



**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**

**April 23, 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, Finance Director Crystal Feast, Fire Chief Chris Fitch, Economic Development Director Mario Iezzoni, Public Works Director Robert Rivera, Library Director Andi Figart, Parks and Recreation Director Elaine Smith, Development Director George Romagnoli, Technology Solutions Director Bryan Weed and Human Resources Manager Bernie Wharran.

**2 Pledge of Allegiance**

**3 Moment of Silence**

**4 Approval of April 2, 2019 Regular Meeting Minutes**

Motion was made to approve the minutes as presented.

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

**5 Administration of Oath of Office to Newly-Elected Council Members**

**6 Appointment of Deputy Mayor**

Motion was made by Councilman Davis to retain Councilman Starkey as Deputy Mayor.

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

7 Proclamation - Child Abuse Prevention Month

Larnelle Scott and Evelien Still accepted the parchment from Mayor Marlowe.

8 Proclamation - Powertalk 21

Jeannine Laurence accepted the parchment from Mayor Marlowe.

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

Mayor Marlowe opened the floor for public comment. Noah Denny came forward to speak about a proposed resolution ban on plastic straws and polystyrene containers. He thanked the businesses who have supported his resolution along with the City's Environmental Committee. He then highlighted the benefits of banning plastic straws. He stated climate change was the main reason the document was drafted. He stated other states, counties and cities have already committed to the effort. He asked Council to support and pass the resolution. Councilman Davis urged him to connect with Liz Misemer with NPRMS. Deputy Mayor Starkey stated that he and Noah went around to talk to the downtown businesses.

Bob Smallwood came forward and stated that he has noticed the law enforcement presence on the river diminish over the years. It is getting more dangerous to be on the river as more boats do not adhere to the no wake zone. He would like to see more presence back on the river. Mayor Marlowe stated he received an email that the police boat tends to stay on the davits instead of the water. He stated something needs to be done to slow down the boaters. Councilman Altman asked to have this added as a future agenda item for discussion.

Mark Vandenbroek came forward and stated he has lived on the river for over twenty years and the speeding has gotten worse and worse. He would like to see police presence on the weekends from 3PM-7PM. He volunteered his dock for the police to use.

Joan Nelson Hook came forward and stated that the City Council did such a great job stopping the speeders on River Road and she hopes the same can be done with the speeding on the water.

Harold Isom came forward and stated he is very active with the American Legion Post where he lives in Missouri. His city was just designated as a POW/MIA community. It would be a great edition for our community to be designated as well.

Mike Gordon came forward to echo the previous concerns about speeding on the river. He stated it is progressively getting worse. He referred to an incident that happened a few weeks ago where they identified the people on the Sea Doo's but no ticket was given. Funds were spent for a boat lift to put the boat in the water more easily and he asked what can be done to get the water in the water.

With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop. Mayor Marlowe then highlighted concerns about the loud noise at Dulcet and the need for recycling containers near Sims Park and Orange Lake. Deputy Mayor Starkey stated there was a TB Times article about the noise issue a year ago and it is still happening. He stated we are working on three years now and we need to be more stern with enforcement.

10 Consent Agenda

Motion was made to accept the Consent Agenda.

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

a Purchases/Payments for City Council Approval

b Library Advisory Board Minutes - February 2019

c Parks and Recreation Advisory Board Minutes - March 2019

11 Public Reading of Ordinances

a Second Reading, Ordinance No. 2019-2163, Authorizing the Issuance of the Water & Sewer Revenue Bond, Series 2019

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to authorize the issuance of the Water & Sewer Revenue Bond, Series 2019. A Water and Revenue Sufficiency Study was presented in 2018. 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 ordinance upon its second and final reading.

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

b Second Reading, Ordinance 2019-2160: Moratorium on Automobile Dealerships

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to develop a 180 day moratorium on auto dealerships within the City. 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 ordinance upon its second and final reading.

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

c Second Reading, Ordinance No. 2019-2162: Amendments for Docks on City-Owned Property

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that this relates to most of the properties south of Massachusetts Avenue along Grand Blvd. She stated the purpose of this agenda item was to allow for the installation of small waterfront floating docks. 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 ordinance upon its second and final reading.

