

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on September 13, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (872) 240-3212 - Access Code: 562-934-221.

Council President Wilkeson called the meeting to order. Roll call was taken. Present were members Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith, Kenneth Burgess 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, Building Official Bill Burgess, Finance Director Ted Beason, Utility Director John Bostic, Airport Manager Nathan Coleman, Public Information Officer Kevin Weiss, IT Director Mike Panak, CRA Director Gail Hamilton, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire, GIS Technician and Community Planner Kevin Kelley, Finance Supervisor Jessica Carter, Water Treatment Plant Operator Eric Martin and City Clerk Lori Hillman.

Alan Knight asked for a moment of silence in memory of Elaine Benjamin, Adele Lane, and Clay Durrett. Alan Knight delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 DAR Proclamation

City Clerk Lori Hillman read aloud a proclamation honoring the Daughters of the American Revolution. Regents of the Echebucassa Chapter FSSDAR; Vice Regent Marie Wunderlich, and Chapter Members Lisa Summer and Jodi Wilkeson were present to accept the proclamation from Mayor Whitfield.

1.2 Tank of the Year 2021 Runner-Up

City Manager William Poe displayed a picture of the City's logo that was painted on the Reclaimed Water Tank. The artist entered the artwork into a contest and was chosen as the runner up for the 2021 Tank of the Year.

Utility Director John Bostic said the Reclaimed Water Tank needed to be refurbished and suggested the idea of painting the City logo on top for airplanes to view when flying into the airport. The contractor was Razorback, the artist was Eric Penn who travels the country, and the paint supplier was Temac coating.

2. CONSENT ITEMS

2.1 Approval of August 22, 2022 Regular Meeting Minutes

2.2 Award Itinerant Apron Construction Agreement 25-22-05 to C.W. Roberts

2.3 Request Council's Approval on Amendment No. 2 to the SRF Loan Agreement No. WW510531, Advanced Wastewater Treatment Project

2.4 AID Construction Services Task Order for Itinerant Apron

Alan Knight moved to approve the Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 First Reading **ORDINANCE NO.: 1441-22- "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, LEVYING THE MILLAGE RATE FOR FISCAL YEAR 2022-2023 FOR THE CITY OF ZEPHYRHILLS."**

City Attorney Matthew Maggard read Ordinance No. 1441-22 by title. A public hearing was held and there were no comments from the floor. Finance Director Ted Beason stated the millage rate was set at 6.25 mills which is lower than last year's rate of 6.35 with a rolled back rate of 5.8763 mills. The 6.25 millage rate is considered to be a 6.36% increase as computed pursuant to Florida Statute 200.065.

Lance Smith moved to approve Ordinance No. 1441-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

3.2 First Reading ORDINANCE NO.: 1442-22 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, ADOPTING A BUDGET FOR THE 2022-2023 FISCAL YEAR.”

City Attorney Matthew Maggard read Ordinance No. 1442-22 by title. A public hearing was held and there were no comments from the floor. City Manager William Poe presented changes to the July 18, 2022 Draft Budget:

- Added \$10,000 to IT Department to implement NeoGov for HR – online applications and new hire onboarding program;
- Added \$30,000 to Building Department for glass wall dividers to separate the Building Department and Planning Department;
- Added \$50,000 to IT Department to migrate Laserfiche files to Tyler Content Manager Enterprise module;
- Added \$50,000 to Utility Billing for a space needs assessment and possible implementation of revised layout;
- Added \$70,000 to Special Revenue Fund for Police Dispatch Consolidation project;
- Added \$134,248 for increase in 2022-2023 Property & Casualty Insurance Premiums;
- Reallocated \$150,000 from City Yard Building Design to City Yard Fuel Tank Upgrades.

The changes listed above did not change the bottom line of the budget; although, the \$2.75M received for the Indoor Tennis Facility from the Joint Legislative Budget Commission through the State of Florida and Local Spending Initiative will increase numbers in next year's fiscal budget.

