



MINUTES OF THE CITY COUNCIL REGULAR MEETING
CITY OF NEW PORT RICHEY

NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS

5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

May 16, 2017

7:00 PM

ORDER OF
BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Rob Marlowe at 7:00 pm. Those in attendance were, Deputy Mayor Jeff Starkey, Councilman Bill Phillips, Councilwoman Judy DeBella Thomas and Councilman Chopper Davis.

Also in attendance were City Manager Debbie Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Chief of Police Kim Bogart, Finance Director Crystal Feast, Development Director Lisa Fierce, Fire Chief Chris Fitch, Economic Development Director Mario Iezzoni, Public Works Director Robert Rivera, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed, Human Resources Manager Bernie Wharran, and Community Education Librarian Kayla Kuni.

2 Pledge of Allegiance

3 Moment of Silence

4 Approval of April 25, 2017 Work Session and May 2, 2017 Work Session and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

5 Proclamation - Michele Baker Retirement

Mayor Marlowe presented a proclamation to former-Pasco County Administrator Michele Baker congratulating her on her retirement.

6 Special Recognition: Deputy Police Chief Steve Kostas - 25 Years of Service

City Manager Manns thanked Deputy Chief Kostas for his service to the City. Chief Bogart highlighted the twenty-five year career of the Deputy Chief. He then presented a plaque to Deputy Chief Kostas for his years of service. Deputy Chief Kostas then spoke about his career and his service with the City. He also highlighted the efforts of many of the officers that were in attendance.

7 Badge Ceremony for Assistant Fire Chief/Fire Marshal Adam Darling

Fire Chief Chris Fitch presented Assistant Fire Chief/Fire Marshal Adam Darling with his promotion badge.

8 Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Before opening the floor for public comment, Mayor Marlowe presented some books received from our sister city, Cavalaire Sur Mer, to the New Port Richey Library. Community Education Librarian Kayla Kuni and Library Advisory Board Chair Joan Nelson Hook accepted the books from Mayor Marlowe.

Mayor Marlowe then opened the floor for public comment. John Kane came forward to speak about provisions in the Charter about city departments. Mayor Marlowe then addressed the misinformation regarding the dissolution or privatization of any city department. Mayor Marlowe stated that the City Manager has broad discretion on setting salaries of employees. Deputy Mayor Starkey asked City Attorney Driscoll for an opinion on the matter. City Attorney Driscoll stated the part of the Charter that Mr. Kane read has already been delegated by ordinance to the City Manager.

Kerry Shattles-deLaff came forward to speak regarding the city's website is out of date as it still shows Susan Dillinger as Library Director. She also spoke about the library.

Lois Robinson came forward to speak about the Pavement Management Plan Committee. She thanked Mr. Rivera for all of his work with the Committee. She stated she would like to see the speed limit on Congress raised from 25mph to 35mph.

Dale Webb came forward to speak regarding pylons and a hedge on the outer edge of his property. He has maintained the hedge over the years. He asked if the City could take over maintenance of the hedge. City Manager Manns stated that the City will take over that responsibility.

Joseph Parra came forward to speak about the privatization of the library. Mayor Marlowe reiterated the fact that it is not going to be privatized.

Deputy Mayor Starkey then asked City Manager Manns to make a statement on the library situation. City Manager Manns stated that LSSI was contracted to fill an operational gap that was temporary in nature. The loss of a strong library leader left a void in management. She is interested in sustaining the effective model of our library. She stated it is her job to gather the facts in order to make informed decisions. She made an appointment of an interim director on Friday and also submitted a letter to LSSI terminating the relationship between the company and the City. She stated she felt she had the right and responsibility to make tough decisions and will not speak to any staff that was considered and will not discuss it publicly.

Greg Smith came forward to speak regarding the information that he gave to Council at the last meeting. He stated he was disappointed that no one from Council has contacted him. He also expressed his disappointment that the City was not waiting until Main Street Landings was complete and see how the rentals will go before approving another project.

With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop.

