



**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**

**October 6, 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, Assistant City Manager Rodd Hale, 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 September 15, 2020 Work Session and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

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

5. Approval of September 10, 2020 and September 22, 2020 Special Meeting Minutes

Motion was made to approve the minutes as presented.

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

6. Proclamation - Guardianship Awareness Month (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. Matthew Campbell from FCCMA came forward present a certificate for the 55th anniversary of council-manager form of government. Mayor Marlowe, City Council and City Manager Manns accepted the certificate.

Leonard Biagi, II, 5743 Montana Avenue, Apt. 1, NPR, came forward and stated that he has been reviewing a construction site and highlighted the problems he has noticed. The property is located at 6017 Adams Street.

Don House, 2104 Beach Trail, Indian Rocks Beach, came forward and to speak about residential rental inspections. He stated he did not get a notice as property manager. He stated he does not know how people can fix things if they can't evict people.

Bob Smallwood, 7124 Meighan Ct, NPR, came forward to follow up on the earlier work session. He said it is vital to connect to the Pinellas Trail and Sun Trail. He asked where we were on the North River Road/Jasmin area project. He stated they talked about the Harbors Project at the Main Street retreat last month.

Angela Addino Napolitano, 6013 Adams Street and 5805 Illinois Avenue, NPR, came forward to speak about the building code violations located at 6017 Adams Street. She spoke about her sewer line that was severed in May.

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

a Library Advisory Board Minutes - June- August 2020

b Cultural Affairs Committee Minutes - August 2020

c Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

a First Reading, Ordinance No. 2020-2211: Amendments to Chapter 13 RE: Mobile Food Vending

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 of an ordinance to amend the City's current food truck ordinance. City Council adopted the ordinance in September 2018. Earlier this year the Florida Legislature passed a bill which pre-empts local governments from requiring vehicles that meet the state definition to be registered and allows for the vehicles to operate in the downtown and commercial areas without approval. In order to comply with the new provisions, an amendment to the City's current ordinance is needed. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Council discussed how the new regulations by the State would affect the ordinance we already have in place. City Attorney Driscoll stated that we are maintaining our definitions and adding the State's definition. Councilman Altman and Councilman Davis raised questions in relation to mixed-use properties and special events. They asked City Attorney Driscoll to research the issue further. Motion was made to table the item until the next City Council meeting.

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

b First Reading, Ordinance No. 2020-2209: Amendments to Chapter 7 RE: City Elections

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns the item to Council. She stated that the purpose of this agenda item was to conduct a first reading of an ordinance to amend the City's current ordinance regarding municipal elections. At the regular City Council meeting on September 1, 2020 Councilman Davis initiated a discussion regarding the process when filling a Council vacancy. It was the consensus of Council to revise the current process in which the Council seats are determined by the candidates who receive the highest and second highest votes with the third highest vote getter receiving the vacant seat. The City Attorney has prepared the attached ordinance which provides for separating qualified candidates between the mayor election, regularly scheduled council member elections, and vacant seat council member elections. The ordinance also removes canvassing board appointment requirements if the county canvassing board is available as provided in the code. The ordinance also addresses three matters which are not fully provided for in the code or charter – unopposed candidates, tie elections and a state-mandated provision pertaining to the death, withdrawal or removal of a candidate for office after the qualifying period. 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 first reading.

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

c First Reading, Ordinance No. 2020-2199: Amendments to Auto Dealership Standards

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns the item to Council. She stated that the purpose of this agenda item was to conduct a first reading of an ordinance to amend standards for new and used auto dealerships. On October 15, 2019, City Council adopted an ordinance which established standards for new and used auto dealerships in the Highway Commercial Zoning District. All auto dealers were to be in compliance with the new standards by October 15, 2020. Some of the auto dealers raised concerns over the landscape buffering provisions and the inability to comply as specified. A meeting was conducted with the auto dealers on July 20, 2020 to discuss the issue as well as the new grant program that was available. As a result of the meeting, staff worked on an amendment which decreases the amount of landscaping required. 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 first reading.

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

10 Business Items

a 2018-2019 Sewer Utility Improvements Project Bid Award – Consideration for Approval

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the bid from Augustine Construction, Inc. for the 2018-2019 Sewer Utility Improvements Project in an amount not to exceed \$1,398,282. She then introduced Public Works Director Robert Rivera who then made a presentation to Council. He stated the scope of work is divided into two components. The first component is sanitary sewer force main construction in three locations. The existing pipes will either be abandoned, capped or replaced. The second component of the work involves the rehabilitation of the existing sewer lift station located at Lafayette St. and Louisiana Ave. This lift station contains an old steel wet well that is subject to corrosive atmospheres and is approaching the end of its serviceable life and is in need of system upgrades. The funds for this project are available in the Water & Sewer Construction Fund. Upon opening the floor to public comment, Leonard Biagi, II, 5743 Montana Avenue, Apt. 1, NPR, came forward and started to speak regarding the property he spoke about during Vox Pop. Mayor Marlowe asked Mr. Biagi if his comments had any relation to the agenda item and Mr. Biagi stated no. 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 Pete Altman and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

b 2020/2021 Street Improvement Project Task Order No. 41994.001 - Engineering Services

