



**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**

**January 2, 2019  
7:00 PM**

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**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 Chopper Davis, Councilman Peter Altman and Councilman Matt Murphy.

Also in attendance were City Manager Debbie Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Police Chief Kim Bogart, Fire Chief Chris Fitch, Economic Development Director Mario Iezzone, Public Works Director Robert Rivera, Library Director Andi Figart, Parks and Recreation Director Elaine Smith, Development Director George Romagnoli and Technology Solutions Director Bryan Weed.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of December 18, 2018 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. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

5. Proclamation - Honor Flight at Home Mission #12 Day

Georgeann Johnston accepted the parchment from Mayor Marlowe.

6. 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, Mayor Marlowe closed Vox Pop.

7 Consent Agenda

Motion was made to accept the Consent Agenda.

Motion made by Chopper Davis and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

a Parks and Recreation Advisory Board Minutes - November 2018

b Purchases/Payments for City Council Approval

8 Public Reading of Ordinances

a First Reading - Ordinance No. 2019-2149: Amendments to Chapter 13 to Prohibit Bathhouses

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to conduct a first reading on an ordinance to prohibit bathhouses in the city. Upon opening the floor to public comment, Diana Shanks came forward and urged Council to not approve the ordinance. She stated that prostitution and human trafficking should be dealt separately. She urged Council to talk to experts and conduct research before voting. Nicholas Ierna came forward and read a letter from the Restorative Justice Coalition regarding human trafficking. He urged Council to not approve the ordinance. Anthony Avila came forward and read a statement from the ACLU. With no one else coming forward Mayor Marlowe returned the floor to Council.

City Manager Manns stated that purpose of this item is to serve the best safety and welfare of the citizens. This agenda item was prompted by the practice of bathhouses to allow baths to be given from one person to another which leads to prostitution as was the case with two establishments within the city. Deputy Mayor Starkey thanked those who spoke. He stated this is the best thing for our city considering what he saw on Massachusetts. Councilman Murphy stated that prostitution breeds other activity. Councilman Altman stated these ordinances are being presented from within. It would be better to direct the City Manager to do it. He did not recall any discussion on this matter. He would like to see Council take the role as policymakers. He believes that the ordinance prohibits the business from occurring in the city. He stated that the ordinance as presented allows us to say we do not want that kind of business in our city. He stated there have been sting operations in our city that go after this type of activity. Councilman Davis stated he is appalled when human trafficking is linked to prostitution. Mayor Marlowe stated this is targeting a specific type of business. Our current ordinances are silent on bathhouses. He does not see this as an attack on the workers but the business operators. Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

b First Reading - Ordinance No. 2019-2148: Permitted Uses in Highway Commercial Zoning District

This item was tabled until the January 15, 2019 regular meeting.

Motion made by Jeff Starkey and seconded by Matt Murphy. The Motion Other. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

9 Business Items

a Board Re-Appointment: Dell deChant, 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 Dell deChant to the Environmental Committee. She stated that Mr. deChant has been a valued member of the Environmental Committee for many years. If approved, Mr. deChant's term will be for two years and will be up for renewal on January 8, 2021. 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 Pete Altman and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

b Board Appointment: Amjad MJ Faqouseh, Environmental Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of Amjad MJ Faqouseh to the Environmental Committee. On December 20, 2018 Mr. Amjad MJ Faqouseh submitted his application seeking appointment to the Environmental Committee for Council's consideration. If approved, Mr. Faqouseh's term will be for two years and will be up for renewal on January 2, 2021. Upon opening the floor to public comment, Mr. Faqouseh came forward and talked about his background. 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 Pete Altman and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

c Third Amendment to the Lease Agreement between the City of New Port Richey and the West Pasco Chamber of Commerce, Inc.

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a Third Amendment to the Lease Agreement between the City of New Port Richey and the West Pasco Chamber of Commerce. She stated that the Chamber currently owes the City \$9,684.20 which represents \$1,200 in rent payments and \$8,484.20 in charges for special events. The Chamber has agreed to pay \$1,400.00 per month commencing in February 2019 in order to address this matter. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Altman stated he was not so sure the lease agreement needed to be changed but a promise from the tenant would be sufficient. The provisions of lease allows for each party to terminate the lease. Deputy Mayor Starkey stated he is glad they are trying to pay the City back. The majority of the debt is from Bikefest two years ago. Deputy Mayor Starkey asked why we are amending the lease. City Attorney Driscoll stated that it is one way to deal with the issue and does not change legal effect. City Manager Manns stated it was important to memorialize the terms of the agreement so Council is aware of what has been agreed to. Motion was made to approve the item as presented.

Motion made by Chopper Davis and seconded by Matt Murphy. The Motion Passed. 4-1. Ayes: Davis, Marlowe, Murphy, Starkey Nays: Altman

d Professional Service Agreement - Professional Engineering Services 2019

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to authorize the City Manager to enter into a contract with Ayres Associates to provide professional engineering services for the City. Ayres Associates has been providing engineering services to the City since 2016. The agreement designates Ayres Associates as the City Engineer. Services provided include consulting, studies and reports, project design, general services during construction, inspection and supplementary services and special projects. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Altman stated the City Charter states the City Engineer is an employee of the city. There is a tremendous amount of capital projects that are discussed and regular attendance would be warranted. City Attorney Driscoll stated the City Engineer is not a position outlined in the City Charter. It is an appointed position to assist departments with their functions. Councilman Altman stated the advice from the City Engineer is critical. City Manager Manns stated the principal role is to interface with the Development Review Committee and not with the Capital Improvement budget. Mr. Rivera stated that engineering services are available right now through different firms as each firm has

different expertise. Any of the firms would be available to attend a work session to sit down and answer any questions. Mr. Rivera stated that the City Manager was correct in that the City Engineer we retain works mostly with the DRC. There are different firms for different projects. Motion was made to approve the item as presented. Councilman Altman stated that is what he was talking about to have an independent person to advise Council.