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

12 Business Items

a Consideration of Appointments to Intergovernmental Committees

Mayor Marlowe stated that these committees are typically the ones that each of the Council members serve on individually. The current appointments are as follows:

- Pasco County Metropolitan Planning Organization - Councilman Starkey with Councilman Davis as alternate
- Pasco County Tourist Development Council - Councilman Davis
- Suncoast League of Cities - Councilman Murphy
- Tampa Bay Regional Planning Council - Councilman Altman

- Tampa Bay Water - Mayor Marlowe

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to retain the current appointments.

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

b Board Appointments: Historic Preservation Board

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to reconstitute the Historic Preservation Board and appoint new members. The Planning and Development Department contacted all the previous members and the following asked to be reappointed to the Board: John R. Grey, Joy P. Hetz, Bob Langford and Kelly Smallwood. In addition, new applications were received from William C. Maytum and Frank Starkey. All appointment term shall be staggered with the existing members receiving three year appointments and the new members receiving two year appointments. There are still three current openings available on this Board. 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 Matt Murphy and seconded by Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

c Request to Purchase Four X Series Zoll Defibrillators

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to authorize the purchase of four X Series Zoll Defibrillators. The current M models have met their expected life expectancy. The total cost for this item is \$127,990.92 to be billed by Zoll at a cost of \$31,997.73 each year starting in FY18-19 and ending in FY21-22. This amount includes a trade-in value of \$2,668.00 each totaling \$10,672.00 for the four defibrillators being replaced. Chief Fitch stated that Zoll will be giving all four defibrillators up front and then bill one a year. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey asked if anything can be done with the old ones and Chief Fitch stated they are being traded in on the new models. 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

d 2019 Orangewood Lakes Pump Station and Force Main Project Task Order No. 19 Engineering Services – Consideration for Approval

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve Task Order No. 19 from McKim & Creed Engineering Consultants, Inc. in an amount not to exceed \$192,700 for engineering services for the 2019 Orangewood Lakes Pump Station and Force Main 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 Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

e ITB19-008 Wastewater Treatment Plant (WWTP) Biosolids Hauling and Disposal Services Bid Award

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to award the bid for the WWTP biosolids hauling and disposal services to Merrell Bros. Inc. at a cost of \$57.91 per ton. Merrell Bros. has provided the hauling services for the City for over ten years.

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 Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

f KIA Fest Main Street Blast Alcoholic Beverage Special Event

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an ABSEP for the upcoming KIAFest Main Street Blast. Organizers wish to sell beer and wine on Friday, June 28th from 5-11PM and on Saturday, June 29th from Noon-11PM. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Altman stated a topic for discussion in the future may be events ending sooner so that people move from the event into the downtown. Councilman Davis stated he was happy that they have the support from Friendly KIA for the event. Deputy Mayor Starkey congratulated Ms. Misemer on her position. Mayor Marlowe stated he is excited to see what they are going to do and that it is going to be a great event. Motion was made to approve the item as presented.

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

g Resolution No. 2019-08: 2019 CRA Plan Update and Sunset Provision Extension

City Attorney Driscoll read the proposed resolution by title only. 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 Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

h Three Minute Report: Human Resources

13 Communications

Mayor Marlowe stated that on May 1st he is going to TBRPC for a workshop on resiliency. The City joined on with the resiliency last year. They will report back after the event.

Deputy Mayor Starkey thanked the citizens for re-electing him. He stated we are on a very positive path right now. He stated that speeding on the river gets worse when storms are rolling in. He stated he would like to see the boat on the water more. Chief Bogart stated that officers need to be certified to be on the boat. Deputy Mayor Starkey asked to look into certifying more officers. Chief Bogart stated that they are but classes are few and far in between. Chief Bogart stated that he would look into more patrols. City Manager Manns stated that we will work on a program to be out on the river more. Patrols were out there over Spring Break and also last weekend. Deputy Mayor Starkey reminded everyone about Seafest this weekend and a craft beer event at Ordinance One this weekend.

