



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

February 4, 2025
6:00 PM

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, Councilwoman Matt Murphy, Councilman Peter Altman and Councilman Bertell Butler, IV.

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, Library Director Andi Figart, Community and Development Director Dale Hall, Assistant Parks and Recreation Director Kevin Trapp, Technology Solutions Director Leanne Mahadeo, and Human Resources Director Arnel Wetzel.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of December 23, 2024 Special Meeting and January 7, 2025 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Bertell Butler and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

5. Special Recognition of Pasco Young Marines Cpl. Eric Turnbough and Pfc. Audrey Pelno

6. Swearing-In of New Police Officer Scott Osarczuk

7. Presentation of Storm Ready Designation Certificate by the National Weather Service Tampa Bay

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. The following people came forward to speak:

- Beth Fregger, 8040 Island Dr., PR provided updates on the activities of NPRMS including the Tides of Time, and the Art on Main Chalk Festival.

With no one else coming forward for public comment, 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 Matt Murphy and seconded by Bertell Butler. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

- a Cultural Affairs Committee Meeting Minutes - December 2024
- b Parks and Recreation Advisory Board Minutes - August through November 2024
- c Purchases/Payments for City Council Approval
- d Budget Amendment - Library Donation
- e Consideration of Year-End Amendment to the FY2023-2024 Adopted Budget

10 Public Reading of Ordinances

- a First Reading, Ordinance No. 2025-2315: Amending Section 12.08.00 of the LDC RE: Home Based Businesses

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced Community and Development Director Dale Hall who then presented the item to Council. He stated the purpose of this agenda item was to conduct a first reading of an ordinance to amend Section 12.08.00 of the Land Development Code regarding Home Based Businesses. He stated that in 2021, the Florida Legislature enacted Section 559.955, Florida Statutes, which adopted local government restrictions on home-based businesses. As a result of these adopted restrictions, the City's Land Development Code must be amended in order to ensure compliance with State law. The Land Development Review Board reviewed this matter at their regular meeting on December 19, 2024 and recommended approval. 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 Matt Murphy and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

- b First Reading, Ordinance 2025-2317: Amendment to Police Pension Ordinance RE: Extending the Length of DROP Participation

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced Human Resources Director Arnel Wetzel who then presented the item to Council. He stated the purpose of this agenda item was to conduct a first reading of an ordinance to amend Chapter 17, Pensions and Retirement, Article IV, Police Officers' Retirement System, of the Code of Ordinances of the City of New Port Richey; amending Section 17-65.13, Deferred Retirement Option Plan to

provide for an extension of the current period of DROP participation from five (5) years to eight (8) years. He stated the new Collective Bargaining Agreement effective October 1, 2024 through September 30, 2027 included the extension of DROP participation from 5 years to 8 years. Current DROP participants would be able to extend their participation in DROP for the full eight years. 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 Bertell Butler and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

c Second Reading, Ordinance No. 2024-2314: Amendments to Floodplain Ordinance

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced Community & Development Director Dale Hall who then presented the item to Council. He stated the purpose of this agenda item was to conduct a second and final reading of an ordinance to amend Chapter 22 - Flood Damage Prevention of the City's Land Development Code to provide for the definition of substantial improvement and a reduction in review time from five years to one year. 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 Matt Murphy and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

11 Business Items

a Acceptance of Donation from the Trinity Rotary Club to the Parks and Recreation Department

City Manager Manns introduced Trinity Rotary Club president, Katie McQuillan, who then made a presentation to Council. She stated that the purpose of this agenda item was present a \$1,000 donation from the Trinity Rotary Club to the Parks and Recreation Department. The funds will be used to offset the costs of youth facility memberships and youth swim lessons for disadvantaged youth in the community. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to accept the donation as presented.

Motion made by Pete Altman and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

b Board Appointment: Courtney King-Merrill, Cultural Affairs Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of Courtney King-Merrill as a member of the Cultural Affairs Committee. If approved, Ms. King-Merrill's term will be for two years and will be up for renewal on February 4, 2027. Ms. King-Merrill served on the Community Events & Outreach sub-committee for the City's Centennial Celebration.

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

- Courtney King-Merrill came forward to thank Council for their consideration of her appointment.
- Beth Fregger and Rich Melton from the Cultural Affairs Committee both spoke in favor of the appointment.

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 Kelly Mothershead and seconded by Bertell Butler. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

c Appeal of Variance #2024-10-0022; Reduction in Front Yard Setback for 5326 Carlton Rd.

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to conduct a quasi-judicial hearing regarding the appeal of a denial of a variance request for the property located at 5326 Carlton Road. Should City Council have any ex-parte communication regarding this matter, it shall be disclosed at this time. She then introduced the Community & Development Director Dale Hall who then made a presentation to Council. Mr. Hall began his presentation by providing a statement of facts which included to reduce the front yard (Astor Drive) setback from 25 feet to 8 inches, a variance to reduce the rear yard (south) setback from 10 feet to 0 feet, and a variance to increase the maximum impervious surface ratio from 60% to 67%. The applicant is proposing to construct a 28' x 70' garage addition along the west side of the existing dwelling immediately adjacent to Astor Drive. Mr. Hall then highlighted the property location and zoning. Mr. Hall stated the proposed garage would be placed upon the 5ft. easement. The proposed landscaping would be placed in the right-of-way. Mr. Hall then highlighted the development standards regarding the easement and tree protection. Mr. Hall then highlighted the variance criteria which needs to be met in order to gain approval of the variance however none of the six can be met from the applicant's request. Mr. Hall then highlighted the reasons that the DRC and LDRB provided for the denial.

Upon opening the floor to public comment, the applicant, Victor Santiago Soto came forward to present his facts. He stated he reached out to Duke Energy about the easement and was told it was already vacated and the City would need to make the request. Mr. Soto addressed the four reasons from the LDRB for denial. He stated he has photos. He stated he does not believe it gives a negative presence. He stated his lot is on a corner lot and the setbacks do not leave him any room for a garage. He stated he is a disabled veteran and part of his recovery is having a space to work on things.

Council then reviewed the photos submitted by Mr. Soto. Mr. Soto also submitted two letters of support. With no one else coming forward Mayor Davis returned the floor to Council. Motion was made to deny the appeal for the variance request for the property located at 5326 Carlton Road.

Motion made by Bertell Butler and seconded by Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

d Advanced Metering Infrastructure System (AMI) Project Close-Out

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 \$54,240 from Core and Main LLC for the completion of the Advanced Metering Infrastructure System (AMI) Project. He stated in 2022 Council approved the direct purchase of 7,477 new IPERL potable water meters to replace older, outdated water meters within the City's potable water system. In addition to the meter removal and replacements, additional project elements included meter transmitter installations, meter box retro fits and replacements, meter transmitter installations, and programing/diagnostic equipment. Mr. Rivera stated this technology should last approximately 30 years. 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 Bertell Butler and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

e ITB25-004 WWTP Clarifier No. 4 Clarifier Steel Recoating Bid Award

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 the bid submitted by Quick Painting Group of Orlando in the amount not to exceed \$90k for ITB25-004 WWTP Clarifier No. 4 Clarifier Steel Recoating Project. Mr. Rivera stated approximately 42% of the total cost would be the responsibility of Pasco County. 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 Bertell Butler and seconded by Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

f ITB25-005 WWTP Clarifier No. 1 Gearbox Replacement Project Bid Award

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 the rejection of the low bid submitted by Razorback LLC., in the amount not to exceed \$132,000 and the approval of the bid submitted by OVIVO USA, LLC., in the amount not to exceed \$141,767 and award ITB25-005 to OVIVO USA, LLC., for the purchase and installation of an EIMCO Water Technologies Gearbox Model C30HT drive unit. Razorback LLC., was not able to supply verifiable documentation per the provisions outlined in the ITB as well as did not include the \$5,000 owner's contingency that would have made their correct bid amount \$137,000. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to reject the bid submitted by Razorback LLC and approve the bid submitted by OVIVO USA, LLC as presented.

Motion made by Kelly Mothershead and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

g ITB25-006 WWTP Biosolids Hauling and Disposal Services Bid Award

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 the bid submitted by Appalachian Material Service, Inc of \$84.43 per wet ton for ITB25-006 WWTP Biosolids Hauling and Disposal Services. Mr. Rivera stated that approximately 49% of the total cost would be the responsibility of Pasco County. 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. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

h HR Position Reclassification and Corresponding Budget Amendment

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the reclassification of the Human Resources Business Partner position to an Assistant Director, Human Resources & City Initiatives position and corresponding budget amendment. She then introduced Human Resources Director Arnel Wetzel who then made a presentation to Council. Mr. Wetzel stated after continuing to evaluate the direction of the Human Resources Department and recruiting for an experienced and strong HR Business Partner candidate, it was determined that we needed to pursue a higher level and more experienced candidate for the department. The intent is to utilize this position to work on various city initiatives and projects that have been delayed due to either turnover or limited resources. 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 and corresponding budget amendment as presented.

