

CITY COMMISSION MEETING

March 7, 2022

7:00 PM

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

Harold Smith, Commissioner, Ward 1

Brian Williams, Vice Mayor, Commissioner, Ward 3

Sheldon Jones, Commissioner-at-Large 1

Tamara Cornwell, Commissioner-at-Large 2

STAFF PRESENT IN CHAMBERS:

Mark Barnebey, City Attorney

Mohammed Rayan, Public Works Director

Scott Tyler, Chief of Police

Jim Freeman, City Clerk

Kera Hill, Development Services Supervisor

Xaiver Colon, Assistant CRA Director

Penny Johnston, Executive Assistant

Vanessa Cochran, Assistant City Clerk

STAFF PRESENT ELECTRONICALLY:

Todd Williams, Information Technology (IT) Consultant

1. Mayor Bryant called the meeting to order at 7:00 pm and Pastor Livingston gave the invocation followed by a moment of silence and the Pledge of Allegiance.

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

2. Shirley Pearson was recognized as a Small Town America Civic Volunteer. Ms. Pearson was selected as one of the top 100 National Award winners.

A proclamation for Mr. Eddie Shannon was announced and read to recognize his 100th birthday and service to the community. He was not present for the proclamation.

3. CITY COMMISSION AGENDA APPROVAL

Mayor Bryant added the Board Appointment of Lynn Daniel to the CRA Advisory Board as Item C on the Consent Agenda.

Motion: Commissioner Varnadore moved, Commissioner Cornwell seconded, and the motion carried 5-0 to approve the March 7, 2022 City Commission Agenda as modified.

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4. PUBLIC COMMENT

Justin Heller spoke that he is interested in connecting to City sewer. He is in the County but his septic system is failing and he has been denied a new septic permit from the County. He is one house away from being contiguous to the City limits.

Dean Kushmer was present to collect information regarding options to connect to the City sewer system.

Michael Mackie is interested in understanding the options to connect to City sewer.

Marie Gible expressed concern for the oak trees being removed on the Hydrant Park trail and there is no shade.

5. CONSENT AGENDA

a. Legal Bills

b. Resolution 2022-05 WCIND Budget Resolution

Motion: Commissioner Cornwell moved, Commissioner Varnadore seconded, and the motion carried 5-0 to approve the Consent Agenda as presented by staff with additional item C Board Member Appointment to the CRA Advisory Board.

Public Comment Continued

William Griffin – was present and spoke on behalf of his mother and some improvements he is doing at her house. He did not understand why a permit was needed to install pavers. He did not have a survey of the property which was apparently required and it cost \$900. Staff will follow-up with Mr. Griffin.

6. REDISTRICTING (Z. SCHWARTZ/M.BARNEBEY)

Mr. Barnebey reminded the Commission this item was discussed earlier today at the workshop and Section 6 of the Charter requires the Commission to evaluate the boundaries every ten years.

Commissioner Jones expressed that if we move forward to adjust the boundaries, we need to have more public input.

Commission Smith asked what are the potential next steps and Mr. Barnebey stated there are two options on the agenda.

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Motion: Commissioner Smith moved, Commissioner Jones seconded, to not redraw the districts at this time and the motion failed 2-3. Commissioners Varnadore, Cornwell and Williams voted no.

Motion: Commissioner Williams moved to direct the Attorney to prepare a redistricting plan of the new boundaries in accordance with the comments made by Commission and prepare an ordinance approving same with the adjustment to just under 10% to be brought back to a workshop. There was no second.

Discussion continued and Commissioner Smith opined he would like a consultant to provide input and wants more workshops. He also reiterated he doesn't want to do anything at this time, but asked when the next meeting will be for this item.

Motion: Commissioner Varnadore moved and Commissioner Cornwell seconded and the motion failed 2-3 that Commission look at redistricting to go below 10% only and have a workshop to look at several suggestions for a consensus to move forward. Commissioners Jones, Smith and Williams voted no.