Councilman Davis stated that someone suggested having a contest to design a city flag.

Councilman Altman stated his request continues to be that at Vox Pop it is fine to ask a question or two is alright but once opinions get expressed he feels uncomfortable. When everyone is done speaking he would like to see an agenda item to allow them to respond. Deputy Mayor Starkey stated that sometimes people voice their concerns and then the meetings run late and if we wait until the end of the meeting to address their concerns they may have already left. He stated it was the Mayor's idea about two and a half years ago to address the concerns at Vox Pop. City Attorney Driscoll stated it was up to Council on how they wanted to respond. Councilman Altman stated he was fine with having Communications right after Vox Pop. Councilman Davis stated that sometimes we direct concerns to a

certain person. He does not see how we are affecting Robert's Rules. He stated right now he doesn't see why we can't have a discussion for a minute or two. Councilman Altman stated that what he would prefer to have the Mayor speak to us instead of individual Council members addressing staff. Councilman Davis stated some people leave before the end of Vox Pop and he would like to continue to address comments during Vox Pop. Mayor Marlowe stated there is a fine line where we want to have interaction when someone brings something up but at the same time there is a line we cannot cross where we make a formal motion to do something. Staff is asked to look at something and then bring back as an agenda item. Councilman Altman stated it is a simple matter to express how Vox Pop works and suggested that the Mayor encourage people to stay to the end of Vox Pop for discussion. He stated we are one voice. Councilman Davis stated he was fine with the way things are now. Councilman Murphy stated he would like to address concerns while the person is there at Vox Pop. Councilman Altman asked if there was a timeframe in mind for the Chasco work session and City Manager Manns stated no date was scheduled yet but she would reach out to them as their final reports are now complete.

Councilman Murphy stated that on Friday Bay News 9 did an article about the Hacienda and Mr. Iezzoni was interviewed. Mayor Marlowe stated there was a link on Facebook.

14 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:33 p.m.

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

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

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

# Environmental Resolution 1

Prohibiting plastic straws and polystyrene.

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Submitted by Noah Denny  
Environmental Activist  
(727) 809-1222  
[noahdenny@icloud.com](mailto:noahdenny@icloud.com)

Recognizing the duty of the New Port Richey city council to  
create a ban of single use plastic straws and polystyrene.

**Read the full document  
here:**

**<https://bit.ly/2UgEHhZ>**



Whereas Pasco County does not allow the recycling of--

- (1) Plastic straws, due to their size and diameter.
- (2) Polystyrene, (commonly referred to as “#6” plastic) due to the machine’s inability to process the material successfully.
- (3) Pasco County deals with recycling, not the city.  
However, a ban on plastic straws and polystyrene would still reduce waste.

Pasco County Recycling programs do not accept plastic straws due to their size, and polystyrene is not recyclable because it can get caught in the machinery. We shouldn’t be using a product if it can’t be recycled.

Whereas the Surfrider Foundation has published an article (<https://bit.ly/2mXbOVN>) about the negative effects of plastic straws through greenhouse gasses and pollution--

