



**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 21, 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 p.m. 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, 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, Human Resources Manager Bernie Wharran and Lt. Lauren Letona.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of May 7, 2019 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: Altman, Davis, Marlowe, Murphy, Starkey

5. Proclamation - Land Office Building Centennial Celebration Day

Derek Pontlitz accepted the parchment from Mayor Marlowe.

6. Proclamation - Lt. Colonels Allen and Esther Satterlee Retirement (By Title Only)

Mayor Marlowe read the proclamation by title only.

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

Mayor Marlowe opened the floor for public comment. John Kane came forward and stated the time is right for a bike path along the river. The river ties into the Hacienda, park and downtown. Bike trails will promote business. He wanted to commend Public Works for their work during the Chasco Fiesta. He appreciated hearing Mr. Casson speak at a previous meeting.

Judith Allen came forward to reiterate an issue that occurred in front of her home last year regarding the removal of landscaping.

Marilynn deChant came forward representing the Diversity Initiative. She thanked the Library for hosting learning sessions. It is operated by a not-for-profit and provides information on how to find a new pool of potential employees. The next sessions are on May 30th.

Samantha Lindsey came forward to speak about building a recovery center. A long term transitional housing facility will help reduce the revolving door of those coming out of incarceration. Mr. Romagnoli stated CDBG funds from the County may be a good source.

Bradford Lee came forward to compliment the rededication ceremony last Saturday, more presence of the police boat and the repaving of the bridge.

Chris Lineman came forward to speak again about the speeding on his street. He asked for options to slow the speeding down on Indiana.

Rich Melton came forward to speak about a children's museum. 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 Pete Altman and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

### a Purchases/Payments for City Council Approval

## 9 Business Items

### a Board Appointments: Carolyn Marlowe, John Kane and April Novenson, Historic Preservation Board

Mayor Marlowe stated he would abstain from voting as one of the appointees is his wife. City Attorney Driscoll stated he could but it was not required as it is a volunteer position. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Jeff Starkey. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Starkey Abstain: Marlowe

### b Board Appointment: Kathy Nerad, Cultural Affairs Committee

This item was withdrawn.

### c Board Re-Appointment: Richard Melton, Cultural Affairs Committee

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

d Quarterly Cash & Investment Performance Report

City Manager Manns introduced Finance Director Crystal Feast who then presented the item to Council. She stated that the purpose of this agenda item was to review and approve the Quarterly Cash & Investment Report, as of March 31, 2019. Earned income over the quarter was \$110,879.

e Professional Services Agreement with Ayres Associates RE: Frances Avenue Park Shelters

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 Professional Services Agreement with Ayres Associates for the replacement of the shelters at Frances Avenue Park in an amount not to exceed \$34,980. This will be for the design, structural engineering, bid and construction phase services for three shelters. The project is budgeted in the Capital Improvement Fund and will span over two fiscal 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 Jeff Starkey. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

f Letter of Intent to Purchase an Aerial Ladder Truck from E-One

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to authorize a letter of intent to purchase a 2020 75' aerial ladder truck from E-ONE to replace the current 1994 truck. Staff completed an application for grant funding by USDA however were notified that the application process would not be complete by the May 31st deadline and that a letter of intent would be needed in order to not be subject to the price increase of 2.5%. The total cost for the ladder truck is \$849,917.29 and is currently budgeted in the 18-19 Capital Improvement Program. Upon opening the floor to public comment, Heather Fiorentino came forward to encourage Council to approve this item. It is an important issue. 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 Chopper Davis and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

g Proposed Public Works Pay Rate Grade Adjustment – Consideration for Approval

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to consider for approval pay rate grade adjustments for Public Works. A pay rate study was conducted and included comparisons of positions from Dade City, Haines City, Leesburg, Tarpon Springs, and Zephyrhills for Streets, Stormwater, Facility Maintenance, Grounds Maintenance, Water Distribution, Sewer Collections, and Fleet Maintenance Divisions. During the review of this portion of the rate study, the Municipalities of Dade City, Tarpon Springs, and Zephyrhills consistently paid their positions at a higher rate than New Port Richey. The department currently has 18 open positions. A pay study will be completed every three years for all non-union positions. Upon opening the floor to public comment, Chris Lineman came forward and stated that we need to pay fair and competitive wages. John Kane came forward and stated Public Works are quality people. If you pay someone good they will stay. 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 Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

h Request to Purchase Stormwater Utility 6” Portable Pump

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase of a Stormwater Utility 6” Portable Pump from Thompson Pump and