Motion made by Chopper Davis and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

e Wastewater Treatment Plant Surface Water Discharge Study – Task Order No. 17

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a Task Order from McKim & Creed for the Wastewater Treatment Surface Water Discharge Study in an amount not to exceed \$158,710. He stated that in 2016 the City began the process of submitting for approval the required permit thru the Florida Department of Environmental Protection to operate a wastewater treatment facility prior to the existing permit's expiration. FDEP would grant the City a new permit for ten years as long as during this period the City would perform testing of the bayou water to determine the total maximum contaminate levels of nitrogen and phosphorous that could be discharged to the bayou. Should the study determine that plant discharges will not have a detrimental effect on the bayou then FDEP has agreed to allow the City to discharge when needed, as long as the criteria is met under the maximum limits identified in the study. 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 Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

f Three Minute Report: Economic Development

10 Communications

Mayor Marlowe stated that he has friends that live in Lakewood Villas and they would be quite happy to hook into the City's sewer system and would love to have the City offer it. It would help with water quality too if we got rid of the septic systems out there. He was happy to see the turnout for the work session. It was very encouraging. The downtown business owners have stepped up and are willing to get involved. We may not have a "Main Street" program but we can move forward with activities that cover the four pillars of a good Main Street program. We can put it together with the people who showed up for the work session.

Deputy Mayor Starkey stated he feels that he has a good relationship with each of the County Commissioners and urged his colleagues to have a good relationship with each one as well. He stated that in regards to providing transport, he sees two options just to get it out there. He stated he has a good friend that he grew up with that has a high level position with Pasco County Fire and he stated that the County will never approve it because they make too much money off of it. However, the only two options he sees is if City Manager Manns talks to the County Administrator to see if they are open to the discussion or schedule a meeting with the County to discuss it publicly. The last joint meeting with the County was beneficial. He would like to see another meeting scheduled as soon as possible. City Manager Manns stated she has discussed some with County Administrator and he has stated the County has a firm interest in keeping transport services. In regards to a joint meeting, there is one scheduled for September however Mr. Biles has indicated that the County Commission is only interested in meeting on a joint basis once a year. Deputy Mayor asked if we could see about moving the date up in the year. He wished everyone a Happy New Year. He thanked everyone who showed up for the work session. Deputy Mayor asked if an amendment could be made to the golf cart ordinance to allow for them on Louisiana from Madison to Congress. The Mayor agreed and stated that it is impossible for anyone in that mobile home park to legally get to the downtown. He

understands the concerns with Congress but that stretch of Louisiana needs to be fixed. It is his belief that the golf cart users are not trying to get themselves run over and in fact seem to slow traffic down a bit which from his perspective is a good thing. City Manager Manns stated that staff would look into the request and report back to Council.

Councilman Davis stated he talked to Jeff Wright and he spoke very highly about city staff. He asked about the audit and if we will be prepared when the new firm walks in the door as we are already three months behind. City Manager Manns stated that we cannot commit to a specific timeframe but have let proposals for audit services. Our expectation is that interviews should occur within two weeks. Staff will be prepared when auditors arrive.

Councilman Altman stated as to the municipal service areas there has been little response from the County. He would like to revisit that discussion. He spent a lot of time preparing to discuss the issue with the rest of Council and he was disappointed with the response that we would not want to aggravate the County. He does not want to but they have a lot of money to remodel fire stations and we were talking about trying to get the ability to transport there seems to have been no response so far to that initiative. There are budget issues relating to fire he would like to see resolved and what role we can play with the County. He stated that in the City Manager's note regarding the discussion on FGUA acquisition where it indicated that the County is the entity that has the rights to the FGUA service area as sponsor of it that there is nothing wrong with that opinion but we do have the Maytum Chambers service area which allowed for us to have that service area and we are going to lose \$800k bulk revenue and the collection of future impact fees. We have some initiatives we can turn our attention to if only we could get the County to agree to allow us to provide sewer services in accordance with Florida Statutes without having to take a poll or get people out on the street to agree to bill and assess themselves. It is extremely important to work with the County. We need the resources and support of the County in all of what we are doing. Much of the County on this side depends on the City for services. Councilman Altman then talked about drainage and the water from the City parking lot across from Southgate Shopping Center and how the water flows under the highway and to the west. Failure on the County's side to take the water that's headed that way can lead to destruction of property within city limits. He stated these are all areas of cooperative planning. We need to be on the County's bicycle path plan and we shouldn't have to pay for it because we are part of the program. We should work more cooperatively with the County. That was part of his platform when he ran for office. When he talked individually with the Commissioners they seemed receptive to working with the City.

Councilman Murphy stated he hoped everyone had a nice holiday.

11 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:20 p.m.

(signed) \_\_\_\_\_  
Judy Meyers, CMC, City Clerk

Approved: \_\_\_\_\_ (date)

Initialed: \_\_\_\_\_