Motion made by Pete Altman and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

12 Communications

Councilman Altman congratulated Deputy Mayor Mothershead for her cover photo on a magazine. He stated he wanted to comment from the earlier work session on the visit to Green Key with the City Manager right after she came on board. He stated we did put a request in to the RESTORE Act for shoreline and we were well ranked however somewhere over time it just fell out of the list. He stated he would like to find out what potential there is. He stated it was like a 10-15 year dole out. He stated there is a regional category. The funds were used to help communities along the coast after the oil spill. He stated most of the money went into the Magnolia Valley stormwater. Councilman Altman stated he had a conversation with Ann Marie Winter and participated on the County call to help channel

funding for Congressman Bilirakis' community senior service center/housing project. He stated there would be opportunities for low income housing and could also enhance our rec center. Deputy Mayor Mothershead stated New Port Richey was the most visited city in Pasco County during the 4th quarter. She stated that Kelly Hackman is the newest member of the TDC. She stated she is an asset for our city and will be a valued member. Councilman Murphy stated everyone is gearing up for events and he is looking forward for them. Mayor Davis asked about the Mardi Gras event.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 7:40 p.m.

(signed) _____
Judy Meyers, MMC, City Clerk

Approved: _____ (date)

Initialed: _____



APPEAL OF LDRB DECISION VARIANCE VAR-24-10-0022

5326 Carlton Road

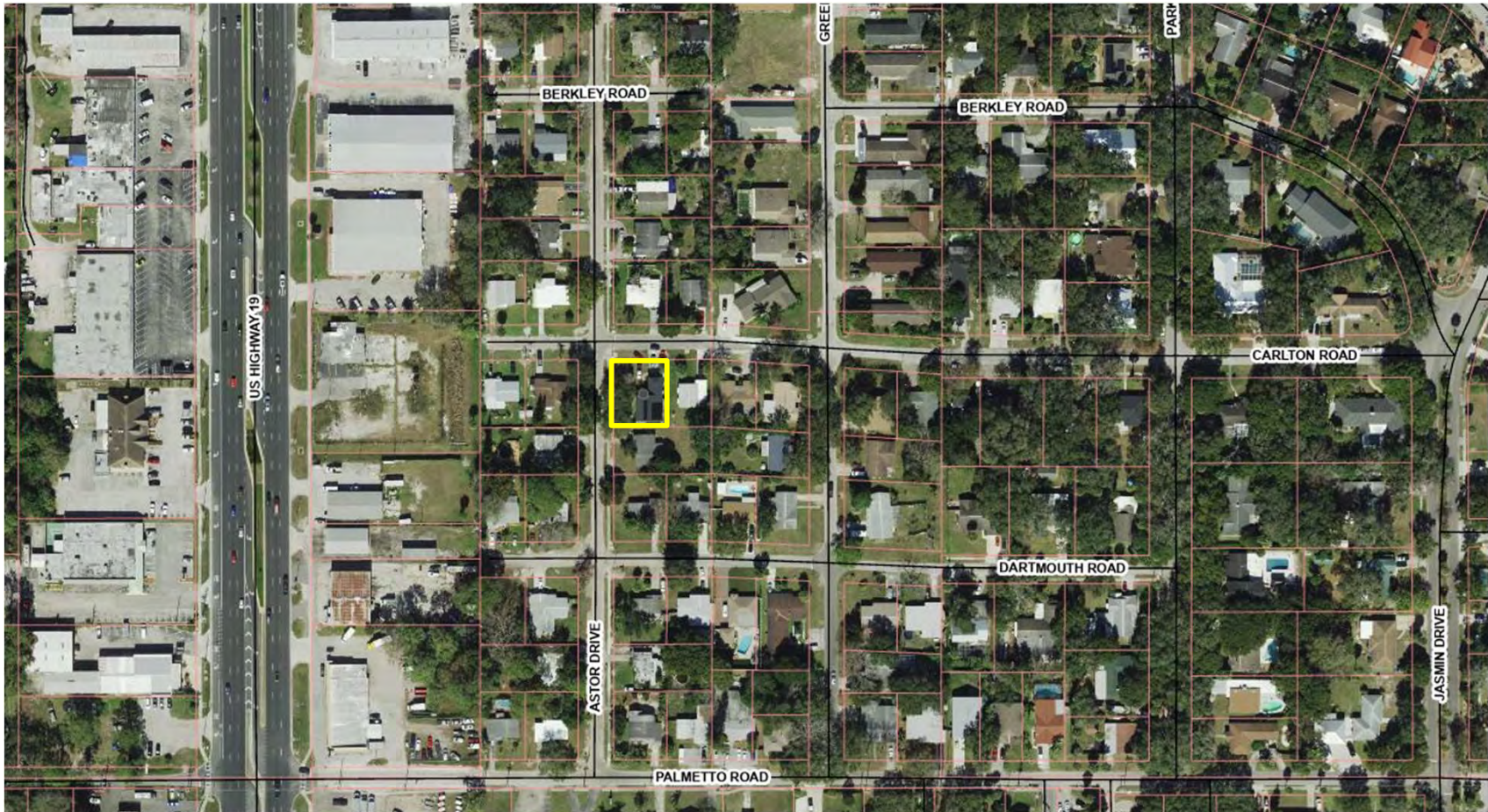
STATEMENT OF FACTS

- **Owner:** Victor A. Santiago Soto
- **Size:** 0.16-acres
- **Location:** Southeast corner of Carlton Road and Astor Drive
- **Zoning:** Multi-Family Low-Medium Residential (MF-10) District
- **Future Land Use:** Low-Medium Density Residential-10
- **Existing Use:** Single-Family Detached Dwelling
- **Proposed Development:** Construct a 28-foot x 70-foot garage addition along the west side of the existing dwelling immediately adjacent to Astor Drive

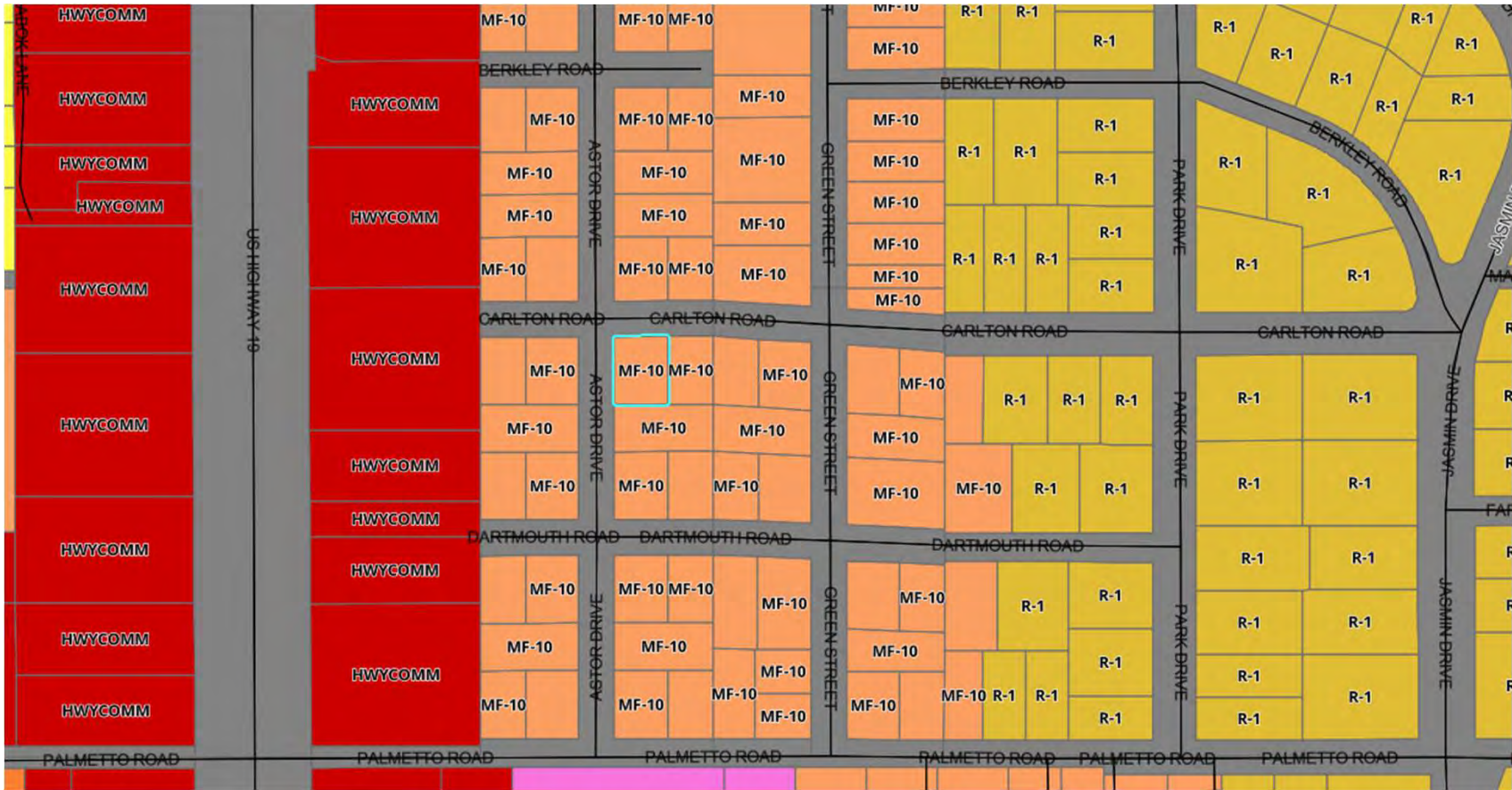
REQUEST

- Variance to reduce the front yard (Astor Drive) setback from 25 feet to 8 inches; and
- Variance to reduce the rear yard (south) setback from 10 feet to 0 feet; and
- Variance to increase the maximum Impervious Surface Ratio from 60% to 67%

