

City Council Joint Workshop With Planning & Zoning Board
December 12, 2016

ATTENDEES:

City Council

Ray Bagshaw, Mayor
John Dowless, Council President
Lee Chotas, Council Member
Neil Powell, DDS, Council Member

Absent

Susan Fortini, Council Member
Pam Henley, Council Member

Planning & Zoning Board

Regina Dunay, P&Z Chairwoman
Chris Rader, P&Z Member
Marion Rayburn, P&Z Member
Keith Farmer, P&Z Member
Ben Pierce, P&Z Member

Staff:

Bea L. Meeks, City Clerk
Chris Francisco, Police Chief
Sandy Repp, Administrative Assistant
Mike Favorit, Code Enforcement Officer/Admin Support

Council President Dowless called the joint workshop with the Planning & Zoning Board to order at 5:37 p.m. He dispensed with the formalities of the meeting. Council President Dowless referred to Mayor Bagshaw, who introduced the City's new Code Enforcement Officer/Admin Support staff Mike Favorit. At the request of Council President Dowless the Planning & Zoning Board members introduced themselves. Mayor Bagshaw noted the professional diversity of the Planning & Zoning Board.

Oath of Office

Administrative Assistant Sandy Repp administered the Oath of Office to Keith Farmer, who was appointed to the Planning & Zoning Board, to complete the term of former P&Z member Susan Lomas.

Workshop

Council President Dowless referred to City Attorney Smith to cover the processes of Council and the Planning & Zoning Board.

Duties and Obligations

1. Sunshine Law – City Attorney Smith explained what constitutes a meeting. He said Council Members and the Planning & Zoning Board can talk to one another because they are never voting on the same thing at the same time, as it relates to general sunshine matters.
2. He explained documents that are considered public records and how to respond to requests for public records.
3. He covered legislative and quasi-judicial matters (i.e. variance, special exception, rezoning, etc.). City Attorney Smith explained the difference in making a new law and applying the law. He said when you are applying the law, it is quasi-judicial. He said you are sitting like a Judge therefore you cannot discuss with others. If you do, you have to disclose any communication you had with others (ex parte communication).

Council President Dowless said he wanted to make it clear that negotiations with developers should be done with the Planning & Zoning Board; it should not occur in the City Council meeting.

Council President Dowless opened discussion regarding the vision of the City's downtown plan. Planning & Zoning Member Rader referenced the direction the City wanted to go as it relates to the character of the City. He said his concern was when the Code conflicts with the vision. Mayor Bagshaw said the only way to achieve the vision is to change the Code.

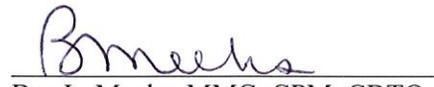
Brief discussion was held regarding consideration for a moratorium on special exceptions. Mayor Bagshaw confirmed that the market analysis should be completed in February, and they may want to consider a moratorium at that time. Mayor Bagshaw recommended forming a committee in January. City Attorney Smith said the City may want to pass a moratorium on medical marijuana dispensaries. He said the City has an Ordinance however no one knows what the regulations will be. City Attorney Smith said the concern is pre-emptions.

Council Member Chotas asked the Planning & Zoning Board members what they feel Council needs to be sensitive to; no response. Mayor Bagshaw encouraged communications between Council and the Planning & Zoning Board. Mayor Bagshaw recommended that at least one Planning & Zoning member attend the Council meetings when they forward their recommendation to Council. He said it is best to do this at the first reading of an Ordinance.

Having no further business or discussion, Council member Chotas made a Motion to adjourn; Seconded by Council Member Powell. The City Council joint workshop adjourned at 6:40 p.m.



John Dowless
Council President



Bea L. Meeks, MMC, CPM, CBTO
City Clerk

Approved in December 20, 2016 City Council Meeting.