

**CITY OF PALMETTO**  
**CITY COMMISSION WORKSHOP MEETING**  
**June 2, 2014**  
**4:30 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
Jonathan Davis, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2—(Entered the meeting at 4:34 p.m.)  
Charles Smith, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3—(Entered the meeting at 4:31 p.m.)

Staff Present:

Mark Barnebey, City Attorney  
Allen Tusing, Public Works Director  
Rick Wells, Police Chief  
Rachel Layton, Interim City Planner  
Amber Foley, Assistant City Clerk

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

Mr. Tusing introduced Rachel Layton, interim City Planner. He complimented her on her work so far with the City.

Mayor Bryant informed Commission that the meeting today will be ending at 5:30 p.m. to allow time for dinner and to arrive at Blackstone Park at 6:15 p.m. for the dedication of the ball fields.

1. NOISE ORDINANCE 2014-06

Attorney Barnebey stated that this Ordinance as well as Ordinance 2014-07 are related. He drafted the proposed Noise Ordinance after the recently adopted Manatee County Noise Ordinance. The current City Noise Ordinance uses the reasonable man standard as a means to determine if there is a violation. The proposed Ordinance incorporates both the reasonable man standard as well as the use of a decibel meter to determine if a noise is in violation. If the Ordinance is adopted as written, it would require the City to provide training to personnel that will be using the decibel meter.

Commissioner Williams would like some information on the cost of the decibel equipment, training for personnel, and recalibration of the machine. If the City elects to use decibel equipment, he opined that Commission should receive a report after the first few months regarding noise levels around the City that are frequently complained about. Mayor Bryant suggested Commission review the Manatee County Commission meeting where decibel meters were discussed and a professional was brought in to explain them.

Attorney Barnebey was asked to look at the language in Section 5-3 (1)(b) "...unreasonably disturbed by excessive noise...." to review the word "unreasonable" and determine if it should read "reasonable" instead.

Commissioner Williams opined the time should be changed from 6:00 a.m. to 7:00 a.m. for the operation of equipment for solid waste and recycling collection in residential uses.

Commissioner Cornwell asked for a list of the pros and cons of using the decibel meter. She opined that using decibel equipment is not necessary. Chief Wells explained that one large pro to using decibel equipment would be to show the person making the complaint that the noise is not unreasonable. Attorney Barnebey was asked to look at the time frame for the usual noises of construction and operation of construction equipment that is mentioned in Section 5-2(5).

Commissioner Varnadore would prefer to have Law Enforcement Officers trained in the use of the decibel meter equipment as opposed to just Code Enforcement Officers.

2. OUTDOOR EATING AND DRINKING ESTABLISHMENTS ORDINANCE 2014-07

Attorney Barnebey stated that this Ordinance proposes a Land Development Code amendment. As the City grows, more outdoor eating and drinking establishments will appear and will potentially have outdoor music/entertainment. In regard to Section 6.25 of the proposed Ordinance, Attorney Barnebey would like to receive input from Commission regarding the issuance of a Conditional Use Permit for those establishments that have outdoor eating and drinking or would they prefer to only require those establishments that have outdoor music/entertainment to apply for a Permit. The proposed Ordinance states that all outdoor eating and drinking establishments would be required to have a Conditional Use Permit. He also asked Commission to think about exiting establishments that have outdoor eating and drinking. He questioned if they should be grandfathered in or if they would have to come into compliance by applying for a Permit if this Ordinance is adopted. More discussion will take place regarding this Ordinance at the next Workshop meeting.

3. PAIN MANAGEMENT CLINIC REGULATIONS ORDINANCE 2014-10

4. MEDICAL MARIJUANA FACILITIES ORDINANCE 2014-11

**DUE TO TIME, ITEMS 3 AND 4 WERE NOT DISCUSSED; THEY WILL BE PLACED ON THE NEXT WORKSHOP MEETING.**

Mayor Bryant adjourned the meeting at 5:26 p.m.

Minutes approved: July 21, 2014

*James R. Freeman*

James R. Freeman  
City Clerk