



**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

September 5, 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 p.m. 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, Library Director Andi Figart, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed and Human Resources Manager Bernie Wharran.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of August 15, 2017 Regular Meeting Minutes, August 22, 2017 CIP Work Session Minutes and August 24, 2017 Special Meeting Minutes

Motion was made to approve the minutes as presented.

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

5. Introduction of New Police Officer Bobby Lubrido

Chief Bogart introduced new officer Bobby Lubrido to Council.

6. Proclamation-Library Card Sign-up Month

Library Director Andi Figart accepted the parchment for Library Card Sign-up Month from Mayor

Marlowe.

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

Mayor Marlowe opened the floor for public comment. Judith Allen came forward to speak about an incident that happened in her yard on August 17th regarding the removal of landscaping in front of her home.

Bob Langford came forward and wanted to express gratitude on behalf of the Friends of the Hacienda for the wonderful event on August 26th. He thanked public works, police and fire department staff for all of their hard work.

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

8 Consent Agenda

Motion was made to accept the Consent Agenda.

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

a Parks and Recreation Advisory Board Minutes - June 2017

b Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

a Second Reading, Ordinance No. 2017-2118: Brewpubs and Microbreweries

City Manager Manns announced that this item would be withdrawn from tonight's agenda and presented to Council for second reading at their September 19, 2017 regular meeting.

10 Business Items

a Alcoholic Beverage Special Event - Cotee River Bike Fest

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an ABSEP for the Cotee River Bike Fest. Organizers are seeking to sell alcohol on Friday, October 13th from 5:00 p.m. to 11:00 p.m., Saturday, October 14th from noon to 11:00 p.m. and Sunday, October 15th from 1:00 p.m. to 7:00 p.m.

Upon opening the floor to public comment, Chip Wichmanowski and Liz Misemer came forward and stated over 40,000 attended bike fest last year and were looking forward to another great event. With no one else coming forward therefore Mayor Marlowe returned the floor to Council. Councilman Davis said bike fest has a whole other image today than in the past. Deputy Mayor Starkey stated the park needs to be left in the same condition as it was found in and also to let the vendors know that the park is open and not closed as there were some complaints from residents last year. Motion was made to approve the item as presented.

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

b Request for Variance from the West Pasco Chamber of Commerce RE: Early Alcohol Sales at Cotee River Bike Fest

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a request for a variance from the West Pasco Chamber of Commerce to begin selling

alcohol at 11:00 a.m. on Sunday, October 15th as part of the Cotee River Bike Fest. Staff is recommending denial of this request.

Upon opening the floor to public comment, Chip Wichmanowski came forward and stated that for the last several years as the event has opened on Sunday many have mentioned would like to get a beer at 11:00 a.m. and told them to go to an establishment. This year they would like to be able to offer it. With no one else coming forward Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas stated she talked to the City Attorney this afternoon as she thought the County had moved the time to 11:00 a.m. At that time a hiccup occurred regarding special events in the park. We created a dilemma when there is a wet zone that includes the downtown. She knows it does create confusion for event organizers.

Deputy Mayor Starkey stated he disagreed and if you want alcohol before 11:00 a.m. then go to an establishment. Since it is a city park should offer after 1:00 p.m.

Councilman Phillips asked if the ordinance talks about the Hacienda or the parking lot across the street. City Manager Manns stated that yes it does for the Hacienda but not the parking lot. Councilman Phillips stated we opened Pandora's box and could that we could have events not open until 1:00 p.m. Wanted to see what areas are defined in the ordinance. Making a wet zone much larger than we normally do. Once it is done it will be opened for everyone.

Councilman Davis stated this needs to be addressed as well. He stated there were other issues including the dog dining and food trucks that also need to be addressed. Would like to see it more uniformed across the board.

Mayor Marlowe stated he would not like to see alcohol sold in the park at all. He stated he was not in favor of approving this.

Motion was made to deny the request as recommended by staff.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 3-2. Ayes: Marlowe, Phillips, Starkey Nays: Davis, DeBella Thomas

c Selection of Firms for Continuing Service Agreements for Landscape Architect RFQ 17-014

City Manager Manns introduced Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to consider for approval the selection of architects for continuing services agreements. He stated that five firms met the qualifications.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas asked if Council approved the firms will it not have to go to bid. Mr. Rivera stated that this would alleviate the RFQ process and allow to go to each firm to get a scope of work and then they would submit a task order. Mr. Rivera stated each of the firms have different expertise.

Councilman Davis asked if this precludes the bidding of the project. Mr. Rivera stated no this is only for professional services and that the bidding process is completely different. These firms would assist with the preparing the bid documents.

