



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

March 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 Iezzoni, Public Works Director Robert Rivera, Library Director Susan Dillinger, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed, Human Resources Manager Bernie Wharran and Assistant to the City Manager Martin Murphy.

2 Pledge of Allegiance

3 Moment of Silence

4 Approval of March 7, 2017 Regular Meeting Minutes

Motion was made to approve the minutes 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

5 Proclamation - Eva Franco

Mayor Marlowe presented Eva Franco with a proclamation to commend her for organizing a cleanup effort of three properties along Pine Hill Road.

6 Proclamation - Florida Loquat Day

Mayor Marlowe presented Jon Tietz with the City's Environmental Committee with a proclamation declaring Saturday, April 8th as Florida Loquat Day.

7 Proclamation - Water Conservation Month

Mayor Marlowe read the proclamation declaring the month of April as Water Conservation Month by title only.

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

Mayor Marlowe opened the floor for public comment. Dan Dede came forward to commend the city on the improvements to Sims Park and the paving on Circle Blvd. He stated that since Circle Blvd. became two-way traffic there has been two accidents and increased traffic twofold. He is concerned about the speeding along Circle Blvd. He suggested installing removable speed humps. City Manager Manns stated that a speed study would be done and the results would be brought back before Council. With no one else coming forward Mayor Marlowe closed Vox Pop.

9 Consent Agenda

Deputy Mayor Phillips asked if the financial advisors for the Police Pension Board could be present at the April 4th City Council meeting. He reiterated his concerns that he has expressed previously three times regarding oversight and the management of funds. Motion was made to accept the Consent Agenda.

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

a Library Advisory Board Minutes - November 2016 through January 2017

b Police Pension Board Minutes - January 24, 2017

c Purchases/Payments for City Council Approval

10 Public Reading of Ordinances

a First Reading, Ordinance No. 2017-2111: Refuse Collection Services

City Attorney Driscoll read the proposed ordinance by title only. City Attorney Driscoll noted that there were two revisions to this ordinance earlier today to address hours of pick up in commercial areas and to allow vendors to identify the owner or occupant of the property in their customer lists. He referred Council to the revised ordinance placed at their seats. City Manager Manns stated that this ordinance would require all residents to have refuse service.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Starkey asked for clarification on the disposal service and how it will be enforced. City Manager Manns stated that Code Enforcement and the Residential Inspector will ask for documentation. City Attorney Driscoll stated vendors will need to report quarterly.

Deputy Mayor Phillips stated he agreed with Councilman Starkey how it would be enforced. He would like a better definition of commercial and multi-family areas in the city.

Councilman Davis stated that the city has done a lot with ordinances to better the neighborhoods. He stated he believed that two days were sufficient for pickup. He stated there are two other companies who pickup recyclables on normal trash Thursdays.

Councilwoman DeBella Thomas stated that this ordinance came forth after Progressive did their due diligence that Wednesdays was recycling day. To accommodate Progressive by adding Wednesday we are accommodating residents as well. She stated the Progressive works with other non-profits in the community and that an accommodation should be allotted.

Mayor Marlowe stated the restriction of the commercial pickup times are worth addressing but he agreed with Councilman Davis that a third day was not needed.

Councilman Starkey asked how the companies will be notified. City Manager Manns replied that the companies will be advised of the ordinance pickup times and if complaints come in after the ordinance is in place then citations would be issued. She also addressed the request that all residential properties require waste hauling service. She stated there are approximately 700 homes that currently do not have service and that can create a public health hazard.

Councilman Davis asked if documentation could be provided when water service is requested. City Manager Manns stated that public notice could be given but water service could not be withheld until service is shown. Councilwoman DeBella Thomas stated it is easy to suspend service if a rental property is vacant and proposed to have that responsibility upon the landlord.

Deputy Mayor Phillips stated he would like to have the ordinance tabled until next meeting in order to further read the ordinance and get additional information.

Motion was made to table the ordinance until the April 4, 2017 City Council meeting.

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

- b First Reading, Ordinance No. 2017-2113: Amending Chapter 23 of the City Ordinances Relating to Disposition of Impounded Vehicles

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. 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

11 Business Items

- a Appeal of Order to Demolish - 6143 Cecelia Drive - Freitas Property

City Manager Manns introduced Development Director Lisa Fierce who then made a presentation to Council. She stated that this is an appeal of an order to demolish. The property is located off of Cecelia and contains a home built in 1973. The property was subject to several code cases and has been vacant for years. The structure met three of the criteria under slum and blight. The property owner did file an appeal however the property was sold at a tax deed sale. The new property owner has submitted all the documentation in order to repair the property within sixty days. She stated staff was recommending Council approve ninety days to repair the property.

