

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on May 22, 2023 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (872) 240-3311 - Access Code: 776-482-533.

Council President Lance Smith called the meeting to order at 6:02 p.m. Roll call was taken. Present were members Jodi Wilkeson, Lance Smith, Charles Proctor, Kenneth Burgess, Steven F. Spina, Ph.D., and Mayor Melonie Bahr Monson. City Manager William Poe was present. City Attorney Matthew Maggard attended virtually.

Staff present: Police Chief Derek Brewer, Police Lieutenant Nathan Gardner, Public Works Director Shane LeBlanc, Public Information Officer Kevin Weiss, IT Director Mike Panak, Planning Director Todd Vande Berg, Airport Manager Nathan Coleman, Library Director Peggy Panak, Senior Planner Rodney Corriveau and City Clerk Lori Hillman.

Senior Planner Rodney Corriveau delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Officer Howard – Recognition of Retirement

Police Chief Derek Brewer said retirement is an accomplishment but retiring as a police officer is a significant milestone and thanked Officer Howard for his 24 years of service with the City of Zephyrhills. Mayor Melonie Bahr Monson presented Officer Howard with a retirement plaque.

1.2 Carolyn Stoaks – Proclamation of Appreciation

Mayor Melonie Bahr Monson read aloud and presented Carolyn Stoaks with a proclamation of appreciation.

1.3 Public Works Proclamation

Mayor Melonie Bahr Monson read aloud and presented a proclamation to the Public Works Department. Public Works Director Shane LeBlanc commended the men and women of the Public Works Department for the job they do daily during inclement weather.

1.4 Older Americans Proclamation

Mayor Melonie Bahr Monson read aloud and presented Geralyn Fortney, Program Manager with the Area Agency on Aging, with an Older Americans proclamation.

1.5 East Pasco YMCA – Presentation

Operations Director of East Pasco YMCA Alex Delgado expressed his gratitude to the City of Zephyrhills for their partnership and support of the East Pasco YMCA. Alex spoke about members creating healthy habits, swim lessons, drowning prevention programs and the three (3) pillars of the East Pasco YMCA; Youth Development, Healthy Living and Social Responsibility. He recognized Zephyrhills Bottled Water dba Blue Triton Brands for their generous gift of \$5,000 that funded swim lessons for an entire first grade class at Chester Taylor Elementary and an entire third grade class at Tampa Christian Academy. He said the East Pasco YMCA Board consists of nine members and will be increased to 12 to 15 members by August 2023. A 10 week summer program will be held to include 770 children.

2. CONSENT ITEMS

2.1 Appoint New Library Advisory Board Member

2.2 American Infrastructure Development, Inc. (AID) Amendment No. 2 to Task Order No. 2021-01 Itinerant Apron Construction Administration Services

2.3 Approval of B.R.W. Contracting, Inc. Agreement No. 25-23-05 City Sidewalk Project

Jodi Wilkeson moved to approve all Consent Items. Seconded by Kenneth Burgess. Motion passed unanimously.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 First Reading RESOLUTION NO. 816-23 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS; APPROVING A CONDITIONAL USE FOR A RECREATIONAL VEHICLE STORAGE FACILITY IN THE

GENERAL COMMERCIAL (C3) ZONING DISTRICT ON PARCEL 13-26-21-0070-12100-0010; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE.”

City Manager William Poe read Resolution No. 816-23 by title. Planning Director Todd Vande Berg said this item was continued from May 8, 2023 to a date specific to allow the applicant to respond to items of concern. He said business owners were present to answer questions and stated Engineer Matthew Norman with Boggs Engineering attended virtually.

Susan Swift, AICP, Boggs Engineering, LLC – 607 S. Alexander Street, Suite 101 – Plant City, FL

Ms. Swift narrated a PowerPoint presentation highlighting the site plan and conceptual renderings of the proposed conditional use located on approximately three acres. She said the site is a perfect location for the Premium Stone Gallery Warehouse, which is a permitted use, and is conducive for storage in the back to utilize the excess acreage that will not be visible. Properties in the surrounding area are zoned industrial and said recreational vehicle (RV) storage is one of the lowest traffic generators compared to other permitted uses in C3 – General Commercial zoning. The applicant has increased the landscape buffering and fencing around the Premium Stone Gallery Warehouse and RV storage area. She said there is a retention area in the back with a small swale retention area in the front. The benefits of this layout is that it provides good circulation for wide angle recreational vehicles and the building blocks the view of the storage area. The applicants received an Arborist Report that ranked the trees on site from 1 to 6 with no tree above a 3.5. She said there are a ballpark maximum of 66 RV spaces on the conceptual plan and due to the applicant’s commitment to preserve as many trees as possible, the number may change along with the shape of the pond and grading in the detailed engineering phase of the project. She said the proposed conditional use is consistent with the City’s Comprehensive Plan, compatible with the surrounding properties, and compliant with the City’s codes. The applicant has met or exceeded the requirements for buffering and the conditional use criteria. She requested Council’s approval of the RV Storage Conditional Use.

