

**MINUTES**  
**CITY COMMISSION MEETING**  
**APRIL 10, 2023**  
**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  
Sheldon Jones, Vice- Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Sunshine Mathews, Commissioner, Ward 2  
Harold Smith, Commissioner, Ward 1  
Brian Williams, Commissioner, Ward 3

**STAFF PRESENT IN CHAMBERS:**

Jim Freeman, City Clerk  
Edward Johnson, Interim CRA Director  
Marisa Powers, City Attorney  
Mohammed Rayan, Public Works Director  
Scott Tyler, Chief of Police  
Cassi Bailey, Assistant City Clerk  
Kera Hill, Development Services Supervisor  
Penny Johnston, Executive Assistant

**STAFF PRESENT ELECTRONICALLY:**

Todd Williams, Information Technology (IT) Consultant

1. Mayor Bryant called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance, and Penny Johnston, gave the prayer for tonight's meeting.

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

2. PROCLAMATION: CHILD ABUSE PREVENTION MONTH

Janie Garza, MCS "TRUTH" Family Advocate accepted the proclamation.

3. PROCLAMATION: WATER PRESERVATION MONTH

Bruno Kapacinskaskas with Southwest Florida Water Management District accepted the proclamation.

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### 4. PRESENTATION OF POLICE OFFICERS (S.TYLER)

Chief Tyler presented the following officers:

Martin Illames: 2022 Officer of the Year  
Jackie Mejia: 2022 Employee of the Year  
Duane Kauffman: Retirement  
Chris Cavazos: Retirement (Not present)  
Angel Uruchima: Promotion  
Nicole Weaver: New Officer

### 5. CITY COMMISSION AGENDA APPROVAL

**MOTION:**                    **Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the April 10, 2023 City Commission Agenda.**

### 6. PUBLIC COMMENT

Penny Johnston introduced Michele Laughrey from Keep Manatee Beautiful, who is also a resident of Palmetto. She reported that they will be having an underwater and waterfront cleanup on May 19<sup>th</sup> on both sides of Manatee River.

### 7. CONSENT AGENDA

- a. Minutes: 02/27/2023 & 03/20/2023
- b. Special Function Permit- Fire Charity Fishing Tournament
- c. Convey Quit-Claim Deed to the CRA for Additional Women's Center Property
- d. Retirement Presentations
- e. Legal Bills

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

8. TRANSMITTAL PUBLIC HEARING- ORDINANCE 2023-04- COMPREHENSIVE PLAN TEXT AMENDMENTS INVOLVING THE CALCULATION OF INTENSITY AND DENSITY FOR LAND USE (B.CORNELIUS/M.BARNEBEY/K.HILL)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING TEXT AMENDMENTS TO THE PALMETTO COMPREHENSIVE PLAN CLARIFYING AND AMENDING OBJECTIVE 1.3 AND RELATED POLICIES ESTABLISHING THE FUTURE LAND USE CATEGORIES OF THE COMPREHENSIVE PLAN; CLARIFYING AND AMENDING THE CALCULATION OF MAXIMUM DENSITIES AND INTENSITIES WITH THE FUTURE LAND USE CATEGORIES; FINDING THIS REQUEST TO BE CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Brad Cornelius, the City's contracted planner with Wade Trim, explained the purpose to amend the Comprehensive Plan. He gave an overview of the Ordinance as discussed previously. The Planning and Zoning Board recommended moving forward with this amendment. He explained the next steps for transmittal to the state.

*Mayor Bryant opened the Public Hearing at 7:28 pm.*

*Mayor Bryant closed the Public Hearing at 7:28 pm*

**MOTION:**

**Commissioner Jones moved, Commissioner Williams seconded, and the motion carried 5-0, based upon the staff report, comments received at the public hearing, and consideration of the Planning & Zoning Board recommendation, to approve staff to transmit the proposed comprehensive plan text amendment provided with Ordinance 2023-04 to Manatee County, Florida Department of Economic Opportunity, and other required state agencies for review and comments.**

9. PUBLIC HEARING- ORDINANCE 2023-05; ZONING CODE REVISIONS TO DEVELOPMENT PLAN PLANNED DEVELOPMENT DISTRICT REQUIREMENTS WITHIN APPENDIX "B" OF THE PALMETTO CODE OF ORDINANCES (B.CORNELIUS/M.BARNEBEY/K.HILL)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING TEXT AMENDMENTS TO APPENDIX "B" (THE ZONING CODE) OF THE CITY OF PALMETTO CODE OF ORDINANCES AMENDING CHAPTER 8 ESTABLISHING REQUIREMENTS RELATING TO DEVELOPMENT PLANS; AMENDING CHAPTER 9 TO CONSOLIDATE THE REQUIREMENTS FOR ALL PLANNED DEVELOPMENTS; DELETING CHAPTER 10; FINDING THIS REQUEST TO BE CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN; PROVIDING THAT ALL PLANNED DEVELOPMENT ZONING SHALL BE CLASSIFIED AS "PLANNED DEVELOPMENT" ZONING AND SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 9; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

