

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
December 5, 2016
4:30 PM**

Elected Officials Present:

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

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. Due to Attorney Barnebey running late, Mayor Bryant switched the order of items one and two of the agenda, calling the pool discussion first.

2. DISCUSSION: POOL IN PALMETTO

Commissioner Cornwell started the discussion reminding the Commissioners about the recent discussions and vote by the Manatee County Commission on the development of a pool within the City of Palmetto. She questioned a few things, mainly if there is any documentation for the City's records, how will this occur in the City, and the expected timeline. Mrs. Cornwell proposed the City hold a community meeting to hear back from the public on their thoughts regarding the location of the pool.

Commissioner Varnadore questioned what was meant by the County's motion that stated "ask the County Administrator and staff to evaluate the options for the County to produce a pool, with specifications to be decided, in the Palmetto area". She requested more clarification.

Manatee County Commissioner Carol Whitmore was in attendance and came to address any comments and concerns the City Commissioners may have. She stated that County staff have been asked to meet with City staff to understand a logical place for a pool within the City limits. Discussion continued amongst the Commissioners on the development of the pool. The consensus of the Commission was to have the Mayor write a letter to the County Commission reiterating the status of the pool in the City or near the City. This discussion will be added to tonight's 7:00 p.m. meeting for a motion. Staff was also directed to add the pool discussion as a standing item on all future 7:00 p.m. agendas.

1. ORDINANCE 2016-09 NOISE

Attorney Barnebey explained that Manatee County has adopted a new noise Ordinance and the one presented tonight has been drafted similarly to theirs. He discussed how the State Attorney's Office will only prosecute if the Ordinance includes decibel meter standard. This new Ordinance presented has language written in it to include an option for potential violation in County Court. Attorney Barnebey recommended adoption of an Ordinance similar to the one that is currently in place which includes reasonable man standard.

Attorney Barnebey discussed the addition of Section 5-4 subsection 2.b. that mentions an Entertainment District. This section allows for a slightly higher sound level in any area that the Commission may deem as an Entertainment District in the future [by resolution]. A District like this may include an establishment that may have outdoor entertainment and open seating.

Mr. Barnebey is overall happy with the Ordinance as presented, and prefers feedback from Commission before he does anything else.

Commissioner Cornwell questioned the decibel level for an air conditioning unit more specifically a residential unit versus a commercial unit. Attorney Barnebey suggested he can include an exemption regarding air conditioning units for commercial type of facilities.

Commissioner Williams expressed his concerns regarding the time of 7:00 a.m. to 10:00 p.m. for mowing a lawn. He opined 10:00 p.m. was too late and suggested 9:00 p.m. as a more appropriate ending time. Attorney Barnebey was also asked to review the amplified sound time frame as mentioned on the Special Function Permit and incorporate that into this Ordinance as well.

Discussion ensued regarding the motor vehicle noise section of the Ordinance. Attorney Barnebey will provide information at the next meeting regarding motor vehicle noise coming from a car parked in a driveway.

Commissioner Williams opined that Section 5-4, Subsection (b) 1.b. should be eliminated from the Ordinance and Attorney Barnebey agreed. Commissioner Williams continued discussing his opinions regarding the outline of the Ordinance, mostly Section 5-5 the enforcement and penalties Section. Attorney Barnebey was asked to review this Section more closely.

Commissioner Smith requested a sample sheet with different items and what the decibel reading is for those events. This will be provided at the next meeting. Mr. Smith also suggested something be drafted in the Ordinance to discuss trailer trucks that just "stand" and run at different hours of the day and night; this is disturbing to residential areas. Chief Tyler and Attorney Barnebey agreed and will include some language regarding this.

Commissioner Varnadore corrected the definition of school in the Ordinance that currently says County but should say City.

Commissioner Varnadore discussed the vehicle section of the proposed Ordinance. Chief Tyler and Attorney Barnebey will have more discussions regarding violating moving vehicles and using a decibel meter and reasonable man standard.

Number 10 of the exemptions was mentioned that discusses school activities on school grounds. Commissioner Varnadore requested the starting time be 7:00 a.m. instead of 8:00 a.m. Attorney Barnebey agreed to change that due to the time of schools starting.

Section 5.5 was discussed and the consensus was to remove Code Enforcement Officer.

3. ORDINANCE 2016-06 PARKING IN LIEU

Attorney Barnebey gave a brief comment on the above Ordinance. He reminded Commission that the parking has to be put on the property site or the project cannot be built if no adequate parking.

Mayor Bryant adjourned the meeting 6:00 p.m.

Minutes approved: January 23, 2017

James R. Freeman

James R. Freeman, City Clerk