Carlos Agudo came forward and stated he just bought the property four days ago. He hired a contractor and formulated a plan for the repairs. Deputy Mayor Phillips thanked Mr. Agudo for working so quickly on a plan. Councilman Starkey asked if Mr. Agudo saw the house before he bought it or was it bought online and Mr. Agudo stated he did not know if the house was empty or not so he did not see the back only the front. Councilwoman DeBella Thomas asked what the immediate plan was. Mr. Agudo stated a dumpster would be delivered, the debris would be cleared and then the roof would be repaired.

Wayne and Fran Chamberlain came forward to speak and stated the previous owner was going to replace the roof but that was twelve years ago. Mr. Chamberlain stated the house has been vacant for five to six years. He stated he was inside the home last Friday and it is trashed. Mrs. Chamberlain stated she had helped the previous owner with some of the cleanup in the past. She is concerned about the mold and the rodents inside the home. Councilman Starkey stated that the

conditions are deplorable and no one should have to live next to anything like what was shown in the pictures.

Councilwoman DeBella Thomas asked if Council could receive a progress report before the end of the ninety days and Ms. Fierce replied yes.

Motion was made to approve the item as presented with the condition that thirty day updates would be provided.

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

b Emergency Resolution No. 2017-12: Abatement and Removal of Unsafe Structure at 6821 Garden Drive

City Manager Manns introduced Development Director Lisa Fierce who then made a presentation to Council. She stated that the subject property is on Garden Drive and owned by Ron Howarth. There were two recent fires that damaged the mobile home on the property. The building official deemed it an immediate hazard. Mr. Howarth came into the Development Department and received a demo permit with the condition that work be done as of today. She stated staff is recommending approval of the resolution but asked if it could be put in abeyance for sixteen days so that the other items may be removed.

Mr. Howarth came forward and asked if Council had any questions. He stated there has been twelve arsons in the community in two years and he was the victim of two of them. Mr. Howarth stated he does not agree with staff's recommendation as it is not causing a hazard anymore. There is a garbage company coming on Thursday to remove more debris. He stated his previous permit was for six months. He stated that he feels like he is being singled out and that focus should be on the ones starting the fires and the drug use in the community. He asked for additional time.

Councilman Starkey asked about the RV and Mr. Howarth stated it will be moved to another location outside the city.

Councilwoman DeBella Thomas asked about plans for the property. Mr. Howarth stated he was not sure what his plans are going to be. It may be cost prohibitive to put another mobile home on the property.

Councilman Starkey said the elevation requirement is a FEMA rule and not the city. Mr. Howarth stated that some cities have opted out of the FEMA rule and he would sign a waiver stating there would be no insurance on the property.

Mayor Marlowe asked if the property is in a flood zone. Ms. Fierce replied that yes and if a structure is built it would have to be elevated. Mayor Marlowe stated he was concerned because that whole area is dragging down property values for the whole city. He asked if it can be redeveloped and Ms. Fierce stated that the area has great redevelopment potential as it is water front property.

Councilman Davis asked when the fires occurred and Ms. Fierce replied March 1st and 8th. He asked if the lots were individually owned and Ms. Fierce replied yes.

Councilman Starkey asked if everyone had been through the subdivision and seen what it looks like.

Councilwoman DeBella Thomas asked for clarification on what is to be removed within the sixteen days. Ms. Fierce replied it would be the base that the mobile home sat on as well as the rest of the materials and the RV.

Deputy Mayor Phillips stated he was looking at what the authorization gives to the building official for this emergency procedure. He stated he believes that sixteen days is arbitrary and a little over the top and suggested giving Mr. Howarth thirty days. He asked Chief Fitch if the fires have been determined as arson and Chief Fitch replied yes and they were currently under investigation by the state Fire Marshall's Office.

City Attorney Driscoll then read the resolution by title only. Motion was made to approve the item with the conditions that the items must be removed within thirty days and that Council would receive updated photographs in fifteen days.

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

c Resolution No. 2017-13: Opposition to HB 13 Regarding Community Redevelopment Agencies

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to serve in opposition to HB13 which restricts CRA's to perform within their purpose. Municipalities can establish CRA's for redevelopment of blighted areas. The proposed bill would limit local CRA's.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips stated that CRA's have had a monumental effect on redevelopment in their own backyards. It did not surprise him that on a statewide level to move authority and oversight from local to Tallahassee and then not provide tools. He stated that the City has taken great care to reinvest the dollars back into the community. If the City did not have a CRA back in the economic downturn there are several things that would not have been done. Councilman Davis stated that CRA dollars are reinvested in the community. Councilwoman DeBella Thomas agreed that we should be able to make the decisions for ourselves. Mayor Marlowe stated that our CRA has provided the city an opportunity to improve our community for many years. City Attorney Driscoll then read the resolution by title. Motion was made to approve the item as presented.