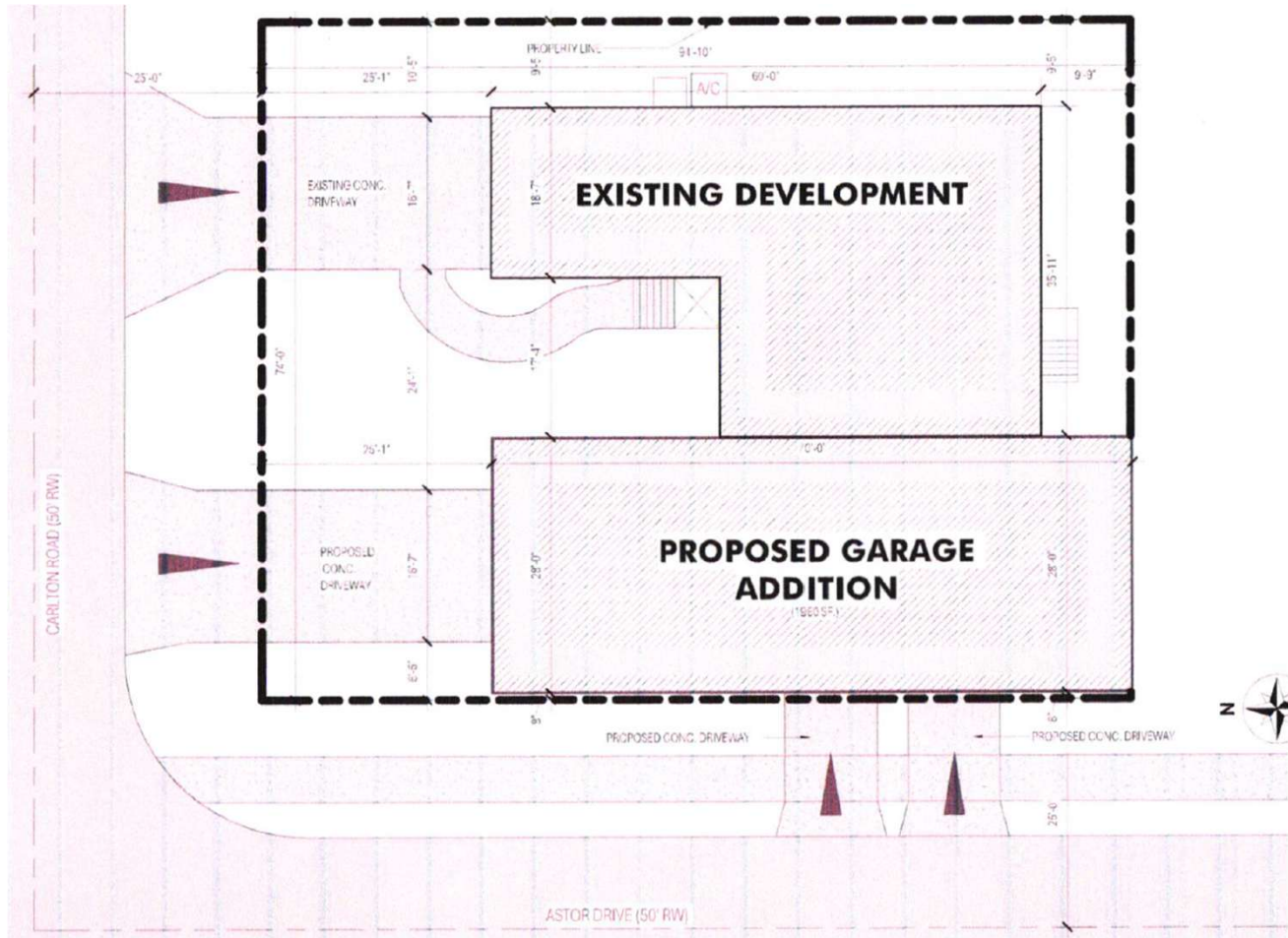
LOCATION MAP



ZONING MAP



SITE PLAN



NORTH ELEVATION



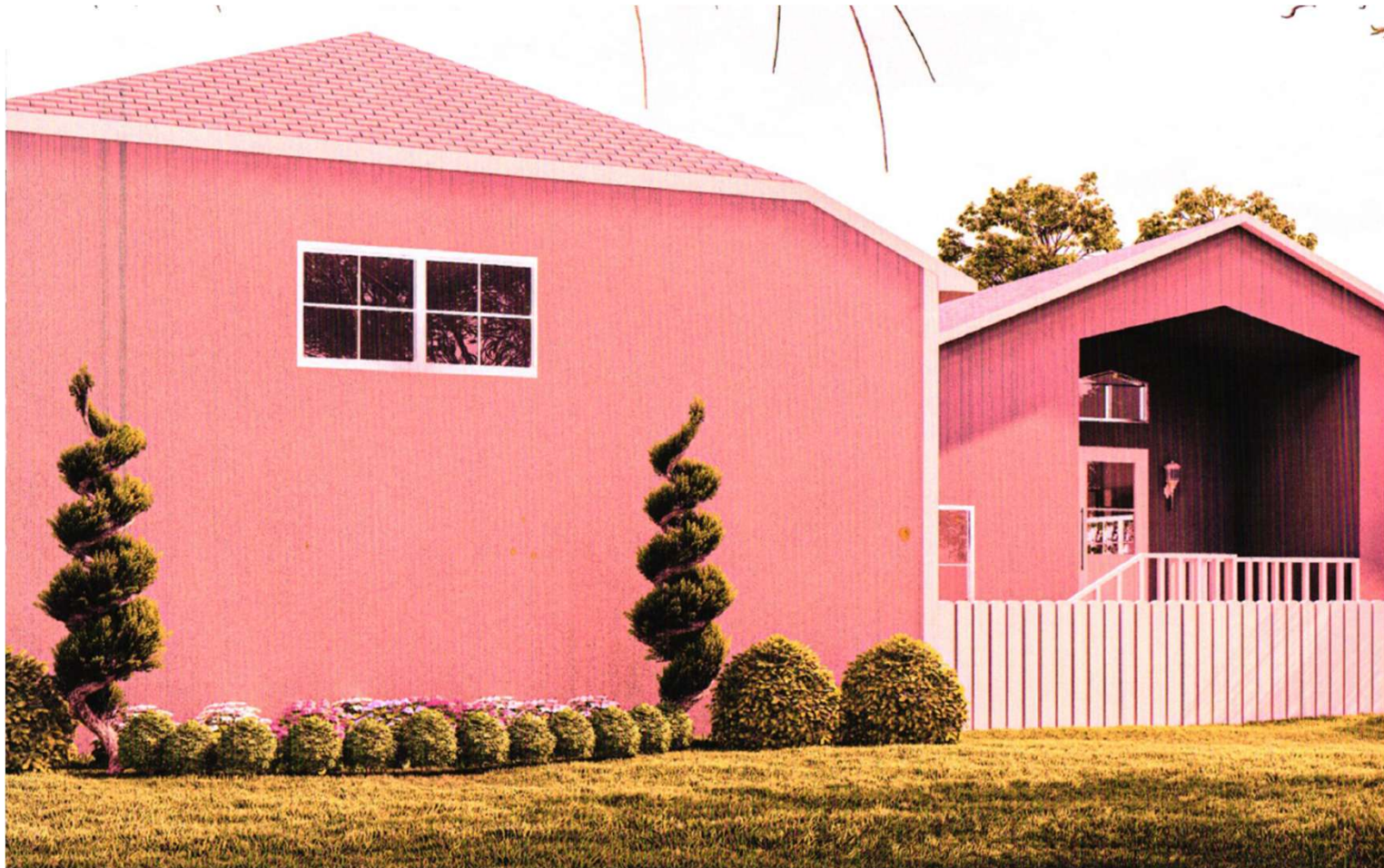
CITY OF NEW PORT RICHEY • DEVELOPMENT DEPARTMENT

WEST ELEVATION



CITY OF NEW PORT RICHEY • DEVELOPMENT DEPARTMENT

SOUTH ELEVATION



CITY OF NEW PORT RICHEY • DEVELOPMENT DEPARTMENT

DEVELOPMENT STANDARDS

■ General District Regulations:

