

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
FEBRUARY 4, 2013
4:30 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor
Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Tamara Cornwell, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 1
Charles Smith, Commissioner, Ward 1
Brian Williams, Commissioner, Ward 3—(Arrived at 4:42 p.m.)

Staff Present:

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 4:30 p.m.

Mayor Bryant stated that items 2 and 3 of the agenda will be reversed.

1. PRESENTATION: MPO/CITIZENS ADVISORY COMMITTEE UPDATE

Mickey Hopkins has been a board member for the MPO/Citizens Advisory Committee since 1992. She informed Commission of the current discussions the committee is having including multimodal plans for both bridges in Palmetto.

Mayor Bryant asked Mr. Burton to provide Commission with an update [from the MPO Bicycle-Pedestrian-Trail Committee] at the next meeting.

2. DISCUSSION: ORDINANCE 2013-02 REGULATION OF MOBILE FOOD VENDORS AND TEMPORARY USES

Attorney Barnebey stated that since the last workshop, this draft ordinance has been revised and pared down significantly. The following key provisions were made:

- Temporary uses such as retail sales (such as Christmas tree sales, rugs), food vending, and personal services (such as knife sharpening) may be permitted on private property with a Temporary Use Permit.
- Mobile vending and pushcarts are only allowed on property from 7:00 a.m. to sunset and must be removed every evening.
- Mobile vendors and pushcarts will not be allowed to sell or vend on public rights of way (such as roads, sidewalks) in the City.
- The Temporary Use Permit will require a site plan to ensure proper traffic circulation and adequate parking. Such Temporary Use Permit will be limited to locations where the zoning allows such uses. The Temporary Use Permit will be issued by the Director of Public Works or the Director's designee, and shall be issued for an appropriate period for the use up to a maximum of one year.

In regard to mobile vendors selling on private property, Attorney Barnebey explained that it will be the responsibility of the property owner to provide an affidavit that states that the vendor is allowed to sell on their property and the vendor will have to provide a site plan. Discussion ensued on what type of site plan would be allowed; hand drawing versus an engineer's drawing. Commissioner Varnadore stated she would like clarification in the ordinance on what type of site plan the vendor would be expected to provide. Commissioner Varnadore opined that the April 1, 2013 date for compliance stated in Section 15.8(a) of the proposed ordinance should be extended.

Commissioner Williams questioned the need for the breach of peace clause discussed in Section 15.8(e)b. Attorney Barnebey said he does not believe that needs to be listed, and he will remove it.

Commissioner Smith discussed recent litigation with city government and food carts, specifically in the Miami area.

Discussion ensued regarding the clear site triangle. Attorney Barnebey stated it is listed in the City's zoning code, but he will incorporate it into this ordinance as well.

Commissioner Varnadore opined that the ordinance should be tailored down to focus on land use issues and not so much of the generalized issues. She feels there are areas of the ordinance that need further clarification and would prefer to wait until after the ordinance goes to the Planning and Zoning Board to take a vote.

Mayor Bryant said she would like to see this ordinance placed on the next workshop for further discussion. Attorney Barnebey said he will pull this item from tonight's 7:00 p.m. agenda. He will make the following revisions and bring back to Commission at the next workshop meeting:

- The April 1, 2013 date for applicability will be extended to July 1, 2013.
- Section 15.8(e)b will be removed
- Details on an appropriate site plan

Attorney Barnebey stated he would like further discussion at the next meeting regarding the restriction of distances that will be placed on mobile vendors to other businesses.

Commissioner Williams would like to see the costs of the Temporary Use Permit incorporated into the proposed ordinance.

Commissioner Varnadore would like clarification on a long term mobile vendor versus a short term mobile vendor.

Mayor Bryant said this item will be brought forward to the next workshop for further discussion and review.

3. METHODIST CHURCH THRIFT STORE

Mr. Burton reviewed Section 4.4 of the City's zoning code that discusses the Downtown Core Design Guidelines. Commission enacted the guidelines as law in 2007 with the adoption of Ordinance 07-930.

Commissioner Smith departed the meeting at 5:51 p.m.

Commissioner Williams suggested removing the word guidelines and changing it to rules.

Discussion ensued regarding the rewriting of the Guidelines. The CRA has budgeted for the rewrite of several documents including these Guidelines. They are working with the attorney's office to have them completed.

Attorney Barnebey suggested this item be brought forward to the 7:00 p.m. meeting for a plan of action.

Mayor Bryant adjourned the meeting at 6:10 p.m.

Minutes approved: February 18, 2013

James R. Freeman

James R. Freeman
City Clerk