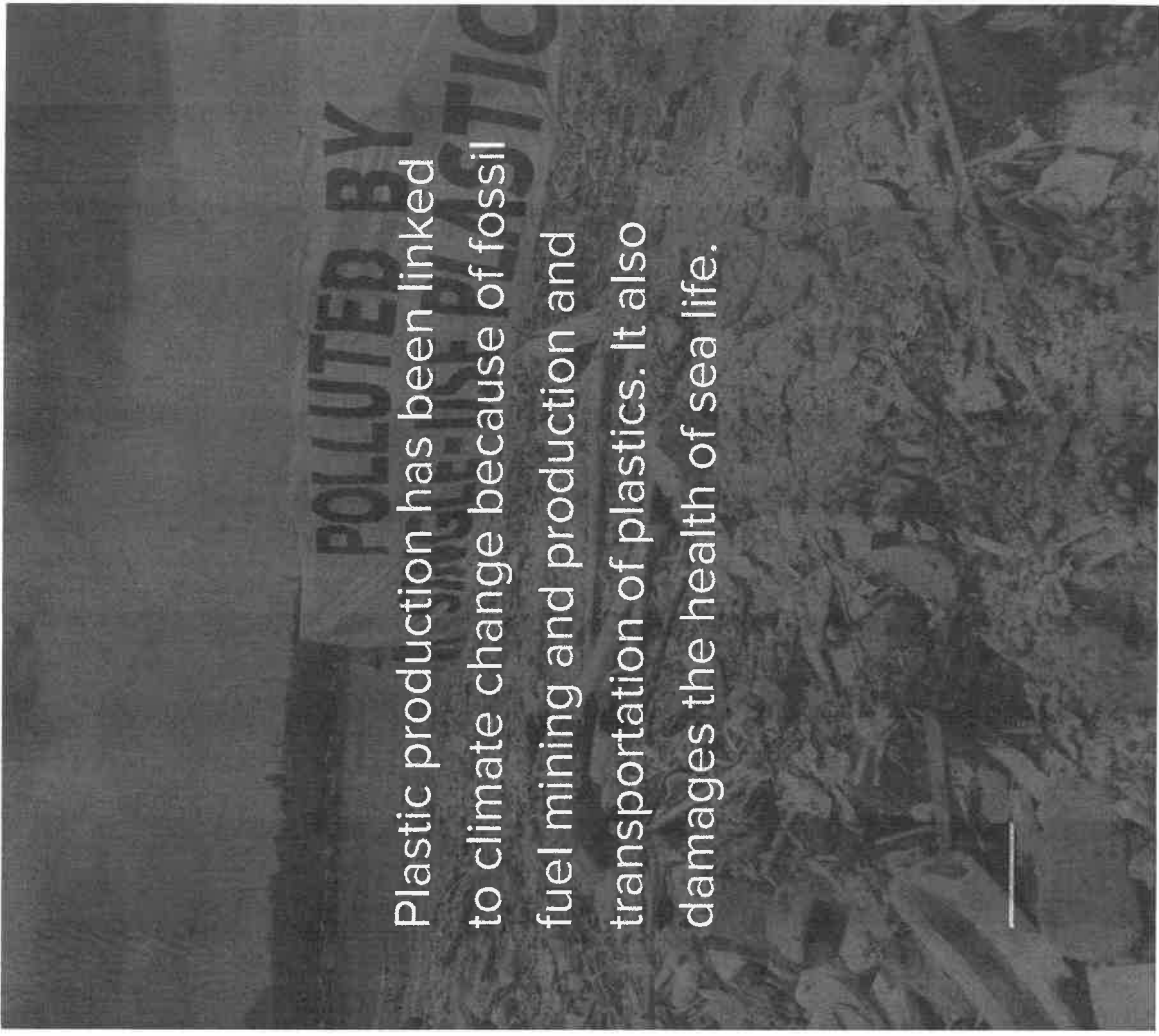
- (1) Plastics are now commonly made with natural gasses, which releases carbon dioxide when collected during mining and drilling.
- (2) Plastic products are created in factories which use energy for mass production.
- (3) Plastics causes damage to sea life and their health.

Plastics are fossil fuel based.  
(Petroleum or Natural Gas)

When fossil fuels are collected from the Earth, they can release carbon dioxide which heats up the atmosphere.

Whereas the Surfrider Foundation has published an article (<https://bit.ly/2mXbOVN>) about the negative effects of plastic straws through greenhouse gasses and pollution--

- (1) Plastics are now commonly made by natural gasses, which releases carbon dioxide when collected during mining and drilling.
- (2) Plastic products are created in factories which use energy for mass production.
- (3) Plastics causes damage to sea life and their health.



Plastic production has been linked to climate change because of fossil fuel mining and production and transportation of plastics. It also damages the health of sea life.

Whereas the October 2018 report titled “Special Report on Global Warming of 1.5°C” by the Intergovernmental Panel on Climate Change and the November 2018 Fourth National Climate Assessment report found that--

- (1) Human activity directly influences and is the dominant cause of climate change during the past century.
- (2) Where decreasing health of the climate causes dangerous natural disasters such as forest fires, hurricanes, and other severe weather causes economic, environmental, and social damage.

