

TOWN COUNCIL WORKSHOP
WEDNESDAY, MAY 5, 2010 AT 7:00 P.M
TOWN HALL BUILDING
4240 HIGHWAY US1, GRANT VALKARIA, FL 32949

The Town Council Workshop Meeting of May 5, 2010 was called to order at 7:00 p.m. by Mayor Yonts, followed by the Pledge of Allegiance led by Council Member Faden, and roll call to the Council Members with the following present:

Mayor – Del Yonts	Town Administrator Richard Hood
Seat No. 1 – Joe Hackford	Town Clerk Susanne Krueger
Seat No. 2 – Lisette Kolar	
Seat No. 3 – Pat Bryan	
Seat No. 4 – Jason Mahaney	
Seat No. 5 – Dan Faden	
Seat No. 6 – Cathy DeMott *	

* Council Member DeMott arrived at 7:05 p.m.

AGENDA ITEMS

1) Discussion of home occupations for business tax receipt

Town Administrator Hood stated that based on the last workshop comments he created two categories for home occupations. Category 1 is classified as those home occupations where work is performed in the home in connection with which there is no commodity sold upon the premises, and no mechanical equipment used except such as is normal in a residence; no toxic or combustible materials shall be stored on site beyond that which is common. Category 2 would include those businesses in which the home is used as a location for a business telephone, an address for business correspondence, a storage place for business records and equipment; is where contractors and the building trades would be placed provided all equipment is stored in an enclosed trailer, truck or structure; lawn care services, contractors and the building trades may have additional employees as long as the work being performed is not at the residence; no more than 5 vehicles may be parked at any one location; same rules regarding traffic, noise, etc. applies to this category; contractor storage yards shall not be considered home businesses; contractors and building trades are defined as those trades requiring a certificate of competency from the State or County. The section referring to licenses being reviewed and renewed annually is deleted because the County handles renewals, the Town reviews and endorses new business tax receipts verifying compliance to local codes.

Mayor Yonts stated he was concerned that Category 2 should mention that it is for the location of a home office. Vice Mayor Kolar stated that home occupations should be more beefed-up and that we need to have controls to protect residential neighborhoods. Council Member Hackford stated that when he received his business tax receipt from the County he had to list all his equipment and where he was storing them. Town Administrator Hood stated that he could beef-up the application by validating the equipment subject to re-inspection, and if found in violation the Code Enforcement Officer would respond. Don Whitehouse inquired if the town could limit the number of business vehicles on property. Mayor Yonts suggested that if the vehicle is

outside it counts but if it is inside an enclosed structure it does not, and that there might need to be annual inspections and fees. Allen Webb stated that there may be a problem with requiring inspections because of mixed zonings. Council Member Mahaney suggested adding category 3.

There were suggestions among Council Members as follows:

- limiting the number of commercial identified vehicles
- size limitations on trailers and truck
- no storage of equipment
- limiting number of vehicles based on size of lot
- require an adequate buffer by fence or landscaping
- if vehicles are exposed then limit the number
- if vehicles are inside building they are not counted
- reword the sentence “Any home occupation that generates traffic through visitation in volumes that would require an off-street parking area for more than five motor vehicles is prohibited” to reference employee vehicles
- verify or delete where it refers to the public hearings requiring an application fee
- in section 62-1155 (b) (2) change to reflect that it refers to section 62-1151 (a), (b), and (c) and that the Town Council shall hold the public hearing
- fix section 62-1155 (b) (3) to show the correct number of employees
- delete section 62-1155 (b) (4)

It was Council consensus to approve the breakdown of having the two categories, allow 5 employee’s personal vehicles, allow 1 commercial vehicle parking in driveway, all trailers open or closed must be behind buffer of landscape or fencing and/or behind front building line, no more than 2 pieces of equipment in backyard behind buffering or landscape and no more than 1 commercial vehicle in driveway. Vice Mayor Kolar stated that in Category 2 it should be referenced to Florida state and county codes regarding contractor licensing. Mayor Yonts requested that the public hearing should be before the Town Council not the Planning and Zoning Board and that the notification should be 1,000 feet rather than 500 feet; that staff get a notice out to deed restricted areas that Council may be changing accessory structure regulations.

Mayor Yonts called for a brief recess at 9:17 p.m. Mayor Yonts called the meeting to order at 9:35 p.m.

2) Discussion of electronic game arcades

Town Administrator Hood requested Council input as to if they wish to have the same overlay district as for adult entertainment. Council Member Mahaney stated that he wants it the same as the adult entertainment district. Mayor Yonts stated that he had no problem with electronic game arcades and was concerned about what happened in other communities or county, if the Sheriff’s Office had been called, or if there is any negative feedback. Council Member Bryan suggested keeping them so many feet apart. Town Administrator Hood stated that the Town can allow them with conditions like 1,000 or 1,500 feet between businesses, and adjust the parking requirements in the Land Development Regulations (LDRs); he suggested that in case the state statutes change they should address that it is not the gambling arcade where there is a payoff.

Council Member Hackford stated that he agreed with the distance between businesses. It was Council consensus to allow the moratorium on electronic game arcades to lapse, to work on an ordinance addressing electronic game arcades, and work on restrictions in the LDRs. Mayor Yonts requested statistics on electronic game arcades from Palm Bay and County to verify any issues and bring back to Council. Town Administrator Hood confirmed that he will query County, Palm Bay and Melbourne and will bring back to Council at a future meeting.

Council Member Mahaney stated that he would not be at the next Council meeting.

ADJOURN

Motions by Council Member Bryan, second by Council Member Hackford, and vote unanimous to adjourn the meeting at 10:10 p.m.

(signature on file)

Del Yonts, Mayor

ATTEST:

(signature on file)

Susanne R. Krueger, Town Clerk