



**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, 2019

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 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, 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 August 20, 2019 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 - National Drive Electric Week

Elaine Smith accepted the parchment from Mayor Marlowe.

6. Proclamation - POW-MIA Recognition Day (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. With no one coming forward for public comment, Mayor Marlowe closed Vox Pop.

8 Consent Agenda

Motion was made to accept the Consent Agenda.

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

a Parks and Recreation Advisory Board Minutes - June 2019

b Cultural Affairs Committee Minutes - July 2019

c Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

a Second Reading, Ordinance No. 2019-2169: Amendment to Park Hour Operations for Sims Park and Orange Lake

This item was moved to the September 17, 2019 City Council agenda in order to allow for the re-advertisement for final public hearing due to Hurricane Dorian.

b First Reading, Ordinance No. 2019-2154: Future Land Use Plan Amendment, 6300 US Highway 19

City Manager Manns introduced Development Director George Romagnoli who then presented the item to Council. He stated that the purpose of this agenda item was to conduct a first reading on an ordinance to amend the future land use at the property located at 6300 US Highway 19. The DRC reviewed this request and recommended approval.

Upon opening the floor to public comment, Michael McCrann came forward and stated that he was currently a student in the Public Policy & Administration Program at St. Petersburg College. He stated the rezoning change provides conditions for redevelopment and the change in future use will directly contribute to the economic health of New Port Richey.

With no one else coming forward therefore Mayor Marlowe returned the floor to Council. City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns stated this was a quasi-judicial matter. The City Council stated there were no ex-parte communications received for this matter. Councilman Altman made a motion to deny the request. Motion failed for lack of a second. Councilman Altman stated this is like the third time individual parcels have come forward through the existing land use and code. We had this vision to have a development that would encourage and entice drivers to turn in. He stated this is without the benefit of discussion by CRA or conceptual concept of this plan.

Councilman Davis stated he would like to know how the building was built as a commercial business and yet the property was split. Mr. Romagnoli stated he did not have that information but back in 2000 pharmacies were an allowed use in the downtown.

Mayor Marlowe stated he had heard that there is a Verizon communication vault that runs underneath the building and an easement that goes through the building. Mr. Romagnoli stated he would have to do research on the matter.

City Manager Manns stated that she thinks Councilman Altman as well as other Council members contemplates a much bigger development for that corner but what we are talking about tonight is the property owned by Mr. Comitos. If it were a larger assemblage it would make sense to zone it to a PUD and to have a Master Plan. This property fronts US19 and virtually every other parcel that fronts US19 it is zoned highway commercial creates an impediment to the property owner for its future use. Mr. Comitos has been very cooperative in this matter. There will be a bigger discussion to include all of the buildings at this location at a future date.

Councilman Davis stated he would like more information on what Mayor Marlowe discussed. Deputy Mayor Starkey asked if we allowed the changes in zoning how would that affect the Rivergate Project. He then asked about Famous Tate and City Manager Manns stated they notified last week that they wish to stay at their current location in Port Richey.

Deputy Mayor Starkey stated as a side note that all of the buildings are becoming dilapidated and the owners need to be responsible. City Manager Manns stated that the properties are incurring daily fines.

Patrick Burdionis came forward on behalf of the applicant, Mr. Comitos. He stated that there is an active easement for the Verizon utilities. It was his understanding that when the DD zoning was put in place after it was already built. As far as a planned use it is difficult due to the split use. Rezoning would help who the property could be marketed to.

Motion was made to table for thirty days in order to research how it was approved as a split and the utility issue.

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

- c First Reading, Ordinance No. 2019-2161: Rezoning of 6300 US Highway 19 from Downtown to Highway Commercial

City Attorney Driscoll read the proposed ordinance by title only. This item was tabled for thirty days.

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

10 Business Items

- a Board Appointment: Anna Mae McNally, Cultural Affairs Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of Anna Mae McNally to the Cultural Affairs Committee. If approved, Ms. McNally's term would be for two years and be up for renewal on September 3, 2021. Staff has verified that Ms. McNally meets the requirements set forth in the City's Code to serve on this committee. Upon opening the floor to public comment, Ms. McNally came forward and thanked Council for this position. 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 Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

- b Re-Appointment of Timothy P. Driscoll, Esq. as City Attorney

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the re-appointment of Timothy P. Driscoll, Esq. as City Attorney. Mr. Driscoll has

been the City Attorney since September 6, 2016 and has served the city very well. 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

c Main Street Landing Agreement Addendum No. 2

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an addendum to the agreement with Main Street Landings. The agreement was amended in February 2019 with a deadline of September 10, 2019 for 90% certificate of occupancy on units but the developer has requested an extension due to labor unavailability and rain delays. The provisions of the addendum are as follows:

- The duration of the Agreement is extended by 60 days until November 10, 2019.
- The obligation of the Agency to pay the Developer the Increment Payment of \$1,475,000 is deferred as follows:
 - The Agency shall pay \$737,500 to Developer 30 days after the date the Project is substantially complete.
 - The Agency shall pay \$737,500 plus interest at 2% accruing from six months after the date the Project is substantially complete to Developer on the later of:
 - one year after the date the Project is substantially complete, or
 - 10/1/2020.
 - The Agency may prepay any payment or portion thereof without penalty.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Altman stated he would abstain from voting as he has been involved in this project over several years and may have an employment opportunity. Motion was made to approve the item as presented.

