

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
JUNE 1, 2020 AT 7:00 PM**

This Commission Meeting was conducted utilizing Communications Media Technology in accordance with the Governor's Executive Order. Some Elected Officials and 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
Harold Smith, Commissioner, Ward 1

ELECTED OFFICIALS PRESENT ELECTRONICALLY:

Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Tamara Cornwell, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 1
Brian Williams, Commissioner, Ward 3

STAFF PRESENT IN CHAMBERS:

Mark Barnebey, City Attorney
Mohammed Rayan, Public Works Deputy Director
Scott Tyler, Chief of Police

STAFF PRESENT ELECTRONICALLY:

Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Amber LaRowe, Assistant City Clerk
Todd Williams, Information Technology (IT) Consultant

Mayor Bryant called the meeting to order at 7:00 p.m.

Pastor Bernard Scott, Bayside Community Church, gave an invocation over tonight's meeting, followed by the Pledge of Allegiance.

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

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the June 1, 2020 Commission Agenda.

2. PUBLIC COMMENT

No comments.

3. CONSENT AGENDA APPROVAL

A. May 18, 2020 Minutes
B. 2020 OPEB Valuation
C. Legal Invoices

D. Grant Services Agreement

Commissioner Smith requested the removal of the legal invoices and Commissioner Williams requested the removal of the Grant Services Agreement.

Motion: Commissioner Smith moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the June 1, 2020 Consent Agenda as recommended by staff with the removal of items C and D.

3.C. LEGAL INVOICES DISCUSSION:

Commissioner Smith questioned the legal invoice pertaining to the HOA of Snead Island; he was under the impression this case was finished. Attorney Barnebey explained that the HOA has appealed the court's ruling and Blalock Walters has to respond to the appeal.

Motion: Commissioner Smith moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve item 3.C., Legal Invoices.

3.D. GRANT SERVICES AGREEMENT DISCUSSION:

Commissioner Williams inquired if there is a requirement of matching funds from the City. Mr. Freeman indicated there is no requirement; however, points are awarded when funds are allocated for the projects that the City is asking for grant funding for.

Attorney Barnebey stated this only request is the correction of the typos in the Agreement; he has communicated those to the Clerk.

Motion: Commissioner Williams moved, Commissioner Cornwell second, and the motion carried 5-0 to approve item 3.D., Grant Services Agreement.

4. FIRST READ ORDINANCE 2020-06 SIGN CODE AMENDMENT

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, SUBSTANTIALLY AMENDING AND REPLACING ARTICLE III, DIVISION 1, SECTIONS 3-61 THROUGH 3-72 OF APPENDIX "B" OF THE PALMETTO CITY CODE OF ORDINANCES REGULATING SIGNS; PROVIDING FOR APPLICABILITY, PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITS AND REQUIREMENTS FOR PERMITS; PROVIDING REGULATIONS FOR PROHIBITED, EXEMPT, NONCONFORMING, AND UNSAFE SIGNS; REGULATING FREE-STANDING SIGNS, WALL SIGNS, BILLBOARDS, CHANGEABLE MESSAGE SIGNS, TEMPORARY SIGNS AND OTHER TYPES OF SIGNS; PROVIDING FOR DESIGN, CONSTRUCTION, AND MAINTENANCE OF SIGNS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Commissioner Williams questioned why this was not on the Workshop. Both Attorney Barnebey and Mrs. Owens reminded the Commission of the workshops where this was discussed; back in February and March. Commissioner Williams said he remembers that they were; however, it has been a few months and opined it would be best served to the Commission to have more discussion on a Workshop.

Commissioner Davis questioned the term public signs and why there was no definition. Mrs. Owens explained that it includes governmental signs, Florida Department of Transportation (FDOT) signs, stop signs, etc. Attorney Barnebey stated that it is reasonably defined; however, if the Commission would prefer a specific definition, that can be created as well.

Commissioner Smith agreed with Commissioner Williams on the need for a Workshop on this Ordinance before the Ordinance is adopted. He also requested more definitions.

Mrs. Owens stated she is willing to set up more individual meetings with the Commissioners as well as have another Workshop at the next meeting.

Commissioner Varnadore is in agreement that at least one more Workshop needs to be conducted before the adoption.

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2020-06 and authorize staff to advertise same for the appropriate public hearings.

5. PUBLIC HEARING ORDINANCE 2020-07 TECO PEOPLES GAS FRANCHISE AGREEMENT

AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF PALMETTO, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE.

Mayor Bryant opened the public hearing and closed the public hearing after no comments.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to adopt Ordinance 2020-07.

MAYOR BRYANT RECESSED THE CITY COMMISSION MEETING AT 7:29 P.M. TO OPEN THE JUNE 1, 2020 CRA BOARD MEETING.

MAYOR BRYANT RECONVENED THE CITY COMMISSION MEETING AT 8:23 P.M.

6. LAND AGREEMENT HABEN BOULEVARD

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the contract for purchase of the 1.42 acres of the Bel Mare Condominium property for the amount of \$472,860.00 and authorize the CRA Presiding Officer to sign and execute all closing documents.

a. RESOLUTION 2020-08 BUDGET ADJUSTMENT

Motion: Commissioner Varnadore moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2020-08.

