

MINUTES

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, OCTOBER 10, 2023
FOLLOWING THE 6:00 P.M.
SPECIAL COMMISSION MEETING

MAYOR PENNY CALLED THE MEETING TO ORDER AT 8:11 P.M. THE INVOCATION WAS GIVEN BY COMMISSIONER THOMPSON. ALL PARTICIPATED IN THE PLEDGE TO THE FLAG.

ROLL CALL: COMMISSIONERS GAIL NEIDINGER, BEN THOMAS, LYNDIA THOMPSON, VICE MAYOR THOMAS REID, AND MAYOR ARTHUR PENNY. ALSO PRESENT: CITY CLERK CARLEY LEWIS, CITY ATTORNEY JULIA MANDELL, FINANCE DIRECTOR JAMES GRAHAM, PUBLIC WORKS DIRECTOR SHAWN SHIMKO, PUBLIC SAFETY DIRECTOR DAVID MIXSON, COMMUNITY IMPROVEMENT DIRECTOR TERESA SULLIVAN, AND DEPUTY CITY CLERK MARY JO BOWMAN.

REPORTS

Mayor Penny announced that Reports would not be presented this evening.

PEOPLE'S FORUM

Resident David Wolfenbarger, 1375 Pasadena Avenue South, spoke regarding the management of Causeway Village.

City Attorney Mandell stated that comments for the application on the agenda should be discussed when that item is considered.

AGENDA COMMENT

NONE

DISCUSSION ITEMS

PUBLIC HEARING - QUASI-JUDICIAL

1. CONSIDERATION OF APPLICATION FOR AN AMENDMENT TO PREVIOUSLY APPROVED SPECIAL EXCEPTION FROM CAUSEWAY VILLAGE MHC, LLC FOR 1375 PASADENA AVENUE SOUTH, SOUTH PASADENA, FL 33707.

Mayor Penny opened the public hearing at 8:17 p.m.

City Attorney Mandell asked the City Commission to disclose all ex-parte communications regarding the pending case

before the board. She informed the participants about the record of hearing process.

City Clerk Lewis administered the oath of testimony to those intending to give testimony.

City Attorney Mandell introduced the item. She stated that the City Commission, sitting as the Planning and Zoning Board, just concluded its public hearing to consider the application for an amendment to previously approved special exception from Causeway Village MHC, LLC for 1375 Pasadena Avenue South, South Pasadena, FL 33707. She announced that after consideration of the evidence and public comment, the City Commission acting as the Planning and Zoning Board has recommended denial of the application. She said that this hearing is for the City Commission to consider the recommendation and any further evidence or testimony to either approve or deny the application. She recommended that the City Commission accept all the evidence and testimony from the previous Special Commission Meeting into the record for the current meeting.

MOTION WAS MADE BY COMMISSIONER NEIDINGER, SECONDED BY COMMISSIONER THOMPSON, TO TAKE ALL EVIDENCE AND TESTIMONY THAT WAS SUBMITTED DURING THE PRECEDING SPECIAL COMMISSION MEETING AS PART OF THE RECORD FOR THE CURRENT MEETING.

UNANIMOUS APPROVAL BY ACCLAMATION

Mayor Penny invited members of the public who wished to speak in favor of the application to address the Commission.

Mark Ebelini, Knott, Ebelini, Hart Attorneys at Law, requested confirmation that all submittals from the prior Special Commission Meeting be part of the record for the current meeting. He spoke regarding the issuance of a written order and transcripts of prior proceedings. He questioned the legality of the conditions and noted that under the current scenario the docks cannot be built. He stated that the requested amendments do not affect compatibility or the public interest.

Hearing no further comments in favor of the application, Mayor Penny invited members of the public who wished to

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Speak in opposition of the application to address the Commission.

In response to Mayor Penny, Luis Serna, Calvin, Giordano & Associates, LLC, declined to give closing statements on behalf of staff.

In response to Mayor Penny, Mr. Ebelini declined to give closing statements on behalf of the applicant.

There being no further comments, Mayor Penny closed the public hearing at 8:26 p.m.

MOTION WAS MADE BY COMMISSIONER THOMPSON, SECONDED BY COMMISSIONER THOMAS, TO DENY THE APPLICATION FOR AN AMENDMENT TO PREVIOUSLY APPROVED SPECIAL EXCEPTION FROM CAUSEWAY VILLAGE MHC, LLC FOR 1375 PASADENA AVENUE SOUTH, SOUTH PASADENA, FL 33707 BASED ON CITY CODE SECTION 130-10C(1).

VOTE:	COMMISSIONER NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	VICE MAYOR REID	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

UNFINISHED BUSINESS

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NONE

CONSENT AGENDA

2. APPROVAL OF COMMISSION MEETING MINUTES FOR THE MONTH OF SEPTEMBER 2023 ON FILE IN CITY CLERK'S OFFICE
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- AGENDA MEETING, SEPTEMBER 5, 2023; ADMINISTRATIVE WORKSHOP, SEPTEMBER 5, 2023; SPECIAL COMMISSION MEETING, SEPTEMBER 11, 2023; REGULAR COMMISSION MEETING, SEPTEMBER 11, 2023; SPECIAL COMMISSION MEETING, SEPTEMBER 18, 2023.

MOTION WAS MADE BY VICE MAYOR REID, SECONDED BY COMMISSIONER THOMPSON, TO PASS THE ENTIRE CONSENT AGENDA.

