

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on April 24, 2023 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (872) 240-3412 - Access Code: 529-466-589.

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

Staff present: Police Chief Derek Brewer, Police Lieutenant Nathan Gardner, Police Lieutenant Matthew Hillen, Public Works Director Shane LeBlanc, CRA Director Gail Hamilton, HR Director Sandra Amerson, Public Information Officer Kevin Weiss, IT Director Mike Panak, Building Official Bill Burgess, Utilities Director John Bostic, Planning Director Todd Vande Berg, Airport Manager Nathan Coleman, Historic Preservation Specialist and Community Planner Audrey McGuire, Senior Planner Rodney Corriveau and City Clerk Lori Hillman.

Senior Code Support Specialist Jacqueline Boges delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Accept the Canvassing of Votes for Mayor.

City Manager William Poe stated the whole number of votes cast was 847 of which Nick Deford received 269 votes, Martin Harm received 76 votes, and Melonie Bahr Monson received 502 votes.

Lance Smith moved to accept the canvassing of vote for Mayor. Seconded by Charles Proctor. Motion passed unanimously.

1.2 Accept the Canvassing of Votes Council Seat 2.

City Manager William Poe stated the whole number of votes cast was 835 of which Wallace Alan Knight received 328 and Steve Spina received 507 votes.

Lance Smith moved to accept the canvassing of vote for Council Seat 2. Seconded by Kenneth Burgess. Motion passed unanimously.

1.2a Accept the Canvassing of Referendum

City Manager William Poe said Referendum Proposition No. 1 PASSED - Yes for Approval was 680 votes and No for Rejection was 131, Referendum Proposition No. 2 PASSED - Yes for Approval was 510 votes and No for Rejection was 307, Referendum Proposition No. 3 PASSED - Yes for Approval was 689 votes and No for Rejection was 129, Referendum Proposition No. 4 PASSED - Yes for Approval was 544 votes and No for Rejection was 253, Referendum Proposition No. 5 PASSED - Yes for Approval was 650 votes and No for Rejection was 131, Referendum Proposition No. 6 FAILED - Yes for Approval was 362 votes and No for Rejection was 431 and did not pass, Referendum Proposition No. 7 PASSED - Yes for Approval was 661 votes and No for Rejection was 122, and Referendum Proposition No. 8 PASSED - Yes for Approval was 595 votes and No for Rejection was 196.

Lance Smith moved to accept the canvassing of vote for Referendum Propositions. Seconded by Kenneth Burgess. Motion passed unanimously.

1.3 City Clerk Lori Hillman Administered the Oath of Office for:

Mayor Melonie Bahr Monson

City Councilman Seat 2 Steven F. Spina, Ph.D.

1.4 Reorganization of Council Officers

Council President

Kenneth Burgess moved Lance Smith be nominated Council President. Seconded by Charles Proctor. Motion passed unanimously.

Council Vice President

Charles Proctor moved Kenneth Burgess be nominated as Council Vice President. Seconded by Steven Spina. Motion passed unanimously.

1.5 Councilmember Liaison Appointments to the Ridge League of Cities, Chamber of Commerce, Main Street Zephyrhills, Metropolitan Planning Organization (MPO) and

Metropolitan Planning Organization (MPO) Alternate and Tourist Development Council (TDC).

Councilman Charles Proctor – Ridge League of Cities, Mayor Melonie Bahr Monson – Chamber of Commerce, Councilwoman Jodi Wilkeson – Main Street Zephyrhills, Council President Lance Smith - Metropolitan Planning Organization (MPO), Councilman Steven Spina - Metropolitan Planning Organization (MPO) Alternate and Council Vice President Kenneth Burgess – Tourist Development Council (TDC).

Jodi Wilkeson moved to approve Councilmember Liaison Appointments as discussed. Seconded by Charles Proctor. Motion passed unanimously.

