

M I N U T E S

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, NOVEMBER 12, 2013
COMMISSION CHAMBERS 7:00 P.M.

IN MAYOR DAN CALABRIA'S ABSENCE, VICE MAYOR GAIL NEIDINGER CALLED THE MEETING TO ORDER AT 7:00 P.M. THE INVOCATION WAS GIVEN BY COMMISSIONER PENNY. ALL PARTICIPATED IN THE PLEDGE TO THE FLAG.

ROLL CALL: COMMISSIONERS BRUCE HOWRY, MAX ELSON, ARTHUR PENNY, AND VICE MAYOR GAIL NEIDINGER. ABSENT: MAYOR DAN CALABRIA. ALSO PRESENT: CITY CLERK MARY BRAISTED, CITY ATTORNEY DAVID OTTINGER, PUBLIC WORKS DIRECTOR GARRY ANDERSON, FINANCE DIRECTOR JAMES GRAHAM, PUBLIC SAFETY DIRECTOR DAYTON SALTSMAN, AND DEPUTY CITY CLERK CARLEY LEWIS.

PEOPLE'S FORUM

Resident Billie Williams, Pasadena Isle, spoke regarding the city's budget.

Resident June Fruland, Pasadena Isle, stated the Commission should put their dislikes aside and work together.

AGENDA COMMENT

There was no participation under Agenda Comment.

REPORTS

Commissioner Penny stated that everything is going well in the Finance Department.

Commissioner Elson stated the Community Improvement Department continues to be busy. He further stated that the department has hired a part time employee.

Vice Mayor Neidinger stated the Public Works Department has ordered American flags that will be hung up throughout the city for holidays.

In Mayor Calabria's absence, Vice Mayor Neidinger gave the Administration Department report. She stated that the Holiday Open House will be held on December 13, 2013 at Galatea Garden. She proclaimed November 22-28, 2013 as National Farm-City Week. She announced that Deputy City Clerk Lewis has attained the Master Municipal Clerk designation.

DISCUSSION ITEMS

PUBLIC HEARING - LEGISLATIVE

(For this item, the City Commission will sit as the Local Planning Agency.)

1. ORDINANCE NO. 2013-05 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING CHAPTER 130, LAND DEVELOPMENT REGULATIONS, SECTION 130-14, CG COMMERCIAL GENERAL DISTRICT REGULATIONS, OF THE CITY CODE OF ORDINANCES, TO REMOVE DRIVE-THROUGH ESTABLISHMENTS AS USE REQUIRING SPECIAL EXCEPTION USE PERMIT, AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ottinger read Ordinance No. 2013-05 by title and approved it as to form and content.

Vice Mayor Neidinger reviewed the procedure for the public hearing as follows:

- Staff shall give a presentation on what the proposal involves and will answer previously submitted written questions.
- Following the staff presentation, the public shall have an opportunity to comment. Each individual shall have 10 minutes to address the Local Planning Agency. Members of the Planning Agency may ask questions of any speaker. The time necessary for answering questions shall not be counted against the speaker's time limit.
- At the conclusion of the public comment, members of the Local Planning Agency will have an opportunity to respond to the public comments.
- Prior to making any recommendation, the Local Planning Agency shall approve a motion affirming that adequate information has been presented, and the public has been afforded a meaningful opportunity to participate.

City Attorney Ottinger presented the staff report on Ordinance No. 2013-05 (attached to Minutes as Exhibit A).

Vice Mayor Neidinger opened the public hearing at 7:15 p.m. There being no public comment, Vice Mayor Neidinger closed the public hearing at 7:16 p.m.

REGULAR COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013 - 7:00 P.M.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON THAT ADEQUATE INFORMATION HAS BEEN PRESENTED AND THE PUBLIC HAS BEEN AFFORDED A MEANINGFUL OPPORTUNITY TO PARTICIPATE.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE

UNANIMOUSLY APPROVED

MOTION WAS MADE BY COMMISSIONER HOWRY, SECONDED BY COMMISSIONER ELSON TO RECOMMEND ADOPTION OF ORDINANCE NO. 2013-05 AS SUBMITTED.

VOTE:	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE

UNANIMOUSLY APPROVED

UNFINISHED BUSINESS

(Continued from the October 8, 2013 Regular Commission Meeting.)

2. MOTION - TO AWARD CONTRACT FOR INFORMATION TECHNOLOGY SERVICES TO VELOCITY IQ AT A COST OF \$23,783.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO AWARD CONTRACT FOR INFORMATION TECHNOLOGY SERVICES TO VELOCITY IQ AT A COST OF \$23,783, CONTINGENT ON CONTRACTUAL CHANGES MADE BY THE CITY ATTORNEY.