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*Mayor Bryant opened the Public Hearing at 7:30 pm.*

Brad Cornelius gave an overview of the purpose of revising the zoning code by clarifying their general development review process. He also mentioned that this was previously discussed on February 27, 2023. There is a new Local Act Law which will come into effect on July 1<sup>st</sup>, 2023. They need to look at what is being proposed and analyze how this will impact their proposed Ordinance revision. Based upon this recent development, they are asking for Commission to approve a second Public Hearing on May 15<sup>th</sup>, 2023 rather than May 1, 2023 as previously advertised.

*Mayor Bryant closed the Public Hearing at 7:31 pm.*

**MOTION: Commissioner Cornwell moved, Commissioner Mathews seconded, and the motion carried 5-0 to authorize a 2<sup>nd</sup> Public Hearing on May 15<sup>th</sup>, 2023 for Ordinance 2023-05.**

10. PUBLIC HEARING- ORDINANCE 2023-06; SMALL SCALE FUTURE LAND USE AMENDMENT OF COMPREHENSIVE PLAN AT THE NORTHEAST CORNER OF THE INTERSECTION OF 8<sup>TH</sup> AVENUE W AND RIVERSIDE DRIVE (B.CORNELIUS/M.BARNEBEY/K.HILL)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION TO THE PLANNED COMMUNITY FUTURE LAND USE MAP DESIGNATION, MORE SPECIFICALLY LOCATED AT THE NORTHWEST CORNER OF 8TH AVENUE WEST AND RIVERSIDE DRIVE (COMMONLY REFERRED TO AS THE SHELL STATION PROPERTY) ON APPROXIMATELY 3.35 ACRES; FINDING THE REQUEST CONSISTENT WITH THE GOALS, OBJECTIVES AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY SECTION 163.3187, FLORIDA STATUTES; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

*Mayor Bryant opened the Public Hearing at 7:33 pm.*

Brad Cornelius explained that this Ordinance is for a small-scale future land use amendment. It would take the property from the designation of Downtown Commercial to Planned Community Mixed Use. He mentioned that this was previously discussed on February 27, 2023. The Planning and Zoning Board recommended approval with the note that they do think it's important to have boat parking on the property.

*Mayor Bryant closed the Public Hearing at 7:34 pm.*

**MOTION: Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 5-0 based upon the staff report, comments received at the public hearing, and finding the request to be consistent with the City of Palmetto Comprehensive Plan, to approve Ordinance 2023-06.**

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Mayor Bryant recessed the City Commission Meeting to Open the April 10, 2023 CRA Board Meeting at 7:35 pm.

Mayor Bryant reconvened the meeting at 7:39 pm.

### STANDING AGENDA ITEMS:

#### 11. Traffic Update

Mr. Rayan reported at US 41 and 23<sup>rd</sup> street traffic has been shifted for the construction of the roundabout.

The 7<sup>th</sup> street extension has narrowed traffic down to one lane on Haben Blvd. Traffic in the area is congested. The project was slated for 256 days, and so far, it is on schedule.

Chief Tyler stated that Florida Department of Transportation, FDOT, came to evaluate the construction at US 41 and 23<sup>rd</sup> street after there were a couple of crashes. They re-posted the road shifting pattern and lowered the speed limit, which seems to have helped. The project is anticipated to take 300 days.

Mayor Bryant noted that the Desoto Bridge will require replacement. More information will be forthcoming. Estuary Park will sustain some impact. An email regarding the upcoming project was sent out to the Commissioners. She also mentioned the interchange at US 301 and US 41 is problematic and she will continue to follow up on the needed attention to that area.

### COMMENTS:

#### 12. DEPARTMENT HEADS' COMMENTS

Mr. Rayan provided updates on the following ongoing projects:

- Work at the MLK restroom has resumed that morning. The plumbers are working to install the lift station and continuing electrical work. They are still waiting on one cabinet for the data flow monitoring unit. He is hoping to take possession by the end of May or sooner, if possible.
- Additional work on the 7<sup>th</sup> street extension has been continuing. The drainage work has started within the last couple of weeks. They started the repair of the motor control center cabinet foundation on the west side of US 301, which will allow for the traffic signal at US 301 and 7<sup>th</sup> street to become active at the end of this year.
- The new Police Department looks beautiful. The furniture was delivered, and they are working on punch list items. After 14 months, the generator may go into production by mid-month.

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Mr. Freeman reiterated that the generator will hopefully be ready within the next couple of weeks. The next meeting will be on Monday, April 17<sup>th</sup>. On the 17<sup>th</sup> Workshop Agenda will be the Vacation Rental Ordinance for discussion. There is a Bill going through the State legislature proposing specific regulations on short term rentals. On the City Commission Agenda will be the First Reading of the downtown design code.