Kenneth Burgess moved to approve Ordinance No. 1441-22 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

4. PLANNING DIRECTOR'S REPORT

4.1 Zephyr Storage, LLC Planning Report

Planning Director Todd Vande Berg said the City received a petition submitted by Zephyr Storage, LLC for 3.34 acres of property located off US-301, south of Daughtery Road for an indoor storage facility. The property has two access points, one on Daughtery Road and one on Gall Blvd. The first land use action of annexation will result in the partial removal of an existing Pasco County enclave. The petition meets all annexation requirements found in Florida Statutes Chapter 171.044, is contiguous to the City's boundary limits, is reasonably compact and located within the City / Pasco County Joint Planning Area (JPA). The second land use action proposed is a Small-Scale Future Land Use Map Amendment from County ROR (Retail Office Residential) to City MU (Mixed Use) which would be consistent and compatible with the development trends found in this area. The third land use action proposes rezoning from County C2 (General Commercial) to City C2 (Community Commercial). Staff finds that the proposed zoning is consistent and compatible with the zoning trends in the area. A preliminary traffic study found a future indoor storage facility will generate 18 trips per hour during peak hours with no anticipated impacts to Gall Blvd. or Daughtery Road. Staff is not anticipating water impacts with future development. The property is located within the basin of special concern and will need to be engineered accordingly for retention. There will be no impact to school facilities. The height will be addressed through a Conditional Use that will be brought before Council for review and approval. The Planning Commission voted unanimously to approve the annexation, future land use and zoning with five conditions for approval. The applicant's representative was present to answer questions.

Lance Smith moved to approve Business Item 4.1. Seconded by Alan Knight. Motion passed unanimously.

5. UTILITY DIRECTOR'S REPORT

5.1 Killebrew Change Order No. 1 to Fort King Water Line

Utility Director John Bostic said unknown underground fiber optic cables were found in the limited right-of-way space during construction. An additional 40 days was required to excavate carefully to remove the cables, install the water line and reinstall cables. He requested Council's approval of Change Order No. 1 in the amount of \$162,000. Funding is available in the budget. He clarified a utility locate survey was performed during the construction phase not during the design phase of the project.

Lance Smith moved to approve Business Item 5.1. Seconded by Charles Proctor. Motion passed unanimously.

6. CITY MANAGER'S REPORT

6.1 North Star Place Marketing & Branding Presentation

City Manager William Poe introduced North Star Place Marketing and Branding.

Anita Carter North Star Place Marketing & Branding Presentation

Ms. Carter was joined by colleagues Sam Preston and Taylor Midvey. She said this is a very important moment in time for the City of Zephyrhills with growth accelerating all around. The City needs to define and own their story to attract businesses and people looking for what the City has to offer. A brand helps reflect the City's Mission Statement and the Comprehensive Plan to embrace the City's history. Branding works for a community by making it distinct and ownable. Marketing is about product, place, price and promotion. Community branding is bottling up the passion of our people, staff and community and experiencing a new sense of purpose and direction.

7. CITY ATTORNEY'S REPORT

7.1 First Reading **RESOLUTION NO. 797-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, REPEALING RESOLUTION 739-17 REGARDING THE BUILDING RENTAL POLICY AND SETTING FORTH A BUILDING RENTAL POLICY FOR ALICE HALL COMMUNITY CENTER.”**

City Attorney Matthew Maggard read Resolution No. 797-22 by title. City Manager William Poe said this resolution updates the hours of rental for Alice Hall with a \$250.00 refundable deposit.

Lance Smith moved to approve Resolution No. 797-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

7.2 First Reading **RESOLUTION NO. 798-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, SETS FORTH A BUILDING RENTAL POLICY FOR THE TRAIN DEPOT.”**

City Attorney Matthew Maggard read Resolution No. 798-22 by title. City Manager William Poe said this resolution creates the hours of rental for the Train Depot with a \$250.00 refundable deposit.

Lance Smith moved to approve Resolution No. 798-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

7.3 First Reading **RESOLUTION NO. 799-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS, FLORIDA, INVESTMENT POLICY AND PROVIDING FOR AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Resolution No. 799-22 by title. Finance Director Ted Beason said City Council determines the City's investments and he would like to open the pool to complete funding investments administered by local government.

Lance Smith moved to approve Resolution No. 799-22 on the First Reading. Seconded by Alan Knight. Motion passed unanimously.

7.4 First Reading **RESOLUTION NO. 800-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS, FLORIDA, FISCAL MANAGEMENT POLICY AND PROCEDURE MANUAL AND PROVIDING FOR AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Resolution No. 800-22 by title. Finance Director Ted Beason requested Council raise the \$1,000 capital asset threshold to \$5,000. Staff has discussed this change with the City’s auditors who are in agreement with the proposed change.