7. RESOLUTION 2020-11 MARTIN LUTHER KING JR. PARK RESTROOMS BUDGET

Motion: Commissioner Davis moved, Commissioner Varnadore seconded, and the motion carried 5-0 to adopt Resolution 2020-11.

8. SURPLUS PROPERTY-TAYLOR PROPERTIES

Motion: Commissioner Williams moved, Commissioner Varnadore seconded, and the motion carried 3-2 to approve the surplus of PID #2794600003 and #2651700003 lots and authorize CRA staff to place the properties for sale for private commercial redevelopment according to property disposal procedures found in Florida Statute 163 Part III with no involvement from a realtor. Commissioners Cornwell and Smith voted no.

STANDING AGENDA ITEMS:

9. TRAFFIC UPDATE

Mayor Bryant announced a meeting on June 8, 2020 at 5:30 p.m. hosted by the Manatee Sarasota Metropolitan Planning Organization (MPO) for a “virtual tour”. This meeting will apprise the Commission of traffic issues and priorities for upcoming project. The Commission will receive invites.

10. PALMETTO POOL UPDATE

Attorney Barnebey is finalizing the Interlocal Agreement with Manatee County. The County will more than likely be requesting additional funding from the City. The Agreement should be ready for Commission review in September. The County is working on more information to make sure it is all presented to the Commission at one time.

11. POLICE DEPARTMENT BUILDING UPDATE

Chief Tyler stated that the architects are working on the civil engineering portion. The architects will be present at the next Commission meeting for a presentation.

COMMENTS:

12. DEPARTMENT HEADS COMMENTS

ATTORNEY BARNEBEY—virtual meetings have been extended until July 1st by the Governor’s Executive Order. The Order also prohibits foreclosures and evictions as related to COVID-19; that piece of the Order expires at midnight tonight unless the Governor does something in the next few hours to extend that.

He is working on a draft ordinance and resolution for the ballot and referendum as it relates to virtual meetings.

Attorney Barnebey stated that his office has received the Amberwynd brief and will be drafting a response to that. The Lincoln Academy response was delivered also.

Commissioner Smith requested a Shade Meeting to discuss Lincoln Academy. Attorney Barnebey indicated that there has been discussion on a good date with something around June 15th. Discussion continued with comments made on the need for a Shade Meeting and when.

MR. BURTON—thanked everyone for the discussion and directions given during tonight’s meeting.

Mr. Freeman—discussed the scheduling of a Workshop on June 15th or as soon thereafter with the architects for the Police Department. Mayor Bryant discussed other options besides meeting in Chambers to comply with the Center for Disease Control (CDC) guidelines during this pandemic.

In regards to the Shade Meeting; Mayor Bryant indicated that Mrs. Johnston will be setting up individual meetings for the Commission and Attorney Barnebey. Commissioner Smith strongly opposed this notion and expressed opinions on the need to meet as a body to discuss the legal matters; a Shade meeting is the best option.

Mr. Freeman continued his comments. He stated the City has not been issuing penalties and shut offs for utility services. The City doing this was tied to the Governor’s Order as it pertains to the foreclosures and evictions. If this is not extended before midnight, how would the Commission like to proceed? Attorney Barnebey announced news that the Governor just extended the Order to July 1st. The Commission discussed the extension of no assessment of penalties and shut offs for utility services. Attorney Barnebey indicated it does not have to be tied to the Governor’s Order; the City can do what it wishes. Commissioner Varnadore would like to know how many accounts are overdue.

Mr. Freeman stated that the fiscal year 21 budget is being prepared and should be to the Commission first week of July. June 1st estimates have been received with an approximate 7-8 percent increase in comparison to last year. Sales tax revenue was down in April approximately 25 percent compared to April of last year.

Commissioner Williams does not want to have budget meeting conducted via Zoom.

CHIEF TYLER—thanked the Commission for supporting the purchase of the property along Haben Boulevard for the roundabout.

He announced that today marks 25 years of service with the City of Palmetto Police Department.

MOHAMMED RAYAN—discussed the equalization (EQ) basin and the mechanical testing that is being conducted.

He informed the Commission of a project to begin on Sunday night into early Monday near CVS on 8th Avenue West.

The paving program is on schedule to begin June 15th.

MR. TUSING—announced that this is his last Commission meeting.

13. MAYORS REPORT

14. COMMISSIONERS COMMENTS

COMMISSIONER WILLIAMS—appreciates all Mr. Tusing has done for the City and for him; Allen will be missed.

He questioned the Haben Boulevard traffic pattern.

COMMISSIONER VARNADORE—congratulations to Mr. Tusing, she will miss him. Also, congratulations to Chief for his 25 years of service.

She questioned if anyone knew about the light signal in the City of Bradenton near the Courthouse. Mr. Williams indicated it is going to be for a pedestrian crosswalk.

Commissioner Varnadore questioned the monthly building permits for commercial, Mr. Rayan will get with Mrs. Owens.

COMMISSIONER DAVIS—thanked Allen for his service to the City.

He asked if Public Works could look into the light poles being installed by FPL; some poles appear to be placed in the middle of the sidewalk.

COMMISSIONER CORNWELL—congratulated Chief Tyler on 25 years of service.

She will miss Mr. Tusing tremendously, she thanked him for his service to the City.

Mayor Bryant adjourned the meeting at 9:18 p.m.

MINUTES APPROVED: JULY 20, 2020

Jim Freeman

JAMES R. FREEMAN
CITY CLERK