

Palmetto City Commission
February 6, 2006 4:00 p.m.

Elected Officials Present:

Larry Bustle, Mayor
Mary Lancaster, Vice Mayor
Eric Ball, Commissioner
Tamara Cornwell, Commissioner
Tambra Varnadore, Commissioner
Brian Williams, Commissioner

Staff and Others Present:

Michele Hall, City Attorney
Chief Garry Lowe
Chris Lukowiak, Public Works Director
James R. Freeman, City Clerk
Ric Hartman, Planning Supervisor/Zoning Administrator
Frank Woodard, Deputy Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:05 p.m. A moment of silence for overseas military personnel was observed, followed by the Pledge of Allegiance to the United States Flag.

1. WORKSHOP AGENDA APPROVAL

MOTION: Mrs. Lancaster moved, Ms. Varnadore seconded and motion carried 4-0 to approve the February 6, 2006 4:00 p.m. workshop agenda.

2. IMPACT FEE STUDY PRESENTATION

Steven McDonald, vice president of Burton & Associates, reviewed a proposed impact fee program for parks and recreation, general government facilities, law enforcement and roads. Topics of discussion were:

- A rational basis must be established between need and growth.
- A benefit must be derived from an impact fee.
- A fee must be assessed on a proportionately fair formula.
- Impact fees cannot be used to replace existing infrastructure, but can pay for the differential in improvement expenses.
- Impact fees may fund a capacity increase.

Mr. McDonald explained the methodology of the proposed impact program is based on a demand driven need. Calculation of the fee is based on what it will cost to serve each new unit of growth and will be proportionally allocated per unit of new development. Impact fee credits must be given to offset possible double-taxation or different sources of revenue that will pay for equipment and facilities.

Example of proportionately assessed impact fees were given as:

1) Non residential development will not derive a benefit from parks so a parks and recreation impact fee would not be assessed.

2) A five bedroom home may derive a greater benefit than a two bedroom home; therefore it may be assessed a larger impact fee for parks and recreation.

3) A 2,000 sq. ft. commercial building will generate more trips than a 2,000 sq. ft. residential structure, therefore a higher road impact fee would be assessed against the commercial property.

Mr. McDonald discussed the City's ability to establish the percentage of capital needs that will be funded by impact fees. The City may charge less than the 100% proposed in the study, but cannot charge more than what is actually received as a benefit.

Mr. McDonald informed Commission the only category of development that is by law excluded from impact fees are public schools. The City may elect to waive an impact fee for a certain use, such as inclusionary housing; however, the fees must be paid from other funding sources.

Burton & Associates calculated impact fees to fund 100% of capital needs as follows:

<u>Impact Fee</u>	<u>Parks</u>	<u>General</u>	<u>Roads</u>	<u>Total</u>
Single-family	\$ 1,945.63	\$ 428.60	\$ 1,325.63	\$ 3,699.87
Duplex/Multi Family	1,818.60	400.62	927.94	3,147.16
Mobile Home	1,049.71	231.24	795.38	2,076.33
Non-Residential (1,000 sq ft		214.30	5,302.52	5,516.83

Mr. McDonald stated there is a need for a law enforcement impact fee to fund capital and equipment, and recommended it be broken out of the general facilities, where it is currently included. He proposed bring the study back to Commission in approximately two weeks. Once the law enforcement fee is determined, the general facility impact fee will be appropriately adjusted.

Mr. Lukowiak recommended Commission consider adoption of the impact fee at 100%. He stated he will confirm Mike Burton's schedule to also discuss the law enforcement impact fee at the next workshop meeting.

3. EMPLOYEE RECLASSIFICATION

Mr. Lukowiak stated he was seeking the reclassification of Mr. Mays to accommodate the additional responsibilities he has assumed in the operation of the City's camera truck. Mr. Lukowiak recommended reclassification from a Service Worker II, Grade 105 Step 2 to Equipment Operator, Grade 104 Step 5, an annual increase of \$1,034. Mr. Lukowiak explained that during the budget he will bring forward a job description for a Specialty Equipment Operator, which is a more accurate job description for Mr. Mays because of the specialty training he received in preparation for manning the camera truck. Mr. Lukowiak discussed the rationale for Mr. Mays being reclassified at a lower grade because of discrepancies that exist in the Cody Study between a Service Worker I, Service Worker II and Equipment Operator. Commission concurred with moving the item forward to the 7:00 agenda for Commission action.