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

d Recommendation for In-Kind Support of Special Events

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the recommendations on funding for in-kind support of special events. The recommendations were as follows:

- Farrell Cares, Inc. \$5,000 for Cotee River Bike Fest
- Greater Pasco Chamber of Commerce \$6,000 for Holiday Street Parade
- New Port Richey Main Street \$4,000 for Cotee River Seafood & Blues Festival and \$5,000 for KIAFest Main Street Blast
- Chasco Fiesta, Inc. \$38,000

Upon opening the floor to public comment, Patty Deremer came forward to speak on behalf of Chasco Fiesta. It is one of the biggest and longest running events. They have partnered with Ruth Eckerd Hall again for the upcoming event. They have also partnered with the TDC.

Bill Phillips came forward and stated he watched the work session where there was discussion regarding the carnival, Hacienda and downtown and he asked Council to give serious consideration to sit down with Chasco Fiesta and what they net from the carnival so Council can lessen the impact from the carnival.

Angel Cook and Tim Sherell came forward to thank Council for the consideration for the street parade. Ms. Cook stated the parade is a family-friendly event.

With no one else coming forward Mayor Marlowe returned the floor to Council. Councilman Murphy asked about the decrease with the Cotee River Bike Fest. City Manager Manns stated that it was the thought of Council last year to try to wean event organizers off of in-kind support. City Manager Manns stated it is unknown just how much of the funds are remaining locally. Deputy Mayor Starkey stated there are many businesses and residents that are not happy with Bike Fest due to the street closures and length of the event.

Councilman Altman stated that Chasco had a folk night last year and when the band was done playing they went over to Sip and played. He stated it was to promote weeknight activity to end earlier to have the crowd then go into the downtown.

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

e Request for Funding for Cultural Affairs Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a funding request from the Cultural Affairs Committee in the amount of \$1,655 for the showing of the documentary film called "The Lavender Scare" by Pasco Pride at the Richey Suncoast Theatre during this year's Pasco Pride event. Upon opening the floor to public comment, Joan Hepsworth came forward and stated the movie was played once on PBS. She then gave a synopsis of the movie. They have invited the author to come and speak after the movie is finished. Victor McCluskey came forward and read a passage from the Bible. Nina Borders came forward to thank Council for consideration of the request. It will be a great start to their pride week event. With no one else coming forward Mayor Marlowe returned the floor to Council. Councilman Davis stated he supports the Pride Event but not to have the proceeds go to the theater as they refused to meet with the City. He made a motion to fund the request for \$1,155. Motion seconded by Councilman Altman. Deputy Mayor Starkey stated he would not support this item as he would like to see the money go towards art in the downtown.

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

f Partnership Proposal with The Central RE: RAC Memberships

This item was moved to the September 17, 2019 City Council agenda.

g 2019 School Road Stormwater System Improvements – Engineering Services

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 Task Order No. 5 for Environmental Consulting and Technology, Inc. in an amount not to exceed \$30,900.00 for engineering services for the 2019 School Road Stormwater System Improvements. This proposed project includes the construction of a catch basin inlet structures, a dry stormwater detention pond with an overflow structure that ties into the existing stormwater system that will capture and relocate the stormwater during an event to reduce the frequency of property and street flooding. 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

h Wastewater Treatment Plant (WWTP) - Emergency Influent Pipe and Valve Replacements – Consideration for approval

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 proposal from Lyric Services, Inc. in an amount not to exceed \$296,551.98 for the emergency replacement of 20” ductile iron pipe for aeration basin numbers one and number two and the installation of two 20” valves at aeration basin numbers three and number four. It also includes a contingency amount. This is phase II of this project. Funds are available in the water and sewer account. 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

i Group Healthcare Renewal

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 CIGNA health insurance company in respect to the group health insurance benefits for the full-time employees of the city. She stated that the City's current provider, United Health Care, was asked to submit a quote for renewal and it came back with a 14.1% increase over last year's quote. CIGNA provided a more favorable quote at a total of \$1,267,075.82 which is a 9.3% decrease in comparison to the premiums paid for last year's program. It also includes \$10k to be used for employee incentives. The health care platform provided by CIGNA (i.e. - coverage, copays and coinsurance) is identical to the current plan provided to the full-time employees of 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 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 Approval of Sale of Four City Owned Properties

