



**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**

**July 8, 2021**  
**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 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, 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. Finance Director Crystal Feast participated via electronically.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of June 8, 2021 Work Session and June 15, 2021 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

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

5. Audit Report Presentation by Clifton, Larson, Allen LLP

City Manager Manns introduced Lance Schmidt from Clifton, Larsen, Allen, LLP who then presented the audit findings to Council.

6. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Marlowe opened the floor for public comment. David Vella, 6123 Wyoming Ave., NPR came forward to speak about the paving of the alley behind his home. He stated he is willing to pay for the paving himself. He stated he was seeking approval from Council to get it done. Johnathan McLarty,

5941 Jackson St., NPR came forward to state he was in support of Mr. Vella's request to pave the alley. With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop.

- 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.

Motion made by Matt Murphy and seconded by Chopper Davis. The Motion Passed. 0-0.

7 Consent Agenda

Motion was made to accept the Consent Agenda.

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

- a Cultural Affairs Committee Meeting Minutes - March 2021 March 2021
- b Parks and Recreation Advisory Board Minutes - May 2021
- c Purchase/Payments for City Council Approval

8 Public Reading of Ordinances

- a Second Reading, Ordinance No. 2021-2233: Design Guidelines for Multi-Family Projects

This item was deferred until the July 20, 2021 City Council meeting.

- b Second Reading, Ordinance No. 2021-2231: Amendments to Golf Cart Ordinance

This item was deferred until the July 20, 2021 City Council meeting.

9 Business Items

- a Board Appointment: Allan Safranek, III, Land Development Review Board

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of Allan Safranek to the Land Development Review Board. Mr. Safranek has over twenty years experience as a realtor and has previously served as the President for the West Pasco Board of Realtors. If approved, Mr. Safranek's appointment, his term will be for three years and will be up for renewal on July 8, 2024. With this appointment, that leaves one alternate member position available on this board. 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 Mike Peters. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Peters

- b Special Request by New Port Richey Main Street RE: Beer and Wine Tent for the Preservation on Main Street Conference Welcome Reception

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a request from NPRMS to have a beer and wine tent in Sims Park on Wednesday, July 21, 2021 from 5:30 p.m. until 7:00 p.m. for the welcome reception event for the Preservation on Main Street Conference. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Davis stated he was providing the tents for the event so he was abstaining from the vote. Motion was made to approve the item as presented.

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

c Pre-Annexation Agreement with Hudson Bay Developers, LLC

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a pre-annexation agreement with Hudson Bay Developers, LLC for the future annexation of 18.9 acres located on Sea Forest Drive to the south of the existing City utility plant. She then introduced Brad Cornelius who then made a presentation to Council. Mr. Cornelius began his presentation by highlighting the aerial of where the property is located. Mr. Cornelius stated there are two steps for annexation in the City's Code. The proposed project is a 82 dwelling unit townhome/apartment project. The density would be 4.33du/acre which is well under the maximum density allowed. The City would provide police, fire and solid waste however the potable water and sewer would be through FGUA. If the pre-annexation is approved the next step would be the submittal of the voluntary petition. The City would submit it to the County for comments. There would also be public notice and hearings. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Mayor Marlowe wanted to disclose that the applicant has an office two doors down from his place of business. Councilman Peters asked why did they want to annex into the City. The applicant stated the City needs more tax revenue. He stated he loves New Port Richey. Barbara Wilhite stated the process and leadership is outstanding. She stated the City is doing good things. Councilman Peters also asked why were they looking to not take advantage of the density. Mr. Polemis stated they want to create a luxury place for people to live. 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

d Second Lease Extension Agreement w/Pasco County RE: Pine Hill Park

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a one year extension on the lease agreement with Pasco County for the ballfields at Pine Hill. Council previously approved three month extension at their meeting on April 6, 2021. The BOCC voted to extend the lease agreement earlier this week. City Manager Manns stated the documents for the property transfer have been drafted and the appraisals conducted. The extension is for one year or until the property is transferred whichever occurs first. 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, Peters

e Cottages at Oyster Bayou Final Plat Approval -Revised

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approval of the revised final plat presented by Oyster Bayou Management, LLC for the Cottages at Oyster Bayou. She then introduced Brad Cornelius who then made a presentation to Council. Mr. Cornelius began his presentation by stating that City Council approved the plat back in December but there was an issue with a ROW on Heavens Way. He stated Mr. Dumas has resolved the issue with the County. The ROW has been widened from 30ft. to 50ft. Drainage Tract E and Lot 1 were impacted by the change. Lot 1 will now be used only for guests visiting owners. The change to Drainage Tract E does not impact the overall drainage for the property. Mr. Cornelius stated the County is requiring Mr. Dumas to contribute to fund future improvements to the roadway. The changes were reviewed by the DRC and the City's surveyor. 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, Peters

f Request to Use Equitable Sharing Funds to Pay for Parking Lot Resealing

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the use of Equitable Sharing Funds to pay for resealing and striping the Police Department parking areas. The total cost is estimated to be \$6,474.47. 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 Mike Peters. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Peters

g Request to Use Equitable Sharing Monies to Pay for Bicycle Enclosure Fencing

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the use of Equitable Sharing Funds to pay for fencing to enclose the bicycle storage area. The total cost is estimated to be \$3,260.00. 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, Peters

h 2019/2020 Gravity Sewer Pipe Lining 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 Change Order submitted by Granite Inliner, LLC. in the amount not to exceed \$10,162.00 and the final project cost of \$143,420.50 for the 2019/2020 Gravity Sewer Pipe Lining 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 Mike Peters and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Peters

i Wastewater Treatment Plant/Water Treatment Plant Bulk Chemical Purchase ITB21-008 Award

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the bid of \$.66/gallon of for the bulk purchase of Sodium hypochlorite for the WTP/WWTP from Allied Universal Corporation. This is an increase of the current \$0.125 cents per gallon rate or \$21,000 per year increase for the WWTP and approximately a \$16,000 increase for the WTP. 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, Peters

j Department of Economic Development Small Cities Community Development Block Grant Program

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve resolutions in respect to the administration of the Community Development Block Grant Program. City Attorney Driscoll then read Resolution No.'s 2021-40 through 2021-45 by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council.

