



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

April 20, 2021
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 Chopper Davis, Councilman Peter Altman, Councilman Matt Murphy and Councilman Mike Peters.

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 Kevin Adams, Technology Solutions Director Bryan Weed, Human Resources Manager Bernie Wharran and Assistant City Manager Rodd Hale.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of April 6, 2021 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

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

5. Administration of Oath of Office to Newly-Elected Council Members

6. Appointment of Deputy Mayor

Councilman Murphy made a motion to appoint Councilman Davis as Deputy Mayor. Seconded by Councilman Altman.

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

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

Mayor Marlowe passed the gavel to Deputy Mayor Davis who then opened the floor for public comment. Rachel Hagenbaugh, 6026 Tennessee Ave., NPR came forward to speak about a letter* a business downtown received. MJ Faquoseh, 7050 Grand Blvd., NPR came forward to speak about issues regarding his neighbor. Sal Stazzone, 4933 Elkner St., NPR came forward to speak about not defunding the police and BLM. Shinikki Whiting, 5755 Indiana Ave., NPR came forward to congratulate Councilmen Peters and Murphy. With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop.

Due to the obscene language contained in the above mentioned letter, it is not attached to the minutes for reference. A copy of the distributed item may be made available by contacting the City Clerk.

- a Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

8 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, Peters

- a Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

- a Second Reading, Ordinance No. 2021-2227: Amendments to Chpt. 15 LDC RE: Graffiti

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 second and final reading of an ordinance to amend Section 15.01.00, of Chapter 15, of the New Port Richey Land Development Code, pertaining to graffiti. The proposed amendment addresses definitions and the requirement to remove or obscure graffiti. Removal of graffiti can quickly improve the appearance of an area by eliminating the blight. Elimination of graffiti is best achieved through code enforcement. An ordinance giving code enforcement officers the ability to cite property owners and require graffiti removal is the best tool for achieving this goal. City Manager Manns stated that this ordinance is being presented because the City's previous ordinance was in need of amending. The amended ordinance allows for shorter time frame of notices, ability to bill property owners for any removal of graffiti done by the city to their property. Upon opening the floor to public comment, Chris Lineman, 6140 Indiana Ave., NPR came forward to state he hopes that the definition of graffiti is well defined. With no one else coming forward Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinance upon its second and final reading.

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

- b Second Reading, Ordinance No. 2021-2229: Amendments to Land Development Review Board Membership

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 second and final reading of an ordinance to amend Section 3.06.02, of Chapter 3, of the New Port Richey Land Development Code, pertaining to appointment of members to the Land Development Review Board regular membership. There are currently seven member positions on the board. The proposed

amendment eliminates the requirement to fill vacancies from the alternate positions. The current ordinance requires that the City Council fill a vacant regular member position from the alternate pool. This mandate limits the ability of the City Council to appoint a candidate with desirable qualifications. The proposed ordinance will give the City Council the ability to appoint applicants city wide or from the alternate pool. 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 Mike Peters. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Peters

10 Business Items

a Consideration of Appointments to Intergovernmental Committees

Mayor Marlowe suggested that unless any of the members of Council were not happy with their current appointments that they remain the same. The current appointments are as follows:

Pasco County Metropolitan Planning Organization - Councilman Murphy with Councilman Davis as alternate
Pasco County Tourist Development Council - Councilman Davis
Suncoast League of Cities - Councilman Peters
Tampa Bay Regional Planning Council - Councilman Altman
Tampa Bay Water - Mayor Marlowe

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Peters asked if he could be appointed as the City's alternate for the MPO. Motion was made to retain the current appointments and change the City's alternate on the MPO from Councilman Davis to Councilman Peters.

