



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 5, 2016
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 pm. Those in attendance were Deputy Mayor Bill Phillips, Councilman Jeff Starkey and Councilwoman Judy DeBella Thomas. Councilman Davis appeared telephonically.

Also in attendance were City Manager Debbie Manns, City Attorney Joseph Poblick, Interim City Clerk Judy Meyers, Chief of Police Kim Bogart, Finance Director Crystal Feast, Development Director Lisa Fierce, Fire Chief Chris Fitch, Economic Development Director Mario Iezzoni, Public Works Director Robert Rivera, Library Director Susan Dillinger, Parks and Recreation Director Elaine Smith and Human Resources Manager Bernie Wharran.

2. Pledge of Allegiance

3. Moment of Silence

A moment of silence was held to honor American servicemen and -women serving at home and abroad.

4. Approval of the June 14 and 21, 2016 Work Session Minutes and the June 21, 2016 Regular Council Meeting Minutes

Motion was made to approve the minutes as presented. Motion was made by Bill Phillips and seconded by Jeff Starkey. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

5. Presentation: The West Pasco Chamber of Commerce

Victoria Barley presented the Parks and Recreation Youth Advisory Board New Port Richey Parks and Recreation Youth Advisory Board with the 2016 Outstanding Area Youth Organization Award. Members of the Board, Kayla Mulcahy, Jessica Mulcahy, Payton Altman, Chris Hamilton, Eliseo Sanchez and John McMahon addressed Council.

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

Upon opening the floor to Vox Pop, Betty Sasse came forward to thank Council, Mr. Rivera and Chief

Bogart for the new four-way stop sign on Old Main. Don House came forward to express his concerns over being issued a citation as a result of one of his tenants parking on the lawn at his rental property. Mr. House felt it was unfair that he was issued the citation and not the tenant. Mayor Marlowe responded that Mr. House received the citation because he is the property owner.

7 Consent Agenda

Motion was made to accept the Consent Agenda. Motion was made by Bill Phillips and seconded by Jeff Starkey. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

- a Approval of the May 16, 2016 Cultural Affairs Committee Minutes
- b Approval of the May 23, 2016 Environmental Committee Minutes
- c Approval of the May 10, 2016 Parks and Recreation Board Minutes
- d Purchase/Payments for City Council Approval

8 Public Reading of Ordinances

- a Second Reading, Ordinance #2016-2079: Rezoning - Main Street Landing - 5500 Main Street

City Attorney Poblack read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward so Mayor Marlowe returned the floor to Council. Deputy Mayor expressed his concern over the upcoming parking issues that will occur once the retail spaces are up and running. Mayor Marlowe posed the question of how much the current grade will the new parking spaces be sitting at. Mr. Dove with Spring Engineering came forward to state it will be two to two and a half feet above the current grade. Motion was made to approve the ordinance upon its second and final reading. Motion was made by Jeff Starkey and seconded by Judy DeBella Thomas. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

- b Second Reading, Ordinance #2016-2081: Land Use Plan Amendment & Ordinance #2016-2082: Rezoning - Expansion of the James E. Grey Preserve and Associated Transfer of Development Rights

City Attorney Poblack read the proposed ordinances by title only. Upon opening the floor to public comment, no one came forward so Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinances upon their second and final reading. Deputy Mayor Phillips asked for a detail of the City's investment in this project and a timeline for the project. Mayor Marlowe asked Mr. McGurn to come forward to provide an update. Mr. McGurn stated that the plans have been completed and are ready to be submitted to the general contractor. The general contractor will distribute the plans to the sub-contractors for their review. Mr. McGurn stated he is hoping to apply for permits by mid-August. If the permit is received in September then construction will begin immediately with an estimated completion time of fifteen to eighteen months. Deputy Mayor Phillips inquired about the construction of the docks and Mr. McGurn stated that construction would begin on those at a later time. Motion was made to approve the item on its second and final reading. Motion was made by Jeff Starkey and seconded by Judy DeBella Thomas. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

- c First Reading, Ordinance 2016-2087: Amendments to Fertilizer Application Ordinance

City Attorney Poblack read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward so Mayor Marlowe returned the floor to Council. Mr. Rivera stated that the ordinance needs to be updated every five years and that historically the city used the FDEP ordinance as a model for the proposed ordinance. Motion was made to approve the ordinance upon its first reading. Motion was made by Bill Phillips and seconded by Jeff Starkey. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

- d First Reading, Ordinance 2016-2089: Amendments to Florida Friendly Landscaping Practices and Irrigation Systems Ordinance