1.6 Men and Women of the Zephyrhills Police Department "Special Recognition" Proclamation

Police Chief Brewer said he is extremely proud of the incredible men and women that responded to a subject armed with a firearm on April 13, 2023. The subject was in crisis and attempted "Suicide by Cop." The police officers on-scene attempted to deescalate the situation, transitioning to less-lethal use-of-force tactics to temporarily incapacitate the subject. A body cam video of the event was shown. City Clerk Lori Hillman read aloud a Special Recognition Proclamation that was presented to Police Chief Brewer and ZPD officers by Mayor Bahr Monson.

1.7 Special Presentation

Council President Lance Smith recognized Seat 2 Councilman W. Alan Knight and Mayor Gene Whitfield for their nine (9) years of outstanding service to the City of Zephyrhills.

2. CONSENT ITEMS

2.1 Approval of April 10, 2023 Regular Meeting Minutes

2.2 Approval of March 27, 2023 Regular Meeting Minutes

2.3 Jones Edmunds Amendment 1 – TA JE 22-02 North Side Lift Station/Force Main Project

2.4 Memorandum of Understanding #41-23-15 – City of Zephyrhills/Fraternal Order of Police

2.5 Reassignment of JJ Aeronautics, Inc. (Assignor) to Posada Aviation, LLC (Assignee) #29-23-02

Charles Proctor moved to approve all Consent Items. Seconded by Jodi Wilkeson. Motion passed unanimously.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 Florida Water Star – Water Conservation

Second Reading **ORDINANCE NO. 1457-23 – "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, CREATING A NEW SECTION TO CHAPTER 156 OF THE CITY OF ZEPHYRHILLS CODE OF ORDINANCES, SECTION 156.30-156.36 ESTABLISHING FLORIDA WATER STARSM CERTIFICATION REQUIREMENTS FOR NEW CONSTRUCTION; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Matthew Maggard read Ordinance No. 1457-23 by title. City Manager William Poe said this ordinance provides for water conservation and the Florida Water Star Program is estimated to save the City 140,000 gallons of water per day, approximately. This program states what needs to be installed in new and/or existing developments and/or homes such as water and energy efficient appliances, water fixtures, toilets, Florida friendly landscaping and high efficiency irrigation. He said the fifth WHEREAS clause referring to the unregulated negative secondary effects of cannabis dispensing facilities was removed and the reference to Lake Wales in Section 156.32 Definitions (6) and (11) were removed and replaced with the City of Zephyrhills. Council expressed their appreciation to Government Liaison Amber Smith with

SWFWMD who was instrumental in assisting the City to implement the Florida Water Star Program. A public hearing was held and there were no comments from the floor.

Jodi Wilkeson moved to approve Ordinance No. 1457-23 on the Second Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

4. **PLANNING DIRECTOR'S REPORT**

4.1 Blue Triton Annexation – FLUMA – Rezoning Planning Report

Senior Planner Rodney Corriveau narrated a PowerPoint presentation of a three-part petition to include an annexation from County to City, a Future Land Use Map Amendment (FLUMA) from County RES-3 to City Industrial (I) and a rezoning from County R-1 to City Light Industrial (LI). A site location, proposed FLUMA, and Rezoning maps of the subject property were shown. The infrastructure currently exists in the Joint Planning Area (JPA) and Utility Service Area for the proposed annexation which meets Florida Statutes Chapter 171. The subject property is contiguous to existing boundaries, is reasonably compact, is not part of another municipality, will be developed for urban purposes and will not result in the creation of a new enclave. The subject property is consistent with FLU classification for industrial, is consistent with development patterns in the general area, will not result in premature development, and meets Land Development Code (LDC) goals and purposes of the LI zoning district. This project will generate approximately 130,000 additional gallons of water usage per day at full buildout, has been included in the existing Water Use Permit, and meets the de minimis threshold of traffic impacts for additional trucks per day. The Utilities Department has deemed the increase beneficial to the City for an increase to the Water Use Permit with SWFWMD.

