

CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
July 21, 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
Charles Smith, Commissioner, Ward 1 (Entered at 4:36 p.m.)
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

Staff Present

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Rick Wells, Police Chief
Amber Foley, Assistant City Clerk

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

1. DISCUSSION: FISCAL YEAR 2014-2015 BUDGET

Mr. Freeman discussed the assumptions page for the FY 2014-2015 budget that begins on page 2 of Version 1 provided in the agenda. A copy of the assumptions are attached to and made a part of these minutes. Commission should expect a Version 2 of the FY 2014-2015 budget the first week of August.

Mr. Freeman proposed the following dates for budget workshops:

- August 4th-regularly scheduled 4:30 p.m. workshop
- August 5th-5:30 p.m.-7:00 p.m.
- August 11th-5:30 p.m.-7:00 p.m.
- August 13th-5:30 p.m.-7:00 p.m.
- August 20th-5:30p.m.-7:00 p.m.
- August 25th-regularly scheduled 4:30 p.m. workshop
- September 3rd-5:30 p.m.-7:00 p.m.
- September 8th-regularly scheduled 4:30 p.m. workshop with the tentative budget hearing at the 7:00 p.m. meeting
- September 22nd-regularly scheduled 4:30 p.m. workshop with the adoption of the budget at the 7:00 p.m. hearing.

Commission discussed the proposed dates and cancelled the August 5th, 11th, and 13th dates. The August 4th regularly scheduled workshop will still be as scheduled; however, no budget discussion will be on that agenda. Commission added the dates of August 6th and August 19th and asked that those dates as well as the meeting on August 20th all begin at 6:00 p.m. instead of 5:30 p.m. The new dates are as follows:

- August 6th-6:00 p.m.-7:30 p.m.
- August 19th and August 20th-6:00 p.m.-7:30 p.m.
- August 25th-regularly scheduled 4:30 p.m. workshop
- September 3rd-5:30 p.m.-7:00 p.m.
- September 8th-regularly scheduled 4:30 p.m. workshop
- September 22nd-regularly scheduled 4:30 p.m. workshop

2. NOISE ORDINANCE 2014-06

Attorney Barnebey stated that there were three of the five items amended as discussed at the last meeting, though those amendments are not included in the agenda packet tonight. He asked for further direction from Commission regarding the times for construction noise to begin and end. Currently, the City's existing ordinance allows for construction time to begin at 7:00 a.m. on weekdays, 8:00 a.m. on Saturdays, and 9:00 a.m. on Sundays, with the end time to be 10:00 p.m. for all days. The current draft ordinance proposes construction noise to be allowed from 7:00 a.m. to 7:00 p.m. all days.

Chief Wells discussed the decibel meter research he performed stating that the companies do not have the option to lease, only to buy the meters. He would like the Police Department to purchase one meter that would be locked in the sergeant's supply closet so that each squad would have access to it. There would be additional costs to keep the decibel meter calibrated and working correctly, just like the radar lasers the Department has.

Discussion ensued between Commissioners regarding the time for construction to begin and end. Commissioner Williams opined that construction noise should begin at 7:00 a.m. to sunset on weekdays and 8:00 a.m. to sunset on weekends and holidays. Commissioner Davis stated that mosquito fogging does not occur sometimes until 10:00 p.m. or later; he asked that something be included in the ordinance to allow for them to still operate in the night hours. Commission questioned how those hours would affect Public Works and other companies' night crews that work on the road ways. Attorney Barnebey will look into those questions.

Commissioner Varnadore opined that there is not a need for a new noise ordinance because the current ordinance has been working for the City overall.

The consensus of Commission was to have Mr. Barnebey make the suggested changes and bring to the next workshop. Chief Wells would appreciate the penalty portion of the proposed ordinance be adopted if Commission does not want to go forward with the whole ordinance. Mr. Barnebey will draft another noise ordinance to include just the citation wording as written in this ordinance.

Mayor Bryant asked Mr. Barnebey to meet with the interim City Planner regarding items 4 and 5 of tonight's Workshop agenda.

3. OUTDOOR EATING AND DRINKING ESTABLISHMENTS ORDINANCE 2014-07

Attorney Barnebey discussed the Conditional Use Permit process as written in the proposed ordinance. He stated that it requires going through a process and sets forth minimum requirements for compliance. The process, as written, would be an annual renewal process. He asked for direction from Commission on how to handle existing establishments in the City that have outdoor eating and drinking. He also questioned if Commission would only like the ordinance to address those establishments that have outdoor noise amplification.

Mayor Bryant left the meeting at 5:46 p.m.

Commissioner Williams does not like the process of the Conditional Use Permit to be one that is renewed automatically. He would like to see the business audited for complaints and compliance before their Permit would be renewed. He also asked for a list of the City's current establishments that have outdoor eating and drinking. Mr. Williams opined that those currently in existence should be grandfathered in and he would like something written that differentiates between those businesses with just outdoor eating and drinking and those that include music/entertainment.

Mr. Tusing and Mr. Burton discussed the option of a sliding scale decibel range for outdoor eating and drinking establishments stating that the closer a business is to residential the lower the decibel and the further the establishment is away from residential the higher the decibel reading could be. Commissioner Varnadore agreed that there should be categories for those types of businesses and the area where they are located. She suggested that there be a requirement for some type of acoustic barrier for any

establishment that is built close to a residential zone. Mrs. Varnadore opined that the City is regulating too much currently and would like to see some pull-back on that especially when it comes to small local businesses that are just starting out.

Attorney Barnebey will bring this ordinance to the next Workshop meeting.

Commissioner Varnadore asked for a comparison of other Cities and how they have dealt with the decibel levels for outdoor eating and drinking establishments.

4. PAIN MANAGEMENT CLINIC REGULATIONS ORDINANCE 2014-10

5. MEDICAL MARIJUANA FACILITIES ORDINANCE 2014-11

DUE TO TIME, ITEMS 4 AND 5 OF THE AGENDA WERE NOT DISCUSSED. THEY WILL BE ON THE NEXT WORKSHOP AGENDA.

Vice Mayor Davis adjourned the meeting at 6:01 p.m.

Minutes approved: August 4, 2014

James R. Freeman

James R. Freeman
City Clerk