

MINUTES

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, NOVEMBER 14, 2023
FOLLOWING THE 6:30 P.M.
SPECIAL COMMISSION MEETING

MAYOR PENNY CALLED THE MEETING TO ORDER AT 6:50 P.M. THE INVOCATION WAS GIVEN BY MAYOR PENNY. 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, PUBLIC WORKS DIRECTOR SHAWN SHIMKO, PUBLIC SAFETY DIRECTOR DAVID MIXSON, COMMUNITY IMPROVEMENT DIRECTOR TERESA SULLIVAN, AND DEPUTY CITY CLERK MARY JO BOWMAN.

REPORTS

Commissioner Neidinger reported on Public Works Department activities including holiday decorations, the replacement of plants damaged by Hurricane Idalia, and the resurfacing of the tennis court. She noted that Waste Connections will be stopping garbage service for delinquent accounts and encouraged residents to bring their accounts up to date.

Commissioner Thomas reported on Community Improvement Department activities including staffing, local business development, business taxes, and permitting activity.

Commissioner Thompson reported on Finance Department activities including year-end processes for FY 2023, completion of the annual TRIM process, upcoming auditing, and a proposed budget amendment.

Vice Mayor Reid reported on Thanksgiving fire safety on behalf of the Public Safety Department. He reviewed cooking and holiday décor safety tips.

Mayor Penny spoke regarding Administration Department activities including the upcoming Holiday Tree Lighting and Holiday Lighted Boat Parade events, the mural project, and upcoming office closures in observance of the Thanksgiving holiday.

PEOPLE'S FORUM

NONE

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AGENDA COMMENT

NONE

DISCUSSION ITEMS

PUBLIC HEARING - QUASI-JUDICIAL

1. CONSIDERATION OF APPLICATION FOR VARIANCE FROM THE CITY OF SOUTH PASADENA FOR 1477 PASADENA AVENUE SOUTH, SOUTH PASADENA, FL 33707.

Mayor Penny opened the public hearing at 7:00 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 a variance from the City of South Pasadena for 1477 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 approval 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 VICE MAYOR REID, SECONDED BY COMMISSIONER NEIDINGER, 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

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

Hearing no comments, Mayor Penny invited members of the public who wished to speak in opposition of the application to address the Commission.

Hearing no comments, Mayor Penny announced that rebuttal was not needed.

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

In response to Mayor Penny, Public Safety Director Mixson declined to give a closing statement on behalf of the applicant.

There being no further comments, Mayor Penny closed the public hearing at 7:03 p.m.

MOTION WAS MADE BY VICE MAYOR REID, SECONDED BY COMMISSIONER THOMPSON, TO APPROVE THE APPLICATION FOR VARIANCE FROM THE CITY OF SOUTH PASADENA FOR 1477 PASADENA AVENUE SOUTH, SOUTH PASADENA, FL.

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

UNANIMOUSLY APPROVED

PUBLIC HEARING

2. 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 - SECOND AND FINAL READING.

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

Mayor Penny opened the public hearing at 7:05 p.m. There being no public comment, Mayor Penny closed the public hearing at 7:05 p.m.

MOTION WAS MADE BY COMMISSIONER NEIDINGER, SECONDED BY COMMISSIONER THOMAS, TO PASS AND ADOPT ORDINANCE NO. 2023-06 ON SECOND AND FINAL READING.

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

UNANIMOUSLY APPROVED

3. 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 - SECOND AND FINAL READING.

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

Mayor Penny opened the public hearing at 7:06 p.m. There being no public comment, Mayor Penny closed the public hearing at 7:06 p.m.

MOTION WAS MADE BY COMMISSIONER THOMAS, SECONDED BY COMMISSIONER THOMPSON, TO PASS AND ADOPT ORDINANCE NO. 2023-07 ON SECOND AND FINAL READING.

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

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4. 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 - SECOND AND FINAL READING.

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

Mayor Penny opened the public hearing at 7:08 p.m. There being no public comment, Mayor Penny closed the public hearing at 7:08 p.m.

MOTION WAS MADE BY COMMISSIONER NEIDINGER, SECONDED BY COMMISSIONER THOMAS, TO PASS AND ADOPT ORDINANCE NO. 2023-08 ON SECOND AND FINAL READING.

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

UNANIMOUSLY APPROVED

UNFINISHED BUSINESS

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NONE

CONSENT AGENDA

5. APPROVAL OF COMMISSION MEETING MINUTES FOR THE MONTH OF OCTOBER 2023 ON FILE IN CITY CLERK'S OFFICE
AGENDA MEETING, OCTOBER 3, 2023; ADMINISTRATIVE WORKSHOP, OCTOBER 3, 2023; SPECIAL COMMISSION MEETING, OCTOBER 10, 2023; REGULAR COMMISSION MEETING, OCTOBER 10, 2023; AND ADMINISTRATIVE WORKSHOP, OCTOBER 17, 2023.

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

UNANIMOUS APPROVAL BY ACCLAMATION

NEW BUSINESS

6. RESOLUTION NO. 2023-13 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, APPOINTING ONE MEMBER TO THE BOARD OF TRUSTEES OF THE FIREFIGHTERS' PENSION BOARD.

City Attorney Mandell read Resolution No. 2023-13 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. 2023-13.

In response to Commissioner Neidinger, City Clerk Lewis reported that the proposed appointee is Larry Wilson who has served on the Firefighters Pension Board previously. She said that Mr. Wilson's term ended and he expressed interest in being reappointed.

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

UNANIMOUSLY APPROVED

7. RESOLUTION NO. 2023-14 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AUTHORIZING THE CLOSING OF CITY OFFICES ON TUESDAY, DECEMBER 26, 2023 AND FRIDAY, DECEMBER 29, 2023 FOR THE CHRISTMAS AND NEW YEAR'S HOLIDAYS AND GRANTING NON-BARGAINING UNIT EMPLOYEES PAID HOLIDAY TIME.

City Attorney Mandell read Resolution No. 2023-14 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER THOMAS, SECONDED BY COMMISSIONER NEIDINGER, TO PASS RESOLUTION NO. 2023-14.

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

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COMMISSIONER NEIDINGER	AYE
MAYOR PENNY	AYE

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8. MOTION - TO AUTHORIZE MAYOR PENNY TO EXECUTE AN EASEMENT ALLOWING DUKE ENERGY TO INSTALL ITS FACILITIES ON REAL PROPERTY OWNED BY THE CITY OF SOUTH PASADENA LOCATED AT 1477 PASADENA AVENUE SOUTH, SOUTH PASADENA, FL 33707.

MOTION WAS MADE BY COMMISSIONER THOMPSON, SECONDED BY COMMISSIONER NEIDINGER, TO AUTHORIZE MAYOR PENNY TO EXECUTE AN EASEMENT ALLOWING DUKE ENERGY TO INSTALL ITS FACILITIES ON REAL PROPERTY OWNED BY THE CITY OF SOUTH PASADENA LOCATED AT 1477 PASADENA AVENUE SOUTH, SOUTH PASADENA, FL 33707.

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

UNANIMOUSLY APPROVED

There being no further discussion, the meeting was adjourned at 7:12 p.m.

Arthur Penny

Arthur Penny, Mayor

ATTEST:

Carley Lewis

Carley Lewis, City Clerk
11-14.23RCM

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