

**CITY OF PALMETTO  
CITY COMMISSION WORKSHOP MEETING  
March 16, 2015  
4:30 p.m.**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
Brian Williams, Vice Mayor, Commissioner, Ward 3  
Tamara Cornwell, Commissioner-at-Large 2  
Jonathan Davis, Commissioner-at-Large 1  
Harold Smith, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Scott Tyler, Chief of Police  
Deanna Roberts, Administrative Assistant

Vice Mayor Brian Williams called the March 16, 2015 workshop meeting to order at 4:30 p.m.

1. ORDINANCE 2015-01 SOLICITATION (M. Barnebey)

Mr. Barnebey went over the changes to the ordinance made at the last meeting. The changes are listed on the point paper.

Commissioner Varnadore asked who provides the permit. Mr. Barnebey said it is provided by the City Clerk, and that is covered in Section 19-22. There is no fee for the permit.

Mrs. Varnadore asked if political candidates need to get a permit and will they be notified. They have been removed from the exempt category. Mr. Barnebey said this will apply to candidates. They are asking for a vote.

Mr. Freeman stated the permit must be carried and produced upon request. He will have it available on the website.

Mr. Williams asked about panhandling and solicitation. He recommends using "aggressive" panhandling. Mr. Barnebey advised leaving it just the way it is.

Commissioner Cornwell opined that the requirement for political candidates will not work. The county does the paperwork for candidates, and they will not know they need a permit. If they are included, she will not support the ordinance. Mr. Barnebey said that would threaten the ordinance as a whole.

Mr. Barnebey suggested changing subsection (1) to say that "Seeking contributions or pledges for contributions, including panhandling; *provided however mere distribution of literature which provides information for making contribution or pledge shall not be soliciting contributions or soliciting pledges.*

Chief Tyler said the first contact with law enforcement could be just a warning, if Commission agrees, and merely educational. The political canvassers would be advised they need to get a permit. That will help candidates outside the local area. He doesn't want to water down the language so much that it is hard to enforce. In his opinion, candidates going door-to-door are at least soliciting support.

Mr. Williams brought up aggressive panhandling again. Mr. Barnebey said he is not prepared to make that change tonight. He suggested looking at that again in the future.

Chief Tyler commented that typically it is the property owner that authorizes a trespass against aggressive panhandlers. The activity is often called in by citizens doing business at the establishment. He opined that the City would not want to trump private property management rights.

Mayor Bryant remarked that for the safety of the residents, she prefers to err on the side of caution and ask people to come in for a no-cost permit. She would like to move the ordinance forward. She opined the Supervisor of Elections would be willing to insert something in the candidate packets regarding the permit.

Mayor Bryant asked Mr. Barnebey again about adding a definition for aggressive panhandling. Mr. Barnebey said the term solicitation covers panhandling.

Mr. Barnebey listed the changes made from tonight's meeting for clarification:

Section 19-121, Section 1: add "provided however mere distribution of literature which provides information for making a contribution or pledge shall not be considered soliciting contributions or soliciting pledges under this ordinance."

Section 19-126: An appeal must be "made" instead of "demanded" in writing, and "The right to appeals to the City Commission is not in derogation" ...will be changed to "is not limited by any other rights of law or equity."

Section 19-127: Code enforcement will be added to enforcement.

In the last two Whereas clauses, public places within the City will be broadened to say within the City limits.

Section 19-124: Request to present the permit for inspection will include by any officer *or employee* of the City.

Commissioner Varnadore commented that the main point of requiring the permit is to know who is going door-to-door in the City. She would not want to change the language to allow loopholes. It is best to have everyone fill out the permit. It is for safety.

Following discussion, consensus of Commission was not to have a change in Section 19-121 to allow an exemption for certain types of solicitation.

## 2. CITY'S GATEWAY SIGN GUIDELINES (J. Burton/J. Freeman)

Mr. Freeman said he is setting guidelines for the sign. He asked if Commission wants to keep the banners or eliminate them and just have the LED sign.

New guidelines suggested include:

- Imposing a fee for a message on the LED sign: \$50 for seven consecutive days, or \$100 for fourteen consecutive days.
- A maximum of three signs at any given time, in addition to any City messages.
- Limit to one page per applicant.
- Applicants limited to four weeks per year.
- Limit to non-profits.
- To advertise special events, cultural and recreational activities, fundraisers, etc.
- No commercial advertising, personal messages, promotion for a commercial or for-profit enterprise, political advertisements, or products.
- Sponsors of an event may be included on a message, but not more than one-quarter of the page.

- No phone numbers or email addresses.
- No flashing, scrolling or animation.
- Color palette shall be soothing
- The City reserves the right to cancel and refund any portion remaining.

The consensus was not to allow events outside the City to be displayed.

Mr. Freeman said the applications are processed on a first-come basis. Discussion was to have the applications date and time stamped.

Mayor Bryant said the goal was to reduce clutter and do away with the banners. Mrs. Varnadore said she would like to do one or the other, not both.

Mr. Williams suggested removing the last sentence in the first paragraph regarding what the funds collected would be used for. He feels that is for internal information only. He proposed extending the limit for advertising to more than four weeks. He asked to add "Accepted By" under the Release Signature line, and to limit all events advertised to those that take place within the city limits.

In answer to Mr. Williams' question about the cost to the City to replace the message, Mr. Freeman said it is nominal. It takes about ten minutes to put a message up.

Mr. Williams asked to give the Mayor and staff the option to add a banner if the sign is full.

Mr. Tusing suggested suspending the banners for awhile. But, the City should use the technology instead of the banners now. He commented that the city needs to look at the timing between messages.

Mayor Bryant asked the Commissioners to watch the sign and see what they think about the timing. She also would like to see the City's sign resolution be the benchmark for all signs in the City.

Commissioner Smith opined that the fee is too low.

Commissioner Cornwell asked who decides who has the right to advertise on the sign. Who will monitor the number of days and the spellings on the signs? Mr. Freeman said a few people will have oversight.

Mr. Barnebey said the City may want to limit religious signs.

Consensus was it would be okay to congratulate home sports team state finalists.

Commissioner Davis commented the rotation time on the sign needs to be changed. Mr. Barnebey said the industry standard is 7.5 seconds.

Regarding Mrs. Cornwell's comment about the accumulated funds, Mr. Barnebey said the City would not want to limit where the money goes. That should be up to Commission. He opined the color scheme on each ad should be up to the applicant.

Mayor Bryant commented the next step would be to set the guidelines, go back to Planning and decide on the timing and resolution. The timing and resolution discussion will come back to Commission.

There was consensus that the banners need to go.

### 3. ORDINANCE 2015-03 CEMETERY

This item was moved to the end of the 7:00 p.m. meeting for discussion.

The meeting was adjourned at 6:08 p.m.

Commission Workshop  
March 16, 2015  
Page 4 of 4

Minutes approved: April 6, 2015

*James R. Freeman*

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James R. Freeman, City Clerk