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

d Resolution No. 2017-14: Opposition to HB 17 Regarding the Preemption of Municipal Home Rule Powers

City Attorney Driscoll read the resolution by title. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was oppose current legislation which would affect home rule powers. HB17 would preempt local regulation of business and types of businesses. City Manager Manns stated it is staff's perspective that home rule powers need to be protected.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Starkey stated he cannot understand the logic behind this bill as it does not benefit anyone. Councilman Davis added that no two cities look alike. Councilwoman DeBella Thomas stated that she could not understand the logic behind the bill as well. Mayor Marlowe stated that the recently adopted noise ordinance was passed to help residents get sleep and that it was the responsibility of the city to do that and it is not anything anyone in Tallahassee would know or care

about. He stated that if it was the federal government trying to do this it would be the state that would be squawking. He stated that it is very important to make decisions at the local level and not the state. Motion was made to approve the item as presented.

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

e Recommendations for In-Kind Support for Special Events

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve special in-kind services for special events for non-profits. An appropriation of \$50,000 in the City's annual budget is to support in-kind services which are typically fire, police and public safety. The values on matrix were based on gross revenues of the events and the surplus revenue of the organization. Applications were sent out and only three organizations submitted - the West Pasco Chamber of Commerce, Chasco Fiesta, and New Port Richey Main Street. The amounts requested exceeded the amount of funding available to support events so staff developed the following recommendations: Cotee River Bike Fest \$6,000, Holiday Street Parade \$2,000, Chasco Fiesta \$33,000, Cotee River Seafood Fest \$4,000, and Main Street Blast \$5,000 which totals \$50,000. All event organizers have been notified of the funding amounts.

Upon opening the floor to public comment, Steve Schurdell came forward and stated he is involved with several organizations and the only question he had was would there only be three groups that would be benefited. City Manager Manns responded that there were only three respondents. Mr. Schurdell questioned whether or not New Port Richey Main Street submitted an application and City Manager Manns responded yes they did for three events. Mr. Schurdell stated he felt the proportion of funds given to one festival in relation to the other events was overfunded and detrimental to the other festivals. More diverse events could benefit the city. City Manager Manns responded that the consideration for funding was based on several factors including promoting the city as a destination and family friendly events. She also stated that the West Pasco Chamber of Commerce and New Port Richey Main Street receive benefits the other organizations do not. For example, New Port Richey Main Street gets free office space and a paid city position and the Chamber has a very favorable lease as well. With no one else coming forward, Mayor Marlowe returned the floor to Council.

Councilman Davis stated that these type of events are addressed at the TDC. The matrix is opinionated and does not have long range goals. He stated that we should take a look in the budget session and that the process needs more time and work. The TDC works to wean off over a set number of years. He stated the matrix doesn't make sense and that the Coteeman should be listed and the total should be increased to \$62,000.

City Manager Manns stated she wanted to assert the fact that this is an improved process. This is the first time for the application process and if it is determined more money is needed or different distributions need to be calculated it can be done.

Councilman Starkey stated when he thinks of in-kind he sees it is as policing. The more people that attend the events the more policing needed. Bikefest last year needed more police and with more events in the park like the River Lights Boat Parade there needs to be more police. It is a start but there are so many variables to consider when quantifying and putting an amount on each event. He stated there needs to be more funds for Bikefest and the boat parade. It is not a perfect solution but it is a start. He agreed that it needs to be discussed more during budget season.

Councilwoman DeBella Thomas stated the matrix included three events that are for next year's events. She stated that she has lived in city for forty years and about fifteen years ago the process was applications went out and were due back by June 1st so when Council looked at budget over summer the amounts would be included. She stated that she applauded the attempt to put this process in place.

Mayor Marlowe stated he agreed with Councilman Starkey's comments and that the River Lights Boat Parade is one of the signature events like the Chasco boat parade. He stated that the \$50,000 total is

something that needs to be revisited as historically year after year the amount for Chasco comes in at the mid \$30k's and leaves about \$15k for everything else. Although Chasco is a big event there are other events by the Chamber and New Port Richey Main Street that are big items for the city and provide entertainment value. He stated he felt that we were way low on the total and to find additional funds for this year and put into budget the process. City Manager Manns then suggested to fund the events at the 2017 requested amounts.

Deputy Mayor Phillips stated he has been here for sixty years and first of all he had to fight in 2012 for funding as the previous City Manager did not want to fund anything and found \$25,000 for Chasco. This will be the second year for some events to utilize the supersized park. The City goes out of our way to do everything we can for these events and we try to be receptive to all groups. He remembers the budget process where we got the \$50,000 by looking at where the events were from the year before. He stated the matrix included events that were not for this fiscal year so they should be backed out and the money reallocated or not funded at all. This year for Chasco the country concert is the same day as the street parade with the Marine Corps Band and the Clydesdales. The City gets cooperative service from other law enforcement agencies. He stated that funding elements during budget time were conservative and that other groups are welcome to submit their events. It comes to be a business decision at that point. Tourist Development dollars are going to the middle part of the county and not west Pasco.