City Manager Manns the item to Council. She stated that the purpose of this agenda item was to approve Task Order No. 41994.001 from the Halff Associates, Inc. for engineering services in an amount not to exceed \$149,550 for the proposed 2020/2021 Street Improvement Project design, bidding, and construction phases. 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

c 2019/2020 Street Improvements Project Bid Award

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the bid from Ajax Paving Industries of Florida, LLC. in an amount not to exceed \$1,491,146.85 for the 2019/2020 Street Improvements Project. The roads included in the project are:

- Meighan Ct. from Mandy Ln. to Jasmin Dr.
- Mandy Ln. from Meighan Ct. to Jasmin Dr.
- Bandura St. from Kerry St. to Rowan Rd.
- Kentucky Ave. from Madison St. to Davis St.
- Jasmine Hills Neighborhood
- Indiana Ave. from Washington St. to the eastern city limits.
- George St. from Cecelia Dr. to Gulf Dr.
- Hazeldon Estates

Upon opening the floor to public comment, Angela Addino Napolitano, 6017 Adams Street and 5805 Illinois Avenue, NPR, came forward and stated that there is a pothole at Alaska Avenue and Harrison Street near the GMS car loop. 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 Pete Altman and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

d 2021 Utility System Master Plan Update Task Oder No.4 - 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 approve Task Order No. 4 from Stroud Engineering Consultants, Inc. for engineering services in an amount not to exceed \$225,000 for the proposed 2021 Utility System Master Plan Update. The project will span over ten years. He then introduced Brent Heath from Stroud Engineering who then made a presentation to Council. Mr. Heath began his presentation by giving an overview of the Master Plan purpose. The Master Plan will be used as a guide for future capital utility projects. One of the critical components of the project is hydraulic modeling. The supply wells at the WTP will be reviewed as well as plant capacity/expandability. There will also be a pipe condition assessment. The Master Plan will also include areas to expand and reclaimed water storage. The condition of the WWTP will be assessed as well as wastewater collection and transmission system which includes force main upgrades and septic to sewer. Another main element would be interconnection with Pasco County for treatment flow. Councilman Altman stated the Maytum-Chambers Agreement has not been revisited in quite some time. He asked who will help with the economic strategy as we have spent monies to buy utilities to the east. Mr. Heath stated they will be working closely with staff on those areas. 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

e Gloria Swanson Parking Lot Improvements – Change Order No. 1

City Manager Manns presented the item to Council. She stated that the purpose of this agenda item was to approve Change Order No. 1 in an amount not to exceed \$66,108.05 for Augustine Construction in order to complete a historical walk of fame on the east side of the Hacienda. There will be seven kiosks included in the project and includes pedestals and lighting. 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

11 Communications

Mayor Marlowe asked Mr. Biagi and Ms. Napolitano to give their information to the City Manager after the meeting. He stated there is a workshop on October 26th with Tampa Bay Water and will include a discussion on the possibility of converting rain water to potable water. He stated we have had some success with the businesses on Railroad Square utilizing the space. He would like to make it a regular thing after the pandemic is over. He stated we have had some businesses that have expanded out onto the sidewalk and he would like to see that a more permanent thing as well. Councilman Murphy agreed with Mayor Marlowe's comments about Railroad Square. He asked if the lot that was cleared near Congress and Massachusetts was city or county and City Manager Manns replied it was the county. He stated the businesses are happy to be open again downtown. Councilman Altman stated that he has never seen a more creative growth time than now. He stated that there are two public Master Plan meetings coming up over the next two weeks. Mr. Rudd stated there will be a meeting tomorrow night for the US19 corridor and on October 13th for the west end of Main Street. Both meetings will be at the RAC. Deputy Mayor Starkey asked for the graffiti to be cleaned off the corner near the library. He would like to see an ordinance passed which would require community service to beautify the city. He stated that RTB Productions will not be doing trick-or-treating downtown however there are posts on social media that some businesses will be doing it. It is not a RTB or city event. He asked if the fees for the BTR's for the businesses can be waved. Council agreed. Councilman Davis stated that NPRMS is doing a lot of ribbon cuttings for businesses that have opened during COVID-19. He stated businesses can come and bring a 10x10 tent and put it up in Railroad Square with the approval of the City Manager. He invited the public to attend the October 20th meeting to say farewell to Deputy Mayor Starkey. City Attorney Driscoll stated there is a penalty provision in the graffiti ordinance. Deputy Mayor Starkey stated it should be mandatory. City Manager Manns stated the ordinance is under review.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:32 p.m.

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____