Senior Planner Todd Vande Berg said the applicant will receive credit for the trees that are removed and new trees that are planted. If trees are unable to be located on site, they will be placed in a tree mitigation bank. He referred to the site plan and said the landscape buffer along 20th Street has been expanded to a Type C buffer which is two staggering rows of trees and hedges. He said there is a condition to this resolution that outdoor storage cannot begin until the Certificate of Occupancy (CO) has been received for the Premium Stone Gallery Warehouse. Staff will work with the applicant to maximize tree preservation during the engineering site plan.

Spoke from the floor: Migdalia Carrero, co-owner, Premium Stone Gallery Warehouse, clarified that they are not only focused on recreational vehicle (RV) storage and are looking at all recreational items. She said they are flexible on the number of spaces because they understand Council’s concern to preserve the trees.

A public hearing was held and Geoff Dale of 5730 8th Street, Zephyrhills, FL addressed saving the Oak Trees and said you can’t have parking areas around Oak trees because their roots will create damage by ripping up the parking area.

Kenneth Burgess moved to approve Resolution No. 816-23 on the First Reading. Seconded by Jodi Wilkeson. Motion passed unanimously.

3.2 Second Reading **ORDINANCE NO. 1458-23 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBER 13-26-21-0110-00000-0010 LOCATED AT 4211 AND 4210 BREEZEWOOD DRIVE; 4210 AND 4211 CAMPHORWOOD LANE; 39101 AND 39119 WOODLAND DRIVE, ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED.”**

City Manager William Poe requested this item be continued to a time certain of June 12, 2023.

Charles Proctor moved to continue Item 3.2 to a time certain of June 12, 2023. Seconded by Jodi Wilkeson. Motion passed unanimously.

3.3 Second Reading ORDINANCE NO. 1459-23 – “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-3 (THREE RESIDENTIAL DWELLING UNITS PER ACRE) TO CITY I (INDUSTRIAL) AND THE ZONING DESIGNATION FROM COUNTY R-1 TO CITY LI (LIGHT INDUSTRIAL) FOR APPROXIMATELY 7.640 ACRES OF REAL PROPERTY HAVING PARCEL NUMBER 13-26-21-0110-00000-0010; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.”

City Manager William Poe requested this item be continued to a time certain of June 12, 2023.

Jodi Wilkeson moved to continue Item 3.3 to a time certain of June 12, 2023. Seconded by Kenneth Burgess. Motion passed unanimously.

4. CITY MANAGER’S REPORT

4.1 Discussion to temporarily suspend new residential land use actions: Annexations, Future Land Use Map Amendments, Rezonings, Conditional Uses, Variances, and petitions for Major PUD modifications on property over 1 acre.

City Manager William Poe said at the May 15, 2023 Joint City Council/Planning Commission Workshop, staff was directed to bring back information to consider a temporary suspension for accepting applications for rezonings, major amendments to master development plan agreements, site plan approvals, plat approvals, and variances for residential development to allow time to study the City’s water use permit, Land Development Regulations, and impact fees. In order for a moratorium on development to be valid, the moratorium must be adopted in good faith, for a limited duration, and for the purpose of developing a plan to address a specific issue. Furthermore, local government must act expeditiously to address the issue and hold two properly advertised meetings. Should the City move forward, the meetings would be held on June 12th and June 26th. Staff recommended an ordinance be drafted to temporarily suspend new residential land use applications for annexations, future land use map amendments, rezonings, conditional uses, variances, and petitions for major PUD modifications with the length of temporary suspension to be determined by Council.

Spoke from the floor: Brent Nye – 36712 Covington Road – Dade City, FL

Mr. Nye said he owns Century 21 Bill Nye Realty and Nye Commercial Advisors, employing 15 employees locally. He said these multi-family sites in question take years to bring players to the area, prep for engineering, conduct site work and consult with planning. He said to rip the carpet out from underneath a hand full of developers who have spent millions of dollars would not be fair.

