



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

January 18, 2022

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 Matt Murphy and Councilman Mike Peters. Councilman Peter Altman was excused.

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, 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 Economic Development Director Chuck Valdez.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of January 4, 2022 Work Session, Special Meeting and 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. 4-0. Ayes: Davis, Marlowe, Murphy, Peters Absent: Altman

5. Proclamation - School Choice Week (By Title Only)

Mayor Marlowe read the proclamation by title only.

6. Proclamation - Arbor Day

Dell deChant accepted the parchment from Mayor Marlowe.

7. Presentation by the Environmental Committee RE: Prohibition of Polystyrene Containers at City Events

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

Mayor Marlowe opened the floor for public comment. David Wallis, 12641 Valimar Rd., NPR came forward to introduce himself and spoke regarding his carriage company proposal. Judith Allen, 5940 Grand Blvd., NPR came forward to speak about the drainage issue on Illinois. She stated the road is four inches higher now that the road has been paved. She stated an inverted crown should be installed to help the issue. With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop.

9 Consent Agenda

Motion was made to accept the Consent Agenda.

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

a Purchases/Payments for City Council Approval

10 Public Reading of Ordinances

a Second Reading, Ordinance No. 2022-2253 RE: Property Exchange w/Pasco County

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 in regard to the exchange of real property with Pasco County specifically related to property located at 5640 Main Street and providing for the conveyance to the County of property generally located at 6220 Pine Hill Park as well as two lots located across the street from the northeast corner of the park. City Manager Manns stated she is seeking authority to enter into the agreement for the exchange and the extended occupancy agreement. 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. 4-0. Ayes: Davis, Marlowe, Murphy, Peters Absent: Altman

b Second Reading, Ordinance No. 2022-2251: New Private Property Rights Element for Comprehensive Plan

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 for the required new Private Property Rights Element of the City's Comprehensive Plan. This element is required due to a law that was passed during the last Legislative Session. The four standard statements to be adopted are as follows:

- The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- The right of a property owner to dispose of his or her property through sale or gift.

Upon opening the floor to public comment, John Kane, 6041 Florida Ave., NPR came forward to ask if this affects the parking on the lawn. City Attorney Driscoll stated we have recognized property rights for many years and this is for codification. 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 Chopper Davis and seconded by Matt Murphy. The Motion Passed. 4-0. Ayes: Davis, Marlowe, Murphy, Peters Absent: Altman

11 Business Items

a 2015/2016 Sewer Improvements Project/2019 Orangewood Lakes Pump Station and Force Main Project Change Order No. 1 Close Outs

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 \$88,312.46 and the final pay request in the amount not to exceed \$311,029.65 for Augustine Construction Inc. for the 2015/2016 Sewer Improvements Project and the 2019 Orangewood Lakes Pump Station and Force Main Project. Mr. Rivera then highlighted the scope of each of the projects. He then highlighted all of the force mains that were constructed. 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. 4-0. Ayes: Davis, Marlowe, Murphy, Peters Absent: Altman

b Discussion Regarding the Continued Closure of Railroad Square

City Manns introduced the item to Council. She stated that this item was being presented as a follow up to comments made at the last Council meeting. She stated that the closure was done in 2020 to allow businesses to use the space for social distancing due to the COVID-19 pandemic. City Manager Manns stated a letter went out last week to the affected businesses to gauge their input as to whether or not the closure should continue. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Mayor Marlowe stated he does not think the space is being used but would be open to the idea of letting businesses close it for a few hours for an event. Deputy Mayor Davis stated he would like to table the item until input from the businesses is received. Councilman Peters stated he does not think it is being utilized. He stated some of the businesses have changed since the initial closure was done. He stated he does like the idea of having the businesses available to have it closed for small events. Councilman Murphy stated he agreed that we should wait until we receive comments from the business community.

12 Communications

Councilman Peters stated there was recent damage done to newly poured concrete near the Hacienda, the boardwalks and the Christmas trees that were in the park. He stated we have to make sure our youth is respectful of property. He encouraged residents if they see something to report it. Deputy Mayor Davis asked about the library renovations since the fence was down and City Manager Manns stated the construction will be done next week with the furniture delivery due in March. Councilman Murphy stated that everyone should treat the city like it is their own. He has had interactions with kids before on minor issues. Destruction of property is something we will not tolerate. Mayor Marlowe stated the sidewalk damage amount was \$10k and we have it on fairly good authority that the kids can be identified. He stated we will hold the parents responsible. Councilman Murphy asked for an update on the Hacienda. City Manager Manns stated the project continues to advance and most interior finishes have been put in place. She stated kitchen equipment, flooring and light fixtures need to be installed. She stated that Mr. Gunderson is hoping for a February open date.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:00 p.m.