City Attorney Ottinger stated the contract was very thorough as to what services would be provided and cost, but the contract terms need to be tidied up.

REGULAR COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013 - 7:00 P.M.

VOTE:	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE

UNANIMOUSLY APPROVED

(Continued from the October 8, 2013 Regular Commission Meeting.)

3. MOTION - TO AWARD CONTRACT FOR REDESIGN OF CITY WEBSITE TO REVIZE SOFTWARE SYSTEMS AT A COST OF \$7,200.

MOTION WAS MADE BY COMMISSIONER HOWRY, SECONDED BY COMMISSIONER ELSON TO AWARD CONTRACT FOR REDESIGN OF CITY WEBSITE TO REVIZE SOFTWARE SYSTEMS AT A COST OF \$7,200.

City Attorney Ottinger stated the contract is acceptable. He further stated that he would make the choice of law the State of Florida, instead of the State of Michigan.

VOTE:	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE

UNANIMOUSLY APPROVED

CONSENT AGENDA

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER HOWRY TO PASS THE ENTIRE CONSENT AGENDA.

4. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF OCTOBER, 2013 ON FILE IN CITY CLERK'S OFFICE AGENDA MEETING, OCTOBER 1, 2013; ADMINISTRATIVE WORKSHOP MEETING, OCTOBER 1, 2013; REGULAR COMMISSION MEETING, OCTOBER 8, 2013; ADMINISTRATIVE WORKSHOP MEETING, OCTOBER 15, 2013.
5. RESOLUTION NO. 2013-20 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION FOR THE ELECTION OF TWO COMMISSIONERS.
6. MOTION - TO APPROVE EXPENSES INCURRED BY COMMISSIONERS WHO ATTEND THE INSTITUTE OF ELECTED MUNICIPAL OFFICIALS III IN ORLANDO, FLORIDA ON NOVEMBER 22-23, 2013.

UNANIMOUS APPROVAL BY ACCLAMATION

NEW BUSINESS

7. ORDINANCE NO. 2013-05 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING CHAPTER 130, LAND DEVELOPMENT REGULATIONS, SECTION 130-14, CG COMMERCIAL GENERAL DISTRICT REGULATIONS, OF THE CITY CODE OF ORDINANCES, TO REMOVE DRIVE-THROUGH ESTABLISHMENTS AS USE REQUIRING SPECIAL EXCEPTION USE PERMIT, AND PROVIDING FOR AN EFFECTIVE DATE - FIRST READING.

City Attorney Ottinger read Ordinance No. 2013-05 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO PASS ORDINANCE NO. 2013-05 ON FIRST READING.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE

UNANIMOUSLY APPROVED

8. ORDINANCE NO. 2013-06 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING CHAPTER 130 , LAND DEVELOPMENT REGULATIONS, PART 1, ARTICLE V, SITE PLAN REVIEW, SECTION 130-21 OF THE CITY CODE OF ORDINANCES, TO PROVIDE FOR EXEMPTION FROM SITE PLAN REVIEW REQUIREMENTS FOR CERTAIN MINOR DEVELOPMENT ACTIVITIES, AND PROVIDING FOR AN EFFECTIVE DATE - FIRST READING.

City Attorney Ottinger read Ordinance No. 2013-06 by title and approved it as to form and content. He stated this ordinance was requested by the Community Improvement Department Director and will exempt one and two family residences and certain minor developments from site plan review.

MOTION WAS MADE BY COMMISSIONER HOWRY, SECONDED BY COMMISSIONER PENNY TO PASS ORDINANCE NO. 2013-06 ON FIRST READING.

REGULAR COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013 - 7:00 P.M.

VOTE: COMMISSIONER ELSON AYE
 COMMISSIONER PENNY AYE
 VICE MAYOR NEIDINGER AYE
 COMMISSIONER HOWRY AYE

UNANIMOUSLY APPROVED

9. RESOLUTION NO. 2013-21 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, ADDRESSING THE TERMS OF APPOINTMENT OF THE CITY CLERK.

City Attorney Ottinger read Resolution No. 2013-21 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO PASS RESOLUTION NO. 2013-21.

VOTE: COMMISSIONER PENNY AYE
 VICE MAYOR NEIDINGER AYE
 COMMISSIONER HOWRY AYE
 COMMISSIONER ELSON AYE

UNANIMOUSLY APPROVED

10. RESOLUTION NO. 2013-23- A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, APPOINTING ONE MEMBER TO THE BOARD OF TRUSTEES OF THE FIREFIGHTERS' PENSION BOARD.

City Attorney Ottinger read Resolution No. 2013-23 by title and approved it as to form and content.

City Clerk Braisted stated that Peter Galietta was the only person that applied to be on the Firefighters' Pension Board. She further stated that he has served on the Board.

