

MINUTES
CITY COMMISSION MEETING
DECEMBER 4, 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 (Entered at 7:03 pm)
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

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 Don Sturiano from Kingdom Life Christian Church, 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 Williams seconded, and the motion carried 5-0 to approve the December 4, 2023 City Commission Agenda.**

3. PUBLIC COMMENT

Thurl Bailey spoke on the water supply in the area.

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Lynn Meyer spoke about the timeline of posting the Agendas, expanding the public comment speaking time, boat ramp parking, and the Wade Trim presentation at the Workshop.

4. CONSENT AGENDA

- a. Minutes: 11/06/2023
- b. Board Appointments
- c. Appointments to Outside Organizations
- d. CCNA Renewal 2023
- e. Resolution 2023-26 Budget Amendment for Carry-Forward Encumbrances
- f. Special Function Permit- Beer Sales @ Regatta
- g. Special Function Permit- DeSoto Children's Parade/Party in the Park
- h. Veolia 2024 Proposed Budget

MOTION: **Commissioner Jones moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the Consent Agenda as presented by staff with the removal of items 4c. and 4h. for discussion.**

4c. Appointments to Outside Organizations was pulled by Commissioner Cornwell. She stated that Commissioner Williams had done the lion share for the Tampa Bay Regional Council and stated that she would be willing to be the alternative. It was clarified that Commissioner Williams will be the main representative and Commissioner Cornwell will be the alternate. Commissioner Mathews will be the alternative for Palmetto Historical Park.

MOTION: **Commissioner Cornwell moved to approve the changes as stated above for item 4c., Commissioner Williams seconded, and the motion carried 5-0.**

4h. Veolia 2024 Proposed Budget was pulled by Commissioner Jones. He questioned the proposed budget. He didn't know if adding approximately \$100,000 for operational expenses was wise. Other than that, he was fine with it. Mr. Rayan explained there is a provision in their contract for increases. Mr. Rayan further explained the adjustments are supposed to be negotiated yearly. He mentioned a formula in the contract. If Commission doesn't approve the proposed budget, they will have to use the formula as listed in the contract. Todd Petree, Veolia, spoke on the contract. Commissioner Jones was more concerned with the increase in operational fees. It was emphasized that everything we buy today is significantly more. They based these increases on Bureau of Labor statistics and CPI figures.

Commissioner Williams asked if they could break down what operations included. It was answered that it includes the full function of all employees' salaries and their benefits. There are approximately nine employees that this includes. The overall increase is 4.9%.

MOTION: **Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve item 4h. as presented by staff.**

5. FIRST READING ORDINANCE 2023-14 AMENDING TERMS OF CRA ADVISORY BOARD AND PLANNING AND ZONING BOARD (M.BARNEBEY/J.FREEMAN)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA AMENDING CHAPTER 11, ARTICLE 11, DIVISION 4, SECTION 11-81 TO REVISE THE TERM OF OFFICE FOR A MEMBER OF THE COMMUNITY REDEVELOPMENT ADVISORY BOARD TO TWO (2) YEARS TO BE CONSISTENT WITH THE CITY’S CHARTER; AMENDING APPENDIX B, ARTICLE XII, SECTION 12.1 OF THE CITY’S CODE OF ORDINANCES TO REVISE THE TERM OF OFFICE FOR A MEMBER OF THE PLANNING AND ZONING BOARD TO TWO (2) YEARS TO BE CONSISTENT WITH THE CITY’S CHARTER; PROVIDING FOR CODIFICATION, REPEAL OF INCONSISTENT ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

MOTION: **Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the First Reading of Ordinance 2023-14 and authorize staff to notice this for the appropriate public hearings before the City Commission.**

6. FIRST READING ORDINANCE 2023-15 BOAT SALES CODE CHANGES (B.CORNELIUS/ K.HILL/ M.BARNEBEY)

Mr. Cornelius spoke about the plan to make changes as discussed during the Workshop and bring it back when they were ready to move forward. The Commissioners further explained their concerns with the draft Ordinance. Discussions continued whether they should wait to do the First Reading until after they had another Workshop. Commissioner Williams was not in favor of moving forward with the First Reading tonight. It was determined that we would have the First Reading tonight and bring it back to a future Workshop for further discussion before having the Public Hearing for adoption.

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 SECTION 4.2, THE SCHEDULE OF PERMITTED AND CONDITIONAL USES BY DISTRICT; AMENDING SECTION 6.20 TO ADDRESS BOAT SALES, RENTAL AND REPAIR; FINDING THESE AMENDMENTS TO BE CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: **Commissioner Jones moved, Commissioner Cornwell seconded, and the motion carried 4-1 to approve the First Reading of Ordinance 2023-15 and direct staff to notice the second reading for consideration of adoption of Ordinance 2023-15. (Commissioner Williams voted nay.)**

7. PUBLIC HEARING CONDITIONAL USE PERMIT (CU2023-02) OLD SALT MARINE (B.CORNELIUS/K.HILL/M.BARNEBEY)

This item was continued from 08/21/2023.

Mayor Bryant opened the Public Hearing at 7:43 pm.

Thurl Bailey opined on making changes that will affect businesses.

Mayor Bryant closed the Public Hearing at 7:45 pm.

MOTION: **Commissioner Cornwell moved, Commissioner Jones seconded, and the motion carried 4-1 to table consideration of conditional use CU #2023-02 to February 5, 2024. (Commissioner Williams voted nay.)**

8. PUBLIC HEARING CONDITIONAL USE PERMIT (CU2023-05) EARLY LEARNING COALITION MESSAGING BOARD (B.CORNELIUS/K.HILL/M.BARNEBEY)

Mayor Bryant opened the Public Hearing at 7:46 pm.