- LDC Section 7.22.01: Unless otherwise provided for in this LDC, no structure can be constructed or erected on or within a recorded easement, exclusive of portable items which can easily be removed such as, but not limited to, playground equipment and lawn furniture
- Existing 5-foot utility easement at the southern end of the property established via plat in 1956
 - Easement has not been vacated, and is reflected on survey provided by applicant
 - Applicant proposes to construct addition associated with variance within existing easement in conflict with the LDC
 - Not possible to grant requested variance to reduce rear setback from ten feet to zero feet

DEVELOPMENT STANDARDS

■ Tree Protection:

- LDC Section 8.02.03(1): On platted lots or tracts of land less than one acre in area where a valid certificate of occupancy is in effect, it shall be unlawful for any person to remove or cause to be removed, any tree with a trunk diameter of four inches or more, said diameter being measured at DBR, without first having obtained a permit to do so as provided herein
- If the requested variances are approved, a tree removal permit for the two existing trees along the west side of the property and Astor Drive will be required
- Applicant would be required to either relocate or replace trees consistent with LDC

EXISTING TREES - ASTOR DRIVE



CITY OF NEW PORT RICHEY • DEVELOPMENT DEPARTMENT

VARIANCE CRITERIA

Pursuant to LDC Section 5.03.03, in order to authorize any variance from the terms of an ordinance, positive findings must be made with regard to each of the following criteria:

1. That special conditions or circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
 - There are no conditions found on the property that are peculiar to the land.
2. That the special conditions and circumstances do not result from the actions of the applicant.
 - As there are no conditions on the property that are peculiar to the land, this criterion is not applicable.

VARIANCE CRITERIA

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.
 - No nearby properties have additions with similar setbacks
 - No evidence of approval for a 7% increase above the maximum ISR

4. That literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance would work unnecessary and undue hardships on the applicant.
 - No aspect of the proposed variances are commonly enjoyed by other properties in the same zoning district.

VARIANCE CRITERIA

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
 - Development would not be reasonable, but rather excessive for property, surrounding area, and city
 - Development would exceed established ISR and applicant has not met reasonable justification to exceed

6. That the grant of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - Would be detrimental to the property, neighborhood, and city
 - Would result in unsafe situation for vehicles and general public

ACTIONS

- November 14, 2024 - DRC reviewed the variance requests finding that they did not meet criteria for approval, and recommended denial.
- December 16, 2024 - LDRB held a public hearing and agreed with DRC that the variance requests did not meet criteria for approval. LDRB denied the variances (4-0) and cited the following reasons:
 - Lack of uniformity in setback with surrounding properties;
 - Set a negative precedent;
 - Too much building being built on the property; and
 - Structure more consistent with commercial use than residential use.



QUESTIONS?

APPEAL OF LDRB DECISION
VAR-24-10-0022
5326 Carlton Road

CITY OF NEW PORT RICHEY • DEVELOPMENT DEPARTMENT



DEPARTMENT OF VETERANS AFFAIRS

February 04, 2025

Victor A Santiagosoto
5326 Carlton Rd
New Port Richey, FL 34652

In Reply Refer to:
xxx-xx-5457
27/eBenefits

Dear Mr. Santiagosoto:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

Personal Claim Information

Your VA claim number is: xxx-xx-5457

You are the Veteran.

Military Information

Your most recent, verified periods of service (up to three) include:

Branch of Service	Character of Service	Entered Active Duty	Released/Discharged
Marine Corps	Honorable	July 22, 2008	June 27, 2012

(There may be additional periods of service not listed above.)

VA Benefit Information

You have one or more service-connected disabilities:	Yes
You are being paid at the 100 percent rate because you are unemployable due to your service-connected disabilities:	Yes
You are considered to be totally and permanently disabled due solely to your service-connected disabilities:	Yes
The effective date of when you became totally and permanently disabled due to your service-connected disabilities:	September 01, 2016

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related

benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

How You Can Contact Us

- If you need general information about benefits and eligibility, please visit us at <https://www.ebenefits.va.gov> or <http://www.va.gov>.
- Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the number is 1-800-829-4833.
- Ask a question on the Internet at <https://www.va.gov/contact-us/>.

Sincerely Yours,

Regional Office Director

Victor Santiago Soto

5326 Carlton rd.

New Port Richey, Florida 34652

Victor.santiagosoto1304@gmail.com

727-222-7430

2/04/1990

City of New Port Richey

5919 Main Street

New Port Richey, FL 34652

Subject: Request for Variance Approval as a Disabled Veteran

I am writing to formally request approval for a variance related to my property. My name is **Victor Santiago Soto**, and I am a **disabled veteran**. I respectfully ask that my circumstances be considered in your review of my request.

As a veteran living with disabilities, having a dedicated space to work on my personal projects is essential for my well-being. The approval of this variance would provide me with a safe and structured environment where I can engage in activities that help me manage my condition. Maintaining a personal workspace would significantly contribute to my coping and healing process by reducing stress, providing a sense of security, and allowing me to focus on productive and therapeutic activities.

I greatly appreciate the City of New Port Richey's commitment to supporting veterans and individuals with disabilities, and I sincerely hope that my request will be considered with fairness and understanding. Please let me know if any additional information or documentation is needed to assist in your decision-making process.

Thank you for your time and consideration. I look forward to your response.

