

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
March 2, 2020
4:30 PM**

ELECTED OFFICIALS PRESENT:

Tambra Varnadore, Vice Mayor, Commissioner, Ward 2
Tamara Cornwell, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 1
Harold Smith, Commissioner, Ward 1—(Entered the meeting at 4:31 p.m.)
Brian Williams, Commissioner, Ward 3

ELECTED OFFICIALS ABSENT:

Shirley Groover Bryant, Mayor

STAFF PRESENT:

Jim Freeman, City Clerk
Marisa Powers, City Attorney's Office
Allen Tusing, Public Works Director
Scott Tyler, Chief of Police
Amber LaRowe, Assistant City Clerk

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

1. INCENTIVES DISCUSSION

This discussion is continued from the February 24, 2020 Workshop Meeting.

NOT DISCUSSED; CARRIED TO NEXT MEETING.

2. PERSONNEL POLICY

Mr. Freeman reminded the Commission of prior discussions regarding the attached Policy. Specific topics included

- Medical Marijuana--nothing will be added to the Policy to specifically address medical marijuana
- Merit Pay—no implementation; status quo will maintain
- Sick Leave Donation Program—added to the Policy with the addition that unused hours to the recipient will expire and not return to donor
- Nursing Mothers Policy—new addition since last years' discussion

The personnel Policy was provided to the Police Bargaining Unit who were basically agreeable to the changes. The following requests were changed:

- Section 7.05 will be amended to include the addition of “will count towards pensionable earnings”
- Section 9.02 will be amended to say that documents for tuition reimbursement must be submitted within 60 days of completion of class instead of the current 30 days

3. SIGN CODE

Mrs. Owens explained that the main focus of this Code revision is to address constitutional challenges pertaining to the regulation of signs. She cited a case of Reed v. Town of Gilbert that was heard by the Supreme Court in 2015. The Court found that the regulations, whether intended or not, created content-based discrimination. Mrs. Owens stated that even size differences between signs can create a presumption of discrimination; sign regulation must be content neutral. After careful review of the Reed case, Attorney Barnebey and Mrs. Owens have worked together to revise the City's existing sign regulations accordingly to remove any content-based regulations.

Mrs. Owens acknowledged the Commission's desire to see ordinance changes in a red-line/track changes format; however, this Code has been substantially re-written and track changes would make it more challenging for the review overall. Mrs. Owens noted that a majority of the changes have been housekeeping in nature, while other requirements have been grouped together. Electronic message signs are permitted only through Commission approval of a Conditional Use application.

Pastor Tad Matthews, Church on the Rock, discussed the digital sign for the Church. He had a failing manual change sign that he replaced with an electronic sign. The sign company was working with the City of Palmetto on the Church's behalf; this began in 2018. September of 2018 the sign company informed Pastor Tad that he had to go to the City of Palmetto and pay for a Permit for the sign, which he did. The following Monday he was informed by the City that it was illegal use and had to turn it off. He has not received a refund and has been told that the City is working on revising the Sign Code, therefore, he has not been operating his sign for 18 months now.

Mrs. Owens stated that a digital sign does require a Conditional Use Permit; however, Church on the Rock is zoned residential and zoning does not allow for digital signs for residentially zoned properties.

Discussion ensued regarding Church on the Rock and the miscommunication with the Church and the length of time it has taken to resolve this issue altogether. The Commission inquired if there was anything the City could do to help the Church get their sign on right now while the discussion is had regarding the Sign Code as a whole. Attorney Barnebey advised the Commission that nothing can be done right now because of the Code that is in place.

Commissioner Davis exited the meeting at 4:56 p.m. and returned at 4:58 p.m.

Commissioner Smith asked how long it will take to get this Code to move forward so that the Church can operate their sign. Mrs. Owens stated that likely it would take 6-8 weeks. Commissioner Smith was disappointed to hear that the City cannot do anything in the interim to assist the Church and encouraged staff to move this along and rectify the situation.

Commissioner Varnadore agreed with Commissioner Smith and also asked staff to provide the Commission with a list of all electronic signs that have been completed since 2000 and what the zoning designations are for those properties. She also requested a copy of the electronic sign guidelines that were discussed and never formally adopted.

Commissioner Williams quoted Section 15.4 of the Zoning Code that says "granting of special permits where allowed under the provisions of this ordinance", he asked can the Church's sign be approved under this authority? Attorney Barnebey stated he will review that section and get back to Commission and Mrs. Owens. This discussion will be brought forward to the next Commission Workshop.

POLICE DEPARTMENT BUILDING UPDATE:

Mr. Rayan informed the Commission that the Architect for the Police Building had allotted for \$30,000 in the fees for Civil Engineering. After receiving a few quotes, it is evident that the Civil Engineering for this site will be more like \$104,000. Mr. Rayan is informing the Commission because that means that money to pay for the Civil Engineering will have to come from other established allowances like landscaping and moving.

The Commission understood; however, finds it in the best interest to see a breakdown of the costs for the Civil Engineering as well as where the money will come from to fund this \$70,000 difference. Staff will bring forward a breakdown and information at the next meeting.

Mr. Freeman stated that the schematics for the Building as well as financing options will be brought forward to the next Commission meeting.

Commissioner Williams asked for consideration by the Commission when speaking on an agenda item that they do not take more than five minutes so as to allow for anyone else to get their questions out to staff before moving on. He would also like for the Commission to ask staff the questions, allow staff to write the questions down, and provide answers with time allowing or get back to the Commission at the next meeting with answers. The other Commissioners understood Mr. Williams' position; however, disagreed on a time limit at this time.

Vice Mayor Varnadore adjourned the meeting at 5:55 p.m.

MINUTES APPROVED: May 4, 2020

Jim Freeman

JAMES R. FREEMAN
CITY CLERK