City Attorney Poblack read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward so Mayor Marlowe returned the floor to Council. Mr. Rivera stated that this ordinance was along the lines of the previous agenda item and needs to be updated every five years and that historically the city used the FDEP ordinance as a model for the proposed ordinance. Deputy Mayor Phillips asked what would happen if the permit was not renewed and Mr. Rivera stated the City would receive fines. Deputy Mayor Phillips inquired about how compliance would be measured and Mr. Rivera stated that the new AMI meters would assist with that information. Motion was made to approve the ordinance upon its first reading. Motion was made by Bill Phillips and seconded by Judy DeBella Thomas. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

9 Business Items

a Consideration of Bid Award 16-014: 2014/2015 US Hwy 19 Center Medians Landscaping Project Phase 1

Mr. Rivera stated that Morelli Landscaping, Inc. submitted the lone bid for this project with a not to exceed amount of \$265,624. Mr. Rivera stated that Morelli Landscaping had worked on several other projects with FDOT and had submitted a letter of recommendation from FDOT for this project. Mr. Rivera stated that having one bidder for this project would not hinder the City's chances to receive additional grant funds. Mr. Rivera stated that Morelli Landscaping had also completed the 2013 Downtown Tree Replacement Project and was completed under budget. Councilman Starkey asked that it will look the same as from the presentation made by the architect last year and Mr. Rivera confirmed that yes it would be similar.

Upon opening the floor to public comment, no one came forward so Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas asked that staff forward a copy of the presentation again to refresh what it would look like. Deputy Mayor Phillips asked that staff connect with Greg Armstrong so that way he is aware of the project plans. Motion was made to approve the item. Motion was made by Jeff Starkey and seconded by Judy DeBella Thomas. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

b Consideration of Approval: Pavement Management Plan and Assessment Methodology

City Manager Manns stated that in the past, road improvements were made by Local Option Gas Tax funds and special assessments which did not have a favorable collection history. Mr. Rivera then made a presentation of the proposed Pavement Management Plan to Council. Mr. Rivera stated that in the past, Council sat at the Board of Equalization to determine how much funding would go towards road improvement projects with typically 50% for a residential street and 65% for a collector road. Mr. Rivera stated that the old process was very long and required assessment rolls to be completed for each project. In turn, roads were deteriorating faster than repairs would be made. Each property owner was assessed and it was not equal for all property owners. Mr. Rivera stated that in the 2015 Roadway Needs Assessment Report, it was determined that the standard design for roads is twenty years and that ride quality drops by 40% once a road reaches 75% of its lifespan. Mr. Rivera stated that with the new program, an Equivalent Assessment Unit (EAU) and Equivalent Residential Unit (ERU) would be created. The EAU would be based on acreage and the ERU on a per trip use. The EAU assessment would be \$46.19 per year and the ERU assessment would be \$36.26 per year for a total non-ad valorem assessment of \$85.42. The annual assessment would collect 1,275,000 annually which when added to LOGT dollars of \$425,000 would total \$1.7 million for the program.

Upon opening the floor to public comment, no one came forward so Mayor Marlowe returned the floor to Council. Motion was made to approve the item. Motion was made by Bill Phillips and seconded by Jeff Starkey. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

c Alcoholic Beverage Special Event Permit - Summer Concert Series

City Manager Manns presented the request from the Holiday Rotary to sell Kraft beer and wine at the remaining concerts in the Summer Sunset Concert Series. Ms. Manns stated that if the agenda item is

approved the Club has offered to make a donation to the Parks and Recreation Summer Camp Program. Upon opening the floor to public comment, Jamie Mick spoke stating that the Trinity Rotary Club was actually the first club approached for this event but they declined. Ms. Mick said the goal was to partner with the City for this event and provide support. K. Vance Ray spoke against the item saying that alcohol should not be served during family events in the park.

Mayor Marlowe closed public comment and then returned the floor to Council. Councilman Starkey suggested to see what the profits will be for this concert and have a nominal fee and then figure a percentage for the remaining two concerts. Mayor Marlowe spoke against the item saying he did not believe that the City should be selling alcohol in city funded events. Councilman Starkey stated he was alright with the item as it is Kraft beer and not a beer truck and he would be alright with however the vote went. Councilman Starkey asked Ms. Mick to return to the microphone to address the size of the tent and Ms. Mick stated it would be very low key and would be small tent and not a huge beer truck and that this is mean to enhance the event. Deputy Mayor Phillips stated he would like to see how this goes as he had heard from people that it would be alright if it was just Kraft beer and wine and this seems to be a very low key event and that it is only for two and a half hours. Councilwoman DeBella Thomas stated that the map showed that the tent would be located on the northwest side of the park so that not everyone will have to pass by the tent as they enter the park. Councilman Davis stated he was concerned about selling alcohol in city events and questioned as to how many other officers would be needed in the park. Chief Bogart stated that this had been reviewed by his staff and only two officers would be needed. Councilman Davis said he would like to look at the project for a one time thing to see how it does and then evaluate it for next year.