Councilman Davis stated we should look at a long range plan and to fund the projects between now and end of budet to match what they got last year and not change any amounts.

Councilman Starkey stated events need to be evaluated each year.

Motion was made to approve the item with the conditions that the amounts funded would equal what the events received in 2016 except for the seafood fest which would be funded at \$4,000.

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

f RESTORE Act - Pasco County/New Port Richey Subrecipient Agreement - Consideration for Approval

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 consider for approval the subrecipient agreement. The agreement is a requirement of the City and County in order to receive the funds. The total amount is \$100,000.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips asked for a timeline for the improvements that will take place around Orange Lake and Sims Park Pase II. Mr. Rivera replied that the dredging would begin in July and that everything needs to be approved by the Treasury and would be complete by December. Motion was made to approve the item as presented.

NOTE: **There were typographical corrections made to the agreement by Pasco County after the agenda for this meeting was finalized. The updated agreement is attached to these meeting minutes for the record.**

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

g 2017 City Hall Interior Carpet Removal and Replacement Project - Consideration for Approval

City Manager Manns introduced the item to Council. She stated that the Capital Improvement Budget included funds for improvements to City Hall. This agenda item was for the replacement of carpeting for the first floor of City Hall. Mr. Rivera received a quote for \$81,052.12 for the removal and replacement of the carpet therefore staff was recommending approval from Council to move forward with the replacement of the carpet.

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

h Three Minute Report: Human Resources

12 Communications

Mayor Marlowe stated the contactors did good job on Circle Boulevard however there is already damage to the new asphalt today from the Chasco carnival. There is a candidate forum on Thursday at 6:00 p.m. at People Places and invited people to attend as he and his fellow candidate for mayor share their visions for the city. He stated that he has talked to several people about alleyways and how they are not a big priority and perhaps the Pavement Management Plan Committee could look and see if they can be part of the plan. He stated that homeowners will need to be charged for improvements as some of the alleys are in bad shape. He spoke with residents on Oelsner Street about the problems in their neighborhood as right down the street from their home is a homeless camp and property owned by FDOT where it appears that some shady people are living there since the property is unsecured. This is creating a severe criminal issue west of US19 and we have got to get the County, FDOT and the City of Port Richey on board to cleanup. The County needs to take a lead on the homeless issue by providing housing and services. We cannot have them living in woods as it is dangerous for them and creating problems for us. We need to get Leisure Lane annexed and aggressively look at the criminal activity and housing stock as they are falling apart. The police chief needs the resources to keep at it until it is cleaned up as the Sheriff's Office is incapable to deal with it and the city can as we have more code and police officers per square mile.

Councilwoman DeBella Thomas stated that there is feeding of the homeless on Lincoln across from Beef O'Brady's at 10:00 a.m. every Saturday morning. The City needs to work on getting what we need in place to address that. She applauded the City's smoke cessation program and stated that we need to create a no smoke zone between city hall and the library. She stated she gave a letter from Robert Snead with Sunnybrook Condos to Ms. Manns that applauded the efforts of Sean Howard on March 6th to discuss stormwater issues. She stated that the Rotary Club of Holiday is hosting the street parade this weekend and with it being spring break that they are in need of volunteers and anyone fifteen years old and up who are interested in helping out to meet at the IHOP on US19 at 8:30 Saturday for a free breakfast and then will get their assignments. She thanked Mr. Rivera and his team for the delivery of mulch. She was excited to think that the next Chasco king could pack heat as Police Chief Kim Bogart has been nominated for King Pithla.

Councilman Starkey thanked Eva Franco and the volunteers for their cleanup efforts. He referred to an article in the TB Times about Van Doren and Leisure Lane. If the City annexes that area then we need to be ready to slum and blight it. He stated we need to continue to work with the County to address problem areas. Mr. Howarth's area is a problem area along with so many other pockets west of US19 and we need to continue to address issues and go after the homeless camps that are bringing down the city and be more aggressive with the derelict mobile home parks that are havens for drug addicts and crime. He stated many of the homeless don't want help and just want to panhandle and live in the woods. He stated that the dog park is in bad shape as the dogs rip up grass. He asked that the park be looked at to see what improvements can be made. He stated that he will not be on the Chasco float for

the parade this year.

Councilman Davis stated that in the City Manager's report there was a drawing by Kimley-Horn which depicted some shade structures however the drawing nor the amount quoted for the installation was not even close to what he was proposing during his demonstration at the March 7, 2017 Council meeting.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 9:24 pm.

(signed) _____
Judy Meyers, City Clerk

Approved: _____ (date)

Initialed: _____