9 Consent Agenda

Councilman Phillips asked to pull the BOA transactions for discussion. He asked to look at recurring

costs and if an audit will be done on the purchases. He stated Council only gets to see the line item and not what makes up that amount. Ms. Feast stated that purchasing transactions are tested during the audit each year. There were no findings during last year's audit. Motion was then made to accept the Consent Agenda.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- a Consideration of Amendments to the FY17 Adopted Budget
- b Purchases/Payments for City Council Approval
- c Environmental Committee Minutes - March and April 2017

10 Public Reading of Ordinances

- a First Reading, Ordinance No. 2017-2115 Amendments to Section 14-23 of the City Noise Ordinance to Address Portable Microphones

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns then presented the item to Council. She stated that the purpose of this ordinance was to advance a new section as it relates to plainly audible sound on public property. Purpose is to regulate sounds of megaphones on public property by those who are not permitted to do so. Found that some experience exists that warrants the addressing of this issue. Chief Bogart was then asked to clarify why this ordinance is needed. He stated that there is a gentleman who uses equipment to make statements which often warrant calls to the police.

Upon opening the floor to public comment, Joan Nelson Hook came forward to speak. She stated that there should be a disturbing the peace ordinance and to not allow someone to use a megaphone is on the edge of limiting freedom of expression. With no one coming forward Mayor Marlowe returned the floor to Council.

Mayor Marlowe asked for clarification from City Attorney Driscoll that it is permissible to impose restrictions on where megaphones can be used and that it does not hinder freedom of expression and he replied yes.

Councilwoman DeBella Thomas stated she would like to see this addressed in a different manner and is uncomfortable with it. Deputy Mayor Starkey agreed with Councilwoman DeBella Thomas but knew who the Chief was referring to and he is disruptive at public events. He stated it is hard when he is at the park with his children and the man is screaming about going to hell.

Councilman Phillips stated he would support it but would like for Chief to refine it over the next three to six months.

Mayor Marlowe stated he fully accepts the right for free speech but the gentleman does make a spectacle of himself.

Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 4-1. Ayes: Davis, Marlowe, Phillips, Starkey Nays: DeBella Thomas

- b Second Reading, Ordinance No. 2017-2109: Rezoning - 6571 Circle Boulevard & Ordinance No. 2017-2110: Vacation of a Portion of Central Avenue Right-of-Way

City Attorney Driscoll read proposed ordinance 2017-2109 by title only. Upon opening the floor to public comment, Lois Robinson came forward to ask if they are going to be one or two bedroom apartments. Mr. Starkey replied both one and two bedroom apartments. Are there any flip provisions in the contract. Can it be Section 8. Pay for parking garage to where the overflow can go. Mr. Starkey then addressed the concerns by Ms. Robinson. The contract signed is assignable only to an entity that he owns. The City has asked for a performance guarantee that the project will be completed. Too much of an investment to think of it as a flip. As for parking 1.7 spaces which includes 16 new on street parking. There will be 146 spaces of which 97 private.

Deb Morris spoke in support of the project. An active city will be fun. City owned since 2005 to market for redeveloped. Having more residents live downtown it will help support the local businesses.

Dale Webb came forward to speak about the parking concerns. He is concerned on how to get to his business as the intersection of Main and Adams is bad. This area will become more congested.

Joyce Ratliff spoke in opposition to the project. She is a local realtor and has a property on Lafayette that overlooks Main Street Landing. No one wants to buy a home that has apartments overlooking it.

Sheila deBolt came forward to speak. She has renovated several homes along Grand Boulevard. She stated the City has three gems, the river, the Hacienda and Orange Lake. New Port Richey is the Hollywood of the East.

Bryan Ressler spoke in support of the project. He and his wife are young professionals. He has seen the drawings and they are [aesthetically](#) pleasing. Bring young prospects here who are not ready to own a home.

Donald Cadle came forward to speak in support of the project. He stated at first he was opposed to the project but after research he came to the conclusion that this is what we need to do in New Port Richey. He agreed that the intersection of Main and Adams is a mess.

Bob Langford came forward to speak about his concern of vacating the right of way on Central Avenue and how it overlooks the historical significance of that area.

