



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

August 19, 2020
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 L. 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, Development Director Earl Hahn, Technology Solutions Director Bryan Weed and Human Resources Manager Bernie Wharran.

2 Pledge of Allegiance

3 Moment of Silence

4 Approval of July 28, Work Session and August 4, 2020 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

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

5 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.

6 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

7 Public Reading of Ordinances

- a Second Reading, Ordinance No. 2020-2202: Moratorium on Front Yard Fences

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated the moratorium would be on front yard fences in the residential districts. She stated there are some inconsistencies in the current ordinances. 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

- b Second Reading, Ordinance No. 2020-2200: FLUM Amendment for Properties Located at the NE Corner of US Highway 19 and Main Street

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to conduct a second and final reading on an ordinance to amend the FLUM for four properties located at US Highway 19 and Main Street. Based on the location of the properties the properties should all be highway commercial. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Davis stated he wanted to reiterate his comments about having something match what is going in on the SE corner. Councilman Murphy stated he agreed and wants to make sure it is conducive to what we want for the entrance to our city. City Manager Manns stated at this point the property owners have not committed to a final for the property and until they do so we are unable to determine if they will have any property at all that could be relied on to establish an entryway feature. 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

- c Second Reading, Ordinance No. 2020-2201: Rezoning of Properties Located at the NE Corner of US Highway 19 and Main Street

City Attorney Driscoll read the proposed ordinance by title only. City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to conduct a second and final reading on an ordinance to rezone four properties located at US Highway 19 and Main Street. This is the companion ordinance to the FLUM agenda item previously presented. 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

- d Second Reading, Ordinance No. 2020-2206: Recreational Watercraft Rental Services in City Parks

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to conduct a second and final reading on an ordinance to establish watercraft rentals in city parks. She stated that as the downtown has grown there have been several boat rental owners who have shown interest in operating in city parks. She stated that 3% of ticket sales will be paid to the City. The term of the franchise agreement will be for one year. 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 Matt Murphy. The Motion Passed. 5-0. Ayes: Altman,

8 Business Items

a Duke Energy Clean Energy Connection Program – Consideration for Approval

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an agreement with Duke Energy for the purchase of Renewable Energy Credits. This programs allows for the purchase of solar generator power without the agencies having to construct and maintain the renewable energy system while receiving the ownership credits. She then introduced Jeff Baker from Duke Energy who then made a presentation to Council. Mr. Baker began the presentation by stating that New Port Richey has been the first city to step up for programs in the past including the LED streetlights and EV Charging Stations. He stated that Duke Energy will be constructing mega watt solar sites across the state. He stated that 3.5% of the program will be geared towards low and moderate income households. The program will be thirty plus years. Mr. Baker stated there is a subscription fee to join but there is no contract obligation. Mr. Baker stated that the estimated out of pocket for the first year is around \$1k. Mr. Baker then highlighted the annual fees and credits for following years. Councilman Davis asked where the farms will be and Mr. Baker stated they will be located all over the Duke service area. He stated some sites have not been identified yet. Deputy Mayor Starkey asked for clarification on the subscription. Mr. Baker stated this would be for the City to apply to cover city locations. Mayor Marlowe stated he went down to Babcock Ranch a year and a half ago and it was quite impressive. When Irma came through they did not lose any panels. Councilman Altman stated there is a large amount of grant money being released from FEMA and because of the disasters they are trying to set aside 10% of revenue for infrastructure. He stated some of the funding is going towards micro grids so essential services can still operate in the event of a storm. Upon opening the floor to public comment, Al Renedo came forward and asked if there was a charge per kilowatt and Mr. Baker stated that it is based on the energy level of 28% and is fixed for this program. With no one else coming forward Mayor Marlowe then returned the floor to Council. Motion was made to approve the item as presented.

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

b Public Hearing: Small Cities Community Development Block Grant Application

City Manager Manns introduced the item to Council. She in the past the City has received CDBG funding through the County. She stated that it is in the best interest of the City to apply directly to the State instead of going through the County. There is one of three criteria that must be met. She stated the CATF met to recommend what funding to apply for. She then introduced David Fox who will be working with the City on the project. She stated that participation in the Entitlement Community will allow the City to apply for Neighborhood Stabilization funding which will go towards neighborhood improvements. Mr. Fox stated there are steps that must be followed in the application process. The City can apply up to \$750k in funding and up to \$1.5 million in economic development funding. Mr. Fox then highlighted the different CDBG categories. Mr. Fox then highlighted the income limits. Mr. Fox then explained the point system associated with the application process. The applications are due by October 5, 2020. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey stated this could have huge impacts on our city and thanked City Manager Manns for all of her hard work. Councilman Davis asked if there was a certain area we were looking at and City Manager Manns stated it will be citywide. Councilman Davis asked if rentals will be an issue and City Manager Manns replied no. Councilman Altman asked for an example of a project and City Manager Manns stated the range of improvements under the project vary but can include roofing, windows and exterior treatments. Mr. Fox stated the CATF recommended the Housing Rehabilitation. 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