Two reports in late 2018 predict that we only have 10-12 years to solve climate change. Plastic production also impacts our climate by carbon dioxide pollution.

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Whereas severe weather has been strengthened by climate change and causes major damage to the economy, environment, and social conditions. Extreme weather includes--

- (1) Forest fires such as the Camp Fires in California on November 8, 2018.
- (2) Hurricanes like Irma of 2017 in Florida, Harvey of 2017 in Texas, Maria of 2017 in Puerto Rico, and Florence of 2018 in the Carolinas,
- (3) Polar vortexes, like that of January 2019
- (4) Severe weather in Alabama like that of March 3, 2019.

Many severe weather events have been proven to be strengthened by climate change related factors. Climate change can cause a warmer atmosphere and oceans, strengthening storms and other weather events like polar vortexes.

- (A) Plastic causes major issues at sea and on land. However, plastic straws and polystyrene are more dangerous, since they are not recyclable in most countries. Sea life and land organisms may confuse plastic or microplastics as food, leading to a decrease in their health. This causes a disruption in the food chain which impacts all ecosystems.
- (B) Plastic pollution is an unpleasant sight to some tourists and potential residents. Those looking to buy a home or consider the city as a vacation spot may view the abundant plastic pollution as a negative factor.
- (C) Prohibiting plastic straws and polystyrene also opens new doors to an economic boom. More producers of alternatives to these plastics could prioritize New Port Richey as a business opportunity and the cost of alternatives would fall.
- (D) Climate change is one of the main influences for drafting this document. As climate scientists predict how the Earth will change and our living standards will be negatively impacted, some states and counties are taking action to get rid of certain plastics, which are made from fossil fuels. Fossil fuels are a nonrenewable resource and would not guarantee volatility in the market, and the supply of plastics would deplete as oil and natural gas reserves are at dangerously low levels with current technologies.
- (E) Other states, cities and counties have already committed to similar resolutions.
- (a) The state of California has banned plastic bags.
  - (b) The state of New York has banned plastic bags.
  - (c) The city of Seattle, Washington has banned plastic straws.
  - (d) The city of St. Petersburg, Florida has passed a resolution to ban plastic straws and polystyrene.
  - (e) New Port Richey should follow in the footsteps of St. Petersburg and do the same.
- (F) 40 citizens have signed a petition to pass this resolution.
- (G) 5 businesses have endorsed this resolution.
- (H) The New Port Richey Environmental Committee has unanimously endorsed this resolution.

# “What can I do?”

Contact your representatives and senators.

Demand that they take action on climate change and pollution.

If you decide to call or contact any of the people listed, please be kind and respectful.

Also, political party should not be a factor on making contact with any elected official. This should be a bipartisan issue.

Rick Scott : Florida Senator

<https://www.rickscott.senate.gov/>

Ron DeSantis : Governor

<https://www.flgov.com/>

Gus Bilirakis : 12th Congressional District

<https://bilirakis.house.gov/>

Wilton Simpson : 10th State Senate District

<https://www.flsenate.gov/Senators/s10>

Amber Mariano : 36th State House District

<https://www.billtrack50.com/LegislatorDetail/213>

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Noah Denny  
(727) 809-1222  
[noahdenny@icloud.com](mailto:noahdenny@icloud.com)  
Environmental Activist

Signature: Noah Denny

## ENVIRONMENTAL RES. 1

Recognizing the duty of the New Port Richey city council to create a ban of single use plastic straws and polystyrene.

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### IN THE CITY OF NEW PORT RICHEY

This resolution was submitted by Noah Denny to the City of New Port Richey on the 23 of April, 2019.

-----

### RESOLUTION

Recognizing the duty of the New Port Richey city council to create a ban of single use plastic straws and polystyrene.

Whereas Pasco County does not allow the recycling of--

- (1) Plastic straws, due to their size and diameter.
- (2) Polystyrene, (commonly referred to as "#6" plastic) due to the machine's inability to process the material successfully.
- (3) Pasco County deals with recycling, not the city. However, a ban on plastic straws and polystyrene would still reduce waste.

