



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 21, 2017

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, Councilwoman Judy DeBella Thomas, Councilman Jeff Starkey and Councilman Chopper Davis.

Also in attendance were City Manager Debbie Manns, City Attorney Timothy Driscoll, 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 Iezzone, Public Works Director Robert Rivera, Assistant Library Director Ann Scott, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed and Assistant to the City Manager Martin Murphy.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of January 12, 2017 Work Session and February 7, 2017 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

5. Presentation of Healthy Weight Community Champion Award by the Pasco County Health Department

Michael Napier and Deanna Krautner from the Pasco County Health Department presented the City with the Healthy Weight Community Champion Award. City Council, along with Parks and Recreation Director Elaine Smith, accepted the award on behalf of the City.

6. Proclamation - Thomas Dukeman, Eagle Scout

Mayor Marlowe read the proclamation by title only.

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

Mayor Marlowe opened the floor for public comment. No one came forward for public comment, therefore Mayor Marlowe closed Vox Pop.

8 Consent Agenda

Motion was made to accept the Consent Agenda.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

a Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

a Second Reading, Ordinance No. 2017-2104: Six-Month Cannabis Moratorium

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns stated that this ordinance was brought back to Council with a change in the moratorium to be six months. She stated the state has until July 2nd to implement the regulations. She suggested Council propose an eight month moratorium. Councilwoman DeBella Thomas stated that there was care and concern when the adult entertainment ordinance was crafted and that the same care should be used for this ordinance.

Upon opening the floor to public comment, Kerry Shattles came forward and stated that there are good reasons for the city to pursue the tax revenue that would be generated by cannabis cultivated. The tax revenue could also help the homeless families throughout Pasco.

Rachel Nichols came forward to speak and stated cannabis can also promote health and healthy weights. If the moratorium was enacted today it would be in effect long after the July 2nd date.

Doug Bench came forward to state that Council could use his history in order to change their minds. He is a retired municipal judge and sent a lot of people to jail for marijuana crimes. In April 2015 he went to the doctor and was diagnosed with COPD and was given less than two years to live. His wife researched and found that cannabis oil can cure COPD. In February 2017 he was diagnosed as clear of COPD. He stated that education is a major factor.

Denise Houston came forward and stated that the six month moratorium would be sufficient. She stated that she has been getting petitions signed since 2008. She stated it was time for Council to step up and be a voice. She passed out information to Council regarding cannabis. She stated that this is a zoning issue.

Paul Black came forward and stated that he was in support of the eight month moratorium.

With no one coming forward, Mayor Marlowe returned the floor to Council.

Councilwoman DeBella Thomas stated she wanted to clarify that no one is trying to deny anything. She stated that education on the issue needs to be done. If the legislature comes back in July then the city needs to walk through the issues between now and then. The moratorium does not halt any conversations it allows for the time to learn all of the things that will be required to be in place.

Mayor Marlowe stated he looked to see if the legislature had filed any bills yet. He stated that October 3rd is when things will go in effect. He stated that there would be public workshops between now and then. He stated he felt the eight month moratorium was adequate but would support the six month.

Councilman Davis stated that six months would be the end of August for this to be brought back. He stated he would support six month moratorium.

City Attorney Driscoll reminded Council that the ordinance hearings would need to take place plus the item would need to go to LDRB. This is the reason he suggested the year moratorium.

Deputy Mayor Phillips reiterated Councilwoman DeBella Thomas' comments that Council is not against it but it needs to be carefully placed within the city. He stated he believed the ordinance could be done within a six month moratorium. He said it needs to be made available in the city and that tax revenue would be pursued. At the end of the day he wants to make sure that the people who need it will get it properly. He stated he would support six months.

Councilman Starkey stated that he would support a six month moratorium.

Deputy Mayor stated he would like LDRB members to attend the work sessions.

