

Palmetto City Commission
September 10, 2007 4:00 p.m.

Elected Officials Present:

Larry Bustle, Mayor
Eric Ball, Vice Mayor
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Brian Williams, Commissioner

Staff and Others Present:

James R. Freeman, City Clerk
Chris Lukowiak, Public Works Director
Chief Garry Lowe
Tanya Lukowiak, CRA Executive Director
Bob Schmitt, Interim City Planner
Michele Hall, City Attorney
Deanna Roberts, Administrative Assistant

Mayor Bustle called the meeting to order at 4:05 pm. A moment of silence was observed for our military men and women serving all over the world, followed by the Pledge of Allegiance.

Mayor Bustle presented a Tribute to Heroes Day Proclamation in honor of Patriot's Day. The proclamation was accepted by Chief Lowe and officers of the Palmetto Police Department and members of the North River Fire District.

The Mayor read a memo congratulating Chief Lowe on his twenty-six years of service to the City of Palmetto and thanking him for his dedication.

City Clerk Jim Freeman introduced the new Customer Service Supervisor, Audrea Dixon, to the Commission.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 5-0 to approve the September 10, 2007, 4:00 p.m. agenda.

2. DISCUSSION: BOAT DOCK ORDINANCE (C. Lukowiak)

Staff proposes to move the ordinance to the 7:00 agenda for 1st reading and advertising approval.

Commission discussed the proposed dock ordinance. Attorney Hall made minor modifications to the ordinance and there was a consensus of Commission to move the ordinance forward to the 7:00 p.m. agenda for first reading and advertising approval. Mrs. Varnadore did voice her objection to any roofing on the open river. Commissioner Ball asked about the moratorium on boat docks. Attorney Hall said it will expire in November, and this ordinance will be well ahead of that. She thinks a separate ordinance will be required to terminate the moratorium.

Since the changes were read into the public meeting, the first reading will be considered revised pursuant to the changes announced in the Workshop.

3. DRAFT ORDINANCE AMENDING CHAPTER 17, HOUSING (J. Freeman)

Ordinance proposes the adoption by reference of certain sections of the International Property Maintenance Code to Chapter 17, Housing, to establish standards for property, buildings and structures above the minimum standards provided in Chapter 7.

A change was made to the proposed ordinance on page 8, number 2 (a) to add "and" after the semicolon to clarify that section for applicability as it relates to structures more than fifty years old.

Commissioner Williams questioned Mr. Strollo about the need for the ordinance, asking why the public nuisance ordinance couldn't be used. Mr. Strollo said this ordinance spells out violations, and though it does not give him the right to enter a home, he can help renters who have no other recourse. Mrs. Lancaster said it was a great way to make sure landlords provide a safe environment for renters. There being no objection from Commission, the ordinance will come back to Commission on September 24, 2007 for first reading and advertising and a public hearing two weeks after that.

4. DISCUSSION: TREE ORDINANCE (C. Lukowiak)

Staff proposes to move the ordinance to the 7:00 agenda for 1st reading and advertising approval.

The ordinance came forward due to many complaints about tree removal coming to Public Works. Mayor Bustle expressed concern that without the ordinance the city will lose its canopy of trees in the City. Mr. Lukowiak said where the City is losing its canopy is in single family residences. The DRC can regulate subdivisions and require tree replacement from developers.

After much discussion, it was decided that the changes suggested were too substantial to move the ordinance forward to the 7:00 p.m. meeting. Therefore, it was pulled from the 7:00 p.m. agenda.

Mrs. Hall said she would like Geoff Seger to be present at the next discussion, and in the meantime she will get copies of both the County and the City of Bradenton's tree ordinances.

Mr. Lukowiak will come back to Commission with some options. Mrs. Varnadore requested an appeal process in the ordinance.

5. DISCUSSION: BUSINESS TAX ORDINANCE (J. Freeman)

Mr. Freeman informed Commission that the City needs to update its occupational license ordinance to comply with some recently passed legislation. The draft ordinance would change the name from occupational license tax to local business tax. The time period for issuing renewal notices has been changed from September 1st to July 1st of each year. The new legislation also provides for a revision to a city's rate structure. An equity committee is required to be formed to review the rate structure.

The proposed ordinance addresses only the first two changes. Mr. Freeman said staff would like to move forward with the ordinance and schedule a first reading for September 24, 2007. A public hearing would follow two weeks later. After the equity committee is formed and looks at the new structure, the new proposed rates would come to Commission for approval. That will probably be in a couple of months.

Mr. Williams asked if the Commission could serve as the equity committee. Mrs. Hall will look into it. She will forward the language in the legislation to the Commission.

Mrs. Hall said this will be a brand new ordinance. The existing ordinance had not been updated in a very long time and did not incorporate changes that had occurred in the law.


Mrs. Varnadore asked if the City verifies the information provided by the applicant. She stated the reason for the change is to protect the consumer and the City should verify by going to the Department of State web site to make sure the business is filed with the state. Mrs. Hall said that would be time consuming and she would rather rely on an affidavit.

Attorney Hall said this is a business tax and it is strictly for the privilege of doing business in the city. It does not regulate a business. Consumers would have to go the licensing board that regulates a certain business. She will check to see if it can be called something besides a tax. The intent is to protect consumers from fraudulent activities by changing the name from business license to business tax. Mrs. Varnadore said the word license implied that the business was a legitimate business and the City was endorsing that business. Mrs. Lancaster said she would rather have it called a fee.

Mr. Freeman said his intention was to bring it back to Commission on September 24, 2007 for first reading and advertising approval. Commission requested a workshop, so there will be a workshop first.

The meeting was adjourned at 6:02 p.m.

Minutes approved: September 24, 2007



James R. Freeman
City Clerk