Whereas the Surfrider Foundation has published an article (<https://bit.ly/2mXbOVN>) about the negative effects of plastic straws through greenhouse gasses and pollution--

- (1) Plastics are now commonly made with natural gasses, which releases carbon dioxide when collected during mining and drilling.



- (2) Plastic products are created in factories which use energy for mass production.
- (3) Plastics causes damage to sea life and their health.

Whereas the October 2018 report titled “Special Report on Global Warming of 1.5°C” by the Intergovernmental Panel on Climate Change and the November 2018 Fourth National Climate Assessment report found that--

- (1) Human activity directly influences and is the dominant cause of climate change during the past century.
- (2) Where decreasing health of the climate causes dangerous natural disasters such as forest fires, hurricanes, and other severe weather causes economic, environmental, and social damage.

Whereas severe weather has been strengthened by climate change and causes major damage to the economy, environment, and social conditions. Extreme weather includes--

- (1) Forest fires such as the Camp Fires in California on November 8, 2018.
- (2) Hurricanes like Irma of 2017 in Florida, Harvey of 2017 in Texas, Maria of 2017 in Puerto Rico, and Florence of 2018 in the Carolinas,
- (3) Polar vortexes, like that of January 2019
- (4) Severe weather in Alabama like that of March 3, 2019.

- (A) Plastic causes major issues at sea and on land. However, plastic straws and polystyrene are more dangerous, since they are not recyclable in most counties. Sea life and land organisms may confuse plastic or microplastics as food, leading to a decrease in their health. This causes a disruption in the food chain which impacts all ecosystems.
- (B) Plastic pollution is an unpleasing sight to some tourists and potential residents. Those looking to buy a home or consider the city as a vacation spot may view the abundant plastic pollution as a negative factor.

- (C) Prohibiting plastic straws and polystyrene also opens new doors to new economic opportunities. More producers of alternatives to these plastics could prioritize New Port Richey as a business opportunity and the cost of alternatives would fall.
- (D) Climate change is one of the main influences for drafting this document. As climate scientists predict how the Earth will change and how our living standards will be negatively impacted, some states and counties are taking action to get rid of certain plastics, which are made from fossil fuels. Fossil fuels are a nonrenewable resource and would not guarantee volatility in the market, and the supply of plastics would deplete as oil and natural gas reserves are at dangerously low levels with current technologies.
- (E) Other states, cities and counties have already committed to similar resolutions.
- (a) The state of California has banned plastic bags.
  - (b) The state of New York has banned plastic bags.
  - (c) The city of Seattle, Washington has banned plastic straws.
  - (d) The city of St. Petersburg, Florida has passed a resolution to ban plastic straws and polystyrene by 2020.
  - (e) New Port Richey should follow in the footsteps of St. Petersburg and do the same.
- (F) 40 citizens have signed a petition to pass this resolution.
- (G) 5 businesses have endorsed this resolution.
- (H) The New Port Richey Environmental Committee has unanimously endorsed this resolution.

(G : Cont.) The follow businesses within the city limits of New Port Richey have expressed their support for this resolution.

## **TASO ITALIANO**

Taso Italiano  
Approved by Sabrina  
(727) 807-7900  
4016 Little Road  
New Port Richey, Florida 34654

## **tcby**

TCBY of Mitchell Ranch Plaza  
Approved by Jennifer  
(727) 375-1177  
3140 Little Road  
New Port Richey, Florida 34655



Rocky's "Authentic" Philly Cheesesteaks  
Approved by Larry  
(727) 372-7118  
7286 State Road 54  
New Port Richey, Florida 34655



Eva's Bakery  
Approved by David Laszuk  
(727) 376-4501  
7643 State Road 54  
New Port Richey, Florida 34653



Rose's Bistro Off Main LLC.  
Approved by Gerald Kuss  
(727) 849-4940  
6238 Grand Boulevard  
New Port Richey, FL 34652

Noah Denny  
(727) 809-1222  
[noahdenny@icloud.com](mailto:noahdenny@icloud.com)  
Environmental Activist

# ENVIRONMENTAL RES. 1

Recognizing the duty of the city council to create a ban of single use plastic straws and polystyrene.