Mr. Corriveau stated the applicant held a Community Meeting at the Alice Hall Community Center on January 15, 2023 to address community expansion concerns. Following input from the community, the applicant is proposing a 14' sound attenuation wall to assist in buffering noise between the plant and the neighborhood to the south, will provide enhanced landscape buffering to shelter noise, and a revised site plan to relocate the parking lot and retention pond further north from the existing neighborhood. Staff recommended approval of the Blue Triton Annexation, Future Land Use Amendment and Rezoning application. The applicant's representative was present to answer questions.

Spoke from the floor: Project Manager Luke Schneider – Whiting-Turner Contracting Company – 4300 W. Cypress Street, #1045, Tampa, FL 33607

Mr. Schneider said the initial distance between the property setback and the parking lot was 135' and has been increased to 265'.

A conversation ensued relating to no recommendation from the Planning Commission and the applicant's initiative to work with the neighborhood to the south to mitigate issues. A couple trees will be removed that breach the maximum height allowed in the airport approach zone. Staff received a consensus from the Planning Commission that they have no objections moving forward.

City Manager William Poe clarified the Planning Commission voted to move the project forward at the October 18, 2022 meeting.

Jodi Wilkeson moved to approve Business Item 4.1. Seconded by Charles Proctor. Motion passed unanimously.

4.2 Premium Stone Gallery Warehouse & RV Storage Request for Conditional Use

Historic Preservation Specialist and Community Planner Audrey McGuire presented a Request for Conditional Use to establish an RV Storage facility in the C3 (General Commercial) zoning district with a Future Land Use classification of mixed use as an accessory use to a primary wholesale retail and warehousing business. Ms. McGuire narrated a PowerPoint presentation of the 2.91 acres located at the northwest corner of Tucker Road and 20th Street. She referred to Ordinance 1455-23 that was approved by City Council on February 27, 2023 to

establish a one year moratorium on Indoor/Outdoor Storage and said the moratorium provides an exemption to all pre-application meetings held prior to the effective date. This application is exempt as the applicant held a pre-application meeting with staff on February 8, 2022 and submitted a completed application February 24, 2023. The Future Land Use classifications and zoning designations are compatible with surrounding land uses, the character of the surrounding area is predominately industrial with low-density residential uses, will not present potential conflicts, is consistent with the character and existing land use patterns, will not create excessive traffic, and meets the de minimis traffic threshold. The applicant is required to secure a Pasco County right-of-way use permit, perform a substandard road analysis if connecting to Tucker Road, and perform a driveway entrance and access analysis. The applicant has agreed to install and increase the required landscape buffer along 20th Street to a 20' wide opaque screen buffer in the form of a vinyl fence with a shrub row. Signage and lighting will not adversely affect surrounding areas or vehicular travel. This request is consistent with the LDC, standards for conditional use, Comprehensive Plan, mixed use FLU classification, and C3 zoning. The Site Plan Review Committee and Planning Commission recommended approval with the condition that the establishment of the RV Storage Use be tied to the construction and improvement of the primary wholesale retail/warehouse use onsite. The applicants are proposing a warehouse building of plus or minus 5,000 sq. ft. The applicant's representatives were present to answer questions.

Spoke from the floor: Project Manager & Professional Engineer Matthew Norman – Boggs Engineering – 607 S. Alexander Street, #101, Plant City, FL 33563

Mr. Norman said the number of RVs is contingent upon the size of the storm pond, the paved area will be utilized as parking for the Granite Warehouse Facility Building, the RV area will meet code requirements for a dustless surface, and stated there are no requirements for stall lines in the code. He said the LDC and site permit will dictate requirements to the conceptual preliminary plan submitted moving forward.

A conversation took place regarding the rudimentary conceptual preliminary plan design, the need for additional information, and a request for the existing trees to be shown.

There was a consensus among Council to bring this item back with additional information prior to making a decision

5. CITY MANAGER'S REPORT

5.1 37-23-01 Second Amendment to the Amended Tennis Pro Florida, LLC Agreement

City Manager William Poe said Article 13 of the Second Amendment to the Amended Tennis Pro Florida, LLC Agreement requires that Pascal Collard remain CEO and retain majority ownership of Tennis Pro Florida, LLC and the Operating Manager of SVB Tennis Center. The additional language has been added to transfer the title and duties to Andrew Sorrentino should Pascal Collard become unable to perform the duties as the Director of SVB or become temporarily incapacitated. Staff recommended Council's approval.

