

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on October 24, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (408) 650-3123 - Access Code: 524-953-685.

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, Building Official Bill Burgess, Finance Director Ted Beason, Planning Director Todd Vande Berg, Public Information Officer Kevin Weiss, IT Director Mike Panak, Historic Preservation Specialist and Community Planner Audrey McGuire and City Clerk Lori Hillman

Alan Knight delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Special Olympics Proclamation

City Clerk Lori Hillman read aloud a Special Olympics Proclamation that was presented to the Special Olympics softball players and coaches by Mayor Whitfield.

Mayor Whitfield requested a Duke Energy Easement along Fort King Road north of Simmons Road be added to the agenda at the City Manager's request.

Lance Smith moved to accept and add the Mayor's Emergency item to the agenda. Seconded by Kenneth Burgess. Motion passed unanimously.

Councilwoman Wilkeson moved the Penny for Pasco Presentation by Betsy Kuhn following the Consent Items at the City Manager's request.

EMERGENCY ITEM

City Manager William Poe said a pole and guy wire were recently discovered during construction of Simons Road Phase II that needs to be relocated. Duke Energy is requesting a 10' easement on each side of the center line for the pole and guy wire to be relocated to enable a southbound right turn lane from Fort King Road onto Simons Road. Staff recommended Council's approval.

Lance Smith moved to approve the Mayor's Emergency Item. Seconded by Kenneth Burgess. Motion passed unanimously.

2. CONSENT ITEMS

2.1 Wetland Mitigation Ponds \$94,409.35 Change Order with C.W. Roberts for Runway Extension Project

2.2 24-22-02 Joint Participation Agreement (JPA) with the Florida Department of Transportation, FPM: 449733-1-94-01, Contract #G2D46

2.3 24-22-03 Joint Participation Agreement (JPA) with the Florida Department of Transportation, FPN: 451660-1-94-01, Contract #G2D58

2.4 Purchase Kubota Tractor and Bush Hog

2.5 Purchase of Public Works Vehicles

2.6 Annual Street Resurfacing – Polk County Piggyback Agreement 41-22-38 with Asphalt Paving Systems, Inc.

2.7 41-22-39 FY23/24 – Renew of WaterSmart Agreement 41-19-55

2.8 Outdoor Tennis Court Agreement No. 25-22-07 with GPWG Constructors

2.9 Request for Qualifications 35-22-05 Professional Services Selection – City Wide for CRA, Planning, and Public Works

Lance Smith moved to approve all Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

BUSINESS ITEM 6.2 WAS MOVED TO THIS PLACE ON THE AGENDA

6.2 Penny for Pasco Presentation – Betsy Kuhn with Pasco County Schools presented on behalf of the Pasco Citizens Committee.

Ms. Kuhn narrated a PowerPoint presentation of the 2022 Penny for Pasco Renewal Campaign, history of Penny for Pasco and a wide array of projects that have been funded by Penny for Pasco. Penny for Pasco was first approved in 2004 and collected over \$320 million, was renewed in 2012 and is up for a 15 year renewal on the 2022 ballot and is estimated to collect \$700 million, if approved. For the school district alone, Penny for Pasco comprises a quarter of their capital budget. Penny for Pasco is needed to keep Pasco County's quality of life and applies to everyone visiting and/or living in Pasco County rather than falling solely to property owners.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 Second Reading ORDINANCE NO. 1443-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBERS 02-26-21-0010-03600-0000 AND 02-26-21-0010-03600-0010 LOCATED AT 6700, 6712, AND 6718 WIRE ROAD, ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED."

City Attorney Matthew Maggard read Ordinance No. 1443-22 by title.

A public hearing was held and Gwen Stein of 3814 Vulcan Circle, Zephyrhills, FL, expressed concerns of flooding to her property, additional traffic in an area that is already congested, two (2) to four (4) pair of mating tortoises that need to be rehomed, and requested a 15' tree line buffer at her property line.

Council President Wilkeson requested staff obtain Ms. Stein's contact information and facilitate a meeting with the residents of Vulcan Circle and the developers.