## IN THE CITY OF NEW PORT RICHEY

This resolution was submitted to the City of New Port Richey on the 23 of April, 2019.

### RESOLUTION

Recognizing the duty of the city council to create a ban of single use plastic straws and polystyrene.

The following information will not be used for personal or business use. It will only be used for this resolution.

NAME	PHONE NUMBER	ADDRESS
James Denny	727-858-2292	7424 Belvedere Terr
Mary Denny	727-808-8236	7424 Belvedere Terrace NPR 346
Helen Byrley	727-372-1398	7425 BELVEDERE TR NPR FL
Gene Miedreich	727-372-1398	7425 BELVEDERE TR NPR FL
Letitia	727-554-3082	7406 Belvedere Terr. N, 346 FL
Elaine Wood	727-816-9101	6625 Roman Rd. N.P.R. 34653
Ana Ulrich	727-237-9638	14820 Geneva Dr. Odessa 33556
Michelle Snifer	727-748-0459	4500 Date Palm Blvd

KEITH KLIDE	727-277-1746	7246 CALDER DR NPR
Kathy Fiorentino	727 232 6450	7251 Calder D. NPR
John Fiorentino	727-232-6450	" "
Angela Gates	727-457-5781	6332 Missouri Ave.
Toniann L. Nelson	727-776-3188	7036 AROURA DR.
Melvin Scott	727-776-3188	7036 AROURA DR.
Joe MEJANSON	—	THACKER TERRY NPR
Wilma Torres	—	6217 Emerson Dr. N.P.R.
Kathy Sousa	207-214-8862	4915 Enfield Court NPR
DAVID SOUSA	207 552-1793	" " NPR
Shannon Campbell	707 203-2315	7357 Royal Palm Dr.
Joe Sam	727-776-1247	5041 Tidal wave DR

Wm. S. Shuler	—	6520 Date palm blvd
Donald Pileggi	—	—
LAURA Rene	727-364-1092	5120 Farnsworth Ln NPR
Terry Miller	727 289 1709	—
W. K. Mearns	727 864 4705	6714 P. MAUNDER RD
Clifford Mearns	727-364-3555	5930 Gulf Dr NPR 341
Rich Jackson	520 869 4092	3349 OVERLAND NPR
Victoria Tracuti	727-214-7875	—
Laura Vincent	727 619 3487	5938 Pennsylvania
Donna Schmick	727-310-9019	—
John Smith	727 520 4003	4747 ACACIA DR. NPR
Tom McPherson	727-858-4404	6571 Creek Blvd NPR
Breanna Ruckman	(337)-924-2233	7337 Trouble creek Rd.



5830 Missouri Ave.  
New Port Richey, FL 34652

4/21/19

New Port Richey City Council  
5919 Main St.  
New Port Richey, FL 34652

**Re.: Loud late-night music in Cavalaire Square**

Dear City Council members:

New Port Richey City Code of Ordinances, ch. 14, sec. 14-23(c) states:

*"Plainly audible sound.* No person shall permit, cause, allow, create, or sustain the operation of any source of sound in a manner as to create a sound level plainly audible from any property at a distance of 100 feet from the property line of the property which is the source of the sound between the hours of 11:00 pm and 7:00 am, notwithstanding whether said sound exceeds the sound levels set forth in subsection (a) hereof."

My wife and I live 400 feet from Cavalaire Square, which Dulcet Restaurant has leased from the city since 2014 for their Friday and Saturday night "patio parties". During that time we have complained to the police many times and attended city council meetings in hopes of addressing the issue of loud late-night music coming from Dulcet's patio parties. We had hoped that when Dulcet promised to turn down the noise last year (see encl.) that the matter would be resolved for good.

