

CITY COUNCIL WORKSHOP MINUTES
Tuesday, February 15, 2017

Council President Dowless opened the workshop at 6:00 p.m. and dispensed with the formalities. City Clerk Meeks confirmed the following attendance:

Attendees:

Ray Bagshaw, Mayor
John Dowless, Council President
Lee Chotas, Council Member
Susan Fortini, Council Member

Staff:

Bea L. Meeks, City Clerk
Chris Francisco, Police Chief
Drew Smith, City Attorney
Ellen Hardgrove, Planner

Absent:

Pam Henley, Council Member

Council President Dowless noted that Council will be working from the City Ordinance and not resident/business owner John Moccio's marked-up Ordinance. It was noted that the marked-up Ordinance from John Moccio is clipped separately.

City Attorney Smith noted the following:

- Whereas clauses had no changes
- Pg. 14 – 20 Definitions – City Attorney Smith explained the changes made to definitions based on discussion and input from January workshop.

Resident/business owner John Moccio said he had comments regarding window signs (line 551). He questioned how window signs will be measured.

Business owner Richard Brinkman referred to a “whereas” clause and wanted to know if a study has been done to show that changing signage will make things safer. No one was aware of a study being done.

Council President Dowless asked City Attorney Smith about how to measure a window sign and how do you define “intent”? City Attorney Smith said he will look further into “intent”. He said measuring would be the box around the window. Planner Hardgrove said it will be the whole sign. Council President Dowless said this needs to be looked at further.

- Pages 20-27

Lines 568/569 – Changes made

This requirement applies to all signs, except those specifically exempted by this Chapter and any signs lawfully existing on the date of adoption of this Chapter, which shall be subject to Section 122-15 regarding nonconforming signs.

- P. 28 Lines 872/877

City Attorney Smith said the changes addressed two comments: He increased the graphic allowance on awning signs to 50% from 20%. City Attorney Smith said the other part was making the sign area visible from the right-of-way and explained further. In response to Planner Hardgrove, City Attorney Smith said awnings are defined.

- Line 878-

Regarding illuminated awning, the entire awning would count.

- P. 30 Line 963 –

Change made removing language regarding landscaping beneath a monument sign.

- Line 887 –

In response to Council Member Fortini regarding illuminated signs, City Attorney Smith explained where the language came from. He said he can strike “the lettering” and have just for illuminated signs.

- L. 963 –

Height increase from 8 ft. to 12 feet.

- P. 34 L 1118/1119 –

Discussion held regarding the appraised value of signs. Council Member Fortini asked for architectural screening to be defined.

- **John Moccio** – Referred to his marked-up Ordinance at page, line 889 and asked for explanation regarding “degrees”. (Council Ordinance P 29 Line 906/908)

A sign with sign copy area on both sides shall be construed as a single sign provided both copy areas are not more than three feet apart at their closest point, and that they describe an internal angle between the copy area planes extended to no more than thirty degrees.

Referencing temporary signs, Mr. Moccio said he thought the signage should be reversed. City Attorney Smith said this is intentional (real estate-political signs, etc.), and explained why. Mr. Moccio said multi-tenants should receive some “grace”. Council Member Fortini said that 32 sq. ft. is too small for commercial signage.

6:52 p.m. Neil Powell, DDS, Council Member in attendance

- P. 30 L. 949 –

Mr. Moccio expressed his concerns regarding total signage. He said the signage is too small for multi-tenants. Planner Hardgrove said the intention was one multi-tenant sign be directed to the shopping center and when you were at the shopping center, the businesses would have their individual signs.

- P. 30 – Line 953 –

Mr. Moccio questioned limiting the face of the size, why? City Attorney Smith said the intent is so the entire sign is completely zip tracked. Mayor Bagshaw said the percentage could change.

- Line 987 – background color

City Attorney Smith said this means uniform of the sign face. City Attorney Smith said this is a policy question.

John Moccio referenced his marked-up Ordinance at page 33, line 1067 – Damaged Signs (1) appraised value. City Attorney said this gives the property owner the opportunity to get a professional appraiser.

Business Owner Richard Brinkman asked Council to use a 50% of replacement cost. Council agreed to use replacement cost. Mr. Brinkman questioned allowing 3 years to remove a non-conforming sign. He said he doesn’t think it is fair to pay money to take down signs and take

away their advertising. Mr. Brinkman said that he drove around the City and what he found is that for those businesses that had landscaping he didn't notice the sign. He said he noticed the signs of businesses without landscaping. Mayor Bagshaw said the City can address landscaping but the City didn't want to go after signs and landscaping. He said the intent is not to punish anyone, it is to clean the signs up. City Attorney Smith said the City is addressing (1) permitted signs and (2) pole signs which have amortized out. He said there are pole signs in town that the City would be unhappy with. He asked "if we are not talking about pole signs, are there signs we want to amortize out"? Council President Dowless said the intent is not to punish anyone. He said he is concerned about the useful life of signs.

Richard Brinkman asked if his sign is lawful (16 feet in height). Planner Hardgrove said it is not a conforming sign.

Planner Hardgrove said it was her understanding that when the final draft is done, then all signs would be reviewed to see what sign was allowed and what was not allowed.

Planner Hardgrove explained the 2002 Ordinance and pointed out that the City is in the same situation as it was in 2002.

Business owner Fran Pignone said she thought there was a lot of progress made tonight. She said it isn't about policy; it is about constitutionality of property rights.

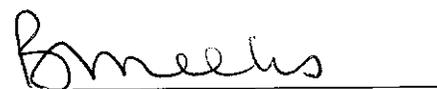
Business owner Richard Brinkman asked Council to not have an amortization period.

City Attorney Smith asked what type of pole signs does the City want to see. He said the City's sign is a low pole sign (metal poles). He asked if it was higher would the City be okay to see this on other properties.

City Attorney Smith suggested one more workshop.

Having no further business or discussion, the workshop adjourned at 8:05 p.m.


John Dowless
Council President


Bea L. Meeks, MMC, CPM, CBTO
City Clerk

Approved on March 21, 2017.