Senior Planner Rodney Corriveau stated the site grading will be completed in sections to ensure the top soil is not at risk for erosion. The City's regulations require landscape buffering and the applicant will use the existing natural vegetation. A left turn lane is not warranted although there will be a 15' right-of-way dedication along Wire Road and the applicant will work with Pasco County Fire Rescue to assure proper turning points and length for emergency vehicles.

Councilman Smith directed staff to make sure the project is monitored during construction. He said a sidewalk is needed along Wire Road and suggested staff allocate funding for a survey. He said the City needs to formulate a plan with Pasco County to improve the intersection.

City Manager William Poe said staff is working with Engineer Craig Cornelison and Duke Energy to extend the sidewalk trail to the southern boundary of the substation.

Spoke from the floor: Barbara Edyburn – 38246 Ironwood Place – Zephyrhills, FL

Ms. Edyburn said she lives in Driftwood Condominiums, is on the Board of Directors and requested the entrance to the proposed development be moved further north on Wire Road. She said the entrance to the proposed development is directly across from Driftwood Condominium's Wire Road entry, which is a private road maintained by Driftwood Condominiums. She said people will use Driftwood's private road to cut through to the medical center and they cannot afford road maintenance with all the extra traffic.

Senior Planner Rodney Corriveau said the intersection will be reviewed at site plan review, with Pasco County, and the right-of-way use permit application process.

Kenneth Burgess moved to approve Ordinance 1443-22 on the Second Reading. Seconded by Lance Smith noting the items of concern. Motion passed unanimously.

3.2 Second Reading ORDINANCE NO. 1444-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S

COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP CHANGING FROM COUNTY RES-6 (RESIDENTIAL 6 D/U PER ACRE) TO CITY RU (RESIDENTIAL URBAN) AND THE ZONING DESIGNATION FROM COUNTY AR (AGRICULTURAL-RESIDENTIAL) TO CITY R-4 (HIGH-DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.95 ACRES OF REAL PROPERTY LOCATED ON WIRE ROAD AND APPROX. 1,000 FEET NORTH OF COUNTY ROAD 54 AND HAVING PARCEL NUMBERS 02-26-21-0010-03600-0000 AND 02-26-21-0010-03600-0010 LOCATED AT 6700, 6712, AND 6718 WIRE ROAD, ZEPHYRHILLS FLORIDA 33542; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."

City Attorney Matthew Maggard read Ordinance No. 1444-22 by title. A public hearing was held and there were no comments from the floor.

Lance Smith moved to approve Ordinance No. 1444-22 on the Second Reading noting items of concern from Business Item 3.1. Seconded by Charles Proctor. Motion passed unanimously.

3.3 Second Reading ORDINANCE NO. 1445-22 - "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. 1445-22 by title. A public hearing was held and there were no comments from the floor.

Charles Proctor moved to approve Ordinance No. 1445-22 on the Second Reading. Seconded by Alan Knight. Motion passed unanimously.

3.4 Second Reading ORDINANCE NO. 1446-22 - "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 CLASSIFICATION FROM COUNTY ROR (RETAIL/OFFICE/RESIDENTIAL) TO CITY MU (MIXED USE); AND AMENDING THE CITY'S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM COUNTY C2 TO CITY C2 (COMMUNITY COMMERCIAL), FOR PARCEL 03-26-21-0010-00100-0020; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."

City Attorney Matthew Maggard read Ordinance No. 1446-22 by title. A public hearing was held and there were no comments from the floor.

Alan Knight moved to approve Ordinance No. 1446-22 on the Second Reading. Seconded by Lance Smith. Motion passed unanimously.

3.5 First Reading ORDINANCE NO. 1447-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, A MUNICIPAL CORPORATION, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF THE CITY OF ZEPHYRHILLS DESCRIBED AS PARCELS 03-26-21-0010-05100-0000 AND 03-26-21-0010-06100-0000; IN ACCORDANCE WITH SECTION 171.44, FLORIDA STATUTES, AS AMENDED."

City Attorney Matthew Maggard read Ordinance No. 1447-22 by title. A public hearing was held and there were no comments from the floor.

Councilman Burgess said moving forward, staff needs to make sure to secure what is needed to mitigate traffic concerns, waters concerns, and City service concerns for a maximum density of 20 units per acre.

Council President Wilkeson said Council has been very clear that while Council doesn't mind the high density residential off the major traffic route fronted by mixed use and stores, Council will be looking to the applicant for a negotiated site plan arrangement.