He also provided the following updates:

- The façade improvement on the front of City Hall is almost complete.
- The emergency exit at City Hall is also near completion.
- The budget process will be beginning soon. This will be presented to the Commission in July.
- Public Works and himself are working on the lighting issues on 10<sup>th</sup> street near the interchange. He also mentioned a program through FPL which would allow them to upgrade street lighting. Through that program they can also request additional lighting. He will come to Commission to ask for input as to areas that need additional lighting, once they are in that phase.

Commissioner Williams stated that 14<sup>th</sup> avenue and 17<sup>th</sup> street are in desperate need of lights.

Commissioner Jones mentioned to Mr. Rayan that there is not a sign at 17<sup>th</sup> street and 24<sup>th</sup> avenue.

Chief Tyler handed flyers out to the Commissioners advertising for a Drug Free Manatee sponsored event regarding the opioid crisis. The flyer was included in the Minutes.

Commissioner Williams questioned Chief Tyler on a new drug on the streets. Chief Tyler stated that they haven't seen it yet in Manatee County. Commissioner Williams noted that it is his understanding that Narcan is not effective with it.

Commissioner Smith questioned the lack of lighting on 3<sup>rd</sup> avenue and 9<sup>th</sup> street. Mr. Freeman will add that to the list when they reach out to FPL. Commissioner Smith also questioned Mr. Rayan on when phase 3 & 4 in Ward 1 will begin. Mr. Rayan answered that it will hopefully go out to bid in June. Commissioner Smith also asked for an update on the flooding problems by the railroad. Mr. Rayan responded that he has only received preliminary estimates. He is waiting for the grading estimate and to hear from the tree trimmer and fence company. He will make sure they are informed as soon as he has the overall estimate.

Commissioner Cornwell also mentioned lighting issues with elderly lights. She would like to look into renewing those systems and updating the lifespan.

13. MAYOR'S REPORT

The Mayor's report was already discussed during the Traffic Update.

14. COMMISSIONERS' COMMENTS

Commissioner Smith asked if the roundabout on US 41 and 23<sup>rd</sup> street would be 2 lanes. Mr. Rayan responded that it would, and it will be able to accommodate a 53-foot semi-trailer. According to FDOT it will be traffic calming and shouldn't affect traffic at 17<sup>th</sup> street and 8<sup>th</sup> avenue. Mayor Bryant noted that according to what she learned through Metropolitan Planning Organization, MPO, and FDOT the roundabouts decrease the chance of vehicular fatalities by over 90%.

Commissioner Jones questioned the speed bumps on Church Street. Mr. Rayan responded that it is not in our jurisdiction. It is owned by the mobile home community.

Commissioner Williams reported on Florida League of Cities, FLC. He stated that House Bill 37 was set to go before the house committee in reference to the financial disclosure rules. He noted that if they wanted to do something about it, they could reach out to their contacts to voice their concerns. Commissioner Williams asked Mr. Rayan about the generator for the Wastewater Treatment Plant, WWTP. Mr. Rayan responded that he does not have an update as to when it'll go into production. They are currently using a rental generator. Commissioner Williams also noted a concern he had with broad wording in Ordinance 2023-05. Ms. Powers stated that they will look into that before it comes back for the second public hearing on May 15<sup>th</sup>.

Commissioner Cornwell reported that she attended the Tampa Bay Regional Planning Council meeting. The Commissioners should have received an invitation to an event May 3<sup>rd</sup>-5<sup>th</sup>. She has also requested the PowerPoint from the meeting regarding our area in comparison to the rest of the nation, that she would like to share with the Commissioners.

Commissioner Jones asked for an update on the sign at Lincoln Park. Mayor Bryant met with the district Commissioner. She informed her that Commissioner Jones may be reaching out to her as well. The County attorney has conveyed the agreement to address that issue to Mr. Barnebey and they will be bringing it back forward.

Commissioner Smith questioned the timeline of the Lincoln Park sign update. Mayor Bryant stated that they will bring it back at the next meeting.

Commissioner Mathews asked what the next step for the Riverside property was. The 30-day extension ended this past Saturday. All the responders are in. They are scheduling a Review Committee to meet on April 18<sup>th</sup> and 19<sup>th</sup>. At that time, the applicants will be making presentations to the Review Committee. The Review Committee will then rank the applicants. Once that is complete, it will be presented to the CRA Board.

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Mayor Bryant reported that on Saturday, April 15<sup>th</sup>, there will be the Mayor's Feed the Hungry- fashion show. Mr. Freeman and Chief Tyler will be modeling.

Mayor Bryant adjourned the meeting at 8:11 pm.

MINUTES APPROVED: MAY 1, 2023

***JAMES R. FREEMAN***

JAMES R. FREEMAN

CITY CLERK