Councilman Phillips asked if we have experience with all five. Mr. Rivera stated some but not all five.

Motion was made to approve the item as presented.

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

d Purchase of Pine Hill Road Property

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase of two parcels along Pine Hill Road. The parcels will be used for additional parking for Plummer Field. The total price to purchase the properties is \$28,000 (\$14,000 per parcel) with WPLL paying \$2,000 towards each parcel as earnest deposit.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips asked what the amount budgeted was last year for this. We are creating a risk by purchasing this property across from the ball field. We need to take safety precautions. If not using all funds budgeted for purchase then use remaining funds for safety precautions. He stated it was hard for him to believe that there was no contamination found in the site as it was close to a previous landfill. Larger conversation that needs to be done in the future. Great reservations on the functionality of the property.

Councilwoman DeBella Thomas asked who owns the property that the current fields are on. City Manager Manns stated the city owns the property but it is maintained by the county. She asked how many parking spaces. City manager Manns stated estimated at fifty.

Deputy Mayor Starkey stated that is was definitely not optimum doing this and maybe bring this up during joint work session with the County in October. So much funds are going to east Pasco. Kids in west Pasco need affordable sport activities. Families are parking along Pine Hill Road and that is more dangerous. He suggested looking into seeing if we can put in a crosswalk.

Councilwoman DeBella Thomas stated she does not think this is money well spent. She stated she can appreciate that it is for the kids and the deposit amount. The County has TDC money and is all about sports would have like to see funds from them.

Mayor Marlowe stated it would be wonderful to find a different place for them to play ball and repurpose these fields.

Motion was made to approve the item as presented.

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

e Board Re-Appointment: Jon Tietz, Environmental Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the re-appointment of Mr. Jon Tietz to the Environmental Committee. Mr. Tietz currently serves as the Committee's Secretary. City Manager Manns stated his current term is due to expire on September 17, 2017 and if approved, Mr. Tietz's term will be for two years and will be up for renewal on September 17, 2019. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas noted the members of the Environmental Committee are very passionate and is one of the most full of committees. Motion was made to approve the item as presented.

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

f Board Re-Appointment: Rachel Hagenbaugh, Cultural Affairs Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the re-appointment of Rachel Hagenbaugh to the Cultural Affairs Committee. Ms. Hagenbaugh currently serves as the Committee's Chair. City Manager Manns stated that Ms. Hagenbaugh's current term expired on August 18, 2017 and she has submitted her application seeking

re-appointment for Council's consideration. If approved, Ms. Hagenbaugh's term will be for two years and will be up for renewal on September 5, 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 Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 5-0.
Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

g Board Appointment: Mark Vandebroek, Library Advisory Board

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of Mark Vandebroek as a member of the Library Advisory Board. She stated that recently staff was notified that two members had submitted their resignation from the Board therefore, staff was requesting that City Council approve the appointment of Mr. Vandebroek to member status to fill one of the vacant member positions.

Upon opening the floor to public comment, Joan Nelson Hook came forward to thank Council for this appointment. With no one else coming forward Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

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

h Three Minute Report: Police Department

Report was deferred to a future Council meeting date to be determined.

11 Communications

Mayor Marlowe sat in on the last part of a conference call with the County. It is a serious situation. Take it with healthy dose of respect. This thing is a big deal. There is nowhere in the city limits that will be safe.

Deputy Mayor Starkey stated he spent his day talking to everyone about the hurricane. If this comes up the state or the west coast we are in big trouble. If you are going to evacuate do it now.

Councilman Phillips much appreciate Ms. Allen's residency since 1969 as much as his family's residency since 1962. Been consistent about Grand Boulevard and referenced an adventure in October to a create bike path on Grand Blvd. Over and above that the right-of-way belongs to the City of New Port Richey. Wanted to be very clear that all we are talking about is our property not her property. He wanted Grand Blvd. to be more picturesque. The houses were well maintained along Grand when he was growing up. Looking to make it more consistent with other areas of improvement in the city. That end of New Port Richey connects to the downtown. We did not unduly target her.

Councilwoman DeBella Thomas stated she wanted to refer back to Ms. Allen's comments from Vox Pop. She did respond back to her. She had a follow up conversation with City Manager thought there to move plants. City Manager Manns stated she tried several times to connect with Ms. Allen but she never responded. Councilwoman DeBella Thomas offered the name of a group to help with the plants.

Councilman Davis cautioned everyone to be very diligent keeping eye on the storm.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:10pm.

After the CRA meeting was adjourned, Mayor Marlowe reconvened the regular meeting at 8:16 p.m. in order to adopt Resolution number 2017-30 which declared a local state of emergency effective at 12:01 am on Thursday, September 7, 2017 for seven days due to Hurricane Irma. Motion was made to approve the resolution as presented. Motion made by Deputy Mayor Starkey and seconded by Councilman Davis. Motion passed 5-0. Meeting was adjourned at 8:18 pm.