Motion was made to approve the ordinance upon its second and final reading.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 4-1. Ayes: Davis, Marlowe, Phillips, Starkey Nays: DeBella Thomas

b Second Reading, Ordinance No. 2017-2107: Firefighters Pensions & Retirement

City Attorney Driscoll read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council.

Deputy Mayor Phillips stated there were a lot of changes and asked for clarification that the changes in the ordinance were more of a housekeeping and clarification issue. He stated he is very concerned and has stated on numerous occasions that he is concerned with pension funds. City Manager Manns replied that the proposed changes were regarding definitions and were in respect to the legislature and IRS tax code.

Motion was made to approve the ordinance upon its second and final reading.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

c First Reading, Ordinance No. 2017-2108: Amending Section 14-23 of the City Noise Ordinance

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that in November of 2016 a noise ordinance was enacted due to resident concerns of noise levels from entertainment in the downtown area. The ordinance being presented proposes some changes to make it easier to work with. She then introduced Chief Bogart who made a presentation to Council.

Chief Bogart stated since the ordinance went into effect there have been over eighty complaints that have been received. He stated that the original ordinance calls for decibel readings to be taken from the property line. He stated that what is being proposed is still the current use of decimeter but for low level sounds to use human hearing so that if an officer can hear the noise within a hundred feet a citation could be issued. This would also apply to motor vehicles as well.

Upon opening the floor to public comment, Gary Brewer came forward and stated he appreciated the ordinance. With no one else coming forward therefore Mayor Marlowe returned the floor to Council.

Councilman Davis asked before a citation is written would there be a team decision and Chief responded no that it is up to the individual officer. Chief stated readings would be made at one hundred feet or better.

Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

10 Business Items

a VA Land Assembly Agreement

City Manager Manns introduced the item to Council. She stated staff has been working with Mr. Mark Hefferin with E2L Holdings in regards to the redevelopment of the old Community Hospital site in regards to the proposed VA project. She then introduced Mr. Iezzoni who made a presentation to Council. He stated that the Community Hospital site is being reviewed by the VA as a viable site. Staff has been working with the developer, E2L, on the sight analysis for over a year. Mr. Iezzoni then discussed eleven points which would be highlighted in the agreement. The site would be for 17 acres and a 114,000 square foot facility would be built.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council.

Councilwoman DeBella Thomas asked for clarification of the roads on the map that was shown. She asked about what demolition had already occurred. Mr. Iezzoni stated the the behavioral health building would remain.

City Manager Manns stated that the city would be able to present more information after the SFO is released.

Deputy Mayor Phillips stated he had some points he wanted to discuss. Without reviewing the agreement it was a leap of faith to move forward. He thanked Mr. Iezzoni and Ms. Manns for the work they have done on the project so far. He stated that he wanted to see the 800-1,000 jobs that will be created stay in the city.

Mr. Hefferin came forward to address Council. He stated he has been a general contractor for over thirty years. He has worked on large VA projects in Charlotte and in Pennsylvania. He stated Congressman Bilirakis was instrumental in getting the VA to review the city site.

Councilwoman DeBella Thomas asked Mr. Hefferin to clarify his role in the process. Mr. Hefferin stated he only committed to the city to look at the site.

Councilman Starkey thanked Mr. Rivera, Ms. Manns and Mr. Iezzoni for all of the hard work so far. He stated he was excited for the project and he was confident.

Councilman Davis stated it was nice to finally meet Mr. Hefferin after hearing about him over the last several months.

Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

b Consideration of Purchase for Two Wastewater Treatment Plant Return Pumps

City Manager Manns introduced Mr. Rivera who presented the item to Council. He stated the equipment will be used in the wastewater treatment plant. The existing pumps were installed in 1988. No additional adapt kits will be needed for installation. 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 Judy DeBella Thomas and seconded by Chopper Davis. The Motion Passed. 5-0.
Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

c Consideration of Purchase for an Additional LED Video Display Board for Sims Park

City Manager Manns introduced the item to Council. She stated just over a year ago Council approved the purchase of one LED video board for Sims Park. At that time, Council deferred the purchase of an additional board for a year. Since the installation the video board has enhanced the events that have taken place in the park. She stated that Thomas Signs has been willing to honor the original contract pricing that was quoted last year.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council.

