

**CITY OF PALMETTO  
CITY COMMISSION WORKSHOP MEETING  
May 2, 2016  
4:30 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
Harold Smith, Vice Mayor, Commissioner, Ward 1  
Tamara Cornwell, Commissioner-at-Large 2—(Entered the meeting at 4:41 p.m.)  
Jonathan Davis, Commissioner-at-Large 1  
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  
Scott Tyler, Chief of Police  
Amber Foley, Assistant City Clerk

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

1. ORDINANCE 2016-09 NOISE

Attorney Barnebey presented the attached ordinance as drafted by the Manatee County Attorney. He is seeking direction from the Commission regarding the adoption of this ordinance. The ordinance has two standards, the reasonable man standard and the decibel reading standard. Mr. Barnebey reminded Commission that because it is written by the County Attorney, the ordinance is centered around the current County ordinances, zoning, etc. The State Attorney's Office worked with the County Attorney on drafting this ordinance and will enforce criminal actions on noise only if using the decibel standards. The City of Bradenton has agreed to adopt this ordinance as their own, the City of Palmetto can adopt this ordinance, adopt a new ordinance, or keep what is currently in existence. The Manatee County Board of Commissioners will be reviewing and is scheduled to adopt this ordinance by the end of June.

Commissioner Williams is in favor of this ordinance but prefers some things are modified to work with the City of Palmetto. The ordinance addresses time for solid waste starting at 4:00 a.m.; however, the City's contract with Waste Management does not allow them to operate that early. Attorney Barnebey will mention that to County Attorney, however, opined that the time for solid waste may not affect the City because Waste Management's contract is clearly written for the beginning and end times of operation in the City.

Commissioner Varnadore questioned if the City currently has time constraints on noise. Chief Tyler explained that there is not a time restriction on general noise, only construction work, lawn work, and solid waste. She questioned why moving vehicles are exempt. Chief Tyler addressed the First Amendment right and also stated that the County's ordinance does have an exemption in there regarding music from a vehicle.

In regards to the decibel standard, Chief Tyler indicated that the Department currently has decimeters for use; however, there will need to be some training done (if there is a State requirement).

Chief Tyler opined that the City should adopt the County ordinance for consistency and Commissioner Varnadore agreed.

Attorney Barnebey has a list of concerns to bring forward to the County and will keep Commission informed of the outcome of the meetings with them.

Commissioner Smith questioned decibel and decimeters. Chief Tyler stated that an officer would go out to a noise complaint with the decimeter and measure the decibel levels of the noise. If the noise is not in compliance with the ordinance, then the officer tells the person to comply with the ordinance and they need to turn the noise down to the level in the ordinance. Discussion ensued regarding decibel levels.

Attorney Barnebey prefers that the City either adopt the County's proposed ordinance or something very similar. The consensus of the Commission would be to adopt this ordinance with some slight deviations that are specific to the City. Commissioner Smith would prefer the City adopt their own noise ordinance. This discussion will be placed on the next Workshop agenda.

## 2. ORDINANCE 2016-06 PARKING IN LIEU

Attorney Barnebey is seeking direction from the Commission on the adoption of this type of ordinance.

Mr. Tusing explained the payment of \$13,628.80 per parking space for a property owner to pay for this program. He stated that he took the price of one acre of property in the downtown area of Palmetto, the cost to put in parking spaces, a drive isle, and minimal landscaping. Mr. Tusing was asked to verify the payment as Commission opined it to be too high.

Due to the City not having specific plans to develop parking spaces for this parking plan/public use, Commissioner Varnadore opined it seems premature to adopt an ordinance without a plan for parking in these areas.

Mayor Bryant explained that this ordinance is part of the planning and development for this program. She asked the Commission to be thinking in terms of the future and what is needed. It is necessary for the City to adopt a program like this to help facilitate other parts of development, more specifically in the downtown where it is more of a challenge to have adequate parking at each establishment. She agreed that a parking analysis needs to be done; it has been started and it just needs to be completed. Mr. Tusing agreed and will be finishing that up and providing it to Commission.

Commissioner Davis' concerns are more specifically the parking per space as indicated earlier. He agrees the concept is a good idea and would like to see the City adopt a plan once the price is figured out and more feasible.

Attorney Barnebey will provide a copy of the Ann Arbor Parking Study he researched while drafting this ordinance to Commission and will bring this item back to the next Workshop meeting for further discussion. Mr. Tusing will work on the completion of the City's parking analysis.

## 3. ORDINANCE 2016-07 ALARM

**Due to the time, this item was not discussed. Commission agreed to forward this item to tonight's 7:00 p.m. agenda for discussion only.**

Mayor Bryant adjourned the meeting at 6:04 p.m.

Minutes approved: May 16, 2016

*James R. Freeman*

James R. Freeman  
City Clerk