



**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

December 19, 2017

7:00 PM

**ORDER OF
BUSINESS**

1. Call to Order – Roll Call

The meeting was called to order by Mayor Rob Marlowe at 7:15 pm. Those in attendance were, Deputy Mayor Jeff Starkey, Councilman Bill Phillips and Councilman Chopper Davis. Councilwoman Judy DeBella Thomas was excused.

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 and Technology Solutions Director Bryan Weed.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of December 5, 2017 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Chopper Davis and seconded by Jeff Starkey. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

5. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Marlowe opened the floor for public comment. With no one coming forward for public comment, Mayor Marlowe closed Vox Pop.

6. Consent Agenda

Motion was made by Deputy Mayor Starkey to accept the Consent Agenda and seconded by

Councilman Phillips. Councilman Phillips asked to have the Bender & Associates item pulled for discussion. Motion passed 4-0.

Councilman Phillips stated he wanted more information on the process and when will it be completed. Mr. Iezzoni stated that the work is roughly 95% complete. Councilman Phillips asked about the timeline for the bid. Mr. Iezzoni stated three weeks. Councilman Phillips then made a motion to approve the item as presented. Motion seconded by Deputy Mayor Starkey. Motion passed 4-0.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

a Purchases/Payments for City Council Approval

b Library Advisory Board Minutes - September and October 2017

7 Public Reading of Ordinances

a Second Reading, Ordinance No. 2017-2131 - Rezoning Application – 5831-5837 Main Street

City Attorney Driscoll read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips asked if staff is still investigating the other properties for compliance. City Manager Manns stated that yes staff has already identified several properties to be rezoned. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

b Second Reading, Ordinance No. 2017-2129 - Code Amendment - Regulating Wireless Facilities in the Right-of-Way

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns stated the purpose of this agenda item was to support the Advanced Wireless Infrastructure Deployment Act which went into law effective July 1st. Bad placement of cell facilities can provide for unsafe and unsightly conditions. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated this was a horrible law that was passed. He knows there has to be something way deep that we cannot see and we are going to have to deal with it over and over again. Allowing these elements into the city limits will create problems long term. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Chopper Davis and seconded by Bill Phillips. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

c Second Reading, Ordinance No. 2017-2128 - Code Amendment - Prohibiting Call Centers and Nicotine Dispensing Device Businesses in the Downtown District

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns stated currently these businesses are not addressed in the LDC which provides for them to be incorporated through a conditional use application. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey would like to pursue the ordinance that the county has regarding the implementation of removing tobacco paraphenalia from the view of minors. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

- d First Reading, Ordinance No. 2017-2126 - Code Amendment - Mobile Food Vending Regulations

This item was deferred until the January 16, 2018 City Council meeting.

- e First Reading, Ordinance No. 2017-2127 - Code Amendment - Repealing Mobile Vending Regulations

This item was deferred until the January 16, 2018 City Council meeting.

8 Business Items

- a Request to Purchase Police Vehicle Accessories and Installation

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase and installation of ancillary equipment for six new police vehicles for an amount not to exceed \$90,484.96. The majority of the funds would be from Penny 4 Pasco and the remainder from the Police Department's operating budget. 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. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

- b Police Department Auxiliary Power Generator Purchase - Consideration for Approval

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase of a generator to replace the current twenty-three year old generator at the police department used for auxiliary power for an amount not to exceed \$60,549 from Ring Power Systems, Inc. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated this was an item that was looked at during the budget process. Twenty-three years was a good life for the generator. He did not see a reference of what was budgeted versus what the actual cost was. Ms. Feast stated that \$80,000 was budgeted for this item. Mr. Rivera stated the shade structure will be constructed with the additional funds. Councilman Davis stated that first responders should have first class equipment. Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

- c Yard Debris Grinding Contract 1 year renewal option – Consideration for Approval

City Manager Manns introduced Public Works Director Robert Rivera who presented the item to Council. He stated that the purpose of this agenda item was to approve the extension of the yard debris grinding contract with Rain or Shine Services LLC for a period of one year. The rate will remain the same. There are funds budgeted in stormwater and streets and row division to cover the renewal cost. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Davis asked if it calculates to the same as last year and includes hurricane removal. Mr. Rivera stated this was for standard grinding and storm is different process. Deputy Mayor Starkey stated yard debris still needs to be addressed. He stated there is still a serious issue with illegal dumping. Mayor Marlowe stated Public Works crews removed debris piles in his neighborhood this afternoon. Councilman Phillips asked for clarification with the funding. Mr. Rivera confirmed it was \$25k. Councilman Phillips asked if we can get an idea of what zones will be in the next month. Mr. Rivera stated that there is a map on the website showing which zone they are currently working in and it is updated each Monday. Motion was made to approve the item as presented.

