

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
March 13, 2017
4:30 PM**

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—(Entered at 4:39 p.m.)

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.

Mayor Bryant added an item to the agenda to discuss special events, more specifically the Grilled Cheese Festival that was held at Sutton Park on February 25, 2017.

Mr. Freeman displayed a video he took at the Park after the event on Sunday morning. The video shows a lot of trash still left over scattered in the Park with vultures around the perimeter. There were unemptied garbage cans, a cooler left behind as well as two tents and some folding chairs. The Manatee County Road Gang was headed through Palmetto from Rubonia and cleaned the Park up on Sunday.

Mayor Bryant stated that she is requesting modifications be made to the Special Function Permit and the Facility Rental Agreement regarding the amount of deposits and the cost to use the Park. The current deposit is only \$50.00 per facility.

Discussion ensued regarding the event and the debris left behind. Consensus of the Commission was to discuss a tier program for deposits and rental of the Parks. Staff was asked to invoice the applicant for any costs for the cleanup of the Park over the \$50.00 deposit that was paid.

1. ORDINANCE 2016-09 NOISE

Attorney Barnebey described the entertainment district as revised which is attached to the Ordinance as 5-3.

Commission went outside to listen to a demonstration by Chief Tyler on decibel readings. He had a decibel meter and turned his siren on. At the car it registered 100 decibels, near the entrance it registered 96 decibels. In the entrance way inside City Hall it registered 75 decibels and in Chambers it was 60 decibels.

Attorney Barnebey suggested lowering the decibel levels at 12:30 a.m. or 1:00 a.m. and asked for feedback from the Commission regarding the times.

Discussion ensued regarding the use of decibel meters, complaints in the City, as well as reasonable man standards that are currently used. Mr. Smith opined that if tight restrictions are placed, entertainment will be moving out of the City into neighboring cities.

Commissioner Varnadore expressed her opinions regarding the entertainment district. She is not in favor of an entertainment district near a residential area.

Chief Tyler expressed concerns with not at least establishing a decibel standard to the ordinance; he opined it may make it more difficult for his officers to enforce if only a reasonable man standard is the only way to enforce the ordinance. He cited a specific issue that a couple officers encountered a week ago where there was a complaint of noise at a house party and the home occupants told the officers they cannot tell them what to do on their property. The officers were able to get the occupants to comply; however, it would have been easier on them if the officers had a specific decibel amount. Chief Tyler also stated that having only a reasonable man standard opens it up to a lot of subjectivity on volume of noise.

Commissioner Varnadore questioned a few sections of the ordinance as presented tonight. She asked that the removal of the Code Enforcement Officer that is in the document and only allow it to be a Law Enforcement Officer as the only enforcer of the Ordinance.

Commissioner Davis suggested that Sunday through Thursday it should be 75 decibel between 7:00 a.m. and 10:00 p.m. and Friday and Saturday between 7:00 a.m. and 12:00 a.m. (midnight). Commissioner Varnadore does not agree with 75 decibels. Commissioner Davis clarified this would be in the Entertainment District only.

2. DISCUSSION: CODE OF ORDINANCES APPENDIX B (M. Barnebey/A. Tusing/ J. Freeman) (TAB 2)

3. JULY 4TH EVENT DISCUSSION

DUE TO THE TIME, ITEMS 2 AND 3 WERE NOT DISCUSSED.

Mayor Bryant adjourned the meeting at 6:01 p.m.

Minutes approved: May 15, 2017

James R. Freeman

James R. Freeman
City Clerk