

*Returned to item #11.

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13. COMMISSIONERS' COMMENTS

Commissioner Cornwell declared she is not able to attend the August 9th Budget Workshop because she has an open house for Lee Middle School.

Commissioner Jones would like the Agenda to be provided to the Commissioners further in the future. He would like it to be 10 days in advance. He suggested starting this in October.

Mayor Bryant adjourned the meeting at 9:07 pm.

MINUTES APPROVED: AUGUST 1, 2022

JAMES R. FREEMAN

JAMES R. FREEMAN
CITY CLERK