

CITY COMMISSION WORKSHOP MEETING
APRIL 18, 2011
4:30 PM

Commission Members

Shirley Groover Bryant, Mayor (entered at 4:40 p.m.)
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Mary Lancaster, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

Staff Present:

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Lorraine Lyn, City Planner
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

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

1. 2011 PRE-SEASON HURRICANE BRIEFING

Presentation by John Marble, Emergency Operations Center (EOC) Liaison, Manatee County Tax Collector Office and Steve Simpson, Emergency Management Officer, Manatee Public Safety Center regarding the EOC Center and how it assists the City in the event of a hurricane. Mr. Simpson spoke of the EOC process and the importance of empowering the City's liaison to be able to make decisions for the City in concert with the EOC policy group. All State resource requests must be made through the EOC. Mr. Simpson described the process of selecting shelters in geographic areas; the new Palmetto Elementary does not meet the criteria for a shelter. A list of shelters and a special needs application will be placed on the City's website.

2. SIGN ORDINANCE

Attorney Barnebey informed Commission that the P&Z Board met April 13, 2011, and recommended the following relating to the proposed sign ordinance for the area on 10th St. E. from 3rd Ave. to the parcels just to the east of Haben Boulevard:

- Signs 85' high with 325 square feet of surface for food, lodging and gas businesses
- Single businesses within the area that are not food, lodging or gas businesses will be allowed signs 30' high and 76 square feet of surface
- Integrated shopping centers in the area will be allowed signs 30' high and 150 square feet of surface

Attorney Barnebey recommended against taking action during the public hearing scheduled tonight, suggesting it should be continued to May 2, 2011.

Commissioner Zirkelbach commented on the fact that Manatee County and other counties do allow substantially higher signs, based on certain criteria. He recited the Manatee County criteria. The tallest sign in Manatee County can be up to 100 feet, and located on the interstate.

The McDonald's sign was originally in compliance when constructed, but is out of compliance with the current sign ordinance, and should have been removed in 1994. McDonald's was told they could not put the sign back up when a permit was obtained to remove the sign for a safety inspection. Attorney

Barnebey confirmed that the proposed ordinance is written so that a safety inspection would not prohibit the sign from being reinstalled.

Mayor Bryant read correspondence from Kim Binkley Seyer inviting the Commissioners and attorney to participate in a visual inspection of a sign test on April 26, 2011 from 3:00 until 6:00 p.m. The Commissioners will meet individually with McDonald's representative Mike Motta to view the test.

Attorney Barnebey confirmed the ordinance can also contain language requiring that safety measures must be taken to prohibit the sign from falling within a City right-of-way or on surrounding businesses. It can also include a date when signs must be removed or a conditional use permit be approved, but reasonable time for that removal must be given to businesses with non-conforming signs.

Commission asked that information be gathered regarding the height of McDonald's signs in surrounding areas, and the information should include if the signs are located on a major highway.

Commission suggested that stipulations on signage should be placed on signs in close proximity to residential areas.

Commissioners will schedule their individual times to meet with McDonald's to view the sign test.

3. PROPOSED PROCEDURES FOR CITY COMMISSION MEETINGS

Reviewed of the proposed procedure began on Tie Votes. The draft provides that the status quo shall remain the same in the event of a tie vote, i.e. the topic will not be approved and may be appealed, or it can be brought back for reconsideration by any Commissioner not in attendance for the vote. Attorney Barnebey referred to the language in the procedures, and discussed the reasoning behind the different provisions listed.

Reconsideration was discussed, with the Commissioners debating their personal opinions regarding the provision.

Attorney Barnebey confirmed that the provision relating to a mistake of fact or erroneous information allows reconsideration at any time.

The discussion will continue on Tie Votes at the next scheduled review of the procedures.

Meeting adjourned at 6:05 p.m.

Minutes approved:

James R. Freeman

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City Clerk