Councilman Smith addressed his concern with the Fort King and Eiland Blvd. intersection and directed staff to make sure there is a dedicated right-hand turn lane with stacking ability for vehicles. He said he likes the idea of many points of access.

Charles Proctor moved to approve Ordinance No. 1447-22 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

4 PLANNING DIRECTOR'S REPORT

4.1 38736 CR 54 Annexation, Land Use Map Amendment, and Rezoning Planning Report

Senior Planner Rodney Corriveau narrated a PowerPoint presentation of a proposed annexation, future land use map amendment and rezoning on CR-54, 1,500 feet east of Wire Road in the Joint Planning Area (JPA) utility service area. The area is contiguous to the existing boundaries, is reasonably compact, not part of another municipality and will not result in an enclave. The future land use map amendment is residential urban which is reflective of the neighboring area of R4 (Multi-Family Residential) zoning, is consistent with the future land use classifications, will not result in premature development and meets the land development code goals for the R4 zoning designation. The project is proposing 14 dwelling units per acre with a height limitation of 30 feet with fee-simple townhomes, not rentals. Pasco County will require improvements to Calumet Avenue in the area that abuts the subject parcel as part of the right-of-way process. The roadway will be improved to the east and will connect to the existing paved area heading east on Calumet Avenue with a right-of-way dedication for the property abutting CR-54. The applicant will install a left-hand turn lane. Planning staff, the Site Plan Review Committee and the Planning Commission recommended approval.

Charles Proctor moved to approve Business Item 4.1. Seconded by Lance Smith. Motion passed unanimously.

4.2 Market at Zephyrhills (Pretty Pond Road & U.S.-301) Final Plat and Subdivider's Agreement 41-22-34

Senior Planner Rodney Corriveau narrated a PowerPoint presentation and displayed a technical plat for a subdivision consisting of five commercial lots. The final plat has been reviewed by staff and the City's surveyor of record to assure conformance with state statutes. The City's engineer of record has reviewed the plat with maintenance and performance bonding and the City Attorney has reviewed this item for legal sufficiency. A mylar and Subdivider's Agreement between the City and the developer were available for signature, if approved, to ensure the infrastructure is sufficiently installed and maintained within the first year. The applicant's representative was present to answer questions.

Lance Smith moved to approve Business Item 4.2. Seconded by Kenneth Burgess. Motion passed unanimously.

5 CITY ATTORNEY'S REPORT

5.1 First Reading ORDINANCE NO. 1448-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT FROM COUNTY RES-6, COUNTY RES-9 AND CITY RU (RESIDENTIAL URBAN) TO CITY MU (MIXED USE), FOR PARCELS 03-26-21-0010-02000-0000, 03-26-21-0010-03600-0000, 03-26-21-0010-05100-0000, 03-26-21-0010-06100-0000; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE."

City Attorney Matthew Maggard pulled Ordinance No. 1448-22 from the agenda.

5.2 First Reading ORDINANCE NO. 1449-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, REZONING THE SUBJECT PROPERTY HEREINAFTER DESCRIBED TO CITY ZONING CATEGORY PUD (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 166, FLORIDA STATUTES; APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN; PROVIDING FOR CODIFICATION, CONFLICT SEVERABILITY, AND AN EFFECTIVE DATE. (EILAND MIXED USE PUD)."

City Attorney Matthew Maggard pulled Ordinance No. 1449-22 from the agenda.

Senior Planner Rodney Corriveau announced several resident that wished to speak on earlier annexations.

Spoke from the floor: Tonya Holman – 37528 Martindale Avenue – Zephyrhills, FL

Ms. Holman addressed the trees that would be cut down, stating there are a lot of trees on the property such as Live Oaks that are protected by the state of Florida and requested Council keep the existing nature instead of clear cutting all the trees. She said she would like Fort King Road widened with sidewalks on both sides. She said she smells sewer when driving around town and if the City can't take care of the sewer pumps they have now, they won't be able to take care of new ones.