Manufacturing Co., Inc. in an amount not to exceed \$53,778.00. This type of equipment is used by the Stormwater Utility Division during and prior to large rain events. In the past pumps have been rented. In addition to the pumps used for Stormwater flooding activities, these types of pumps can be utilized for lift station bypass setups when motor and pump failures occur within the sewer collections division. 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. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

i Three Year Contract Extension with American Traffic Solutions dba Verra Mobility for the City's Intersection Safety Program

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 three-year contract extension with American Traffic Solutions, Inc., (ATS) d.b.a. Verra Mobility for the City's Intersection Safety Program. A one year extension was approved last year. The monthly fee will be reduced to \$4,000 a month. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Davis stated the non-loss of life is the main reason he supports this item. Councilman Murphy stated they do help. Councilman Altman stated a lot of the complaints come from the rolling right turns. He is concerned over the amount of money that leaves the city for each ticket. He stated there has been talk about a reduced fee for a minor infraction. Deputy Mayor Starkey asked if these are reported to the DMV records and Lt. Letona stated no points are added to someone's license. City Attorney Driscoll stated that State law prohibits a right turn on red without a full stop and is subject to uniform citation and the red light statute calls for a prudent stop. 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

j Three Minute Report: Parks and Recreation

10 Communications

Mayor Marlowe stated he attended the Suncoast League of Cities Award Dinner at the Fenway in Dunedin and the Hacienda would be an equivalent. There are a lot of interesting parallels with the Hacienda. On Saturday morning the Gold Star Moms will be having a ceremony at Meadowlawn at 11:00 a.m. He had the opportunity to go to the WWTP to view the location where the pipe burst. We extended an invitation to the Board of the Richey Suncoast but there seems to be reluctance. We just want them to be a successful operation.

Deputy Mayor Starkey congratulated Mayor Marlowe on his award. He thanked Heather Fiorentino for her work on the rededication ceremony. There has been a lot of chatter about the theater being underutilized. We encourage public input during work sessions. He stated he talked to the Board President and they stated they do not want to meet. He spoke to another Board member who said otherwise. He stated it is a community theater. Mayor Marlowe stated he asked what the City could do to make them successful.

Councilman Davis stated he also toured the WWTP. He wanted to apologize for missing the rededication of the veterans memorial as he was volunteering at another event.

Councilman Altman stated there is a sense of pride of living in the city. This is a time to make things happen. He stated there was a discussion about a month ago that the City should takeover the theater but that is not our intent. They have been developing new energy themselves. He stated we should ask to go there for a tour. Deputy Mayor Starkey stated he would be open for a tour but it would negate having public input. He just wanted to have an open and positive conversation.

Councilman Murphy stated people have talked to him about wanting to improve the theater. He hopes they will reconsider and sit down to talk He congratulated the Mayor on his award. The rededication ceremony was a great event. He went to The Social for Dueling Pianos and he heard good things about what is happening in the city.

11 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:31 p.m.

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

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

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



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

### IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Rob Marlowe, hereby disclose that on May 21, 20 19 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, Carolyn Marlowe \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_ , by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_ , which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Appointment of Carolyn Marlowe to the City's Historic Preservation Board. This is a volunteer position with the City.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

May 22, 2019

Date Filed

\_\_\_\_\_  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

May 21, 2019

To New Port Richey Council:

Damages occurred when the Public works department removed xeriscape plants and dwarf trees in front of the house at 5940 Grand Blvd. New Port Richey.

Nine (9) dwarf crape myrtle trees, named Patriot and Firecracker at \$54.50 total \$490.50

27 plumbago shrubs named Blue Imperial at \$10.98 total \$296.46

10 white trailing lantana at \$6.95 total \$69.50.

The total damages were \$856.

Thank you

Judith Allen

5940 Grand Blvd, New Port Richey, 34652

727-514-5940

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 price and we'll match it!



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Home > Flowering Trees > Crimson Red™ Black Diamond® Crape Myrtle