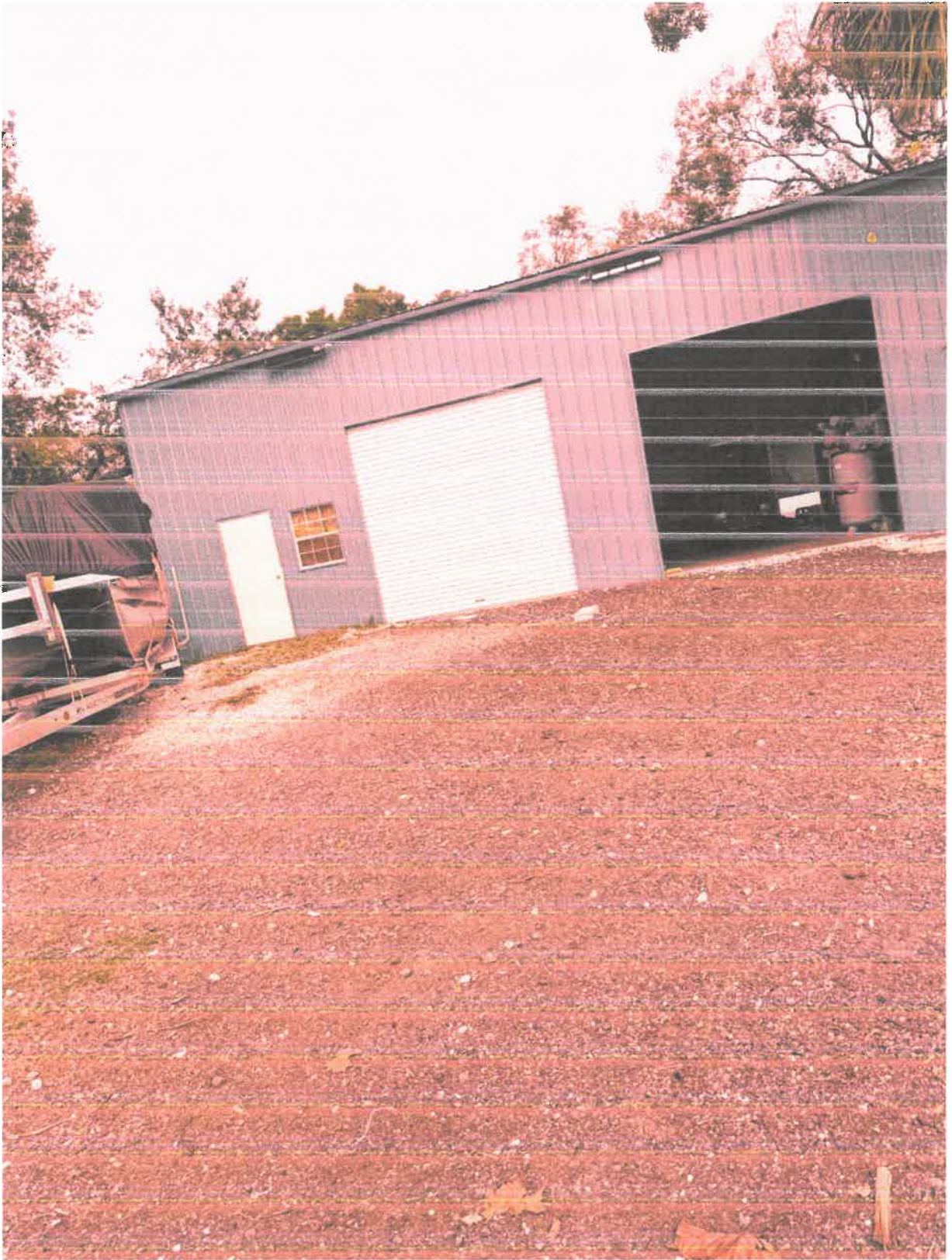
Sincerely,

Victor Santiago Soto

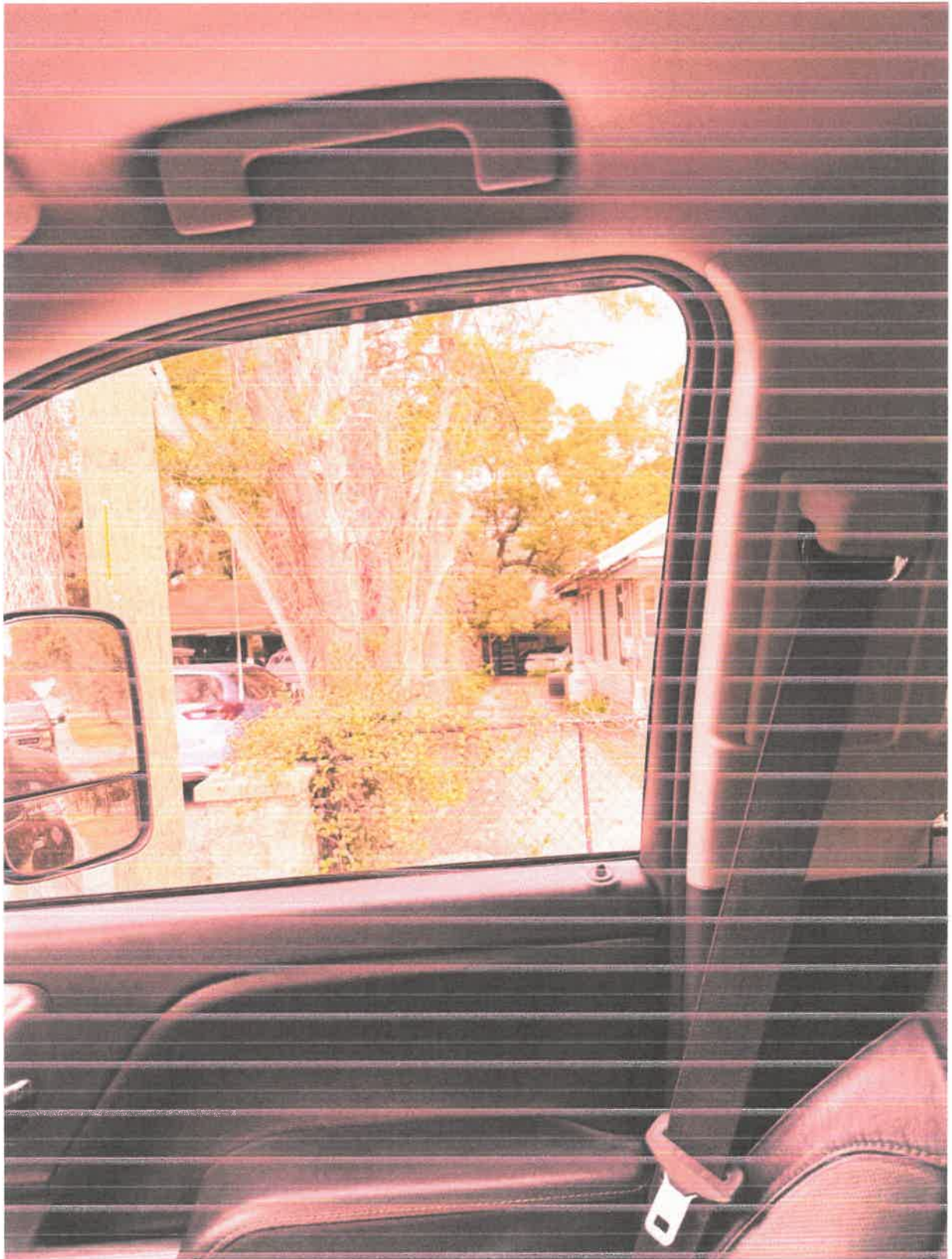


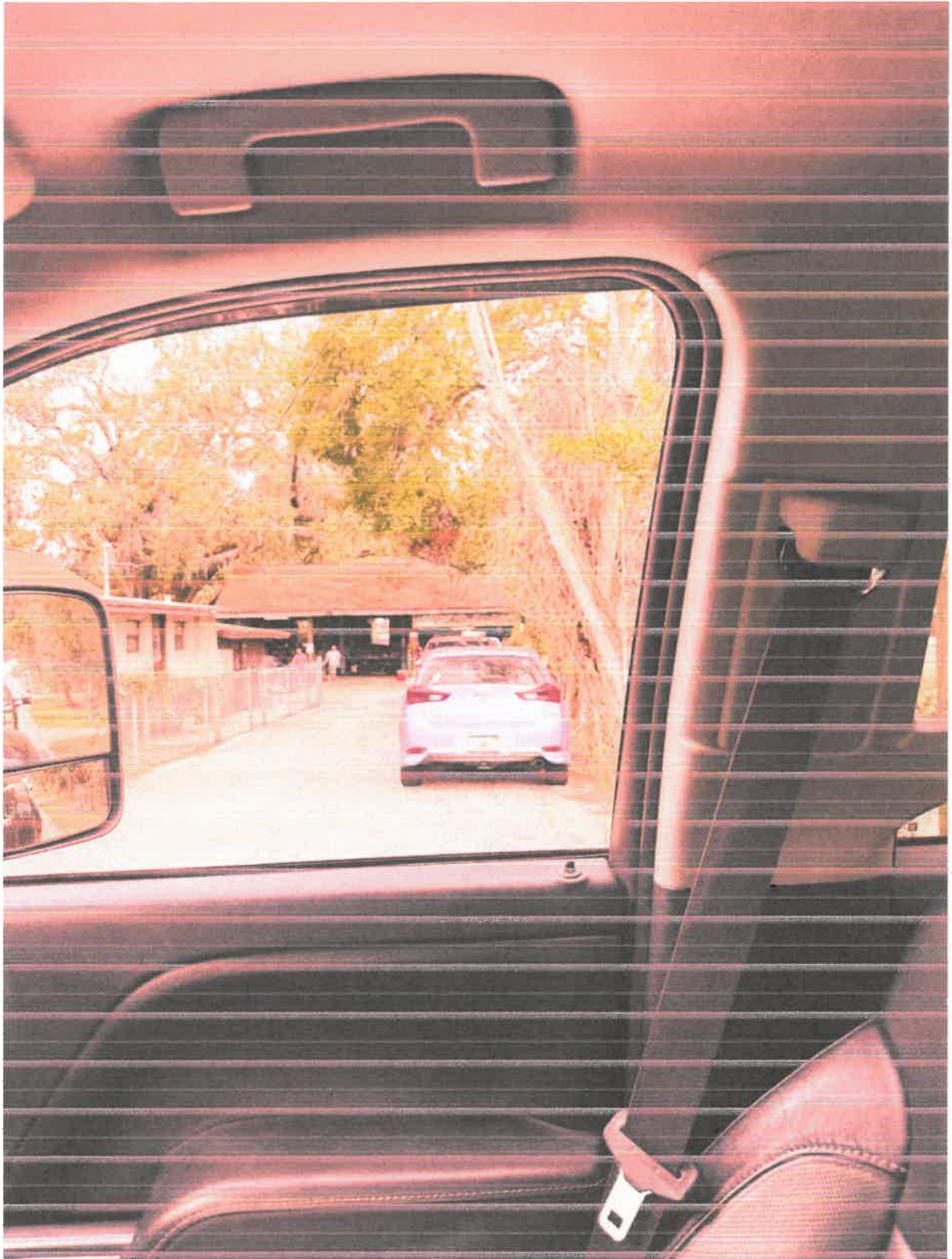




























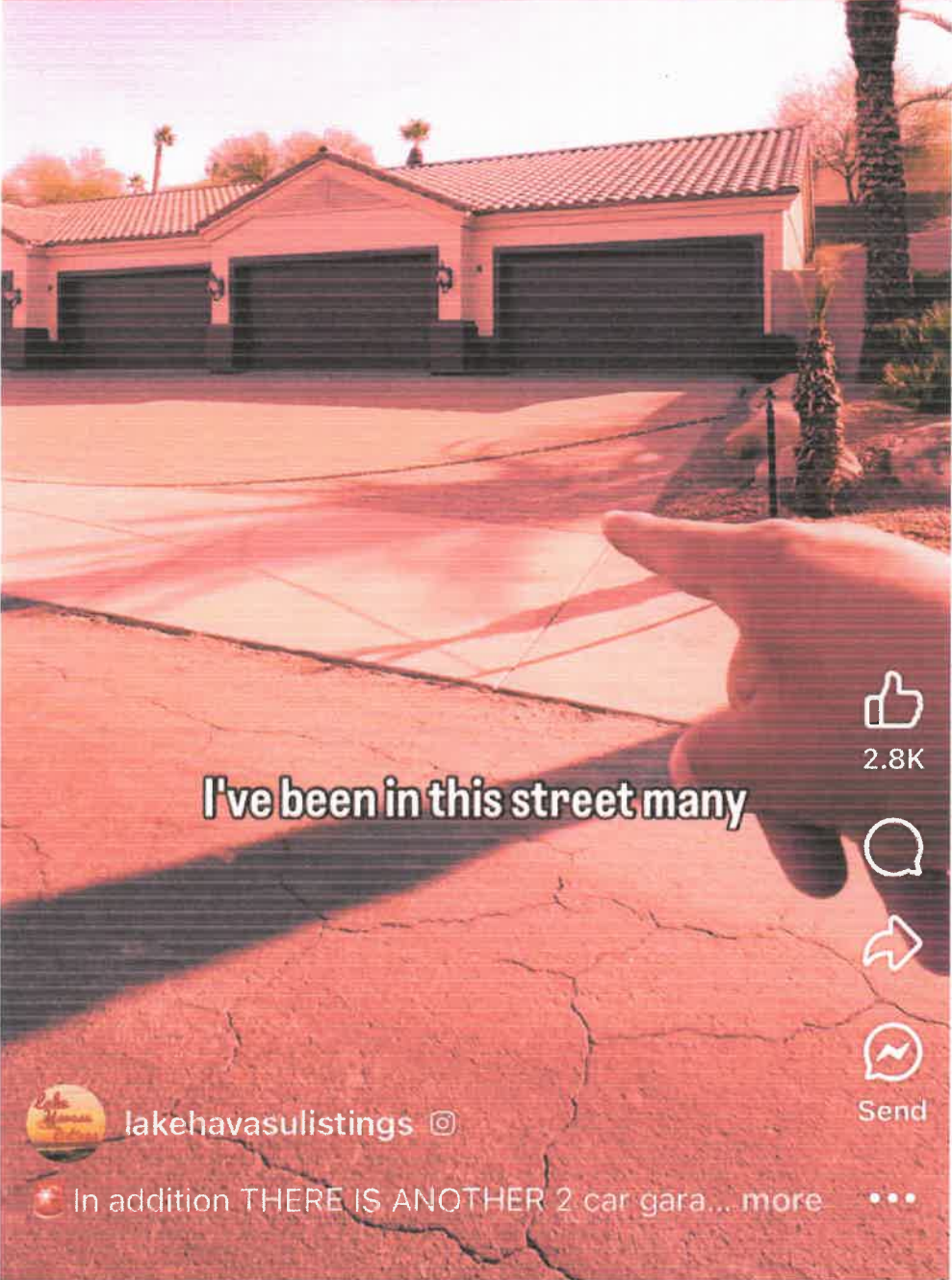
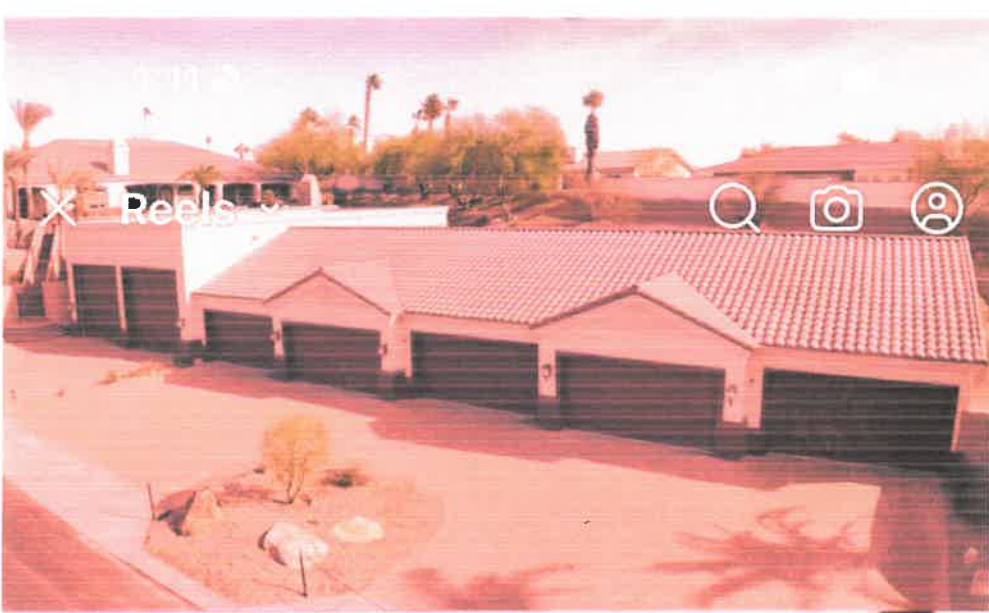


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lakehavasulistings @