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

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____



NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016


August 28, 2017

Ms. Judith Allen
5940 Grand Blvd.
New Port Richey, FL 34652

Dear Ms. Allen,

I have attempted to contact you personally via telephone several times and unfortunately was not able to reach you. The reason I am contacting you is to discuss the removal of your plant materials in the public right-of-way. Please call my office at (727) 853-1021 at a time that is convenient for you to discuss.

Sincerely,


Debbie L. Manns
City Manager

RESOLUTION NO: 2017-30

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA DECLARING A LOCAL STATE OF EMERGENCY DUE TO HURRICANE IRMA AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on September 4, 2017, Florida Governor Rick Scott issued Executive Order No. 17-235 declaring a state of emergency due to Hurricane Irma; and

WHEREAS, Executive Order No. 17-235 includes numerous counties within the storm's forecast cone including Pasco County; and

WHEREAS, the City of New Port Richey has already begun preparations for the impending emergency weather conditions, and has determined that a severe threat exists to the life, health, property, and the welfare of the residents of the City of New Port Richey; and

WHEREAS, Hurricane Irma poses a severe threat to the City of New Port Richey and may cause extensive damage to public utilities, public buildings, public streets and roads, public drainage systems, and commercial and residential buildings and areas; and

WHEREAS, the City Council hereby authorizes the City through the implementation of the City Manager to enter into a state of emergency pursuant to its home rule authority; and

WHEREAS, Chapter 252, Florida Statutes, and specifically Section 252.38, Florida Statutes, provides authority for a municipality such as the City of New Port Richey to declare a state of local emergency for a period of time up to seven (7) days, which may be extended as necessary in seven (7) day increments, and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

- a. Performance of public works projects including taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
- b. Entering into contracts;
- c. Incurring obligations;
- d. Employment of permanent and temporary workers;
- e. Utilization of volunteer workers;
- f. Rental of equipment;
- g. Acquisition and distribution, with or without compensation, of supplies, materials and facilities; and
- h. Appropriation and expenditure of public funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Port Richey that Hurricane Irma poses a serious threat to public infrastructure and the life, health,

property, and welfare of the City of New Port Richey and its residents, and that a state of local emergency is hereby declared effective at 12:01 a.m. 9/7/17 for a period of time up to seven (7) days, which time period may be extended as necessary in additional seven (7) day increments by subsequent resolution, and all territory within the legal incorporated boundaries of the City of New Port Richey, Pasco County, Florida shall be embraced by the provision of this emergency resolution;

BE IT FURTHER RESOLVED that the City Council hereby exercises its home rule and statutory authority and waives the procedures and formalities required by law of a political subdivision, as provided in Chapter 252, Florida Statutes; and

BE IT FURTHER RESOLVED that the City Council hereby designates the City Manager as the declaring official for all purposes necessary to implement the provisions of this resolution including but not limited to expenditure of funds and implementation of an emergency curfew.

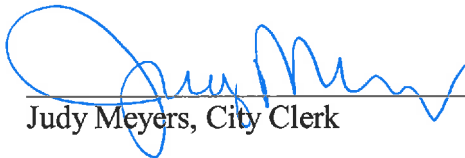
All public officials and employees of the City of New Port Richey are hereby directed to exercise the utmost diligence in discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations and directives, both state and local.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and civil emergency/disaster service forces in executing emergency operational plans, and to obey and comply with the lawful directions of properly identified public officers.

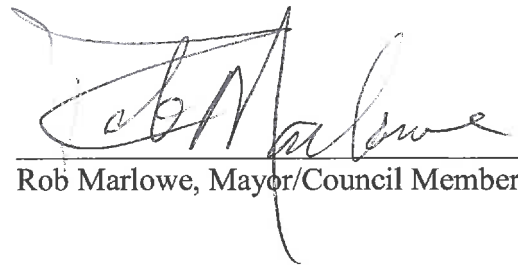
DATED THIS 5th of September, 2017.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

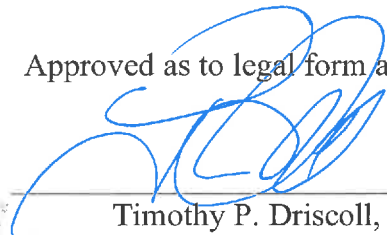


Judy Meyers, City Clerk



Rob Marlowe, Mayor/Council Member

Approved as to legal form and content:



Timothy P. Driscoll, Esq.
City Attorney