Jodi Wilkeson moved to approve Business Item 5.1. Seconded by Kenneth Burgess. Motion passed unanimously.

6. CITIZEN COMMENTS

Spoke from the floor: John Horton – 6118 8th Street – Zephyrhills, FL

Mr. Horton addressed Item 2.4 - Memorandum of Understanding #41-23-15 – City of Zephyrhills/Fraternal Order of Police and asked for a current status on the City's Pay Study.

City Manager William Poe said staff are in the process of submitting information to the company performing the pay study to secure a quote and time frame.

MAYOR ANNOUNCEMENTS – Mayor Bahr Monson thanked the police officers for their service and said she will make sure they are paid what they are worth. She said her dream has been to be Mayor and it is surreal that it has happened. She recognized Dr. Stovall for his support the last eight years and is honored that the citizens have elected her Mayor. She said her door is always open. She said she will serve with the utmost respect with a voice for the citizens. She said her best friend and love of her life, Dennis, has been behind her for the last 30 years and thanked him for his support.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe said the Zephyr Park Public Input Meeting will be held Thursday, April 27, 2023 at 6:00 p.m. at City Hall in Council Chambers. A Community Clean-up will be held Saturday, April 29, 2023, 8:00 a.m. – 3:00 p.m. at Zephyr Park. He provided an update for the Duke Energy Pole on Kossik Road and said he has a call into the County Administrator. He said Governor DeSantis signed Senate Bill 102 into law which allows multi-family rental developments in industrial and/or commercial zoning. He will reach out to the Florida League of Cities to better understand some of the decisions the City may be faced with in the future. He said a \$25,000 Women’s Single/Doubles Tennis Tournament was held at SVB this past weekend with high level competition. He said the SVB Tennis Center received high praise from the United States Tennis Association and members world-wide. He said a Padel Tournament will be held May 5th.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Council Vice President Burgess echoed City Manager William Poe’s comments on the level of competition at the tennis tournament. He congratulated Mayor Melonie Bahr Monson and Councilman, Seat 2, Steven F. Spina, Ph.D. He said Simons Road opened today and recognized the ZPD Police Officers for their impressive efforts.

Councilwoman Wilkeson extended her congratulations to Mayor Melonie Bahr Monson and Councilman, Seat 2, Steven F. Spina, Ph.D. and thanked the City’s brave men and women in blue. She said it is important for the community to support the SVB world class tennis center that is a tremendous economic driver for the community.

Councilman Proctor congratulated Mayor Melonie Bahr Monson and Councilman, Seat 2, Steven F. Spina, Ph.D. After watching the police video, he said money spent for police officer training was worth the expense. He said he would like to increase the police officer’s pay in an effort to retain officers. He said he has been approached by several citizens requesting chicken coops within City Limits.

City Manager William Poe said staff will discuss the issue of chicken coops, create an ordinance, and bring before Council.

Councilman Spina welcomed Mayor Melonie Bahr Monson and said this is not a dream of his and never thought he would be on the other side of the house in local government. He said the best part of his campaign was meeting people and overwhelmingly what he heard was people are concerned with growth, traffic and water. He requested a Workshop be scheduled for May 15th to discuss these issues along with impact fees.

Councilwoman Wilkeson said she would like to address the impact of interest rates, current market conditions, and affordable housing opportunities.

Council President Smith requested to include the impact of SB 102 in the discussion. He thanked the police officers for what they do every day and welcomed Mayor Melonie Bahr Monson and Councilman, Seat 2, Steven F. Spina, Ph.D.

Council concurred to host a Workshop on Monday, May 15, 2023 at 6:00 p.m.

7. NOTED ITEMS

41-23-12 ATS Service Support Agreement

41-23-14 Driftwood Condominiums Hold Harmless and Cost Recovery Agreement

Meeting adjourned: 7:42 p.m.
Submitted by Lori L. Hillman