

CITY COMMISSION/CRA WORKSHOP MEETING
SEPTEMBER 12, 2022
4:30 P.M.

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
Tamara Cornwell, Commissioner-at-Large 2
Sheldon Jones, Commissioner-at-Large 1
Harold Smith, Commissioner, Ward 1 (Not Present)
Brian Williams, Commissioner, Ward 3

STAFF PRESENT IN CHAMBERS:

Mark Barnebey, City Attorney
Xavier Colon, Interim CRA Director
Jim Freeman, City Clerk
Mohammed Rayan, Public Works Director
Scott Tyler, Chief of Police
Cassi Bailey, Assistant City Clerk
Penny Johnston, Executive Assistant

STAFF PRESENT ELECTRONICALLY:

Todd Williams, Information Technology (IT) Consultant

Mayor Bryant opened the meeting at 4:30 pm.

1. ORDINANCE 2022-02 VACATION RENTAL (J. FREEMAN/M.BARNEBEY)

Mr. Barnebey gave a brief background on complaints they have received prompting this Ordinance to be drafted. The Ordinance would help limit some of the potential problems that may be caused by Vacation Rentals. They have patterned this Ordinance with other local municipalities. The City Clerk's office would be the main one to regulate/enforce this Ordinance. Mr. Barnebey highlighted areas of the Ordinance. Mr. Freeman discussed City Hall/City Clerk's role.

Commissioner Jones asked who brought this forward. Mr. Barnebey responded that the Mayor asked them to move forward with drafting this item to bring before the Commission. Commissioner Jones asked for clarification on some of the specifications as laid out in the proposed Ordinance. He said you have to be careful when dealing with people's property rights.

Commissioner Varnadore stated that you have to be mindful of everyone's property rights. Some of the complaints have come from single family home neighborhoods who have had problems with vacation rentals that have turned into party houses. She also asked who they modeled this Ordinance after. Mr. Barnebey responded that it was a combination between the City of Bradenton's and some of the island communities. She also

questioned if we have enough staff to handle the complaints. The penalty fees were also discussed. They clarified that Mr. Freeman's office will be handling the administrative side of the Ordinance. Discussions continued between Commissioner Varnadore and Mr. Barnebey. She expressed her concern with potential loopholes, but overall, she was happy with the proposed Ordinance.

Mayor Bryant mentioned the many complaints she has received over time regarding Vacation rentals. Once they saw the City of Bradenton's Ordinance, she wanted to move forward with one of our own.

Commissioner Cornwell inquired if vacation house swapping was the same as Vacation Rentals. She also questioned if there is a limit on the amount of people in a house at a time, or if it's only for the amount of people sleeping in the home. Discussions continued regarding noise related issues. Chief Tyler weighed in on the enforcement of noise complaints. Temporary Occupancy was discussed.

Commissioner Williams questioned the language in the document stating, "where as" and asked if they can shorten those sections. Mr. Barnebey clarified they are in there to determine "why" they are doing the Ordinance. Commissioner Williams would like there to be something in the Ordinance regarding the safety of neighbors. He also questioned enforcement. He asked what is the difference between a vacation rental and a Bed and Breakfast (BNB)? Mr. Barnebey answered that they act similarly, but vacation rental does not serve breakfast. Mr. Freeman clarified the wording defining a Vacation rental in the Ordinance. Maximum occupancy was discussed. The maximum occupancy shall be limited to the lessor of, 12 people total, 2 people per bedroom plus 2 additional people, or 1 person per 150 square feet of temperature-controlled living space. Commissioner Williams questioned if denial of the application is possible.

Commissioner Varnadore questioned why vacation rental is different than an Airbnb. Mr. Freeman clarified that an Airbnb is a website that advertises for vacations rentals. Discussions continued regarding Vacation Rentals and BNB's. She wants further definitions to be part of the Ordinance.

Commissioner Jones would like to have more clarity as to the plans of who is handling the Ordinance and who to contact for each of these processes when they bring the Ordinance back before the Commission.

Commissioner Williams questioned the penalties if there is non-compliance. He would like the repercussions written out in the Ordinance.

Commissioner Varnadore would like there to be page numbers on larger documents.

2. CRA PROPERTY PARKING DISCUSSION (X. COLON)

Mr. Colon gave a recap of the history of this discussion. The two properties would be closed for 2 weeks for remediation of the property. Once it is reopened it could be used as temporary parking for 6 months or a year, whichever the Commission decides is the deadline.

Commissioner Williams does not believe we need to be looking at this. Either the Ordinance needs to be followed by the City or removed. He questioned the City's liability. Mr. Barnebey clarified some of the existing Ordinance's language. He also stated that if there is a safety concern that has been brought to our attention, we have an obligation to fix it.

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Commissioner Cornwell asked Mr. Colon what the main uses were for these properties on which people are parking. Mr. Colon responded that the downtown property is generally used for overflow parking for businesses/restaurants. Mr. Barnebey and Commissioner Cornwell discussed the need for parking in the downtown area. Mr. Barnebey mentioned that 1/2 block away there is a nice parking lot that they built a few years ago which provides ample parking. Commissioner Cornwell believes it is important to understand what is driving the need for these parking areas. She would like other ideas of what neighboring areas have done to help with their parking shortages. Mr. Colon responded that they do have plans for structured parking. Mr. Colon clarified what is being asked of this evening. He is looking to remediate the 2 properties and set a deadline for temporary parking. Mr. Rayan believes we have overstayed our welcome of temporary parking. He wants a deadline for temporary parking.

Commissioner Varnadore stated that we have liability on all our City/CRA owned properties. She then spoke on the property near 10th Avenue. Mr. Barnebey spoke on the subject. The City now owns it, therefore there are certain regulations that need to be upheld. Discussions continued between Commissioner Varnadore and Mr. Barnebey. Once an issue has been brought to our attention, we have an obligation to fix it. Commissioner Varnadore believes we need to look at all the properties if we are concerned with liability. She wants to make sure we are treating all our properties the same.

3. CAPTIAL IMPROVEMENT PLAN (CIP) FY 2023-2027 (J. FREEMAN)

Due to timing, this item was not discussed.

The meeting was adjourned at 6:01 pm.

MINUTES APPROVED: SEPTEMBER 26, 2022

JAMES R. FREEMAN

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CITY CLERK