4. PROPOSED ORDINANCE NO. 06-877-ZONING FOOTNOTE 8 INTERPRETATION

Mr. Hartman informed Commission comments received concerning Ordinance No. 05-872 have revealed changes made since its advertising are substantial, thus the ordinance will be withdrawn. The proposed ordinance under discussion sets forth an interpretation for footnote 8 of Section 4.3 of the Zoning Code that is city wide rather than confined to one area. Mayor Bustle informed Commission that when Ordinance No. 05-872 is withdrawn, the public will also be advised the only topic being addressed at this time is the zoning issue. Other comments received on Section 4.3 will be dealt with at a subsequent meeting. Attorney Hall opined it is in the City's best interest to clarify the zoning interpretation for RM5 and RM6 districts now vs. when property in the zoning districts have investment contracts in place.

Mr. Hartman explained existing properties will not have to be rezoned, but properties cannot be subdivided if they will not meet the zoning requirements. Existing properties that have been subdivided will be considered legally conforming. Mr. Hartman further stated there are tools in place that will allow a property owner to petition for adjustment of zoning rulings when contemplating the division of a piece of property. Mr. Hartman explained this ordinance is trying to create the zoning district the City Commission intended when the land use map was adopted.

Mr. Williams suggested public meetings should be held prior to the public hearing to adopt the ordinance. Mr. Ball concurred with Mr. Williams even though he and Mr. Williams will recuse themselves from the vote because of a conflict of interest. He referred to the citizen who initially brought this problem to the city's attention because of the expectation should would be able to split her property, given what has already occurred in her neighborhood. Mr. Ball stated he does not feel the City has addressed the original issue and criteria needs to be added addressing a property owner's expectation who either already has the lot or who has property with an existing home on site. Mr. Hartman again stated tools are in place for situations described by Mr. Ball.

Commission concurred with moving the item forward to the 7:00 agenda for action.

Mr. Williams inquired if single family homes can be built in multi-family zoned districts, with approval occurring at the time of permit application, without changing the interpretation under discussion. Mr. Hartman stated there are ways to allow either lot dimension size, but the ambiguity would continue until an ordinance allowing mixed use in multi-zoning districts is adopted.

5. TEMPORARY SANITARY FACILITY ORDINANCE AMENDMENT

The proposed ordinance will amend the sanitary facility ordinance to require that each temporary sanitary facility be equipped with a hand sanitizer. Commission concurred with moving the item forward to the 7:00 agenda for Commission action.

6. RESOLUTION NO. 06-07

The proposed resolution approves and authorizes the Mayor to execute a CSX Pipeline Crossing Agreement to complete the US 301 forcemain project. Commission concurred with moving the item forward to the 7:00 agenda for Commission action.

7. DRC ORDINANCE AMENDMENT

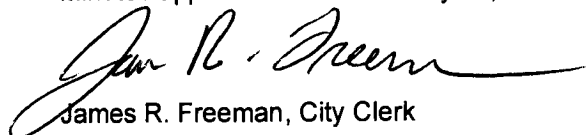
The proposed ordinance will amend the DRC ordinance by adding required crime prevention through environmental design (CPTED) review by the Police Department. Commission concurred with moving the item forward to the 7:00 agenda for Commission action.

8. STREET SWEEPING AGREEMENT

Contractors report they are unable to secure services with outside vendors to keep streets in their construction projects cleared of debris. The proposed street sweeping agreement will allow the City to sweep streets in construction areas at a set fee of \$48 per hour. Mr. Lukowiak requested Commission approve the form of the agreement and authorize the Mayor to execute future agreements without Commission review. Commission concurred with moving the item forward to the 7:00 agenda for Commission action.

Meeting adjourned at 6:00 pm.

Minutes approved: February 27, 2006


James R. Freeman, City Clerk