Greg Smith came forward to speak and stated that a year ago he had asked Mr. Starkey to his Rotary meeting a year ago. He has seen how the face of the project has changed from a Hacienda type architecture to a white box.

Bruce waters came forward to speak and stated that he lives off River Road near the Main Street Landings project. River Road has no turn lanes north or south bound. If you going to build project need to put the infrastructure in place first He is concerned about traffic.

Frank Starkey came forward to speak. The right of way is not being vacated to change the character of the street. He understands the concerns at Adam and Main but traffic will not hit the 50 pmp during peak time.

Annie Ressler came forward to support the project. Living inside the city she realizes that she doesn't need two cars. Bit more urban, young, hard to find a decent rental as many of the rentals are downtrodden. More attractive alternative to young professionals.

Donna Korman came forward to speak. She stated the city should be cleaned up before adding another problem. She stated she talked to people who would like to see 2-3 bedroom condos.

Lisa Bolster came forward to speak in favor of the project. She wanted to address the project from the business owner perspective. Believed in the potential of its growth. Business has to come and grow before building the roads. Business owners are leaving because there is no foot traffic.

Rod Wortham came forward to speak in support of the project. Cannot get the business without the people. The projects will entice business owners.

Jean Lapitan really enjoy seeing the businesses. Businesses have had to change hours to accommodate what they can afford to stay open. Lack of people reduce hours. Demonstrated careful thought and although valid concerns always be many variables and risks involved.

With no one coming forward, Mayor Marlowe returned the floor to Council. Council members disclosed their ex-parte communications.

Councilman Phillips stated that he has viewed the video of the previous meeting as he was out of town. Growing up here his father had a downtown business and he has seen the evolution of the downtown business. He reviewed the comments from the LDRB, letters and emails from residents. The City made a great deal with Mr. Starkey on the property. There are three major pieces of property that the City does not get any ad-valorem taxes on. Did not add any caveats during first reading. He would like to tie additional requirements to phase III that it would be parking until developed. Drive the road work back to the developer. Looking for conditional elements. He did not think Council fully address the speeding issues on Central Avenue. Not protect our interest or the interest of the developer. Median doesn't need to be fully developed right now. Drive identity for City of New Port Richey is by moving projects forward. Wanted to give residents on Central peace of mind. Not overwhelmed by new design concept.

Mayor Marlowe stated that the intersection of Adams and Main is scary now. He asked Mr. Rivera how difficult would it be to add light. Mr. Rivera stated that a study may need to be done and that there is certain criteria that needs to be met. Good point of putting a four way stop at Jefferson and Central. Encourage staff to look at doing it. This is a project that done right can be good for the city.

Deputy Mayor Starkey stated he is in favor of the project. He attended the LDRB meeting. There is a lack of driveways along Central Avenue. Not in favor of medians all the way up Central however medians would be good for phase I and phase II. Everyone is passionate about our city. Make the best decisions on what is right for the whole. We have to attract the millennial generation. Endorse his vision for the city. Current debt service interest is \$125k a year.

Councilman Davis opened up a bar on Main Street in 1983. He used to call it the gateway to downtown. 50% occupancy to 80% occupancy in downtown. Lots of open places down by the old hospital. Need people downtown. Want business downtown you need residents. 63% population is ALICE.

Councilwoman DeBella Thomas thanked everyone who came and spoke. We all have the best interest of the city at heart. Bringing in upscale apartments will create feet on the street. Creating the necessary elements to bring in the community. Talked about design elements of the downtown. Not adopted but guidelines. May be time to revisit the guidelines. Seen many of these type of planned developments. In favor of design for Central Avenue median. She is very much in favor of the project.

Councilman Phillips asked how many parking spaces would we be losing and if a traffic study was done. Mr. Rivera stated a traffic study was done for Sims Park and speed study on Central. Councilman Phillips stated he cannot support the motion without additional caveats.

Motion was made to approve ordinance 2017-2109 upon its second and final reading. City Attorney Driscoll then read proposed ordinance 2017-2110 by title only. Motion was made to approve ordinance 2017-2110 upon its second and final reading.

