



**MINUTES OF THE CITY COUNCIL REGULAR MEETING  
CITY OF NEW PORT RICHEY**

**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**

**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**

**December 3, 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, Police Chief Kim Bogart, Finance Director Crystal Feast, Fire Chief Chris Fitch, Economic Development Director Charles Rudd, Public Works Director Robert Rivera, Library Director Andi Figart, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed and Human Resources Manager Bernie Wharran.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of November 12, 2019 Special 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. Approval of November 19, 2019 Work Session and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

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

6 Proclamation - Our Lady Queen of Peace Parish 100th Anniversary

Father Sebastian Earthedath accepted the parchment from Mayor Marlowe.

7 Proclamation - Monarch Butterfly Month

Mayor Marlowe read the proclamation by title only.

8 Swearing-In of New FF/EMT Trey Killoran

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

Mayor Marlowe opened the floor for public comment. Richard Melton came forward to request a stop sign at Washington and Kentucky. He would also like to look at getting a light at Main Street and Adams. With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop.

10 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 - October 2019

b Environmental Committee Minutes - September and October 2019

c Cultural Affairs Committee Minutes - October 2019

d Purchases/Payments for City Council Approval

11 Public Reading of Ordinances

a First Reading - Ordinance No. 2019-2174 RE: Amendment to Residential Rental Permit Ordinance

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 conduct a first reading on an ordinance to amend residential rental permits. She stated that on November 7, 2006 City Council adopted Ordinance No. 2006-1843 which set forth the provisions for residential rental permits. At that time, an annual fee of \$35 was assigned. In 2017, City Council increased the fee to \$50 as part of the annual review of comprehensive fees. She stated that this ordinance amends the original ordinance by removing the references to the \$35 annual fee and instead has language added which will allow for the ability to increase the fee in the future if needed without having to come back with another ordinance amendment. Upon opening the floor to public comment, John Kane came forward and asked for clarification. City Manager Manns stated it was reflected in the ordinance for \$35 and in the resolution for \$50. Mr. Kane asked what the fee reflects. Councilman Davis stated what they found a few years back was that landlords were not taking care of their properties so we instituted the inspection program. We have gone through the city to try and identify rentals. Deputy Mayor Starkey asked what steps we take. City Manager Manns stated we have an idea of how many units we have through census data and homestead exemptions. We also have the additional resource of water records to cross reference properties on. Mr. Kane asked if a landlord is caught renting without paying the fee is there a penalty involved and City Manager Manns stated yes and she would follow up on the process. City Manager Manns stated a fine could be assessed up to \$500. With no one else coming forward Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinance upon its first 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 Public Hearing: Special Waste Hauling Applications for the 2020 Calendar Year

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was for City Council is to consider for approval of the waste hauler permit applications for the 2020 submitted by County Recycling, Inc. dba County Sanitation, Waste Pro of Florida, Inc. dba J.D. Parker & Sons, Waste Connections Inc., Waste Management Inc., of Florida, Republic Services of Florida Inc., dba Seaside Sanitation, and Peterson's Service Corporation. She stated that over the year there has been complaints regarding the hours for pickup and the haulers have all voluntarily complied to amend their hours. 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 Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

b First Reading, Resolution No. 2020-02: Amendment to 2019 Redevelopment Plan

City Attorney Driscoll read the proposed resolution by title only. City Manager Manns introduced the item to the Council. She stated that the purpose of this agenda item was to conduct a first reading on a resolution which would amend the City's CRA Plan. In short, the amendment would focus on redevelopment activities, projects, and materials so that the authorization to engage in these initiatives is clearly present in the plan. Economic Development Director Charles Rudd stated that as discussed at the earlier CRA meeting, this is an amendment to add language to ensure that it contains typical activities that are related in a CRA Plan. City Manager Manns stated that this is a bookkeeping matter so we are better able to prepare and distribute reports for the Plan as required by law. 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 resolution on its first reading.

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

c Approval of Purchase of Self Contained Breathing Apparatus

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase of twenty-four MSA self contained breathing apparatus (SCBA's) with accessories from Ten-8 Fire Equipment, INC. totaling \$177,001.40. The City received a grant in the amount of \$168,151.33. As a condition of the grant, the City is required to contribute non-Federal funds equal to or greater than five percent of the Federal funds awarded. The City will be responsible for 5% or \$8,850.07 of the purchase. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Murphy asked if all the firefighters were trained in Hazmat and Chief Fitch stated that all firefighters are trained. Deputy Mayor Starkey asked if there was a fuel leakage that went into the waterway to we have precautionary measures and Chief Fitch stated yes that we have booms to put in place and then the State agency would be called in. 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 Request for Approval for Cultural Affairs Committee for Public Art Project

