

**CITY COMMISSION WORKSHOP MEETING
MARCH 21, 2011
4:30 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Mary Lancaster, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

Staff Present:

Mark Barnebey, City Attorney
Jim Freeman, City Clerk
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

Commissioner Zirkelbach called the meeting to order at 4:35. The agenda was amended to consider Ordinance No. 2011-11 first.

Commission inquired of Attorney Barnebey how a quasi judicial item could be presented at a workshop meeting for discussion purposes before a public hearing. Attorney Barnebey recommended that because of the way the law is written for quasi judicial items, all discussions on the item should be on the record only during a public hearing, because an appeal on either side would be based on that record. He confirmed that a public hearing for a quasi judicial item could be noticed to begin at the 4:30 workshop meeting for discussion purposes and then be continued to the 7:00 agenda for public comment.

1. ORDINANCE NO. 2011-11

Attorney Barnebey discussed the reasons for removing the requirement that Commission must approve the monthly check register. Commission discussed the topic and concurred that the check register should be included on a Commission meeting agenda for informational purposes only.

2. PROPOSED PROCEDURES FOR CITY COMMISSION MEETINGS

Discussion ensued on a quasi judicial item public hearing beginning during a workshop meeting. There was a general consensus of Commission to not amend page 3, item #4 "Workshops shall not be held for quasi-judicial matters being considered by the City Commission."

The document was amended to limit individual public comments to two minutes.

Discussion ensued on the speaker times allotted for land use issues. Presenters can request more than the allotted 15 minutes for complicated items. The request can be made in writing, before the scheduled presentation. No amendments were made to the document.

The speakers card will be amended to more accurately reflect why a speaker has signed up to speak, i.e. representing an organization, is offering comments as proponent or opponent, rebuttal, etc. Persons representing an organization should provide a statement in writing that they are authorized to speak for a group. The applicant should be made aware of the proper procedures for a presentation.

It was suggested that the document be amended throughout to add a mayor's "designee". A definition for Mayor will be included at the beginning of the document. The document will also be amended to reflect across the board that the Mayor or designee, or Commission by motion, can extend the time afforded to a speaker.

Discussion ensued on the section titled Request for Full City Commission. Attorney Barnebey confirmed that the language automatically grants one request only, but only if the request is made before a vote occurs. The continuance of the public hearing does not have to be on the next scheduled meeting's agenda, but has to be continued to a specified date and time. The Commission has the ability to continue a public hearing, even if it is the hearing that was continued as a result of the applicant's request for a full Commission. The document was accepted as written by a majority of the Commission. Commissioner Cornwell did not support the language.

The section titled Non-Public Hearing Matters and Workshops will be amended to add that "generally public comment is not allowed". Discussion ensued on whether the language should be changed to reflect that the City Commission allows for public comment and grants extensions, rather than the Mayor. Attorney Barnebey confirmed that the rules as written allow the Commission, by motion, to overrule the Mayor on a procedural matter.

Commissioner Cornwell stated she could not support the document unless it is made clear that no one entity can control a meeting.

The section titled Termination of Presentations will be amended to also allow the Commission, by motion, to terminate a presentation; use the same language, "Mayor or Commission request" previously stated in the Rules and Procedures.

Discussion ensued on the section Voting and Reconsideration. The language will be amended to reflect that a request for a roll call vote must be agreed to by a majority of the Commission. Attorney Barnebey will add language to establish at what point during an item a vote can be changed.

The review will continue with the section titled Tie Votes, page 16.

It was consensus of the Commission to continue the review of the Rules & Procedures, provided the 7:00 p.m. meeting ends by 9:00 p.m.

Meeting adjourned at 6:00 p.m.

Minutes approved:

James R. Freeman

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City Clerk