Motion made by Judy DeBella Thomas and seconded by Chopper Davis. The Motion Passed. 4-1.
Ayes: Davis, DeBella Thomas, Marlowe, Starkey Nays: Phillips

- c Second Reading, Ordinance No. 2016-2098; Amended Land Use Plan Amendment - Hyundai of New Port Richey

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns then presented the item to Council. She stated that this ordinance was presented for first reading on January 3, 2017. Staff has worked with the applicant on concerns raised by residents. She then introduced Development Director Lisa Fierce who then summarized the presentation she made back to them in January.

Upon opening the floor to public comment, Mary Ann Lawrence came forward to speak about the buffer. She asked if any trees would be taken out in the conservation area. Ms. Fierce stated there will be minimal cutting and remain mostly undisturbed. Raleigh Dove from Spring Engineering came forward to discuss the buffer. He stated there will be at least 75 feet of undisturbed buffer. Councilman Phillips asked about putting the fence along the parking lot instead of the property line. He also stated the City has been very accommodating for the residents concerns. With no one else coming forward Mayor Marlowe returned the floor to Council.

Motion was made to approve the ordinance upon its second and final reading with the condition that the fence be moved to the edge of the parking lot and include wrapping to the west.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

11 Business Items

- a Plat Approval: Ozanum Village

City Manager Manns introduced the item to Council. She stated that the purpose of this item was to re-approve the plat of Ozanum Village City code requires plat recorded within six months and that did not happen. Were some technical errors on the plat. Remains the same as the one approved last summer.

Upon opening the floor to public comment, Cecelia Mahone from St. Vincent dePaul came forward to speak. She stated that they serve food to the homeless of which 30% are veterans. This development would allow for a place to send them. With no one coming forward, Mayor Marlowe returned the floor to Council.

Councilman Phillips asked for clarification that it was 33 units and will now be 30. He also asked about a date of completion. Ms. Fierce replied that it has always been 30 units under St Vincent de Paul. He stated he wanted the 30 apartments to be counted in the Volk Zimmerman study. He also wanted the apartments known in the solicitation of the VA project.

Councilwoman DeBella Thomas asked if tenants will sign a lease or if the type of housing available will be temporary housing. Ms. Mahone stated this is not transitional housing. The project is geared towards veterans. She stated that they are hoping for an October completion date. The project will be 80% housing for veterans 20% for others.

Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- b Utility Service Agreement – Residences of Orange Lake

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this item was to supply water and sewer service for the Residences at Orange Lake Project. Upon opening the floor to public comment, no one came forward

therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

c 6" Portable Pump Purchase – Stormwater Utility

City Manager Manns introduced the item to Council. She stated that the purpose of this item was to purchase a pump in an amount not to exceed \$50,698 in concurrence with a bid award to be utilized by stormwater utility during seasonal storms for flooding. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

d 2017 Jasmine Heights Reclaimed Water Improvements/Extension Project - Phase I

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this item was to expand reclaimed water into the Jasmine Heights neighborhood. The existing reclaimed lines were tapped into during the construction of the Marine Parkway trail. This would be completed in three phases.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

e Board Re-Appointment: Kacey Atkinson, Environmental Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this item was to re-appoint Kacey Atkinson as first alternate to the Environmental Committee. If approved, her term would be for two years and would expire on May 16, 2019.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

f Board Re-Appointments: Joan Nelson Hook and Dianne Ayers, Library Advisory Board

City Manager Manns introduced the item to Council. She stated that the purpose of this item was to re-appoint Joan Nelson Hook and Dianne Ayers to the Library Advisory Board. If approved, Ms. Nelson Hook's term would be for three years and would expire on June 3, 2020 and Ms. Ayers' term would be for three years and would expire on June 21, 2017.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

g Three Minute Report: Development Department

Due to the lateness of the hour, the report was deferred until the June 6th meeting.

12 Communications

City Council reserved the Communications portion until the end of the CRA meeting.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 10:42 p.m.

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____