In addition THERE IS ANOTHER 2 car gara... more ...

Reply to Maribel Soto...



Reels



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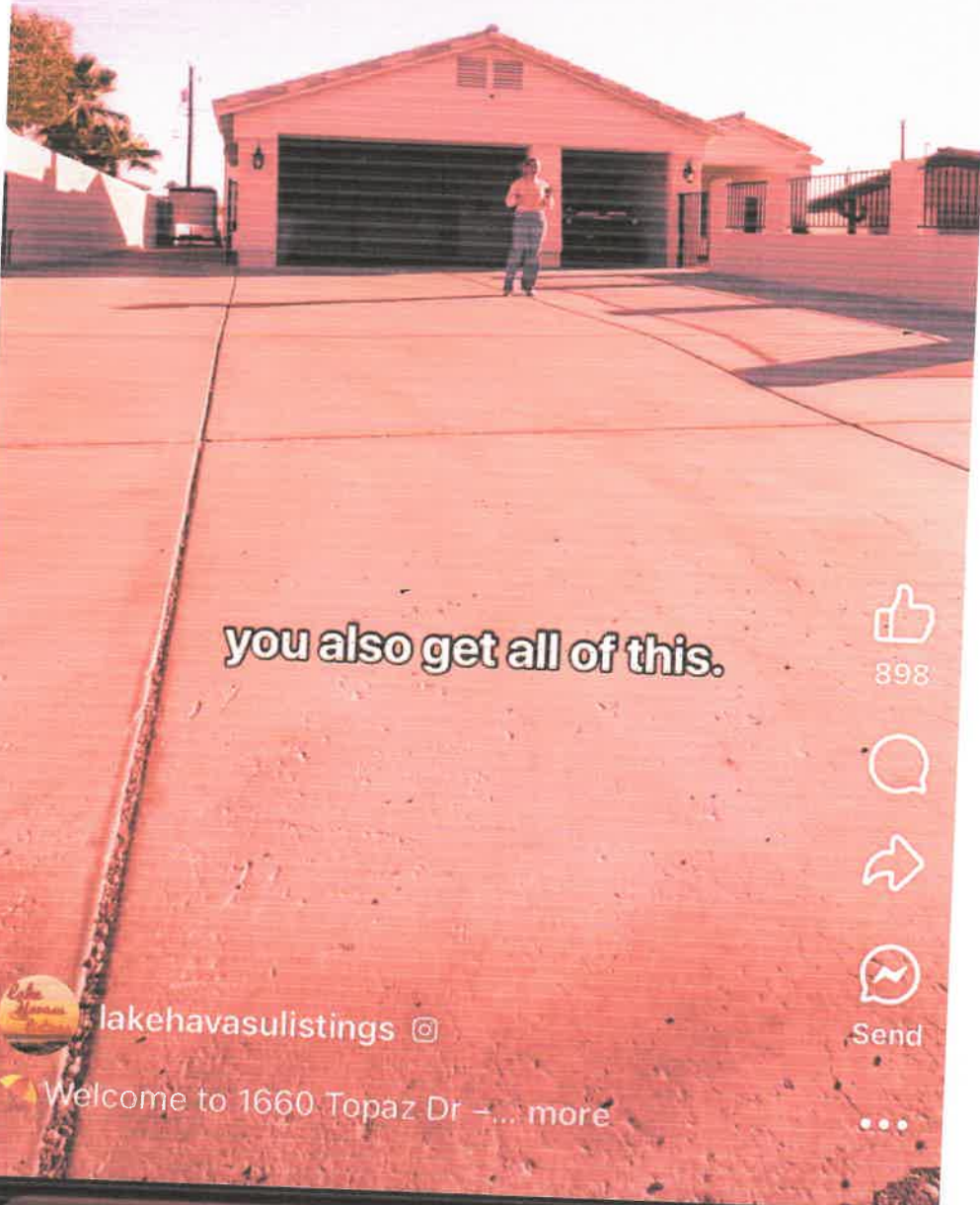
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× Reels ▾



you also get all of this.