MOTION WAS MADE BY COMMISSIONER ELSON, SECONDED BY COMMISSIONER PENNY TO PASS RESOLUTION NO. 2013-23.

VOTE: VICE MAYOR NEIDINGER AYE
 COMMISSIONER HOWRY AYE
 COMMISSIONER ELSON AYE
 COMMISSIONER PENNY AYE

UNANIMOUSLY APPROVED

REGULAR COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013 - 7:00 P.M.

11. RESOLUTION NO. 2013-24 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING THE 2013/2014 12 STEP PAY PLAN FOR GENERAL EMPLOYEES HIRED AFTER APRIL 13, 2010; SPECIFICALLY CHANGING THE ACCOUNTING SPECIALIST PAY RANGE TO BE THE SAME AS THE ADMINISTRATIVE SECRETARY RANGE STARTING AT \$35,106 AND ENDING IN STEP 12 AT \$49,165, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ottinger read Resolution No. 2013-24 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO PASS RESOLUTION NO. 2013-24.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE

UNANIMOUSLY APPROVED

12. RESOLUTION NO. 2013-25 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING AND RESTATING RESOLUTION NO. 2000-13 AND ESTABLISHING A REVISED POLICY REGARDING THE CITY READING FILE.

City Attorney Ottinger read Resolution No. 2013-25 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER HOWRY TO PASS RESOLUTION NO. 2013-25.

VOTE:	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE

UNANIMOUSLY APPROVED

13. RESOLUTION NO. 2013-26 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA; REPEALING RESOLUTION NO. 2006-09; ADOPTING RULES AND PROCEDURES OF CITY COMMISSION MEETINGS; ADOPTING RULES AND POLICIES GOVERNING PUBLIC COMMENT; ADOPTING SAID RULES AND

REGULAR COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013 - 7:00 P.M.

POLICIES IN COMPLIANCE WITH SECTION 286.0114, FLORIDA STATUTES; PROVIDING FINDINGS; PROVIDING DEFINITIONS; PROVIDING RULES FOR THE CONDUCT OF MEETINGS; PROVIDING RULES FOR PUBLIC PARTICIPATION AND CONDUCT; REQUIRING THE OBSERVANCE OF DECORUM; PROVIDING FOR WAIVERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

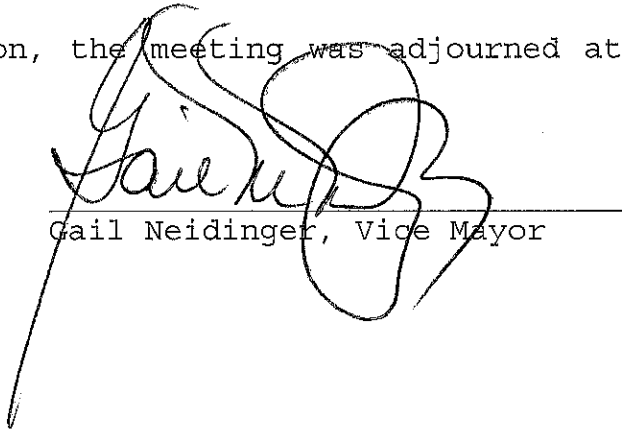
City Attorney Ottinger read Resolution No. 2013-26 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO PASS RESOLUTION NO. 2013-26.

VOTE:	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE

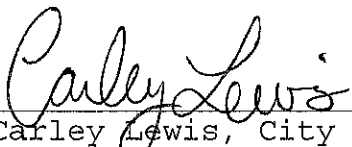
UNANIMOUSLY APPROVED

There being no further discussion, the meeting was adjourned at 7:28 p.m.



Gail Neidinger, Vice Mayor

ATTEST:



Carley Lewis, City Clerk
11-12.13r

November 6, 2013

Staff Report for Local Planning Agency

From: Neal H Schwartz, CBO, C.I.D. Director

To: Mary Braisted, City Clerk

To: David Ottinger, City Attorney

Ref: Amending Section 130-14 C (2)

The Community Improvement Department Director is requesting a change to Section 130-14 C. (2) of the City of South Pasadena's Code of Ordinances, which provides a list of land uses in the Commercial General Districts. At the present time, this Code Section requires an applicant to appear in front of the Planning & Zoning Board to request a Special Exception Use Permit for any drive-through establishments prior to Site Plan review submittal.

This change would allow drive-through establishments to be an appropriate use in the Commercial General Zoning District. There are a number of drive-through establishments already existing in this district presently and this request would not change the intended use of the CG District. This change would also expedite the Plan Review process by three (3) months for commercial development.

Reg. Comm Mtg
11/12/13
Exhibit A