

**CITY OF PALMETTO  
CITY COMMISSION WORKSHOP MEETING  
June 18, 2012  
4:30 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
Brian Williams, Vice Mayor, Commissioner, Ward 3  
Tamara Cornwell, Commissioner-at-Large 2  
Charles Smith, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Alan Zirkelbach, Commissioner-at-Large 1

Staff Present

Mark Barnebey, City Attorney  
Jeff Burton, CRA Director  
Jim Freeman, City Clerk  
Lorraine Lyn, Planning and Zoning Supervisor  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Amber Foley, Assistant City Clerk

Mayor Bryant called the meeting to order at 4:34 p.m.

Mayor Bryant announced that she attended a ribbon cutting for the opening of the new restaurant Chatterbox Bar and Grill.

1. DISCUSSION: PROPOSED ORDINANCE 2012-12 ALCOHOL SALES ON CITY PROPERTY DURING EVENTS

Attorney Barnebey discussed that the current code, under sections 4-2 and 4-3, prohibits the locations where alcohol can be sold and consumed, so what's been done is a proposed exception to all of section 4-2 and some of 4-3 of current code. At a minimum this proposed ordinance would make the selling party indemnify, defend, and hold harmless the City and/or the CRA, provide both liquor liability and general liability insurance and obtain all appropriate licenses and permits, and they would clean the area designated by the Commission for consumption of alcoholic beverages of trash and debris after the City meeting or event. Also, the proposed ordinance would allow City Commission to identify the time, date, and places where such consumption shall be permitted.

At this time there has been no recommendation to change the special function permit to allow selling or consumption of alcoholic beverages by other organizations at other events.

Questions were asked regarding the limiting of selling and consumption of alcohol to certain areas and regarding the law restricting the area near a church. Attorney Barnebey noted that the Commission would be allowed to specify where the consumption and sale of alcohol on city property could be located, provided the location complies with existing laws.

Discussion ensued regarding Section 4-3 of proposed ordinance, specifically relating to subsection (a) 1-8.

Attorney Barnebey noted that if this ordinance is approved at the public hearing on June 25, 2012, then a separate agenda item should be added to allow consideration of permission of sales and consumption of alcohol in Sutton Park during the 4<sup>th</sup> of July event. Also, if there are other events at other parks, then at that time, the Commission would have to take a specific vote on allowing sales and consumption at that event. This proposed ordinance change applies only to non-profit organizations.

Commissioner Varnadore stated she feels that there needs to be more research done before this ordinance gets approved. She would like staff to look into what kind of beverages can be sold, if there will be cabs available for the public to use, and she would like to look at what parameters the City of Bradenton and Manatee County have in place regarding their sales and consumptions of alcohol during events.

In response to Commissioner Varnadore's concerns, Mr. Freeman noted that those details have not been looked into, but insurance costs have been looked into with the Florida League of Cities. The Florida League did say that as long as the City is not directly involved with the sale then there will be no additional costs that the City will have to incur.

Commissioner Varnadore asked Chief Wells about staff for the events, specifically regarding July 4<sup>th</sup>. Chief Wells advised that they are staffed properly, whether there are sales of alcohol or not. He will have 42 law enforcement officers at the event including deputies from the Manatee County Sheriff's Office.

Commissioner Zirkelbach noted, according to section 6-4 of the City of Bradenton code, it allows for the consumption of alcoholic beverage on the City Street from a clearly marked container during City events.

Commissioner Williams suggested limiting the number of times the sales and consumption of alcohol is allowed instead of having it every time there is a special event.

Commissioner Cornwell asked Chief Wells to look into the City of Bradenton about any incidents that have taken place during their City Events related to alcohol consumption. She also asked Attorney Barnebey to look into the contract with the Historic Board about the sale and consumption of alcohol on their sites before moving forward with ordinance.

Discussion ensued regarding the application process and how would it be determined which non-profit agencies would be chosen for an event.

Jeff Burton explained the planned street closures that will occur during the event. Regarding how much money has been spent on this 4<sup>th</sup> of July event, Mr. Burton noted that they are up to \$80,000 on the whole event, including firework display.

Discussion ensued on Commissioner Varnadore and Commissioner Cornwell's concerns regarding their opinion that a lack of research on surrounding municipal events had occurred. They also discussed concerns regarding the fact that no operational or enforcement procedures had been developed.

Mr. Burton discussed his attempt to establish last year's vendors participation again this year, noting that non-profit organizations can provide support to the community that the CRA cannot legally provide.

Mayor Bryant suggested stronger guidelines for this ordinance. The Mayor would like to see a limit on the number of events per year and a limited area where the sales and consumption of alcohol will be permitted. Also, she would like to see the selection process based on the best proposals in the interest of the City and in conjunction with that, Mayor Bryant requested that there be proposals from local vendors that can provide rides in the event that the public shouldn't be driving. Mayor Bryant stated she would like Commissioners to promise that if this becomes problematic that there is support for reconsideration on this issue.

Discussion ensued on whether to incorporate the guidelines the Mayor brought forward as rules or put directly into the ordinance.

Regarding the Historic Board, Mayor Bryant would like the Board to write a letter stating their position on sales and consumption of alcohol on their property.

**Consensus of Commissioners was to move this proposed ordinance to the 7:00 meeting. Commissioner Varnadore was opposed to moving it forward.**

Discussion ensued on how the Mayor's issues should be written, either as rules or directly incorporated into the ordinance itself. It was decided that Attorney Barnebey would add these issues directly into the ordinance with the Commission being capable of pulling them out.

Meeting adjourned at 6:02 p.m.

Minutes Approved: July 2, 2012

*James R. Freeman*

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