**Crimson Red™ Black Diamond® Crape Myrtle**  
 Large Blooms • Vigorous Growth  
 3 Gallon  
**\$54.50**

1. Choose Size & Quantity

3 Gallon Sale: **\$54.50**

7 Gallon Out of Stock

2. Choose Recommended Add-Ons

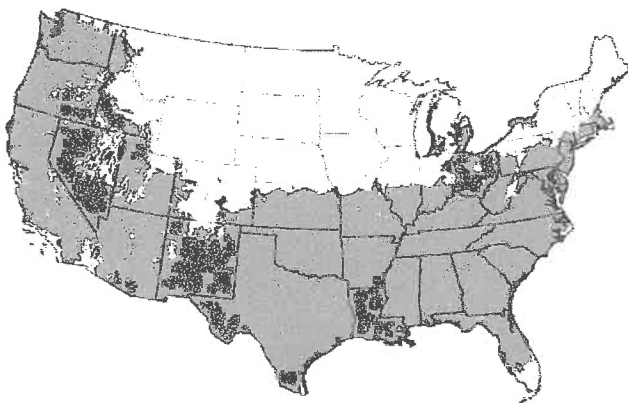
**Starter Fertilizer** Price: **\$6.50**

**Tree Staking Kit** Price: **\$14.95**

**Tree Watering Bag** Price: **\$19.95**

**ADD TO CART**

Plant hardiness Zones 6-9



Mature Height **12 ft.**  
 Mature Width **8 ft.**  
 Sunlight **Full Sun**

The Crimson Red™ Black Diamond® Crape Myrtle is a new variety of crape myrtle that combines vibrant flowers with intense red color to bring you a two-in-one tree that adds more to your garden than any other single plant available can do. From early summer until the arrival of the first frost, you will be treated to a continuous display of rich red flowers, in large, showy clusters at the end of every branch, set off against foliage that is consistently red from spring to leaf drop. All this on a tree that will grow no taller than 12 feet tall, and that can be kept significantly smaller with simple annual pruning. Grow it as a specimen, in a row or with other shrubs for a stunning display all summer.

- **Reliable all-season rich red foliage**
- **Vibrant, fiery-red flowers from summer to fall**
- **Ideal small tree for smaller garden spaces**
- **Grows well even in poor-soil, drought and urban conditions**
- **Free of unsightly powdery mildew and other diseases**

The Crimson Red™ Black Diamond® Crape Myrtle should be planted in full sun for maximum flowering and the richest leaf color.



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## *Product Features*



Bee



Butterfly



Deer



Drought



indoor



Container

**Our Price: \$6.95**

**ZONE: 9 - 11**

**EXPOSURE: Full Sun**

**SIZE: 18"H x 24"S**

**BLOOM: White, Summer**

**POT SIZE: 1 PINT 28.86 CU IN.**

**Availability: Sold Out**

Qty: 1

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Recommend  
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Image shown of mature plant; shop your local Lowe's for plants specific to your growing zone; not for human or animal consumption

**\$10.98**

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- It holds up to heat and drought and is deer and rabbit resistant

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**Aisle GC , Bay 2**

Flower

Statement to City Council

Sometime during the week of Aug. 6, Shawn from the Public works knocked on my door and told me that a crew was there to remove the xeriscape landscape on the "right of way" in front of my property

He said they were ordered by the city manager to remove the plants and replace with grass. Shaun also said all the plants and trees on Grand Blvds right of way were to be removed.

This was my first notification of this action.

I refused since the xeriscape plants were there at the request and encouragement of previous city councils and chosen from a list sent by those city councils.

Approximately a week and a half later on August 17, 2017, I was emptying my trash for the garbage collection when a front end loader, a huge dump truck, 3-4 city vehicles and 6-8 city employees from Public works converged on my address.

Shaun told me that he had been ordered by the city manager to "rip out the plants"

I did notice that no other trees or plants were targeted at that time.

I called several of the city council members, and finally at 9:43 August 17 I received the first and only phone call from the city manager.

She repeated at least 3 times that she was following the order of the city council.

She also said that there were a number of city council meetings on this issue and that my right of way was discussed at length - specifically.

Subsequently, I received the letter you have in your hand.

Please note, other than the call from the city manager on August 17 NO other phone calls are on my phone log from the city manager.

I am presently the oldest resident on the Blvd and never received the courtesy of a notification of this decision.

The only reason that the xeriscape landscape is still there is I am the only resident who hasn't moved away or died.

1. Why weren't the residents who live on Grand Blvd notified of any of the meetings that affected the Blvd.
2. Since previous city councils encourage this xeriscape to beautify the Blvd. Why did the city council decide to "tear up" all the plants and trees on the "right of way" and replace with grass, according to the city manager.

3. Why didn't the Public Works crew check for cables. There are several cables that run under those plants.
4. Why was my address specifically targeted, when I am aware of other properties that have landscaped the "right of way" notably on Madison.
5. When was this action authorized? The city manager repeatedly stated on the phone call I received on Aug. 17 that she had to follow the orders of the city council. Where are the minutes documenting that order, and the discussions pertaining to that order.