REGULAR COUNCIL MEETING

A Regular Council Meeting was held on June 13, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (408) 650-3123 - Access Code: 972-862-069.

President Wilkeson called the meeting to order. Roll call was taken. Present were members Kenneth Burgess, Alan Knight, Charles Proctor, Lance Smith, Jodi Wilkeson and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Utility Director John Bostic, Finance Director Ted Beason, Public Information Officer Kevin Weiss, CRA Director Gail Hamilton, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire, Police K9 Officer Emile Limoges, Police Patrol Officers Seth Healy, Joe Rinaldo, Steven Chimeri and Solomon Maldonado, and Finance Supervisor Jessica Carter.

Pastor David Huff delivered the innovation. The Pledge of Allegiance followed.

1. **MAYOR**

1.1 Flag Day Proclamation

Finance Supervisor Jessica Carter read aloud the Flag Day Proclamation that was presented to Regents of the Echebucassa Chapter NSSDA Vice Regent Marie Wunderlich by Mayor Whitfield.

1.2 Charles Proctor Proclamation

Charles Proctor read aloud a proclamation recognizing Sam Turgeon for his dedicated commitment and contributions to our home town community that was presented to Mr. Turgeon by Mayor Whitfield.

2. **CONSENT ITEMS**

2.1 Appointment of Board Members
2.2 DEP 50/50 Grant – South 301, Wastewater Redevelopment Project
2.3 Public Works Roll-Off Truck Purchase – Florida Sheriffs' Association FSA-VEH18.0
2.4 Request Council Approval for BRW's Change Order #2, Reclaim Water Line Project
2.5 BerryDunn Consulting Contract 37-22-06 Modification

Lance Smith moved to approve the Consent Items. Seconded by Kenneth Burgess. Motion passed unanimously.

3. **BUSINESS ITEMS/PUBLIC HEARING**

3.1 Sarah Vande Berg Tennis Center Housing Developer's Agreement No. 41-22-01 Second Reading **SVB Housing, LLC's Healthier Stay Planned Unit Development (PUD) consists of approximately 10.15 Acres MOL (Parcel No's. 04-26-21-0000-00200-0012 and 04-26-21-0000-00200-0011) and is generally located on the west side of Simons Road, north of Crestview Landing Way. Estimated Population Density of the Development is 6.8 persons per acre. Proposed uses include: a mix of single-family and townhomes at 14.0 units per acre and a maximum height of 2 stories; a 32,235 sq. ft. dormitory building (29 units) with a maximum height of 3 stories; a +/- 22,500 sq. ft. mixed-use medical/office/residential building with a maximum height of 48 feet; and a +/-27,300 sq. ft. Indoor Multi-Purpose Recreation/Tennis Facility with a maximum height of 48 feet.**

City Attorney Matthew Maggard read the Sarah Vande Berg Tennis Center Housing Developer's Agreement No. 41-22-01 by title. A public hearing was held and there were no comments from the floor.

Charles Proctor moved to approve Business Item 3.1 on the Second Reading. Seconded by Alan Knight. Motion passed unanimously.

3.2 First Reading **ORDINANCE NO. 1436-22 – "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF THE CITY OF ZEPHYRHILLS**

PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED."

City Attorney Matthew Maggard read Ordinance No. 1436-22 by title. Historic Preservation Specialist and Community Planner Audrey McGuire said this property consists of approximately five (5) acres located in unincorporated Pasco County in the Joint Planning Area (JPA) on the west side of Chancey Road, east of Kitty Hawk Drive and the Zephyrhills Municipal Airport. The annexation is consistent with Florida Statute 171, is contiguous to City boundaries, is reasonably compact in size, is not part of another municipality and will be utilized for urban purposes. Staff recommended approval. A public hearing was held and there were no comments from the floor.

Kenneth Burgess moved to approve Ordinance No. 1436-22 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

4. <u>UTILITY DIRECTOR'S REPORT</u>

4.1 Raftelis Presentation – Capacity Fees

Utility Director John Bostic introduced Tony Hairston with Raftelis to present a Utility Capacity Fee Study Overview.

Spoke from the floor: Tony Hairston, Vice President Raftelis – 341 Maitland Avenue – Maitland, FL

Mr. Hairston narrated a PowerPoint Presentation stating capacity fees are a one-time fee for additional sewer/water capacity demands associated with new growth and redevelopment that do not apply to existing meter customers. The purpose of capacity fees is to assign the growth-related capital costs to new development with new users paying their fair share of expansion/growth. Mr. Hairston highlighted major assumptions to include water system treatment/production capacity and flow, wastewater system treatment capacity and flow, existing level of service (gallons per day), existing investment in utility assets, planned future investment, a Water and Sewer Capacity Fee Comparison Chart for Single Family Residential and Existing and Proposed Water/Sewer Capacity Fees. He said if Council takes action, they will be helping growth continue to pay its way moving forward.

City Manager William Poe said City staff has had multiple conversations with Jones-Edmunds relating to the Water Use Permit (WUP) inclusive of the number of people per household. The City has 27% water capacity remaining and is working with SWFWMD to justify additional capacity.

