



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 1, 2024
6:00 PM

*Please note the meeting times for regular city council meetings has been changed to 6:00 p.m. effective for all meetings after
April 1, 2024.*

ORDER OF
BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Chopper Davis at 6:00 p.m. Those in attendance were Deputy Mayor Kelly Mothershead, Councilman Peter Altman and Councilman Bertell Butler, IV. Councilwoman Matt Murphy was excused.

Also in attendance were City Manager Debbie L. Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Finance Director Crystal Dunn, Fire Chief Chris Fitch, Public Works Director Robert Rivera, Police Chief Bob Kochen, Systems and Services Librarian Stephanie Jones, Technology Solutions Director Leanne Mahadeo, Assistant City Manager Gregory Oravec and Human Resources Director Arnel Wetzel.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of September 17, 2024 Work Session and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Kelly Mothershead and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

5. Approval of September 12, 2024 and September 18, 2024 Special Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Bertell Butler and seconded by Kelly Mothershead. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

6. Final Public Hearing - Resolution No. 2024-25 Adopting Final Millage Rate & Resolution No. 2024-26 Operating Budget & Capital Improvement Program

City Attorney Driscoll read Resolution No. 2024-25 by title only. City Manager Manns read the following into the record:

Florida Statute 200.065(2)(C)1 prescribes that Council adopt the millage rate prior to adopting the 2024-2025 budget. A notification regarding the Public Hearing has been provided to every property owner in the City by the Pasco County Property Appraiser's Office. This notification in the form of the Truth in Millage (TRIM) notice was mailed on August 20, 2024. Action requested is to adopt Resolution 2024-25. The name of the taxing authority is the City of New Port Richey. The tentative millage rate of 8.3000 mills is 1.22% more than the roll-back rate of 8.19970 mills. Total ad valorem revenues that will be generated are estimated to be \$8,332,020; that is approximately \$768,770 more than what was generated in ad valorem in FY23-24, due to the increase of property values. The millage rate is 8.3000 mills, which is greater than the rolled-back rate of 8.19970 mills by 1.22%, which represents a 1.22% increase in property taxes. The statute states that the first topic discussed in hearings should be the percentage increase in millage over the rolled-back rate. The governing body must also explain the reasons for the increase and listen to comments from the public. At this time an overview will be provided of the proposed budget. After the close of the presentation, it is requested that the Mayor invite public comment on the millage, then the governing body must adopt the final millage rate before adopting the budget.

City Manager Manns then introduced Finance Director Crystal Dunn who then made a presentation to Council. Mrs. Dunn began her presentation by stating the total budget being presented is \$105,570,610. The total expenditures is \$34,796,120. The total for the CIP is \$29,355,000. She stated the City's state revenues decreased 1.2% from FY23/24. Property taxable values were increased by 11.54% to \$1,056,693,312. There is a salary adjustment and COLA in the proposed budgets.

Upon opening the floor to public comment, the following people came forward to speak:

- Ronald Becker, 6822 Grand Blvd., NPR came forward to speak in support of the Library's proposed budget and the programs for the upcoming year.

With no one else coming forward Mayor Davis returned the floor to Council.

Motion was made by Councilman Peter Altman to approve Resolution No. 2024-25 adopting the final millage rate of 8.3000 mills and was seconded by Councilman Bertell Butler, IV passed 4-0 at 6:14 p.m.

City Attorney Driscoll then read Resolution No. 2024-26 by title only. City Manager Manns stated the budget is based on the goals and objectives of the City's Strategic Plan. Councilman Butler asked about the decrease in Cultural Affairs and Finance Director Dunn stated the cut was made in order to balance the overall budget. City Manager Manns stated the Cultural Affairs Committee has not been able to expend the funds allocated within the recent years. She stated that grants may be available for other activities. Motion was made by Councilman Peter Alman to approve Resolution No. 2024-26 adopting the final operating budget and CIP and seconded by Deputy Mayor Kelly Mothershead. Councilman Altman stated he is opposed to the \$250 fee after having to get a certified electrician. City Manager Manns stated there is no fee being imposed for certification. Motion passed 4-0 at 6:27 p.m.