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

b Hacienda Hotel Easement and Use Agreement

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to the renewal of an existing easement over City property adjoining the Hacienda Hotel for the purposes of stormwater drainage and a delivery driveway, and an additional easement for the purposes of extending the delivery driveway and for the location of the Hotel dumpster enclosure and dumpster. Also, approve the Special Use Agreement with Hacienda Hotel Florida Corporation for an outdoor seating area for the hotel restaurant on City property adjoining the Hacienda Hotel. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Davis asked if there was any conflict with Ord. No. 1 and City Attorney Driscoll stated that the easement has existed for years and will be smaller than the easement that was granted in 2002. A Revocable License Agreement will be presented for the north side of the hotel. City Attorney Driscoll stated the Use Agreement will allow for more flexibility. These items are in the spirit of Ord. No. 1 and will be accessible to the public. Councilman Peters asked who will be responsible for landscaping and City Manager Manns stated that HHFC will be responsible for items on their property and the City responsible for items on city property. The fence will be removed. 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, Peters

c 2019/2020 Nebraska Ave. Parking Lot Improvements Project - Change Order/Work Change Directive No. 1

City Manager Manns introduced the item to Council. She stated the original bid was for six months. She then introduced Public Works Director Robert Rivera who then presented the item to Council.

He stated that after the original bid award they sat down with the contractor to expedite the project. The contract allows for negotiation through a Change Order and Work Order Directive. The proposed Change Order and Work Order Directive submitted by Right of Way Contracting, LLC. is in an amount not to exceed \$90,000.00. It is an increase of 12.5%. The detailed items included in the proposed change order/change directive include:

1. Change order/work order directive amount \$90,000.00. (Contractor must obtain the substantial completion within 120 days to receive this sum).
2. Contract time changed from 180 days to 120 days for substantial completion approval subsequent to the notice to proceed.
3. Substantial completion is defined as full parking access, painted striping, irrigation, landscaping included.
4. \$1,000 liquidated damages past the 120 days.
5. No liquidated damages once the project has been defined as substantially complete.
6. Time extensions will be granted for delays beyond the control of the contractor such as a hurricane.
7. Sub-base quantities will be funded in accordance with the existing contract language thru the request for information process.
8. The contractor may utilize eight inch (8") crushed concrete in lieu of existing material reclamation as stabilization at the unit price for the crushed concrete base at (\$14.00/SY).
9. The fire line installation will be eliminated from the contract and installed by the City maintenance staff.
10. Thermo-plastic striping material shall be replaced with striping paint.

Upon opening the floor to public comment, Al Renedo, 6448 River Rd., NPR came forward to state that Chasco is using the parking lot for the car show in May and City Manager Manns stated construction will be underway but there are alternate locations that can be considered. 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, Peters

d Three Minute Report: Finance Department

11 Communications

Mayor Marlowe stated that TB Water held a budget work session on Monday. The estimated amount for NPR to pay is around \$2m. The acquisition credits will end in 2028. He stated there are no issues near the desal plant. They are continuing to monitor the breach. He stated work has begun on the SHARP Project. Mayor Marlowe stated the garage construction is going along nicely. He stated this Thursday is Earth Day. Mayor Marlowe stated the Rec Center has a new system for tracking and the notice that was sent out could have been worded better. He stated we should expect to see the Recovery funds coming in later this month. The second batch is expected to be received in twelve months. Mayor Marlowe then spoke about adding events as "tentative" to the city calendar. Councilman Murphy congratulated Councilmen Altman and Peters. He also thanked everyone who worked on his campaign and is looking forward to continuing moving forward over the next three years. Councilman Altman spoke about transportation issues. He suggested looking at what short term fixes could be implemented. Councilman Altman stated Chasco handed out notices to businesses today. He stated every business was excited for the event. He stated the economics are picking up. He stated this is the most exciting year yet for him since he has been in public service. Deputy Mayor Davis told Councilman Altman to submit his ideas for the City Manager's report. He thanked everyone for the vote of confidence for Deputy Mayor. He stated as a recruiting tool he would like to put the current board/committee openings in the CM report at least once a month. Deputy Mayor Davis stated NPRMS is having the Wine Stroll this Thursday. He will be late for the May 4th CRA meeting. Councilman Peters stated he was happy to see the police boat on the water both days this past weekend. He stated the Main Street convention will be here in July. He stated the Environmental Committee is working on the yard debris. He is looking forward to their report. He thanked Jeff

Starkey for getting involved in the city election and thanked members for appointing him last November. He congratulated Councilmen Murphy and Altman. He also thanked his family and friends for their work on his campaign. Councilman Peters also thanked the department heads.

12 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: _____