(signed) _____
Judy Meyers, CMC, City Clerk

Approved: _____ (date)

Initialed: _____

In response to Al Renedo from the Chasco Fiesta and concerns regarding the committee's proposal, it appears that Mr. Renedo has provided an assessment based on economic impact, while our proposal is focused on ecological concerns.

Mr. Renedo states that alternatives to styrofoam and polystyrene containers are about seventy-five percent higher in cost. Even though Al does not provide the actual costs of any alternatives he listed in his argument, we recognize the fact that some alternatives may be higher in cost, but this is due to supply and demand. Vendors, hosts, businesses, and other individuals who are concerned with the costs, will find that most alternatives become less expensive over time as their use increases.

Mr. Renedo goes further than our proposal in his next argument, stating "there are a lot of compostable takeout containers to choose from that would be a good alternative to styrofoam since they have some insulating benefits and decompose quicker." This argument supports the fact that we could have gone further with this proposal, requiring vendors and others at city-approved events use only compostable and recyclable materials. However, due to the significantly higher costs of these materials, this proposal states that vendors and other providers at city-approved events may not use styrofoam and polystyrene containers, but may use other materials. Other materials are far easier to recycle and dispose of safely.

The main point of the committee's proposal is to prevent city-approved events from generating more styrofoam and polystyrene waste, which cannot be processed through recycling facilities in Pasco County. Mr. Renedo states that "the biggest cup producer is beer, which is not sold in styrofoam cups. Most of our vendors use styrofoam cups for coffee or hot chocolate (not a big seller), cold drinks are sold in cans. Some of our vendors use plastic food containers, some use paper to wrap sandwiches and offer paper plates to eat from. Food at Chasco is sold in styrofoam containers but we don't generate a large amount as compared to the annual waste of local restaurants and food trucks." Most of the materials Mr. Renedo listed are recyclable or compostable. Plastic and cans can be placed into the correct recycling bin and paper can be composted.

In his argument, Mr. Renedo noted that there are "a lot of compostable containers...that would be a good alternative to styrofoam," and "insulating containers are important to the consumer, they keep their food and beverage hot or cold and, in some cases, safe." Point well taken; and should this proposal be implemented, Mr. Renedo and the vendors will have nothing to worry about at the Chasco Fiesta.

Our ecological argument focuses on reducing non-recyclable waste from city-approved events. Mr. Renedo replies that "most people do not dispose of their recyclables in the proper receptacle, it generally gets buried in the garbage cans." Mr. Renedo is correct, but this is due to the lack of recycling bins, which would be an important topic for discussion in a future proposal. In the meantime, the committee's proposal can make a tangible and immediate impact on the most problematic of all the non-recyclable single-use plastics.

The key to Mr. Renedo's assessment is the claim that "a move away from styrofoam" would generate an estimated "revenue loss to a vendor of \$150 to \$200 per thousand takeout containers." There is no data given to support this estimate; and, as noted in the assessment, vendors at Chasco Fiesta "don't generate a large amount as compared to the annual waste of Local restaurants and food trucks."

Finally, whatever the basic cost may be, with these products there is an externality, a hidden cost, of using *any* amount of styrofoam or polystyrene. The manufacturing process, distribution, and after-use effects of these materials are each (and all together) unsustainable, harmful to humans, damaging to ecosystems, and culturally unappealing.

<https://www.sciencedaily.com/releases/2018/12/181218100410.htm>

Quotes from the 2018 *Science Daily* article:

"The study found that the styrofoam container was the best option among the disposable containers across all the impacts considered, including the carbon footprint. For example, the styrofoam container had 50% lower carbon footprint than aluminium and three times lower than the plastic. This is because of the lower amount of materials and energy used in the production of styrofoam compared to the other two types of container."

But the article concludes that Styrofoam **cannot** be considered a sustainable packaging.

"For example, the study found that whilst Styrofoam containers have the lowest carbon footprint -- 50% lower than aluminium containers and three times lower than their plastic counterparts -- they cannot be considered a sustainable packaging as they are not recycled at a mass level and often end up in landfill."

"Dr Joan Fernandez Mendoza, one of the study authors, added: 'Because they are so light, the styrofoam containers can easily be blown away, contributing to urban and marine litter. So, despite their lower life cycle environmental impacts relative to the other containers, styrofoam containers cannot be considered a sustainable packaging option unless they can be recycled at a large scale.'"

*We note: The issue is not just the production of Styrofoam, but its long-term harm to the environment and its utter lack of recyclability.

Noah Denny and Dell deChant
for the New Port Richey Environmental Committee