Motion made by and seconded by . The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

7 Resolution No. 2025-03: Extending Local State of Emergency for Hurricane Helene

City Attorney Driscoll read the proposed resolution by title only. City Manager Manns stated the purpose of this agenda is to extend the local state of emergency for another seven days. Upon opening the floor to public comment, the following people came forward to speak:

- Mike Peters, 6446 River Rd., NPR came forward to thank all of the city departments on the storm response. He also spoke regarding extending debris pickup for our business community. City Manager Manns stated it is normally the posture of FEMA to not provide reimbursement for storm debris for the business community. She stated we are aware of 450 businesses that have been impacted and we have started the application process to be considered for special assistance so we can provide pickup for our commercial.

With no one else coming forward Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

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

City Attorney Driscoll read aloud the rules governing Vox Pop. Mayor Davis then opened the floor for public comment. No one came forward therefore Mayor Davis 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.

9 Consent Agenda

Motion was made to accept the Consent Agenda.

Motion made by Kelly Mothershead and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

- a Parks and Recreation Advisory Board Minutes - May and June 2024
- b Library Advisory Board Minutes - June 2024
- c Cultural Affairs Committee Meeting Minutes - June 2024
- d Purchases/Payments for City Council Approval

10 Public Reading of Ordinances

- a Second Reading, Ordinance No. 2024-2304: Amendments to Camping Ordinance

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced Police Chief Robert Kochen who then presented the item to Council. He stated that the purpose of this agenda item was to conduct a second and final reading of an ordinance to amend the City's camping ordinance by adding reference to the "Unauthorized Public Camping and Public Sleeping Laws", which takes effect on October 1, 2024. Chief Kochen then highlighted the new law provisions as follows:

- Prohibits public camping or sleeping on non-designated public property overnight effective October 1, 2024. Under Florida State Statute 125.0231, a municipality/county may not authorize or permit public camping or sleeping (as defined by Florida Law) on public property, public buildings, or public rights-of-way. Our city ordinance already prohibits this any time of the day or night.
- Provides an avenue for counties and cities to create safe and managed areas for homeless people to live while being provided with running water, sanitation, and services. These managed areas must be approved by the state if a county or city decides to establish them.
- Allows any city or county to be sued (beginning 01/01/25) for allowing homeless encampments

on non-designated public property.

He stated the revisions to the City's ordinance are as follows:

- Section 14-12 "Camping prohibited" (b)(1) was amended by adding Section B. "public camping or sleeping, as defined in Section 125.0231 Florida Statutes, as amended from time to time." This new section of the City's ordinance references the Florida Statute on public camping and public sleeping.
- Section 14-12 (d)(5) was changed to read: "Camping for recreational purposes on property designated for such purposes by the city, or in conjunction with any special event approved by the city council."

Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Bertell Butler and seconded by Kelly Mothershead. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

b First Reading, Ordinance No. 2024-2286: Amendments to City Dock Ordinance

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 Section 5-44 of the City's Code of Ordinances regarding docks on city-owned land. She stated that currently the City provides a license to property owners owning property abutting city-owned property along the Pithlachascotee River to allow the attachment of a dock to the city property. The current dock ordinance describes the eligible properties by lot and block numbers. Staff is recommending that the City's Code be amended to describe eligible properties attaching a dock to city-owned land by map rather than legal description. This way the map could then be amended by resolution in the future. This amendment also provides that docks constructed pursuant to this section shall be limited to floating docks and comply with the general requirements of this article relating to docks constructed on or adjacent to private property along the Pithlachascotee River, subject to approval of the design, size and shape by the City in its sole and absolute discretion. City Manager Manns stated the property at 5600 Virginia Avenue in the past has enjoyed the benefit of having a dock but has been omitted from the map and we are correcting this by way of this ordinance and they are specifically noted as being allowed to have one and will now be officially included on the map. The proposed City Dock Map will be presented for approval via resolution in conjunction with the second reading of this ordinance at the regular meeting on October 15, 2024. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the ordinance upon its first reading.