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to review a recommendation from the Cultural Affairs Committee for a public art project. The

project is a mural to be painted on the east facing exterior wall on Fitzgerald's Irish Tavern. The artist, Jenny Pearl, is not requesting funding from the Public Art Fund, just approval for the project. If approved, the project will be funded by selling sponsorships in the amounts of \$100, \$200 and \$300 dollars. The sponsorship funds will be collected by the New Port Richey Main Street Organization from individuals that would like to have their likeness painted on the mural. The Main Street Organization will then pay the artist for the project out of the funds collected. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey stated he was approached about the mural that was painted over at Bourbon on Main. He had discussions with the City Attorney as we have been under scrutiny. Based on his discussions, we have an ordinance in place however if the building owner does not like it they have a Constitutional right to paint over it. City Attorney Driscoll read the provisions for the care of murals according to our ordinance. He stated this ordinance provides for maintenance but not into perpetuity. The property owner has rights. Mayor Marlowe stated he has had a discussion with the City Manager and it was ultimately the decision of the property owner. Councilman Davis asked if the faces will be shaded like the others around town. He stated he was not happy with some of the other work by the same artist. Deputy Mayor Starkey stated it was his opinion that it is not the best side to use. He would like to see some other examples of what things would look like in other areas. Councilman Altman stated he would lean towards the building owner proposing what they want. There are other buildings that are potentially good for murals. Richard Melton came forward and stated it was his personal opinion that City Council should not decide on murals. There should be no lack of art in the city. The faces are going to be sold to fund the project. Deputy Mayor Starkey asked to walk through the process. City Attorney Driscoll stated Council's review is limited to the content and if it meets the requirements set forth in the ordinance. Jenny Pearl came forward and stated faces will only be put in if they are sponsored. She stated she would not let them be blank. Ms. Pearl stated she was contacted by the owner of Fitzgerald's to create the mural. If approved, she is hoping to begin work around the middle of January. Liz Misemer stated she was going through some old projects and she approached the owners of Fitzgerald's to get the process going again. 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

e Request for Funding for Cultural Affairs Committee RE: Holiday Window Decorating Contest

City Manager Manns introduced Parks and Recreation Director Elaine Smith who then presented the item to Council. She stated that the purpose of this agenda item was to approve a funding request from the Cultural Affairs Committee to sponsor the Holiday Window Decorating Contest conducted by the New Port Richey Main Street Organization. On October 16, 2019 the Cultural Affairs Committee voted to recommend funding in the amount of \$500 to be utilized as prize money for the Holiday Window Decorating Contest with \$250 for 1st place, \$150 for 2nd place and \$100 for third. 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 2019 Nebraska Ave. Parking Lot Improvements - Engineering Services

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to consider for approval Amendment No. 16 to the agreement between the City and Kimley-Horn and Associates, Inc. for engineering services in an amount not to exceed \$61,050 for the 2019 Nebraska Avenue Parking Lot Improvements Project design, bid, and construction. On March 19, 2019 City Council approved entering into an Interlocal Agreement with Pasco County for the parking lot from Lafayette St. east to Bank St. south of Nebraska Ave. The City owns the parking lot from Bank St. east to the private parking lot located behind the Richey Suncoast Theatre. The IA allows the City to combine both parking lots, design and construct a single parking lot to improve efficiencies

and the possible addition of parking spaces. In addition, landscape, hardscape, stormwater retention, and lighting improvements will be included in the project. Upon opening the floor to public comment, John Kane came forward and asked if there was anything to show. Mayor Marlowe stated more details would be available after the design phase. City Manager Manns explained where the parking lots were located. Councilman Altman stated it goes all the way to Lincoln. Mr. Kane asked about the fee amount and City Manager Manns stated it was a favorable amount around ten percent of the budget. With no one else coming forward Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey asked if anyone approached Mr. DeLuca about selling his property and City Manager Manns stated that she has had conversations and he is not interested in selling. Councilman Davis asked why this did not go out for bid and City Manager Manns stated Kimley-Horn is one of the firms that the City has continuing services agreements with. 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

g Three Minute Report: Library

13 Communications

Mayor Marlowe stated he will not drive out to Main and Adams because it is not safe. His concern with Washington and Kentucky is that it is one block away from the entrance to Richey Elementary. It is a disaster waiting to happen. This past Saturday was Small Business Saturday and the part that was held in the downtown was very nice. He would entertain a discussion regarding SB182.

Deputy Mayor Starkey asked if Public Works could look into installing a stop sign at Washington and Kentucky. Stop signs have been effective in other neighborhoods. City Manager Manns stated a traffic study would be conducted. He stated he was disappointed with the ABC Action News story regarding the recent story on the Hacienda. He reminded everyone that the boat parade is this weekend.

Councilman Altman stated he had several of his neighbors ask why they did not hear about the cleanup day. He asked if there was a way to target specific neighborhoods for certain events. He stated on January 7th and 8th is the regional summit. He encouraged his fellow Council members to attend.

Councilman Murphy stated there was a resolution to support SB182 regulations for plastic straws and polystyrene. He stated he would pass along the information.

14 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:34 p.m.

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

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

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