Motion made to approve the item under the condition that the sales would be evaluated after the event and then adjusted to a set percentage for the following events. Motion was made by Jeff Starkey and seconded by Bill Phillips. Motion passed 3-2. Ayes: Phillips, Starkey and DeBella Thomas. Nays: Marlowe and Davis.

d Mural Design 5644 Main St.

City Manager Manns presented the agenda item relating to a mural application. Per City ordinance, mural applications are to be submitted to NPRMS for their recommendation. NPRMS has reviewed the design for the mural and have recommended approval of the project. Upon opening the floor to public comment, none came forward and Mayor Marlowe returned the floor to Council. Motion was made to approve the item. Motion was made by Bill Phillips and seconded by Jeff Starkey. Motion passed 5-0. Ayes: Marlowe, Phillips, Starkey, DeBella Thomas and Davis.

e Three-Minute Report: Finance

f Three-Minute Report: Fire and Emergency

10 Communications

Councilman Starkey addressed Mr. Houses's comments during Vox Pop. He stated that Mr. House has had issues with Council in the past. Councilman Starkey stated that when you own the property you are responsible for the property whether there are renters there or not. Councilman Starkey said he was out of town for the event over the weekend but was able to watch the fireworks from one of the stilt houses in the Gulf. He thanked the Port Richey police for handing out Slurpee coupons to the kids in the Harbor Isle neighborhood and for escorting the kids around the neighborhood who were on their bikes and scooters during the recent Fourth of July party.

Councilwoman DeBella Thomas remarked at how beautiful the park looked during the event over the weekend. Councilwoman DeBella Thomas raised concerns over the manhole cover near the entrance to the playground and how it is slick when it gets wet and there was someone who recently almost fell. She also raised concerns about the splash pad surface and suggested that perhaps it needs to be revisited in order to address resurfacing. She thanked the fire department and police department for walking in the crowd. Councilwoman DeBella Thomas stated that GNPRMS is now just NPRMS.

Deputy Mayor Phillips congratulated the city's Trolley Pull team for their win. Deputy Mayor stated he will be out of town for the July 19th meeting. He thanked the Finance Director for her presentation earlier in the evening and that the upcoming budget season will be interesting.

Mayor Marlowe stated he sent the NPRMS Director an e-mail about how nice the event was over the weekend and he hoped that the upcoming jazz concert would be as good as the first concert. The Mayor stated would get over being on the wrong end of a 3-2 vote and he will need to thank Councilman Davis for not having it be a 4-1 vote.

a Discussion: Proposed Ordinance on Noise Standards

City Manager Manns presented to Council a proposed ordinance for discussion relating to noise complaints from downtown businesses and events held in Sims Park. The City Attorney determined that the current ordinance was not enforceable. Staff created the proposed ordinance by reviewing other noise ordinances from other municipalities. The proposed ordinance not only addresses noise levels but also addresses the levels during different times of the day and night. The proposed ordinance also addresses fine amounts. Councilman Starkey stated he was surprised to hear about complaints from special events in Sims Park. Councilman Starkey stated we have to be compassionate for our residents but the Amphitheater has been in Sims Park for a long time. Councilman Starkey stated that it was hard to understand how loud the sound is without actually hearing the sound level. City Manager Manns stated she will bring examples the next time the ordinance is brought before Council. Mayor Marlowe said he was aware of complaints and Deputy Mayor Phillips stated he regularly can hear noise from Gulf Middle. Councilwoman DeBella Thomas stated she lives a few blocks from downtown and after a while it becomes white noise. She stated that it depends on the weather and other factors that can make the sound bounce. Councilwoman DeBella Thomas stated that at times when you are in Cavaliere Square you cannot talk to the person beside you because the noise is too loud.

11 Adjournment

With no other business brought forward the meeting adjourned at 9:37 p.m.

(signed) _____
Judy Meyers, Interim City Clerk

Approved: _____ (date)

Initialed: _____