Utility Director John Bostic plans to bring a Capacity Fee Resolution to Council on June 27th for implementation October 1, 2022.

5. <u>PLANNING DIRECTOR'S REPORT</u>

5.1 Abbott Square Phase 1A and 1B – Final Plats

Planning Director Todd Vande Berg said the final plats for Abbott Square Phase 1A and 1B located on the west side of Simmons Road that surround the Sarah Vande Berg Tennis Center have been reviewed by staff. Phase 1A is located north of the retention pond abutting the northern edge of the tennis center comprising 101, one-story villa lots. Phase 1B is located south of Phase 1A comprising 65 residential lots. The plats have been reviewed by the City's surveyor of record David Armstrong and are in compliance with Florida Statutes Chapter 177, Part 1. Staff has reviewed the final plats for conformance to the City's Land Development Code (LDC), the City's Subdivision Review Criteria Part 11.03.00 and have determined the infrastructure for both phases are complete and in conformance with the approved construction plans by an engineer of record. There will be no bonding on this project. He said left and right hand turn lanes are currently being placed at the southern entrance south of the Tennis Center.

Lance Smith moved to approve the Abbott Square Phase 1A and 1B Final Plats. Seconded by Kenneth Burgess. Motion passed unanimously.

6. **CITY MANAGER'S REPORT**

6.1 RFQ Branding Selection

City Manager William Poe stated on March 16, 2022, the City distributed a Request for Qualifications through Tampa Bay Times and BidNet Direct for Branding and Marketing Development Services. The Evaluation Committee consisting of Public Information Officer Kevin Weiss, CRA Director Gail Hamilton, Public Works Director Shane LeBlanc, Senior Planner Rodney Corriveau and Intern Tyler Williams met on May 11th to discuss and rank the solicitations received based on written responses. The top five (5) firms were interviewed and a final ranking was created. The City's purchasing department reviewed North Star Place Marketing & Branding's responses and references and confirmed the firm is responsible and responsive. City Manager William Poe recommended Council's approval for staff to begin negotiations with North Star Place Branding & Marketing.

Lance Smith moved to approve negotiations between City staff and North Star Place Branding & Marketing. If an agreement cannot be reached, staff will begin negotiations with the second and third ranked firms, respectively. Seconded by Alan Knight. Motion passed unanimously.

6.2 Hercules Park Construction Management Services RFQ 35-22-02

City Manager William Poe stated on April 10, 2022, the City distributed a Request for Qualifications through Tampa Bay Times and BidNet Direct for Construction Management Services of Hercules Park. The Evaluation Committee consisting of CRA Director Gail Hamilton, Utility Director John Bostic, Public Works Director Shane LeBlanc and Senior Planner Rodney Corriveau met on May 12th to discuss and rank the three (3) solicitations received based on written responses and park development experience as follows: 1). Wharton-Smith, 2). A.D. Morgan, and 3). Phinazee Construction. $1M has been budgeted in FY 21-22 for Hercules Park improvements for a Construction Manager to assist with the design and value engineering. Staff recommended Council's approval of the rankings and direction to begin negotiations with the number one ranked firm, Wharton Smith.

Lance Smith moved to approve staff's recommendation for Business Item 6.2. Seconded by Kenneth Burgess. Motion passed unanimously.

7. **CITY ATTORNEY'S REPORT**

7.1 First Reading **ORDINANCE NO. 1437-22 – "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY INDUSTRIAL-LIGHT TO CITY IN (INDUSTRIAL), AND AMENDING THE ZONING FROM COUNTY L1 TO CITY L1 (LIGHT INDUSTRIAL), FOR PARCEL 18-26-21-0010-01100-0000; PROVIDING FOR CODIFICTION, SEVERABILITY AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1437-22 by title. Historic Preservation Specialist and Community Planner Audrey McGuire said this is a small scale future land use map amendment with a 31 day appeal process after adoption. She said the applicant is requesting a comprehensive plan amendment to change the future land use classification from County Industrial-Light to City IN (Industrial). The future land use classification is consistent with Florida Statutes Chapter 163, the City's comprehensive plan, and the surrounding land uses in the area. The applicant is requesting a zoning designation change from County L1 (Light Industrial) to City L1 (Light Industrial). The request is consistent with the proposed future land use and will not create a spot zone or a situation for premature development. The property is suitable for development with no known wetlands or bodies of water, is not anticipated to have any negative impacts against City or County services, and it not impactful to any natural or historical resources. At the time of development, the applicant is required to work to preserve and relocate known gopher tortoise burrows on site through permitting with Florida Fish and Wildlife. Staff recommended approval.