898



Send



lakehavasulistings

Welcome to 1660 Topaz Dr - ... more



Reply to Maribel Soto...





is this 45 foot deep RV

👍 898

💬

➦

📧

Send



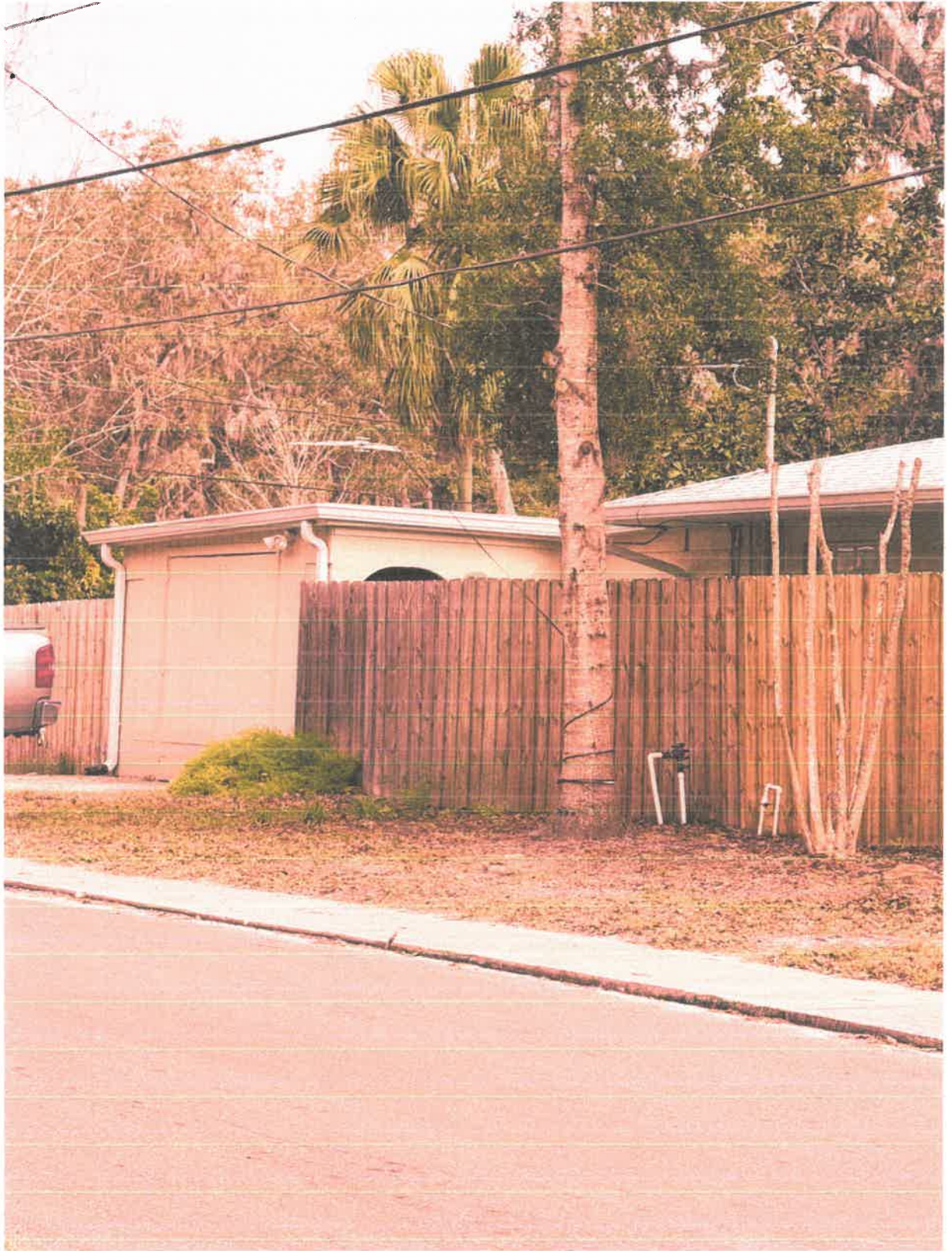
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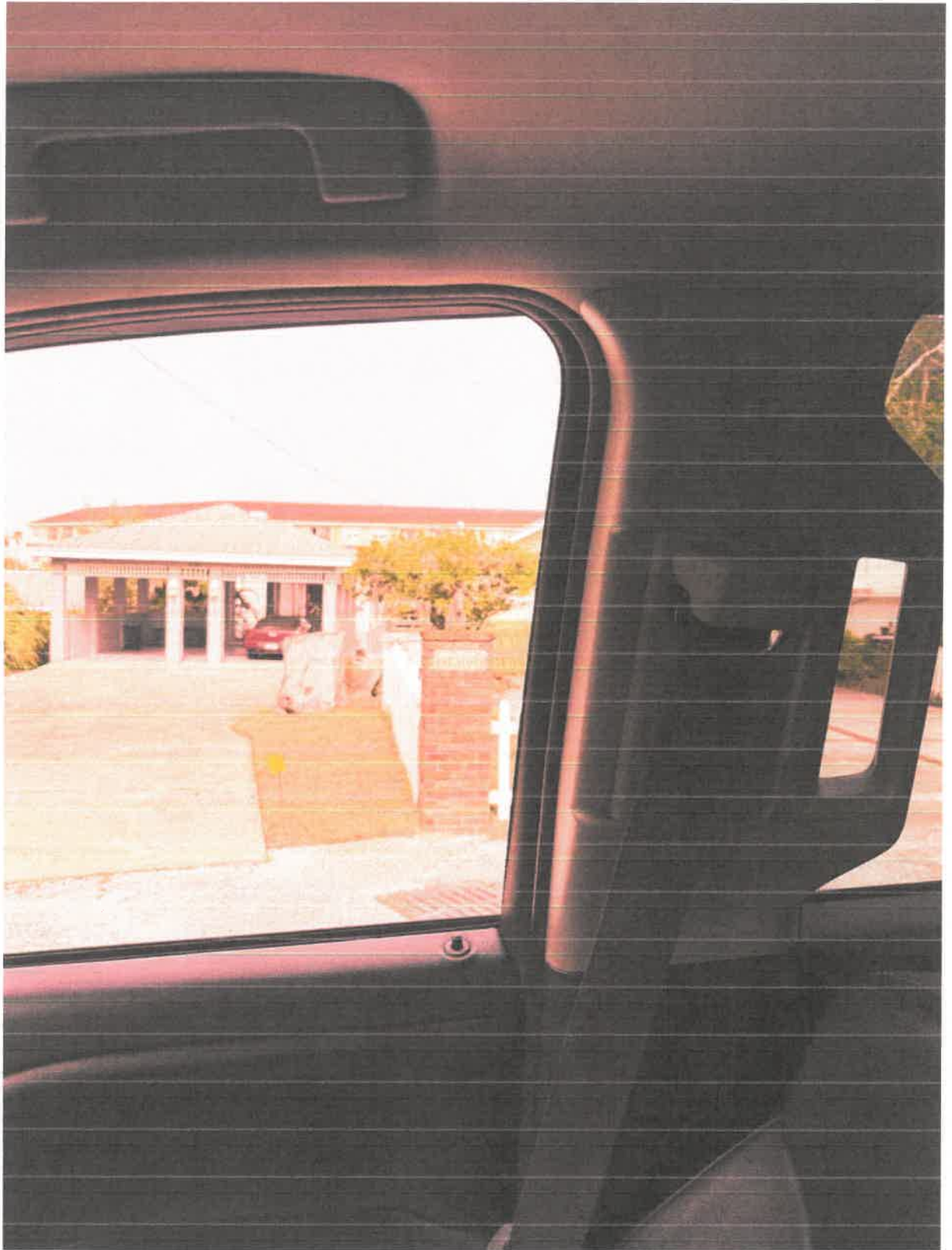
📍 Welcome to 1660 Topaz Dr -... more

⋮

📧 Reply to Maribel Soto...