Resolution No. 2021-40 (Motion made by Councilman Altman to approve and seconded by Councilman Murphy. Motion passed 5-0)

Resolution No. 2021-41 (Motion made by Deputy Mayor Davis to approve and seconded by Councilman Altman. Motion passed 5-0)

Resolution No. 2021-42 (Motion made by Deputy Mayor Davis to approve and seconded by Councilman Altman. Motion passed 5-0)

Resolution No. 2021-43 (Motion made by Deputy Mayor Davis to approve and seconded by Councilman Murphy. Motion passed 5-0)

Resolution No. 2021-44 (Motion made by Deputy Mayor Davis to approve and seconded by Councilman Altman. Motion passed 5-0)

Resolution No. 2021-45 (Motion made by Councilman Altman to approve and seconded by Councilman Peters. Motion passed 5-0)

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

## 10 Communications

Mayor Marlowe stated he has received comments from people who say there are great things happening in the city. He stated he had a question about annexation regarding the Pine Hill cemetery. He did not understand why it has not become a part of the City. City Manager Manns stated she would look into the matter. Councilman Peters stated he is looking forward to the Main Street conference. He stated that he has been approached about improvements along the north River Road neighborhood regarding stop signs and sidewalks. He suggested that before we move forward we could entertain a neighborhood input meeting. Councilman Peters stated there are lines of communication people can use to voice their opinion on the matter. Mayor Marlowe agreed that a neighborhood meeting is warranted. Posting items on social media is not the way to go. Deputy Mayor Davis stated he would like to see what we can do to help Mr. Vella out with his alley. Councilman Altman stated he would like to see policy direction on alleys. He stated hopefully we can add maintenance costs to the budget. City Manager Manns stated that what Mr. Vella is proposing will not support the City's operations. Councilman Altman stated there are other areas that have policies to remove evasive species. He stated the City came in and cleared it out near the bridge on Madison. He stated Penny for Pasco is up in 2024. He stated it would be nice to have a shuttle for the Main Street conference attendees to use after the conference is over. Councilman Altman stated that Commissioner Mariano has talked about a joint project on Green Key. He talked about the bike path along Grand Blvd. and if the bridge design was incorporated into it. Mr. Rivera stated there is currently a Task Order. Councilman Altman stated the property on Acorn Street has been sold. He stated Commissioner Fitzpatrick has expressed support for a boat ramp at the north part of the city. Councilman Murphy stated that there was a TMA meeting on June 25th and the Underpass Project and golf carts were discussed. Mayor Marlowe stated the County is trying to coordinate a meeting regarding the Underpass Project. City Attorney Driscoll stated a new law went into effect that anonymous complaints cannot be accepted any longer for code enforcement issues. City Manager Manns asked for clarification on the River Rd. project as the sidewalk was due to be installed next week. She asked if the project should be halted. Deputy Mayor Davis said no. Councilman Peters stated yes. He then expressed his concerns over the sidewalks. City Manager Manns stated a new notice could be sent out to residents. Mayor Marlowe stated he talked with a resident earlier this week at a Rotary meeting. He stated we should have a meeting so residents can review the design. Councilman Altman asked if the residents were aware of the Master Plans. Councilman Peters stated there have been some things that have taken place already including relocating telephone poles. He stated there was discussion about intersections being realigned and the possibilities of roundabouts. Councilman Altman asked what the legal obligation is on the project. Mr. Rivera stated we can request it to be delayed and let the contractor decide. Mayor Marlowe stated his point is if he doesn't know what we are doing then the people living along River Rd. do not either. Mr. Rivera stated there was a public hearing about three years ago. He stated there was discussion related to the different phases of the project and surveys were done. Mayor Marlowe asked what will be done on that stretch of road if it starts next week. Councilman Peters stated if we have a good plan and can explain it in steps then he is alright with it. Councilman Altman stated it is important to make a plan and stick to it. Deputy Mayor Davis stated the professionals have made the plan. Mr. Rivera stated that a five foot sidewalk will be installed on the west side from Main Street to Genesis School and that will

be phase one. Phase two will be looking at the east side existing poles and stormwater to see where they can expand the existing sidewalk. There would be an additional phase to address the intersections. Mayor Marlowe asked about the road diet and Mr. Rivera stated that it could be accelerated. Councilman Peters asked about the timelines and Mr. Rivera stated it has been added in the CIP. Mayor Marlowe stated his concern is the highway width of the road. He stated the road is the problem. Mayor Marlowe stated the people in the neighborhood need to be made aware that the sidewalk is not the only problem. Councilman Peters stated that speeding has been an issue. Mayor Marlowe stated we need to have been speed enforcement. Mayor Marlowe then talked about the width of the lanes along Central versus the widths of other streets.

11 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 9:23 p.m.

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

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

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

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

LAST NAME—FIRST NAME—MIDDLE NAME DAVIS, CHOPPER	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 JULY 8, 2021	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, CHOPPER DAVIS, hereby disclose that on JULY 8,, 20 21 :

(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 \_\_\_\_\_ , 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:

**BUSINESS ITEM 9B - SPECIAL REQUEST BY NEW PORT RICHEY MAIN STREET RE: BEER AND WINE TENT FOR WELCOME RECEPTION**

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.

JULY 8, 2021  
Date Filed

  
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.**