c Presentation: Fair Housing Act

City Manager Manns introduced David Fox who then presented the item to Council. Mr. Fox began his presentation by stating that each quarter you are required to have a fair housing activity. The presentation tonight will provide points for the application. Mr. Fox then highlighted the protected classes. He then highlighted prohibitions regarding the Fair Housing Act. He then highlighted discrimination for families with children and those that have disabilities. Mr. Fox then highlighted the exemptions under Fair Housing Act. Mr. Fox then highlighted the process to file a complaint and the items that are needed to be provided. He also highlighted the steps taken after a complaint has been filed. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council.

d ITB20-012 2020 Tennis Court Repairs/Improvements Bid Award

City Manager Manns introduced the item to Council. She stated this item was presented back in July. She stated this is a two part project. The total cost of the project is \$520,705 and contains a \$50,000 owner's contingency amount. At the time the item was presented there was some talk about potentially constructing a new site somewhere else but it was determined that the fee would be higher than what was proposed for the RAC. Upon opening the floor to public comment, Dan Hollbeck came forward and asked if all the repairs are at the RAC and City Manager Manns stated yes. With no one else coming forward Mayor Marlowe returned the floor to Council. Councilman Davis stated we had discussed this earlier and that there was room for costs to be deducted. Councilman Altman discussed about having clay courts. He then stated that one bid causes him not to vote for it. He would like to see other options. Deputy Mayor Starkey stated it is disappointing we have let the courts go into such disrepair and if we had maintained them better then this project could have been reduced. He stated he would also liked to have seen a wall built to hit balls off of. Councilman Davis stated he hopes this repair will take care of the design flaw. Mr. Rivera stated the courts have been attempted to be repaired over the years but it is a design issue. Motion was made to approve the item as presented.

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

e WWTP Storage Tank Cleaning and Painting Project Closeout

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 the final pay request in an amount not to exceed \$145,883 to Southern Road & Bridge, LLC for the WWTP Storage Tank Cleaning and Painting 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 Pete Altman and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

f 2017-2018/2018-2019 Street Improvement Project Closeout

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 deductive change order in the amount of \$416,474.65 and a final pay request in the amount of \$324,851.88 to Ajax Paving Industries of Florida, LLC for completion of the 2017/2018 and 2018/2019 Street Improvement Projects. Mr. Rivera then highlighted all of the roads included in the projects. 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

g Request for Approval of Altered Minds \$268 Donation

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the acceptance of a \$268 donation from the Altered Minds Art Group, to be used in support of the Library's resources related to the fine arts. 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

h Approval of Eight Replacement Laptops for Police Department

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the replacement of eight laptops from Vology for the Police Department in an amount not to exceed \$24,473.04. This will also include docking stations. Funds for this project are available in forfeiture. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey made comments in reference to the BLM group and their comments made at the last Council meeting. 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

9 Communications

Deputy Mayor Starkey stated that Pete's Grand Central will remain closed. He stated it has just been so difficult state wide due to COVID. He wished Mr. Martin luck in the future. He stated he has received several complaints about the homeless near Cross Bayou. He asked when the design plans for Railroad Square will be ready and City Manager Manns stated that there should be something within the next two to three weeks. Councilman Murphy stated there is a growing population of homeless near Massachusetts and Congress. Councilman Davis stated there is a camp behind Dollar General. Deputy Mayor Starkey stated there is another one at Rowan and Massachusetts. City Manager Manns stated the adoption of the anti-camping ordinance will be helpful to address the situation. Councilman Davis stated that the homeless have moved on since the area around Cross Bayou and Leisure Lane has been cleaned up. Councilman Davis congratulated Shawn Foster on his election as State Committeeman. He stated he wants to make sure our food truck ordinance matches the new State provisions. City Manager Manns stated the City Attorney is working on the issue. Councilman Davis stated we continue to be innovative. Mayor Marlowe stated the new Leaf was test driven by Mr. Rivera.

10 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:36 p.m.

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____