Councilman Starkey stated that over a year ago he made a heartfelt speech as to why the signs were important for Sims Park. He stated his expectations have been met with the current sign. He was happy to get one board and is looking forward to getting the second sign.

Deputy Mayor Phillips stated he felt it would balance everything out. He also asked about the sight lines. Mr. Rivera responded that the roots were pruned and the trees were relocated a month ago so they are no longer in the sight lines.

Councilman Davis stated the only things he has seen on the signs are activities that are going on in the park and you have to be in the park to see the advertisements. Mr. Weed replied that the sign is used an enhancement tool and informational guide and cannot be used in any capacity for advertising.

Mayor Marlowe stated he agreed with Councilman Starkey that this should have been done last year.

Deputy Mayor asked if there was any way to reinvestigate to make the sign mobile. Kyle Tobul with Thomas Signs came forward and responded that the cost of the mobile unit would be an additional \$50k in addition to the cost of the screen itself.

Councilwoman DeBella Thomas stated that if you are in the park and an event is going on if the sign was larger you could see better. She stated she did not know if having the board actually enhances the events. To have live feed there are additional needs. She did not know if having a second screen would be the way to go.

Motion was made to approve the item as presented.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 3-2. Ayes: Marlowe, Phillips, Starkey Nays: Davis, DeBella Thomas

d Quarterly Financial Report

City Manager Manns introduced Ms. Feast who presented the item to Council. She stated the purpose of this item was to provide an overview of the financial condition of the city for the first quarter of FY17. She stated the report included balances along with comparisons of budget to actuals, investments and interest earned. 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 Judy DeBella Thomas and seconded by Chopper Davis. The Motion Passed. 5-0.
Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

e Board Re-Appointment: Barbara Sullo, Environmental Committee

City Manager Manns introduced the item to Council. She stated the purpose of this item was to re-appoint Barbara Sullo to the Environmental Committee. City Manager Manns stated that Ms. Sullo

has been a valued member of the committee for many years. If approved, Ms. Sullo's term would expire on February 21, 2019. 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 Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

f Board Re-Appointments: John Grey and Daniel Maysilles, Land Development Review Board

City Manager Manns introduced the item to Council. She stated the purpose of this item was to re-appoint John Grey and Daniel Maysilles to the Land Development Review Board. City Manager Manns stated that both gentlemen been valued members of the board for many years. If approved, their terms would expire on February 21, 2020. 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 Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

g Three Minute Report: Public Works Department

11 Communications

Mayor Marlowe attended the Tampa Bay Water meeting on Monday and was happy to report that the Mosaic sinkhole contamination has not spread. He stated April is water conservation month and requested proclamation.

Councilwoman DeBella Thomas stated she attended the TBARTA seminar last week and the issue was timely because the initiative coming out of the SLC is to work together to advocate transportation issues. On Friday she attended a seminar in Pasadena and the city should look into hosting a seminar. She stated she asked for a copy of the power point from the seminar and would pass it along to be distributed to her fellow Council members when she received it. She stated she was very pleased at the groundbreaking for Main Street Landings on Friday.

Councilman Starkey brought up the Go Fund Me page created by Regan Weiss which has raised over \$6k in one day for bridge lighting. Mr. Rivera stated he was aware of the project. City Manager Manns stated the city would work with the county on the project.

Councilman Davis asked if staff had reached out to the four entities that he requested for the Pavement Management Plan committee. Mr. Rivera stated he has talked with several of them and have reviewed their suggestions. He asked that continual outreach be made to the big commercial businesses in the city.

City Manager Manns invited the public to the Main Street Landings groundbreaking ceremony on Friday.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:47 pm.

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____