Motion made by Chopper Davis and seconded by Jeff Starkey. The Motion Passed. 0-0. Absent: DeBella Thomas

d Sanitary Sewer Manhole Inserts Purchase – Consideration for Approval

City Manager Manns introduced Public Works Director Robert Rivera who presented the item to Council. He stated that the purpose of this agenda item was to award the bid for sanitary sewer manhole inserts to Capitol Foundry of Virginia, Inc. in the amount of \$108,750 for 870 rainstopper inserts. Mr. Rivera stated this is phase II of the project. Utility manager has submitted plan of where installation will begin. Installation of these pans are cost efficient to reduce inflow and is a requirement of the FDEP permit. Same pricing as brought last year. 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 Jeff Starkey. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

e 2017/2018 Street Improvement Project Task Order No. 5565-040 - Engineering Services

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a task order in the amount of \$174,057 for the 2017/2018 Street Improvement Project with Genesis Group. Mr. Rivera stated this is the second phase of the project. Expecting to bid during the summer. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips asked how many miles would this cover. He also asked for clarification that these funds are not allocated out of the Pavement Management Plan as every dollar in that program is to be put towards asphalt. Mr. Rivera stated that was correct. Councilman Davis asked where this funding was coming from and Mr. Rivera stated LOGT. Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Phillips, Starkey Absent: DeBella Thomas

f Three Minute Report: Parks and Recreation

9 Communications

Mayor Marlowe stated that comments made during work session of the possibility of using eminent domain for city hall parking that we should ask the city attorney to research and provide explanation of the law. At the Tampa Bay Water meeting it was pointed out that tax reform bill passed by House has a provision that eliminates cities and counties to do advanced refund on tax exempt bonds as of December 31st. He stated we are required to take ethics training on calendar basis. The FLC has a video on their website that meets the requirements and is good. Also suggested volunteer Boards should have ethics training and that any time board or committee meeting to modify public notice that Council members may attend and speak. That way we will stay in full compliance with law. He wished everyone a Merry Christmas and Happy New Year.

Deputy Mayor Starkey stated he would like to see all positions in Finance Department filled. He also feels improvements need to be made to our Code Enforcement Department. He has received more complaints than he has ever had since Liz retired. He stated that the city is getting negative publicity on Facebook. We need to get back on track. He got a call this morning from an investor regarding a permit application for a fence that he submitted on December 5th and has not heard back yet. We have to address service in all of our departments. He thanked all staff for their hard work and the positive things done this past year. He wished everyone a happy holiday and New Year.

Councilman Phillips stated that he would have rather not have had to ask about the audit. He has made it clear over the last six months he is not pleased where we are with fire department negotiations and to get the update they are waiting on the vote we need to get first responder contracts in order. Tired of covering the same ground. Every year the legislature makes a move and we need to be ready. He appreciated the update on the RAC. He asked about the fence at the Grey Preserve. He suggested an ordinance to cover employee. He wished everyone a Merry Christmas and Happy New Year and was glad to have attended the employee luncheon.

Councilman Davis stated he thought we would have had the audit information as it has been a couple of weeks. City Manager Manns stated a full report will be provided in this week's CM report. She stated that duties have been distributed to meet the new deadline. The State extended the due date to January 15th. She stated that the city will contract out for services for next budget year to aid with the budget process so Ms. Feast may concentrate on the audit. Councilman Davis asked when new website launched. City Manager Manns stated the website has been formatted and department heads have until mid-January to review content.

City Manager Manns wished everyone a Merry Christmas and thanked all the department heads for their work over the year. She also told Council it was a pleasure to serve them.

10 Adjournment

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

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____