Sadly this has not been the case. In recent months I have had to call the police several times due to loud music continuing after 11:00pm on Friday and Saturday nights in Cavalaire Square, often until the 2:00am closing time, plainly audible inside my home. This weekend in fact is a good example: In addition to calling the police on Friday night, I had to call them twice last night, because Dulcet refused to keep the music down after the officer left the first time. After he left the second time, they turned it down slightly, but it was still plainly audible inside my home with the windows closed, and after a short time they turned it up again until closing. (Also, it's worth noting that the DJ was blasting lyrics referring to "ni\*\*\*\*rs" and "motherf\*\*\*\*rs", which hardly seems in keeping with the Council's goal of promoting our city as a classy, family-oriented area, especially on Easter morning.)

Since Dulcet's management has proven to be incapable of obeying the city's noise ordinances despite being given numerous "second chances" over the years, I propose that the city simply ban all amplified music outdoors after 11:00pm. Events in Sims Park normally close down by that time, after all. Dulcet would be able to play their music as loud as they want, so long as it is behind closed doors, and those of us who own homes here might finally get some peace and quiet.

Sincerely,



Chris Hover

Encl.

CC: Robert Napper, Tampa Bay Times

## **New Port Richey restaurant offers to turn down the music**

**By Robert Napper, Times Correspondent**

Published March 7 2018

NEW PORT RICHEY — The owner of a New Port Richey restaurant that proclaims on its website to have "The Best Patio Party in Tampa Bay" has apologized to its landlord for that noise and promised to tone it down.

The restaurant's landlord is the City of New Port Richey, which could terminate its lease with the Dulcet Restaurant & Lounge over the noise complaints. The city allowed the patio party to launch in a pocket park known as Cavalaire Square.

When the city entered into the five-year lease in 2014, Dulcet opened to great fanfare at 6220 Grand Blvd., with hopes that an upscale restaurant in the heart of the city could help spur a downtown renaissance.

The restaurant asked the city to use the square, located on Missouri Avenue, to offer music and outdoor dining. At the time, the New Port Richey City Council raved about the idea, welcoming a use for Cavalaire Square, which until then mostly went unused.

That relationship has soured as complaints rolled in about late-night music concerts. Frustrations came to a head during a Feb. 20 council meeting when yet another group of residents complained about the music.

"This has been ongoing for such a long time. I just don't see how it goes on this long," said Deputy Mayor Jeff Starkey. "It's been two years. Shut it down."

Two days later, City Manager Debbie Manns sent a letter to Dulcet owner Doreen Scott, saying the restaurant had breached its lease, which was "based on a proposal for family dining and light music."

Instead, Manns wrote: "You have conducted events that are more characteristic of a night club or concert use, such as drinking and party events, and bands on a stage. Specifically, the 'patio parties' you conduct on the property violate your lease agreement."

The letter also said Dulcet constructed a stage on the property and other amenities not approved by the city, as required by the lease. She ordered them removed and gave the restaurant 10 days to respond with an intent to comply.

Scott apologized at Tuesday's council meeting, and said Dulcet will turn down the music and work with the city to address any problems.

"We love New Port Richey, and we want to stay here," Scott said.

Council members made no comment, but Manns and City Attorney Timothy Driscoll later told the *Tampa Bay Times* that the city will give Dulcet an opportunity to address its concerns before seeking to terminate the lease, which expires in September 2019. Dulcet also has two noise ordinance violations before the city's special magistrate, Manns said.

"It's a fluid situation," Driscoll said.



**EarthDay/ recycling**

Ariel Kelly [atk34653@icloud.com]

**Sent:** Sunday, April 21, 2019 7:18 PM**To:** Rob Marlowe

Hello Mr. Mayor: The Orange Lake renovations and new walkways are lovely. The wildlife has been remarkably patient and are returning for spring nesting ! I do have a concern about the lack of recycling containers in the Sims Park area: the riverside areas, including the walkway park along Grand Ave., and at the playground adjacent to Orange Lake . Perhaps the containers are planned. As you may be aware, the Pinellas's County parks have installed recycling bins (glass and cans) near to the shelters and limited elsewhere. I believe the " blue containers" would be welcomed and used by the folks at the park . As a teacher in Pasco ,I have seen an increase use of the "blues" for paper and empty plastic water bottles . Thank you for reading this note. I'm wishing you and the city council continued success.

Sincerely, Ariel Kelly