Mr. Cornelius explained the permit that has been submitted for an electronic message sign. He noted that the Planning and Zoning Board recommended approval and the sign meets the requirements of the City's code.

Rachel Spivey, Director of Grant Management for the Early Learning Coalition of Manatee County, noted that she was advocating for the permit to be approved.

Commissioner Williams asked if they have any businesses in the big building. She answered, yes, the Early Learning Coalition is in the shorter side of the building and on the 3rd floor of the big building. Discussions continued between Commissioner Williams, Mr. Cornelius and Mr. Barnebey regarding the size of the sign and compliance within the code.

Mayor Bryant closed the Public Hearing at 7:53 pm.

MOTION: **Commissioner Jones moved, Commissioner Williams seconded, and the motion carried 5-0 based on the information and testimony provided and the recommendation of the Planning & Zoning Board for approval of the conditional use, finding the requested conditional use, CU 2023-05, to be compliant with Section 3-70, Zoning Code, for EMC signs, and consistent with the standards for a conditional use under Article XV, Zoning Code, to approve the conditional use as presented.**

9. OCTOBER 2023 CHECK REGISTER (Informational Only)

Mayor Bryant recessed the City Commission Meeting to open the December 4, 2023 CRA Board Meeting at 7:55 pm.

Mayor Bryant reconvened the meeting at 8:22 pm.

STANDING AGENDA ITEMS:

10. Traffic Update

Mr. Rayan stated that the 7th Street extension project is open for traffic and the traffic signal is scheduled to be turned on tomorrow around 10:00 am.

He then reported that the traffic at the roundabout at 23rd Street and US 41 is still in the center line as they are working on the East portion heading North. They are working with the contractor on the lighting issues in the area.

COMMENTS:

11. DEPARTMENT HEADS' COMMENTS

Mr. Rayan provided the following updates:

- The restrooms at MLK park should be open to the public by the end of the week.

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- Ward 1 phase 3 project engineers are finalizing the legal description for the easement to place the lift station. Once this is finalized by the engineers, it will go to the Attorneys for review.
- They are working with the CRA and FPL to provide street lighting in that area.
- The fence has been repaired at the roundabout at Haben Blvd. They are working on the lighting and landscaping in that area.

Mr. Freeman reported that the RFP for the 4 acres south of the new Police Department is back open as of today. It will run for 60 days, as requested by the Commission. He also noted that the next meeting is scheduled for December 18th.

Mr. Rayan thanked the Commission for being supportive of the wastewater treatment plant expansion.

Chief Tyler shared that they will have their annual "shop with a cop" in December. He also noted that they had an anonymous donation that will help with this event.

Mr. Barnebey reported that the Lincoln Memorial Academy lawsuit that was filed with the 11th circuit court was dismissed with prejudice. He noted that this was good news for the City. He also shared that they received a Harris Act claim as of Friday. They have 90 days to respond.

Commissioner Williams and Mr. Barnebey reiterated that this matter cannot be discussed by Commission outside of the public meetings because they are in litigation mode.

12. MAYOR'S REPORT

Mayor Brant appreciated Mr. Johnson making an effort to connect the City with other local organizations.

13. COMMISSIONERS' COMMENTS

Commissioner Jones expressed his concern with an employee from Public Works whereabouts while in a City vehicle. He believed there were multiple problems with this situation. He believed it was against the code of ethics, he was transporting unauthorized persons, and the vehicle should have GPS installed on it. Mr. Rayan is going to address the matter with the employee and Mr. Freeman is going to work on creating a vehicle take home policy. They will also look into adding GPS to all the vehicles.

Commissioner Williams asked Mr. Johnson to make the Commission aware of the issues being worked on at Connor Park. Mr. Johnson shared that they had a meeting with the engineering contractor about a week ago. Mr. Williams pointed out areas of concern. There is a box that is buried on the north end of the pond, on the west side of property that should be exposed/above ground.

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They are working with the contractor to make those corrections. He also noted some other locations that they're paying attention to. He would like them to work with Ms. Coleman to receive a quit claim deed for the area along the creek line. Mayor Bryant asked Mr. Johnson if he would reach out to her.

Commissioner Williams also mentioned an area that was eroded at Connor Park and a deflector had been installed. The potential erosion along the railroad is being studied by the engineers and they will bring back a recommendation for moving forward. The electrical under bridge is also being addressed.

Commissioner Williams and Mr. Cornelius discussed the non-conforming sign on the building next to City Hall. Discussions began again about the used boat sales.

Commissioner Cornwell asked for an update on the basketball courts and pickle ball courts. She would like to see them move forward with these projects.

Mayor Bryant shared that they had a meeting with Manatee County recently. They have a calculation they can do to determine the cost to move those courts to 14th Avenue. They are doing this as a courtesy. Commissioner Cornwell asked for her to also ask them about swim lessons in our area during the summer. Mayor Bryant mentioned requests she received from Palmetto High School to add beach volleyball courts in the area. Manatee County is accommodating that request and will be adding two courts at Blackstone Park.

Commissioner Smith stated that the basketball courts at Lamb Park aren't being used because they can't be dribbled on due to the uneven surface.

Commissioner Jones opined that the new baseball field at Palmetto High School is beautiful.

Commissioner Williams shared that the employee appreciation lunch is this Thursday, December 7th.

Mayor Bryant adjourned the meeting at 8:52 pm.

MINUTES APPROVED: JANUARY 8, 2024

JAMES R. FREEMAN

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CITY CLERK