City Manager Manns introduced Development Director George Romagnoli who then presented the item to Council. He stated that the purpose of this agenda item was to approve the sale of four properties that the city has foreclosed due to condemnation actions. The four properties are located at 6605 Madison Street, 7740 US Highway 19, 6845 and 6849 Garden Drive. If approved, all four properties will be put up for bid. There has been interest on all properties by outside parties. 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 Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

k Three Minute Report: Fire Department

11 Communications

Mayor Marlowe stated there are events happening every weekend for the next couple of months. He is looking forward to hearing review of the upcoming horror musical at the RST. There is also a family movie night and coastal clean up events coming up soon. His son and his family had to evacuate as they live on the east coast and he had the opportunity to look at all of the improvements that have happened and was very pleased. He went to a volunteer event at the United Way and it took very long due to the traffic near the parkway.

Deputy Mayor Starkey stated that city staff took every precaution necessary to prepare us for the storm. He stated there are two drainage areas on paved areas in Sims Park near the splash pad and band shell and they are not located in the highest location and in turn there is black, muddy silk. He would like to have this issue addressed. He suggested the contractor be responsible. Mr. Rivera stated that staff has put sod down to help with the erosion. He was happy to hear that City Hall is moving to a tobacco free campus.

Councilman Davis stated the TDC is hosting a ride-along on September 27th and 28th to tour both sides of the county. It is for the stakeholders. He wanted to reiterate to continue the paving projects after the close of the rainy season.

Councilman Altman stated he has received many comments on how well the city is doing and looking.

Councilman Murphy stated he was grateful we did not have any impacts from the hurricane. It is important to remain prepared.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:40 p.m.

(signed) _____
Judy Meyers, CMC, City Clerk

Approved: _____ (date)

Initialed: _____

Judy Meyers

From: Debbie Manns
Sent: Thursday, September 5, 2019 5:04 PM
To: Judy Meyers
Subject: FW: Tina Farrell Letter

Judy,

Please place at City Councils places this evening.

Debbie

From: Patricia Kley [mailto:trish@goteamfarrell.com]
Sent: Thursday, September 5, 2019 5:01 PM
To: Debbie Manns <MannsD@CityofNewPortRichey.org>
Cc: Tina Farrell <tina@goteamfarrell.com>
Subject: Tina Farrell Letter

Please read the following to the City Council this evening:

Council Members and Mayor;

We would like to request a donation from the City of New Port Richey of \$7,500 for the Cotee River Bike Fest.

Farrell Cares, a non profit organization run completely by volunteers, took over the management of this event in 2018,. Prior to that the Chamber was managing the event and at that time City of New Port Richey was allocating \$7,500 to the event. The following year the funding was reduced to \$6,000 and this year it is being recommended to be \$5,000. I feel the need for this charity event to receive the full \$7,500 due in large part to the fact that this event gives 100% of the funds to charity.

We are advertising in 44 states and our online presence has been reviewed in other countries as well.

We have worked very closely with the City Council, City businesses and residents to make this event as successful as possible. We listened to your concerns and those of city businesses after the 2018 event and made the adjustments that were recommended. We feel that this event is truly a community event as all of the funds raised are presented to charities in our community. Two of the charities approved to receive funds this year are The Children's Burn Camp and Red Apple School. Both of the organizations rely heavily on community donations to survive.

Thank you for this consideration. I am sorry I am not able to be at this meeting in person.

Tina Farrell

Trish Kley

Admin Manager
Team Farrell
6835 Commerce Ave
Port Richey, FL 34668
727-845-8326
fax: 727-255-5090
trish@goteamfarrell.com
CGC #062632



[Book Online Here](#)

NOTICE: All information in and attached to the e-mails below may be proprietary, confidential, privileged and otherwise protected from improper or erroneous disclosure. If you are not the sender's intended recipient, you are not authorized to intercept, read, print, retain, copy, forward, or disseminate this message. If you have erroneously received this communication, please notify the sender immediately by phone (727) 845-8326 or by e-mail and destroy all copies of this message electronic, paper, or otherwise.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ALTMAN, PETER A.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY COUNCIL
MAILING ADDRESS 5919 MAIN STREET	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY NEW PORT RICHEY	COUNTY PASCO
DATE ON WHICH VOTE OCCURRED SEPTEMBER 5, 2019	NAME OF POLITICAL SUBDIVISION: CITY OF NEW PORT RICHEY
MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

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, PETER A. ALTMAN, hereby disclose that on SEPTEMBER 5, 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, _____;
- inured to the special gain or loss of MAIN STREET LANDING, INC, 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:

Main Street Landing's Agreement Adendum 2
The agreement provides additional time for completion of a Real Estate project and preserves the incentive from the City. I will be employed by the developer upon completion.

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.

9/5/19
Date Filed

[Signature]
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.