Spoke from the floor: Marion Post – 4512 Blossom Blvd. – Zephyrhills, FL

Ms. Post said she brought a number of people with her tonight for support from Orange Blossom Ranch Condominiums, east of Court Street. She said the south side of Court Street is a dirt road, approximately a quarter of a mile, that begins at Palmetto Palm (runs east to west) and ends at Court Street. She said the road forms a boundary between Orange Blossom Ranch and the new units at Walnut Grove. She said she has lived here for 30 years and the dirt road has always been a source of contention with mischief such as drug interactions and drinking. She referred to an incident that occurred a week ago when she work up to gun shots on a Saturday morning. The police were called and bullet casings were found on the dirt road, very close to her fence line in the dumpster area. As a result, people are nervous and frightened to go to the dumpster and walk their dogs after dark. The police officers said the City was responsible for the road and requested lights be installed near the road with more patrols in the area.

Spoke from the floor: Wendy Hardy – 4506 Blossom Blvd. – Zephyrhills, FL

Ms. Hardy said her unit borders the fence and the dirt road and agreed with Ms. Marion's statement of the activity on the quarter mile dirt road. She said there are no lights near the road and at night it is extremely dark. She referred to an incident that occurred on Saturday, October 15th at 1:00 a.m. where she was awoke from a dead sleep to the rapid succession of gun shots. She said she woke her husband up to go outside and he didn't see anything. She said someone in the neighborhood heard the gun shots, called the police, and three Zephyrhills Police Officers arrived. The neighbors came together and were talking to the officers who told the group that the dirt road was the responsibility of Pasco County. She said when the officers left, she grabbed her large LED light and began looking around on the dirt road and saw three sets of bare feet and two casings in the dirt. She picked up the casings, followed the footprints and found more casings for a total of 15 to 20 casings which she marked for the officers to handle. She called the officers and when they arrived, they picked up the casings and said the City was responsible for the dirt road not Pasco County. She asked for clarification on who to call if there are problems, the City or Pasco County. She said the area needs light to illuminate the area to reduce crime.

Spoke from the floor: Public Works Director Shane LeBlanc

Public Works Director Shane LeBlanc said the road they are referring to, Palmetto Palm Drive, is a gray area. He said there is a duke easement, 30 feet of platted right-of-way, running along the dirt road, but said the road is not in the City's roadway network. As a courtesy, the City grades the road to eliminate mud holes for City Sanitation trucks to service dumpsters in the subdivisions. He said people traverse on the dirt road but the road is not wide enough to construct a new road due to insufficient right-of-way for a SWFWMD permit.

Police Chief Derek Brewer – City of Zephyrhills

Police Chief Brewer agreed with the lighting, stating when they look at a neighborhood holistically, they discuss how well the area is lit. He said these people are City residents and he will develop a long-term plan and discuss the plan with Pasco County.

City Manager William Poe said staff understands the concern and will reach out to Pasco County to find a solution.

Spoke from the floor: Steve Harbison - 4548 Blossom Blvd. – Zephyrhills, FL

Mr. Harbison said he is on the Board for Walnut Grove and his priority is the safety of residents. He has addressed this issue for the last four years and with all due respect to Council and Police Chief Brewer, this is the first time he has seen anything done out there period. He said the dirt road goes out onto Court Street and does not have a stop sign. He said when somebody is killed there, we are going to find out who owns the road. There is a lot of activity on that dirt road, furniture on fire, a car on fire, it's just ridiculous. He said the board has spent thousands of dollars to create a gated community and something has to be done. He said he found out through Pasco County that the dirt road was deeded to the community in 1910.

Lance Smith moved to postpone Business Items 5.1 and 5.2 to a date certain of November 14, 2022. Seconded by Charles Proctor. Motion passed unanimously.

6 CITIZEN COMMENTS

6.1 Old School Reggaeton Special Event Alcohol Approval

City Manager William Poe said there are no representatives present from the Old School Reggaeton for the proposed music event at the Z'hills Event Center on November 19, 2022.