Mr. Smith stated he thinks a consultant is more qualified to do the analysis and he restated his Ward is protected. Commissioner Jones stated that the Commission should be giving direction on the boundaries versus staff and he is agreeable to also having a consultant. Commissioner Williams stated initially this afternoon he thought we should use a consultant, but internal staff, Mr. Schwartz, has the ability to get the numbers, but he does not have the legal background. He stated once the numbers are available, Mr. Barnebey can consult with other attorneys to develop a plan. He is not in favor of the current motion unless our attorney will be involved with the boundary changes. Commissioner Cornwell stated that as a compromise, Attorney Barnebey could chair the effort for boundary changes. This motion only states we are preparing a plan and at this point they are not accepting the plan changes. Commissioner Cornwell would like to keep Mr. Barnebey as the lead and also keep Mr. Schwartz involved. She reiterated it appears to be about 75 people that would be affected by a change. Commissioner Smith stated again that we need more meetings and asked about Mr. Schwartz's qualifications. Commissioner Varnadore restated the motion and said it was only to get below the 10% and her motion does not included hiring a consultant. Commissioner Williams stated his motion was to direct Mr. Barnebey to prepare and bring it back to us for review.

Motion: Commissioner Williams moved, Commissioner Cornwell seconded, and the motion was approved 5-0 to redraw the districts and direct Mr. Barnebey to prepare a redistricting plan of new boundaries in accordance with the comments of Commission which includes just under 10% and prepare an ordinance approving same.

Commissioner Smith asked how Mr. Barnebey and Mr. Schwartz are going to do the analysis if they

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are not qualified. Mr. Barnebey stated he is qualified to draft an ordinance and evaluate the legality. He is not qualified to compile the population numbers for alternatives and Mr. Schwartz is qualified for that job. Commissioner Varnadore restated the motion on the floor and said the proposed ordinance would come back to a workshop for Commission review.

Betty Rhodes spoke on the redistricting issue and opined that there has not been enough growth to adjust the boundaries. She stated if the City moves forward there will be a lawsuit.

7. PUBLIC HEARING ORDINANCE 2021-16 RM-5 AND RM-6 DISTRICT REQUIREMENTS (K. HILL)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA AMENDING APPENDIX B, ARTICLE IV, SECTION 4.3, FOOTNOTE 8 OF THE CITY'S CODE OF ORDINANCES, PERTAINING TO SCHEDULE OF AREA, HEIGHT AND PLACEMENT REGULATIONS OF SINGLE FAMILY RESIDENTIAL DETACHED UNITS WITHIN THE RM-5 AND RM-6 ZONING DISTRICTS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Open the public hearing 7:54 pm

Mrs. Hill spoke about the ordinance and stated it allows single family residences to use the RS-4 requirements. There were several workshops and it is being brought back today. The Planning and Zoning Board approved the changes and there was no public comment.

Commissioner Jones asked about the split lots. Mrs. Hill stated the date was removed and anyone can now use the RS-4 zoning.

Close the public hearing 7:56 pm

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve Ordinance 2021-16.

RECESS THE CITY COMMISSION MEETING TO OPEN THE MARCH 7, 2022 CRA BOARD MEETING 7:58 p.m.

RECONVENE THE CITY COMMISSION MEETING 9:05 p.m.

8. FIRST READING ORDINANCE 2022-03 CRA PLAN 2022-2028 (X. COLON)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, MODIFYING THE COMMUNITY REDEVELOPMENT PLAN, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the first reading of Ordinance No. 2022-03 with the three changes discussed at the CRA meeting and authorize staff to advertise the appropriate public hearings.

The three items discussed at the CRA meeting were on pages 32, 55 and 57 of the CRA Plan and were related to Housing (Policy 3 adding the word "may"), adding playground to MLK Park, and a reference to the Palmetto Bay estuary.

9. TRAFFIC UPDATE

None

10. DEPARTMENT HEADS' COMMENTS

Mr. Freeman asked for a date on the special workshop that was requested; March 16th, March 23rd, March 28th, or Wednesday March 30th from 5:30 to 7:00 p.m. Mr. Barnebey suggested we come back at a later date to schedule once he has more information. Commissioner Cornwell suggested maybe looking at putting this on a future workshop, probably sometime in April.

Mr. Barnebey reported he is working on an ordinance for live-aboard and mooring of boats. This will be coming to you on a future workshop.

11. MAYOR'S REPORT

None

12. COMMISSIONERS' COMMENTS

Commissioner Jones congratulated Coach Shannon and Ms. Pearson.

Commissioner Cornwell thanked Commission Varnadore for filling in at the Historical Board meeting. Her school basketball team are the district basketball champions.

Commissioner Smith congratulated Coach Shannon.

Mayor Bryant adjourned the meeting at 9:12 pm

MINUTES APPROVED: APRIL 18, 2022

JAMES R. FREEMAN

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CITY CLERK