Kenneth Burgess moved to approve Ordinance 1437-22 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

7.2 First Reading **ORDINANCE NO. 1438-22 – "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A ZONING DESIGNATION CHANGE FROM PUD (PLANNED UNIT DEVELOPMENT) TO C2 (COMMUNITY COMMERCIAL) FOR APROXIMATELY 0.73 ACRES OF REAL ESTATE PROPERTY HAVING THE PARCEL NO. 26-25-21-0130-00000-0130; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1438-22 by title. Historic Preservation Specialist and Community Planner Audrey McGuire said this property is .73 acres located east of US-301 on the north side of Kossik Road that was originally slated for higher density residential as part of the Zephyr Lakes/Abbott Park Planned Unit Development Master Plan. This property was sold to Zephyr Commons, LLC in 2008 and the PUD zoning was not changed. The applicant is requesting to amend the zoning designation from PUD (Planned Unit Development) to C2 (Community Commercial) for consistency with the commercial development to the south, directly to the west, and south side of Kossik Road.

Lance Smith moved to approve Ordinance 1438-22 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

7.3 First Reading **ORDINANCE NO. 1439-22 – "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS CODE OR ORDINANCES SECTION 150.01; AND AMENDING SUB-SECTIONS (C), (E) AND (J) OF SECTION 7.09.16 AND ADDING SECTON (L) REGARDING MINI-WAREHOUSING AND STORAGE UNITS; SECTIONS 2.01.03.12, 2.01.03.15, 2.01.03.17, 2.01.03.18, REGARDING ZONING CATEGORY FLOOR AREA INCREASE OF .5 TO 1.0, AMENDING TABLES 7.01.01 AND 7.02 REGARDING FLOOR AREA RATIO INCREASE OF THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE; PROVIDING FOR REPEALER, CODIFICATION AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1439-22 by title. Planning Director Todd Vande Berg proposed a text amendment to the City's Land Development Code; specifically, Section 7.09.16 which refers to codes and regulations for mini-warehousing and storage units that has become outdated with the dramatic change in the market and architectural/design elements for indoor storage facilities. He provided a brief overview of the proposed amendments to increase the floor area ratio from .5 to 1.0, Table 7.01.01 (density area, height and bulk requirements) and Table 7.02 (development standards for a traditional city center).

Councilwoman Wilkeson directed staff to be cognizant of the location of these buildings as the City moves forward in the process of approving taller buildings.

Alan Knight moved to approve Ordinance 1439-22 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

7.4 Charter Review Committee Resolution No. 793-22
First Reading **RESOLUTION NO. 793-22 – "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE; ESTABLISHING A LIMITED PERIOD OF EXISTENCE; MEMBERSHIP; PROVIDING A STATEMENT OF DIRECTION; SETTING A FINAL COMMITTEE REPORT DATE; PROVIDING FOR REVIEW OF THE FINAL COMMITTEE REPORT AND A DECISION BY CITY COUNCIL ON WHAT RECOMMENDATIONS TO PLACE BEFORE THE VOTERS IN A REFERENDUM; AND PROVIDING FOR AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Resolution No. 793-22 by title. City Manager William Poe said Resolution No. 793-22 names the Mayor and Councilmembers as the Charter Review Committee for a limited period of 365 days or upon the completion of a final report whichever occurs first.

Charles Proctor moved to approve Resolution No. 793-22. Seconded by Alan Knight. Motion passed unanimously.

8. **CITIZEN COMMENTS**

Seth Healy - 6118 8th Street – Zephyrhills, FL

Mr. Healy said he represents the Police Departments Patrolman's Union and thanked the Mayor and Councilmembers for their support in displaying "Back the Blue" signs. He said ZPD's competitors in the area have received raises and as of October 1, 2022, these agencies will surpass ZPD. He asked Council to help the patrol officers make the easy choice to stay with ZPD rather than making a choice between the City they love and feeding their families. In closing, he said you don't wait to pay the power bill until the lights get turned off. He asked Council to help keep the lights on.

MAYOR ANNOUNCEMENTS – Mayor Whitfield thanked the police department for what they do and said Mr. Healy's words will be considered in conversations and deliberations.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe advised he will be out of the office Thursday, June 16th and Friday, June 17th attending the PRM Conference. He said staff is working on the upcoming budget with proposed state revenue numbers anticipated in July. A Budget Workshop will be scheduled with Council.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Proctor thanked the police officers for sitting through the long meeting to speak. He said everyone on Council supports the officers and said they will work together to do their best for all departments. He said the City has amazing employees and the only way you can keep them is to pay them well.

Councilman Knight recognized Finance Director Ted Beason and echoed Councilman Proctor's sentiments.

Councilman Vice President Smith acknowledged the police patrolmen and said Council will do what they can through the budget process and thanked them for sitting through the meeting. He said he has been working with the Utility Director and City Manager to put together modeling for the water system to enter data and run variables looking toward the future.

Councilman Burgess echoed everyone's sentiments. He said he supports the police officers 100% and is concerned with maintaining safety.

Council President Wilkeson echoed what everyone said and thanked Chief Brewer for the action he is taking to protect the citizens of our community. She will be looking very hard at ways to help fund the efforts of the union.

NOTED ITEMS

9.1 Updated Rental Policy for Municipal Buildings, Rental Agreements and Price Lists Effective June 1, 2022

9.2 Bank Deposit Listing

Meeting adjourned: 7:34 p.m.

Submitted by Lori Hillman
(Not Present at Meeting)