Attorney Len Johnson – 401 E. Jackson – Tampa, FL

Attorney Johnson said he represents Chad Pettinato and David Waronker, who were present, and their various developments. He said he has had discussions with staff and said if the moratorium were approved today, the City would probably not begin pumping water for two years or longer. The City has multiple projects that have been in que for many months, some for a couple of months and they all began on one assumption and spent a lot of money on planners and engineers. In the interest of fairness, if the City chooses to impose a moratorium, he urged Council to impose a moratorium with an effective date of June 12th or on the second reading subject to Council’s desires.

Chad Pettinato - 17802 St. Lucia Isle Drive – Tampa, FL

Mr. Pettinato echoed Lynn Johnson's comments and said he understands something has to happen and requested Council act responsibly to allow time for projects that have been in place for the last two years, who have spent hundreds of thousands of dollars, to get to a point to continue versus abruptly stopping and crushing the investments that have been made since most of these developments are trying to create affordable housing which is needed in this area.

Geoff Dale – 5730 8th Street – Zephyrhills, FL

Mr. Dale referred to a property he owns at 38250 13th Avenue where he has been working with engineers and planning on a site plan for a multiplex. He urged Council to let the projects continue that are currently in the process.

David Waronker – 1870 Beechridge Road – Celebration, FL

Mr. Waronker said he has been developing for 44 years and has been through a few moratoriums which are painful for developers. He said real estate used to be location, location, location and anymore it's now water, water, water. He said he understands the City being proactive with the water situation and issuing a moratorium but said that he wouldn't stop the approval process. He suggested notifying the applicants that there is no water currently, for a clear understanding, and let developers proceed with surveying, engineering, planning, applications, etc. at their own risk. He said he has been involved with Dundee and Haines City in Polk County with water issues and Polk County now has a Tri-County Water Agreement; borrowing water from adjoining cities temporarily. He offered his services, his attorney, and his engineer's assistance to the City.

Councilman Spina said the idea for the moratorium is to allow staff a chance to review the City's water use permit, impact fees, Comprehensive Plan, address density issues, and assess traffic issues. He asked if he was correct in stating that most of the projects being spoke about tonight are within the scope of continuing on.

City Manager William Poe responded to Councilman Spina's question and said at the conclusion of the workshop, the answer would be no because site plans and construction plans had to be approved. Since the workshop, staff held discussions amongst themselves and the development community and have moved the line in the sand to if a project has been submitted to the City, the project can continue to move forward. The City will not accept any new applications. So what staff is proposing tonight, the answer is yes which is different than when we left the workshop. He said staff's understanding following the workshop was all development would be stopped unless they were approved. Tonight, it's a different recommendation. The proposed moratorium would affect residential districts and does not apply to commercial, industrial, or infill projects less than one acre.

Planning Director Todd Vande Berg said if Council are in consensus with the recommendation by staff and the City Manager, staff will bring back a detailed list of every project to-date at the first reading of the moratorium and notify every applicant that has submitted an application to make sure they understand that they would be grandfathered in on the moratorium. He said since the City is in the process of updating their comprehensive plan and Pasco County is also in the process of updating their comprehensive plan, staff will make sure the City is communicating with Pasco County about growth, development, transportation, and water during their visioning in areas of proximity to Zephyrhills.

Council President Smith said if the City moves forward with the Moratorium, there will be a lag in development and suggested staff create a proceed at your own risk comprehensive agreement. He said the City can impose restrictions on development but if Pasco County continues to develop, the City will continue to be impacted by Pasco County's growth.

Councilman Spina said there will be repercussions because we don't know who may have come here and will now go somewhere else and that is some of the risk the City takes.

Councilman Kenneth Burgess said for the last couple of years he has been pushing for growth to slow down, and talking about density. He said he was initially against a moratorium but believes the City is at a point now that a moratorium is necessary. In fairness, Council can consider ways to be fair to developers but Council needs to also consider the 18,000 residents in our community. He said water is our life blood but we still have to deal with traffic, law enforcement, and issues that come with development and all avenues need to be considered.

City Manager William Poe said staff have scheduled a meeting with Pasco County on June 27, 2023 to discuss a potential partnership with water. He clarified that Council is in consensus with staff's recommendation of no new applications for a clear understanding in creating an ordinance.