Motion made by Kelly Mothershead and seconded by Pete Altman. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

11 Business Items

a 2024 Cotee River Bike Fest Alcohol Beverage Special Event Application

City Manager Manns introduced Parks and Recreation Director Andre Julien who then presented the item to Council. He stated that the purpose of this agenda item was to approve the ABSEP for beer and wine to be sold in Sims Park during the 2024 Cotee River Bike Fest. She stated the event was to take place October 11-13, 2024 however it has been rescheduled until January 17-19, 2025. Beer and wine will be sold on Friday, January 17th from 5pm - 11pm, Saturday, January 18th from 12pm - 11pm, and Sunday, January 19th from 1pm - 5pm. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Kelly Mothershead and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

b Approval of United States Department of Justice Grant

City Manager Manns introduced Police Chief Robert Kochen who presented the item to Council. He stated the purpose of this agenda item was to approve the three-year United States Department of Justice (USDOJ) grant award of \$216,498.00 to enhance investigations and prosecution of domestic violence, dating violence, sexual assault, and stalking crimes. This essential grant will provide the following funding over a three-year period:

- \$20,000.00 for USDOJ Office on Violence Against Women training and technical assistance.
- \$78,000.00 to fund 50% of our victim advocate's salary.
- \$16,965.00 to fund the fringe benefits for our victim advocate.
- \$17,550.00 to fund our victim advocate's overtime.
- \$3,817.00 to fund our victim advocate's fringe benefits on overtime.
- \$15,444.00 to fund our crime scene technician's overtime.
- \$3,359.00 to fund our crime scene technician's fringe benefits on overtime.
- \$26,676.00 to fund police officers' overtime.
- \$5,802.00 to fund our police officers' fringe benefits on overtime.
- \$4,000.00 for a Kolari Vision UV/IR Camera Forensics Kit to provide high resolution pictures of injuries.
- \$24,885.00 to provide on-demand translation services.

Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Kelly Mothershead and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

c Request to Enter into Task Order No. 2 for Fire Station No. 2 Architectural Services

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to approve entering into Task Order No. 2 with Spring Engineering. She stated the project to construct Fire Station No. 2 was expected to span a three hundred day construction period. The original architectural services contract was in the amount of \$216,500. She stated the original contract for the project included liquidated damages in the amount of \$1,500/day for completion and we are now 5.5 months behind. The contractor owes the City a total of \$379,500 in liquidated damages. At this point construction is expected to span another four months until completion. The estimated amount for services is \$35,000 and will be taken out of the accumulating liquidating damages. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Kelly Mothershead and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

d Recommendation of Firm for Land Use Master Plan Update

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to approve entering into a professional services agreement with Stantec for Change Order No. 1 in respect to the update to the City's Comprehensive Land Use Master Plan in an amount not to exceed \$84,000. She stated the comprehensive land use master plan is the most important tool in land use planning. The current plan has fallen out of line with the State and therefore needs to be updated. Stantec is currently assisting the city with an update to the CRA Plan. Stantec has submitted a proposal to perform the work necessary to update the city's Comprehensive Land Use Plan. The plan involves strengthening the Comprehensive Plan to align and support the vision as stated in the CRA Plan. This will include an analysis of existing goals, objectives and policies of the Comprehensive Plan in comparison to the CRA Plan. The drafting of amendments based on alignment and Florida statute changes as appropriate. Their work on the project will involve a public workshop and public hearings. The fee associated with the proposal is \$84,000 and based on the volume of the work required and the market rate for professional fees of this type the staff believes that the fee being requested is fair.

Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Bertell Butler. The Motion Passed. 4-0. Ayes: Altman, Butler, Davis, Mothershead Absent: Murphy

12 Communications

Councilman Altman spoke regarding the FRA Conference in Tampa and the NLC Summit in Tampa. He stated this is a time for us to deal with the immediate and he thanked those who have activated resources. Councilman Butler spoke about permits for restoration. He stated that he wanted to invite the mayor to have an emergency meeting to get on the same page regarding recovery. He stated he is communicating with staff. He reiterated his request to have the City provide electricians. Mayor Davis stated it would be up to the City Manager to investigate. Councilman Altman stated that once we get on the private side there may be hurdles. He stated he would like to have an analysis done. He stated it should be an income qualified issue and it would be nice to have some type of program. City Attorney Driscoll stated we can work on addressing legal issues but suggested electricians doing the inspections and not repairs. City Manager Manns stated that a funding source would need to be identified first and Deputy Mayor Mothershead stated there are organizations that we can reach out to see what resources they may have. City Attorney Driscoll stated the extended LSE will expire next Wednesday and may have to be extended on Tuesday. Councilman Altman stated some residents who have been affected may not be able to get back to their house in six months. Deputy Mayor Mothershead stated that our community has pulled together to do what we can and will continue to do so. Mayor Davis stated we are a city of good neighbors.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 7:36 p.m.

(signed) _____
Judy Meyers, MMC, City Clerk

Approved: _____ (date)

Initialed: _____