Alan Knight moved to approve Resolution No. 800-22 on the First Reading. Seconded by Charles Proctor.

8. **CITIZEN COMMENTS**

8.1 Kim Earle – 37741 Phelps Road (Trotter’s Crossing)

Ms. Earle said she has been attending Council meetings quite often and referred to the flooding events that occurred on July 3rd and again on August 27th and August 28th. She said the event on August 27th was much more horrific than the first event in July. She said SWFWMD told her everything was fine but it obviously wasn’t because it happened again and her property is full of sand. She said she received a call on August 29th from one of Joe Guttuso’s workers who said they were going on her property to try and fix the problem and Ms. Earle told them she didn’t want people on her property when she wasn’t home. She narrated a PowerPoint presentation depicting the rain event that occurred on August 27th and said she will seek legal action to resolve the situation.

Council President Wilkeson asked the City Attorney if there was anything legally the City could do to assist Ms. Earle with the flooding she is experiencing.

City Attorney Matthew Maggard said when stormwater leaves one property and goes onto a neighboring property, it is SWFWMD’s jurisdiction. From a legal perspective other than getting SWFWMD involved to enforce their permits and issuing stop work orders, there is not much the City can do.

Council concurred the City needs to hold the developers accountable.

Spoke from the floor: Joe Guttuso, Director of Land Development for American Homes Development (Trotter’s Crossing) – 2927 Pointview Drive – Tampa, FL

Mr. Guttuso presented a plan of action and said at the present time, they made the pond on top larger and made the temporary berms higher and thicker with double silt fencing. He said the fill on site will filter faster when the water hits the ponds. He said they were using sand fill instead of clay fill.

Civil Engineer Craig Cornelison said he designed the site but is not responsible for day to day operations. He said he was on site today and the contractor has strengthened the berm and the water flowing down is being directed into the pond. He said he believes what happened is the top berm didn’t hold the water that was coming in off Leon Wilson’s property. When complete, the water will flow into the retention pond which is designed to hold 100 years with a pond on the east and west sides. Currently, the contractor is attempting to hold back all the water from the north from discharging which is compounding the problem, the contractor is holding too much.

Councilman Burgess said the bottom line is the project can’t impact other people’s residences and the situation has to be mitigated.

Signed up to Speak from the floor: Francisco E. Alexander, Jr. – 7297 Blade Drive - Zephyrhills, FL in Silverado Ranch

Mr. Alexander said he is the HOA president of Silverado Ranch and has reached out to the CDD and to the City of Zephyrhills Police Department. He said Silverado ranch pays taxes and part of those taxes go to the police and the City of Zephyrhills. He said the CDD says it is a public road, but ZPD says it is a private road. Silverado Ranch has problems with high school kids in the community breaking the pool gate open. He said he spoke to one police officer who

told him Silverado Ranch could enter into an agreement with ZPD and another officer told him the City doesn't enter into agreements. He addressed the heavy traffic going through Silverado Ranch with an intersection at Eiland Blvd. and said there have been at least ten (1) accidents in the last year.

Council President Wilkeson directed Police Chief Brewer address the challenges with Mr. Alexander.

MAYOR ANNOUNCEMENTS – Mayor Whitfield read aloud a letter of accommodation from Charles Henchey for Sanitation Superintendent Bobby Black and requested the letter be entered into Mr. Black's personnel file.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe reminded everyone of the Music and Motorcycles Event September 17, 2022, 4:00 p.m. – 9:00 p.m. and distributed a list of CRA/Public Works/Airport/Utilities projects.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Knight – N/A

Councilman Proctor said he hopes Ms. Earle's issue are resolved.

Council Vice President Smith acknowledged Warren Earle on his 95th Birthday.

Councilman Burgess wished Mr. Earle a happy birthday and said he is as sharp as a tack and keeps Council on their toes.

Council President Wilkeson wished Mr. Earle a happy birthday.

9. NOTED ITEMS

9.1 Interlocal Agreement Penny for Pasco

9.2 KED Agreement No. 41-22-31 One Year Renewal

9.3 Depository Deposit Listing

Meeting adjourned: 7:30 p.m.
Submitted by Lori L. Hillman