Councilman Burgess said the City needs to move forward with caution and an understanding that water may not be available.

Councilwoman Wilkeson said an agreement needs to be created for developers.

5. CITIZEN COMMENTS

Geoff Dale – 5730 8th Street – Zephyrhills, FL

Mr. Dale shared an option to create water that is done in Africa, Australia, the UK and hard to reach areas called an atmospheric water generator. He said essentially, a giant generator pulls humidity in and sucks out all the heat, and with the use of filters, the air turns into fresh water.

David Warronker – 1870 Beechridge Road – Celebration, FL

Mr. Warronker referred to the YMCA presentation and Blue Triton Brands donating \$5,000 and said he and his wife will also donate \$5,000.

Warren Earle – 3822 Florid Ranch Blvd. – Zephyrhills, FL

Mr. Earle requested a US-301 update.

Council President Smith said there are two top transportation projects planned for US-301 through the Department of Transportation (DOT); four-laning of US-301 from SR-39 to SR-56, and a multi-laning through Zephyrhills from Eiland Blvd. to SR-39. These projects will not begin until 2028 or 2029.

Devin Alexander – 5327 Tangerine Drive – Zephyrhills, FL

Mr. Alexander suggested Council consider live streaming Council meetings. He said with the City's continuous growth, it is a good opportunity for the City to be more transparent. Studies show live streaming increases transparency with accessibility reaching a wider audience, and provides an opportunity for citizens to potentially invest and learn more about Zephyrhills.

Seth Healy – 6118 8th Street, representing the Zephyrhills Police Officer's Union

Mr. Healy addressed the City Manager and asked if he had an update to the pay study they previously discussed.

City Manager William Poe said he did not and requested Mr. Healy meet with him tomorrow in his office to discuss the Pay Study rather than at a public meeting.

Rosie Paulsen – Rosie Paulsen Enterprises – 4730 Timberway

Ms. Paulsen said the City is experiencing a lot of growth and with the budget process coming up, she would like a Business Liaison position added. A person employed through the City to work with Main Street and the Chamber of Commerce to actively seek quality businesses.

Mayor Melonie Bahr Monson addressed Ms. Paulsen and said there is a program in place through the Zephyrhills Economic Development Coalition that works with the City, Pasco County, and Chamber of Commerce.

MAYOR ANNOUNCEMENTS – Mayor Monson thanked staff and City Council for addressing the issues of growth. She appreciates the City is looking at transportation and water but said the City is going to continue to be boxed in by Pasco County. She said the Military Museum held a Vietnam Veterans' Pinning Ceremony on Saturday and honored in excess of 100 Veterans. The event was attended by Congresswoman Laurel Lee and Executive

Director of the Florida Department of Veterans Affairs General James Hartsell. She thanked the Daughters of the American Revolution (DAR) for hosting the event. She encouraged everyone to attend the Memorial Day event at Oakside Cemetery on Monday, May 29th at 11:00 a.m.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe said the Summer Recreation Program (tennis, swimming, bowling and movies) begins June 5th and runs through July 6th for 120 children, free of charge, 8 - 12. The City has submitted the Water Use Permit (WUP) modification to the Southwest Florida Water Management District (SWFWMD).

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Burgess recognized the Public Works Department, and Senior Planner Rodney Corriveau for delivering the invocation. He said in the 70's they used to broadcast the City Council meetings on the WPAS radio station; must hear radio at the time.

Councilwoman Wilkeson congratulated Devin Alexander who was recently named Treasurer of the Business Professionals of America, a national organization.

Councilman Proctor thanked Devin Alexander for his suggestion to live stream meetings to show transparency and thanked the Public Works Department.

Councilman Spina asked the City Manager when he was going to start the budget process, asked if HR was working on the salary survey, and recommended a Budget Workshop.

City Manager William Poe said department heads will receive budget sheets May 23rd with a return deadline of June 2. He said HR is working on the salary survey and suggested a Budget Workshop be held on Monday, June 5th at 6:00 p.m.

Council President Smith acknowledged Government Liaison Amber Smith with the Southwest Florida Water Management District and thanked Devin Alexander for his live streaming idea. He and Planning Director Todd Vande Berg are coordinating a meeting with DOT to address the traffic signal timing on US-301 and will bring back explanations.

Councilman Spina said the City Manager held his first job at the East Pasco YMCA working the front desk, in the weight room and as a lifeguard.

Meeting adjourned: 7:43 p.m.
Submitted by Lori L. Hillman