

MINUTES
CITY COMMISSION MEETING
OCTOBER 09, 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.

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:

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

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 Pastor Edward Gresham from Fresh Start Housing Ministry, gave the prayer for tonight's meeting.

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

2. CITY COMMISSION AGENDA APPROVAL

MOTION:

Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the October 09, 2023 City Commission Agenda.

3. PUBLIC COMMENT

No public comment.

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4. CONSENT AGENDA

- a. Minutes: 09/11/2023, 09/25/2023
- b. Resolution 2023-16: FY 2024 – 2028 Capital Improvement Plan
- c. Resolution 2023-17: FY 2024 Half Cent Infrastructure Budget
- d. 2024 Holiday/Meeting Calendar
- e. Information Technology Support Services Renewal
- f. Resolution 2023-20 Lease Reimbursement for 2024 Capital Items
- g. Legal Invoices

MOTION:

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

5. ADOPTION PUBLIC HEARING- ORDINANCE 2023-12: REVISING ZONING CODE ADMINISTRATIVE APPEALS, VARIANCES, DOWNTOWN ALTERNATIVE PLAN PROCESSES, AND OTHER RELATED REVISIONS (B.CORNELIUS/K.HILL/M.BARNEBEY)

This item was continued from 08/21/2023.

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 AFTER RECOMMENDATION BY THE PLANNING AND ZONING BOARD; AMENDING THE REQUIREMENTS FOR RELATING TO THE GRANTING OF A VARIANCE; TO PROVIDE FOR THE GRANTING OF VARIANCES BY THE CITY COMMISSION AFTER RECOMMENDATION BY THE PLANNING AND ZONING BOARD; ADDING DEFINITION FOR DIRECTOR OF PUBLIC WORKS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bryant opened the Public Hearing at 7:03 pm.

Mr. Cornelius gave an overview of the Ordinance. He explained that the changes would revise the appeals of administrative decisions, variances, and downtown alternative plan processes to have the Planning and Zoning Board make recommendations to the City Commission, with the City Commission having the final say. The proposed Ordinance also provides clarity for the variance criteria, length of time a property owner has to appeal, and clarifying the roles of the Public Works Director and staff. This item was discussed at the 4:30 pm Workshop. Mr. Cornelius reiterated that the Planning and Zoning Board voted to recommend denial of the Ordinance at their September Board meeting.

Mayor Bryant closed the Public Hearing at 7:05 pm.

Commissioner Williams opined that they need to let the Planning and Zoning Board do their job, but he also wanted them to update/recommend changes to the City Ordinances, as needed.

MOTION: Commissioner Williams moved, Commissioner Mathews seconded,

Commissioner Jones questioned if denying the Ordinance today, would the make the Ordinance go back to the Planning and Zoning Board for further discussion regarding the administrative changes that were proposed. Mr. Cornelius answered that things would remain as they are today, if the Ordinance was denied.

Mr. Barnebey noted that there were some cleanup things listed in the Ordinance that may come back to the City Commission in an alternative Ordinance. This will be discussed with the Planning and Zoning Board prior to it being brought back to the City Commission.

Ms. Mathews echoed her desire for those administrative changes to come back to be looked at in the future.

Mr. Williams asked Mr. Barnebey if it was appropriate for the Planning and Zoning Board to be reviewing and making recommended changes to the Zoning Code. Mr. Barnebey answered that it was within their power to make recommended changes.

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 deny Ordinance 2023-12.

6. FLUEDRA STATEMENT OF USES AVAILABLE ON OWNER'S LAND re: Request for Relief of GDAWG VENTURE, LLC; EPOCH PROPERTIES, INC. d/b/a EPOCH RESIDENTIAL (Riveria Dunes Apartments) (B.CORNELIUS/K.HILL/M.BARNEBEY)

Mr. Barnebey explained that it is required under the Florida Land Use Environmental Dispute Resolution Act (FLUEDRA), once they have denied the recommendation of the Special Magistrate, to provide a list of permitted uses on an owner's land.

Mr. Williams asked if this means when they get a General Development Plan, GDP, from a developer that they can still require a certain amount of parking spaces, for example. Mr. Barnebey answered yes, this just outlines the allowable uses on the property.

MOTION: **Commissioner Jones moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Statement of Uses and direct the City Attorney to provide the same to the attorney for the Owner of the subject property.**

Mayor Bryant recessed the City Commission Meeting to open the October 09, 2023 CRA Board Meeting at 7:14 pm.

Mayor Bryant reconvened the meeting at 7:44 pm.

STANDING AGENDA ITEMS:

7. Traffic Update

None

COMMENTS:

8. DEPARTMENT HEADS' COMMENTS

Chief Tyler reported that there have been a collection of new boats in Palmetto's waterway. They are in the process of removing a couple of the boats, and determining which boats are live-aboard vessels. The Ordinance only prohibits the mooring or anchoring of live-aboard vessels.

9. MAYOR'S REPORT

Mayor Bryant informed the Commission of her first efforts with their new lobbyist, to advocate for the funding of six proposed items for the City of Palmetto. She spoke at a legislative meeting last week in Bradenton. The list of proposed items was sent out to the Commissioners. She also noted that she will probably be traveling to Tallahassee this year during the legislative session, along with their lobbyist, Mike Moore and Mr. Freeman.

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10. COMMISSIONERS' COMMENTS

Mayor Bryant noted that she wanted to make sure that other types of music were being explored for the festival, as well.

Commissioner Jones stated that it was Breast Cancer Awareness Month.

Commissioner Cornwell shared that the theme for the 2024 Manatee County Fair would be, "Fun is in the air at the Manatee County Fair." The fair will run from January 11th – 21st, 2024. Wylene Rickly and Ellen Meade were recognized at the Fair meeting for their contributions to the fair. They also dedicated the Fair Office Building to Bill and Wylene Rickly.

Commissioner Cornwell also noted that she and Commissioner Williams tried to Zoom and call into the Tampa Bay Regional Council meeting but were unsuccessful.

Mayor Bryant noted that Commissioner Cornwell and Commissioner Mathews would be attending an event at Manatee School for the Arts, MSA, next week.

Commissioner Williams spoke about Bill and Wylene Rickley along with Ellen Meade and their contributions to the fair.

Mayor Bryant adjourned the meeting at 7:51 pm.

MINUTES APPROVED: OCTOBER 23, 2023

JAMES R. FREEMAN

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CITY CLERK