UNANIMOUS APPROVAL BY ACCLAMATION

NEW BUSINESS

3. ORDINANCE NO. 2023-06 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR RECLAIMED WATER; TO INCREASE THE MINIMUM MONTHLY RECLAIMED WATER SERVICE CHARGE FOR SINGLE FAMILY RESIDENTIAL CUSTOMERS TO \$10.25 AND TO INCREASE COMMERCIAL AND MUNICIPAL USER SERVICE CHARGES TO \$293.00 PER PERVIOUS ACRE; PROVIDING AN EFFECTIVE DATE - FIRST READING.

City Attorney Mandell read Ordinance No. 2023-06 by title and approved it as to form and content.

In response to Commissioner Thomas, City Clerk Lewis stated that notices are being sent with billings and rate details are specifically listed in the ordinance.

MOTION WAS MADE BY COMMISSIONER NEIDINGER, SECONDED BY COMMISSIONER THOMPSON, TO PASS ORDINANCE NO. 2023-06 ON FIRST READING.

VOTE:	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	VICE MAYOR REID	AYE
	COMMISSIONER NEIDINGER	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

4. ORDINANCE NO. 2023-07 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR SEWAGE USAGE; TO INCREASE THE BASE MINIMUM MONTHLY SEWER RATES AND SEWER FLOW CHARGE RATE BY 16.6%; PROVIDING AN EFFECTIVE DATE - FIRST READING.

City Attorney Mandell read Ordinance No. 2023-07 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER THOMAS, SECONDED BY COMMISSIONER NEIDINGER, TO PASS ORDINANCE NO. 2023-07 ON FIRST READING.

VOTE:	COMMISSIONER THOMPSON	AYE
	VICE MAYOR REID	AYE

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COMMISSIONER NEIDINGER	AYE
COMMISSIONER THOMAS	AYE
MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

5. ORDINANCE NO. 2023-08 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING ORDINANCE NO. 2022-02 THE CITY'S 2022/2023 FISCAL BUDGET, DECREASING PUBLIC SAFETY APPROPRIATIONS - CAPITAL IMPROVEMENTS FUND BY \$4,888,709; BY DECREASING THE BUDGETED FIRE STATION CONSTRUCTION COSTS OF \$4,780,984 TO BE ROLLED OVER TO THE FISCAL 2024 CAPITAL BUDGET; BY RE-ALLOCATING \$22,725 OF THE CONSTRUCTION BUDGET TO THE FIRE VEHICLE ACQUISITION BUDGET; AND BY RE-ALLOCATING (OR INCREASING) THE COMMUNITY IMPROVEMENT DEPARTMENT CAPITAL BUDGET BY \$85,000 FOR CONTRACT CHANGES FOR THE IMPLEMENTATION OF THE TYLER TECHNOLOGIES ENERGOV PERMITTING AND LICENSING SOFTWARE; PROVIDING FOR AN EFFECTIVE DATE - FIRST READING.

City Attorney Mandell read Ordinance No. 2023-08 by title and approved it as to form and content.

MOTION WAS MADE BY VICE MAYOR REID, SECONDED BY COMMISSIONER THOMPSON, TO PASS ORDINANCE NO. 2023-08 ON FIRST READING.

VOTE:	VICE MAYOR REID	AYE
	COMMISSIONER NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

6. RESOLUTION NO. 2023-10 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, ADOPTING AN ITEMIZED BUDGET FOR THE CITY FOR FISCAL YEAR 2023/2024.

City Attorney Mandell read Resolution No. 2023-10 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER THOMAS, SECONDED BY COMMISSIONER THOMPSON, TO PASS RESOLUTION NO. 2023-10.

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VOTE:	COMMISSIONER NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	VICE MAYOR REID	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

7. RESOLUTION NO. 2023-11 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING THE SALARY PAY PLANS SET FORTH IN RESOLUTION NO. 2022-12 AND ADOPTING THE 2023-2024 STEP PAY PLANS (EXHIBITS A AND B) FOR GENERAL EMPLOYEES; EFFECTIVE FOR THE PAYROLL INCLUDING OCTOBER 1, 2023.

City Attorney Mandell read Resolution No. 2023-11 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER NEIDINGER, SECONDED BY COMMISSIONER THOMAS, TO PASS RESOLUTION NO. 2023-11.

VOTE:	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	VICE MAYOR REID	AYE
	COMMISSIONER NEIDINGER	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

8. RESOLUTION NO. 2023-12 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, APPROVING A 6% COLA INCREASE FOR THE MAYOR AND COMMISSIONERS FOR FISCAL 2023-2024; EFFECTIVE FOR THE PAYROLL INCLUDING OCTOBER 1, 2023.

City Attorney Mandell read Resolution No. 2023-12 by title and approved it as to form and content.

MOTION WAS MADE BY VICE MAYOR REID, SECONDED BY COMMISSIONER THOMPSON, TO PASS RESOLUTION NO. 2023-12.

VOTE:	COMMISSIONER THOMPSON	AYE
	VICE MAYOR REID	AYE
	COMMISSIONER NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	MAYOR PENNY	AYE

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There being no further discussion, the meeting was adjourned at
8:34 p.m.

Arthur Penny

Arthur Penny, Mayor

ATTEST:

Carley Lewis

Carley Lewis, City Clerk
10-10.23RCM

**DIGITALLY SIGNED COPY.
TO VIEW ORIGINAL SIGNED MINUTES,
PLEASE CONTACT THE CITY CLERK'S OFFICE.**