Spoke from the floor: Eileen Westermann – 5522 17th Street – Zephyrhills, FL

Ms. Westermann said she began speaking about the clock in Time Square needing some love and care in May 2022. She said Reutimann Racing has offered to repair the base of the clock for free. She received a quote from the original clock company to replace the interior that would come with a warranty but due to the cost, the City Manager said three bids would need to be secured. She started Friends of Time Square, put her money where her mouth is, and submitted two checks for a total of \$3,000 to the City Manager toward the repair of the clock and requested Council make the repair a priority. People have their pictures taken with the clock and said this is an opportunity to promote our City. She addressed the plastic that is failing on the picnic tables in Time Square and requested new picnic tables for people that use the area. In closing she said Zephyrhills is the largest City in Pasco County with an old cemetery and asked what the City had in place for maintenance long-term like cemeteries in New Orleans. She said anyone who takes a tour of the cemetery would receive a good history lesson and questioned if the City preserves historic headstones in the cemetery such as Captain Jeffries.

Mayor Whitfield said the City owns all of the unsold property in the cemetery but once the property is sold, a deed is issued to the owners of the gravesite. The cemetery ordinance states the City is responsible for perpetual care even when it's completely full, the City will have to maintain it. All the roadways are City property.

Mr. LeBlanc said as an update, the City has a full-time Public Works employee at the cemetery 40 hours a week who does a great job maintaining Oakside.

Historic Preservation Specialist and Community Planner Audrey McGuire said something seen a lot with historic cemeteries, and Oakside is a historic cemetery, are graves and headstones not maintained because family members are no longer around to maintain them. Generally, organizations, groups or people will volunteer to clean, maintain and fix headstones.

Council President Wilkeson said she would like to donate to the Friends of Time Square and said she will put her money where her mouth is too. She said headstones are private property so when we talk about perpetual care, that doesn't apply to replacing or maintaining headstones. She said private cemeteries typically provide that level of care to headstones and is paid in the form of a trust fund.

Spoke from the floor: Carey Anne Yager – 5901 Wilson Drive – Zephyrhills, FL

Ms. Yager referred to chatter on the Zephyrhills Community Facebook page relating to the state of Zephyr Park. She said drug paraphernalia has been found in the play area, the homeless population camp out in the park at night and leave their blankets and their bikes around during the day, underage kids harass citizens, and the bathrooms house people under the influence. She suggested coordinating a group of people in the City to clean up the park

quarterly and said this would be the perfect opportunity for a community project with the rebranding of the City.

Councilman Burgess suggested coordinating the Zephyr Park cleanup through the quarterly Community Redevelopment Area (CRA) community cleanups.

MAYOR ANNOUNCEMENTS – N/A

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe said the Economic Summit held on October 19th was a success with great speakers. He introduced Public Information Officer Kevin Weiss who spoke on the community survey for the City’s rebranding.

Spoke from the floor: Public Information Officer Kevin Weiss – City of Zephyrhills

Mr. Weiss said the branding firm, NorthStar Place Branding and Marketing have initiated a community-wide survey. As of 10/24/2022, 748 responses have been received. He said NorthStar looks for roughly one percent (1%) of the City population to participate and currently the stats have quadrupled that percentage and will be open through Friday, November 25, 2022. He encouraged everyone to take time and complete the survey.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Burgess said this Friday night is the homecoming game for the Zephyrhills High School and at half time, long-term coach and athletic director Craig Milburn will be recognized with a dedication of the softball field in his name. He encouraged everyone who played for or coached with Craig to attend.

Council Vice President Lance Smith thanked Ms. Yager for speaking and sitting through a long meeting. He thanked Ms. Yager for coming with a solution to her problem.

Councilman Proctor recognized Lea Tucker for being clean for two years.

Councilman Knight said it’s good to live in a small community and to have citizens who are concerned and bring forth ideas. He recognized Lea Tucker for being clean for two years. He recognized Police Chief Brewer and Public Works Director Shane LeBlanc’s crews for Hurricane Ian services.

Council President Jodi Wilkeson acknowledged Lea Tucker for being clean for two years. She thanked everyone for attending the meeting.

Spoke from the floor: Warren Earle – 3822 Florida Ranch Blvd. – Zephyrhills, FL

Mr. Earle referred to the young lady who made the presentation for the Penny for Pasco and said she did everything right except the very last thing, she forgot to tell everyone where to mark their vote on the ballot. He suggested a metal roof on the restroom building at Hercules Park.

7 NOTED ITEMS

7.1 Depository Deposit Listing

Meeting adjourned: 8:26 p.m.
Submitted by Lori Hillman