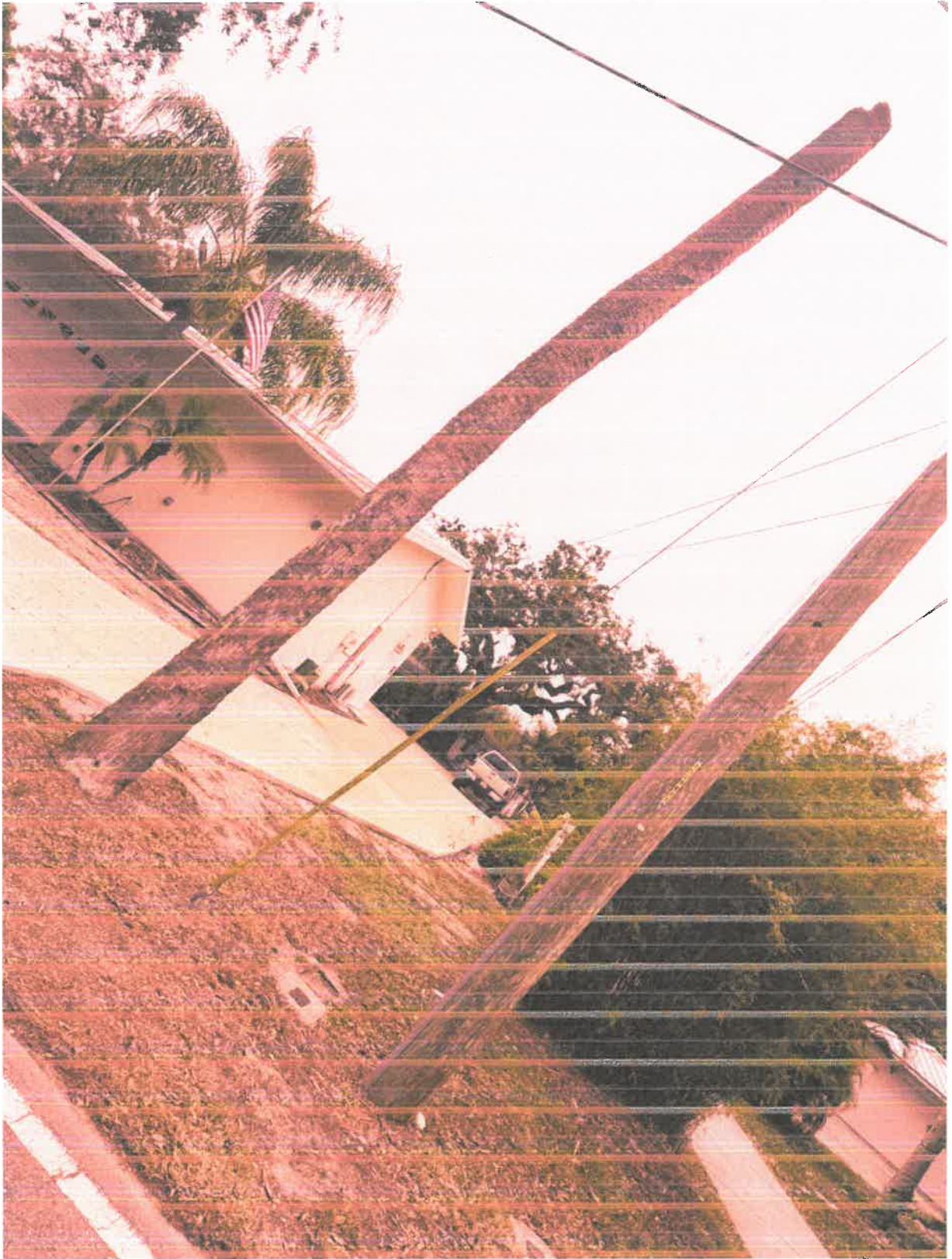






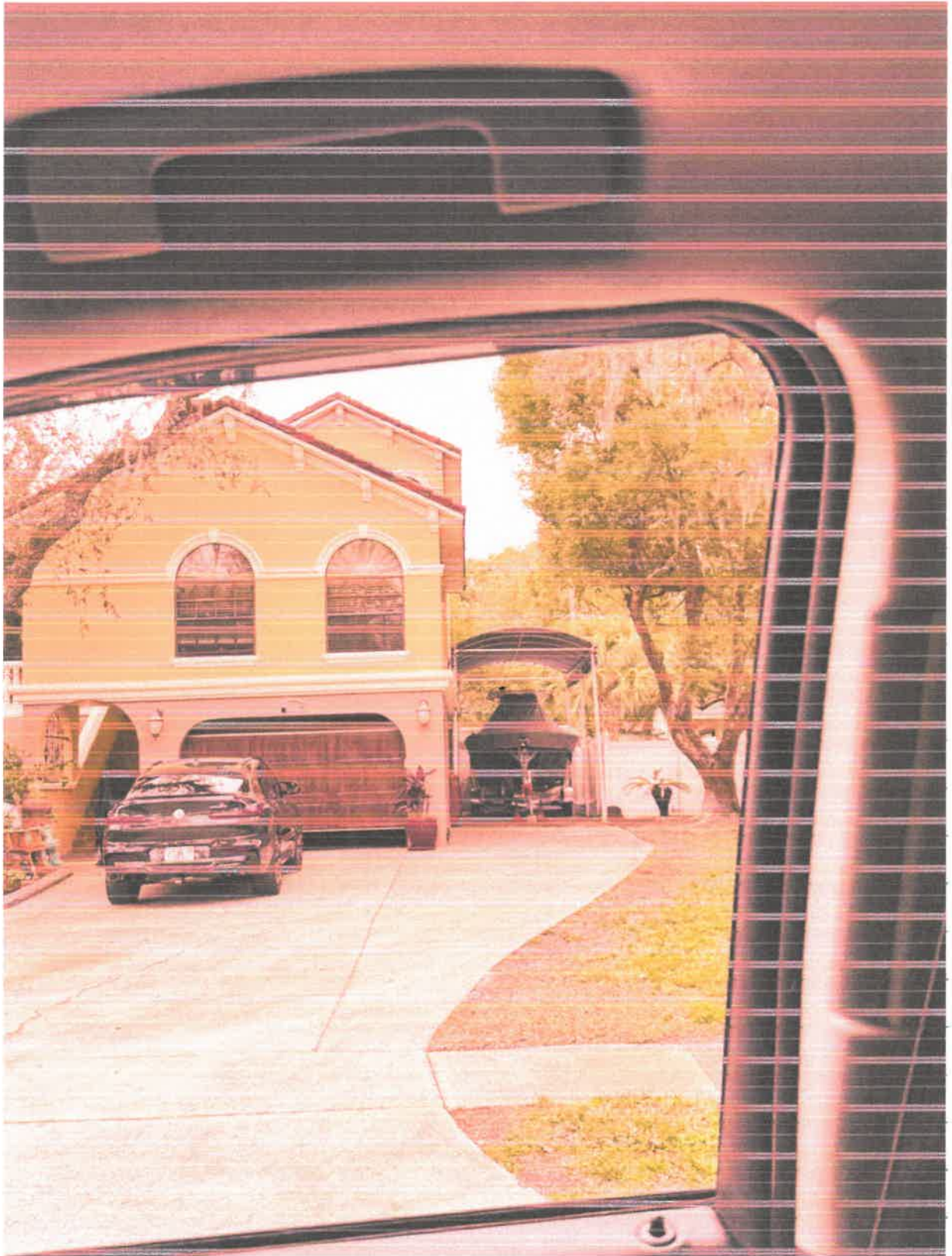
















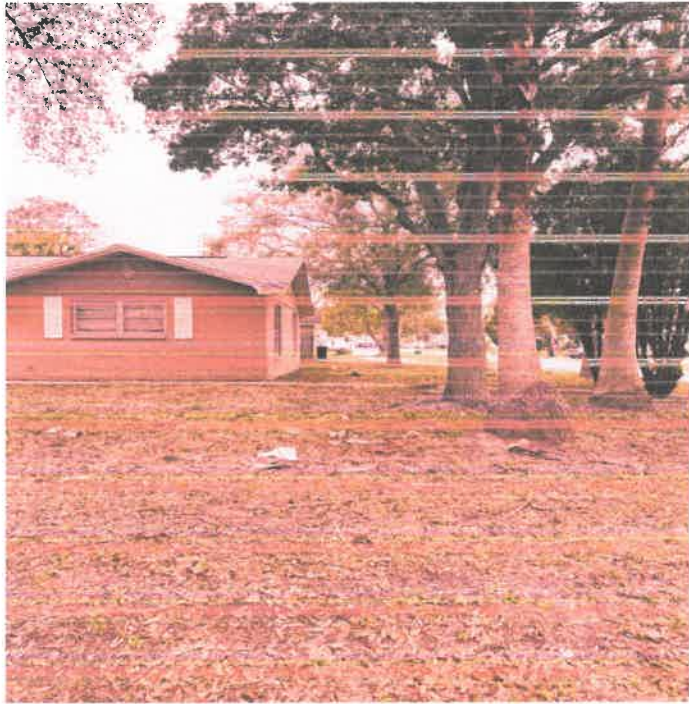












Side profile view of the property shows that the Uniformity would not be altered. As the building would be set within the front yards setbacks of surrounding properties.

