

## **CITY COMMISSION WORKSHOP MEETING**

**December 6, 2021**

**4:30 pm**

This Commission Meeting was conducted utilizing Communications Media Technology. Some Staff members were present in the Commission Chambers while others were present via the Zoom application to respect the social distancing guidelines.

### **ELECTED OFFICIALS PRESENT IN CHAMBERS:**

Shirley Groover Bryant, Mayor (Not Present)

Brian Williams, Vice Mayor, Commissioner, Ward 3

Sheldon Jones, Commissioner-at-Large 1

Harold Smith, Commissioner, Ward 1

Tambra Varnadore, Commissioner, Ward 2

Tamara Cornwell, Commissioner-at-Large 2 (Entered the meeting at 4:42 p.m.)

### **STAFF PRESENT IN CHAMBERS:**

Mark Barnebey, City Attorney (Entered the meeting at 4:31 p.m.)

Mohammed Rayan, Public Works Director

Scott Tyler, Chief of Police

Jim Freeman, City Clerk

Cheryl Miller, Finance Director

Kera Hill, Planning Analyst

Jeff Burton, CRA Director

Matt Misco, Senior Accountant

Xaiver Colon, Assistant CRA Director

Penny Johnston, Executive Assistant

Vanessa Cochran, Assistant City Clerk

### **STAFF PRESENT ELECTRONICALLY:**

Todd Williams, Information Technology (IT) Consultant

Vice Mayor Williams called the meeting to order at 4:30 p.m.

#### **1. ORDINANCE 2021-02 FLOOD (K. HILL)**

Ms. Hill reviewed the proposed ordinance and this item is on the 7:00 p.m. agenda for 1st reading. The flood plain ordinance was last updated in 2014. The proposed changes are to comply with current FEMA and building code regulations. The changes are housekeeping in nature to ensure we remain in compliance. Commissioner Varnadore confirmed it was just updating to current regulations. No other comments.

#### **2. 2022-2027 CAPITAL IMPROVEMENT PLAN (CIP), (J. FREEMAN)**

Mr. Freeman reviewed the 5-year capital improvement plan and this item is on the 7:00 p.m. agenda for approval. This document is approved every year and the majority of the projects listed on the plan are standing projects that appear every year. Mr. Freeman reviewed the prior year budget and what monies were spent or encumbered in FY 2021. He then review the next page of the plan which shows the budget for FY 2022 including any amounts that were carried forward from FY 2021. Mr. Freeman mentioned two new projects under utility upgrades including Ward I Phase II and Phase IV, a UV system upgrade for the Wastewater treatment Plant and a storm water box culvert upgrade on 27th Ave Blvd. The review also included a brief description of the use of funds/source for each project.

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The asterisks on certain projects refer to grant funded or American Recovery Protection Act (ARPA) funding which the Commission will be reviewing in the next few months. The last page of the plan identifies years 2 through 5 and these are projected funding for each project. This document can and will be brought back to Commission in a few months as we decide how to allocate the ARPA funding.

Commissioner Jones asked about the asterisks and the Ward 1 projects and how those would be funded but understood based on the discussion that ARPA funds could be used at a later date. He asked how much the City received from ARPA funds and Mr. Freeman responded approximately \$6.8M of which \$3.4M has been received. He asked Mr. Rayan about prioritization of projects and he indicated that items on the CIP contains the list of projects at this time.

Commissioner Varnadore asked about dredging and Mr. Rayan responded that we will need more for the area by Jet Park. She also commented about paving and only \$175,000 for paving which does not seem enough. Mr. Freeman commented that there are three or four other sources including 1/2 sales tax, impact fees and operating funding. Mr. Rayan stated there are several areas by 14th, 15th and 20th Ave West that have been allocated and we are waiting for the contractor to mobilize.

Commissioner Smith asked about the Ward I phase III and paving on 4th and 5th Ave north of 17th street. Mr. Rayan commented the reclaimed project on 4th and 5th Ave is being done in house and they have paused for the moment. Once completed, it will be paved.

Commissioner Cornwell asked if funding consideration is given for projects that are not in the CIP that can be funded with CRA dollars. Mr. Freeman confirmed that staff takes that into consideration. Mrs. Cornwell asked about timing of ARPA funding and staff responded we must allocate by 2024 and spend the dollars by 2026.

Commissioner Williams asked about the percentage of the City that has reclaimed water and Mr. Rayan says it will be close to 100%.

Mr. Misco, Senior Accountant, came forward to review a draft report that shows a 10 year look back of CIP spending by Ward. Mr. Misco reiterated this is a draft and staff is still working on the report to finalize the categories and spending.

Commissioner Varnadore commented on the spending breakout by Ward and asked for consideration for Ward 2 as we prioritize ARPA funding.

Commissioner Cornwell asked about those projects that affect all residents, then it should be moved to the Citywide category. She was very complementary of the list and indicated it was very informative.

Vice Mayor Williams agreed that the list was very informative.

3. ORDINANCE 2021-16 RM-5 and RM-6 (K. HILL)

Ms. Hill reviewed the four options in the packet for Commission to consider. This item is on the 7:00 p.m. for first reading. Staff is recommending option 3 and the City attorney is recommending option 1 or 3. In summary, current footnote references RM-5 and RM-6 can use RS-4 requirements prior to 2006.

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This is creating problems for current RM-5 and RM-6 single family residents to meet the established RM-5 and RM-6 district requirements after 2006 which is creating issues for property owners trying to build. Option 3 allows single family residences to utilize all of the district requirements of RS-4 even lot configuration. Staff believes this will eliminate all non-conforming issues.

Attorney Barnebey does not recommend option 4 and discussed some of the non-conformity issues for each option.

Commissioner Cornwell asked about Harris Act issues as it relates to widening roads. Attorney Barnebey the proposed changes should not affect the issues related to widening roads. Further discussion was had regarding general considerations for Harris Act issues.

Commissioner Varnadore discussed Option 1 and received clarification that this option reduces setbacks for all types of structures and Option 3 only allows the RS-4 setbacks for single family structures.

Commissioner Jones commented that he thinks it should be left unchanged and the footnote should be implemented as written going forward.

Attorney Barnebey indicated appeals currently go to the Planning and Zoning Board and a recent as two weeks ago approved an appeal which allowed the applicant to use the RS-4 guidelines for RM-5 and RM-6 even though it is after 2006.

Vice Mayor Williams asked for the history behind the previous change in 2006 and she commented it was included in the agenda packet. Staff felt it appears the 2006 change was only to apply to the setback portion of RS-4 requirements.

Commissioner Varnadore asked if plats were required and maybe we should consider requirements on splitting lots. Ms. Hill stated that lot split must meet zoning district requirements. Commissioner Varnadore suggest appeals should come to the Commission.

Attorney Barnebey recommended that any appeals in this area should come back to Commission and staff will begin working on that change.

Vice Mayor Williams adjourned the meeting at 6:00pm.

MINUTES APPROVED: JANUARY 3, 2022

***JAMES R. FREEMAN***

JAMES R. FREEMAN  
CITY CLERK