

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on February 12, 2024 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (872)-240-3212 - Access Code: 701-535-149.

Council President Lance Smith called the meeting to order at 6:00 p.m. Roll call was taken. Present were members Lance A. Smith, Charles Proctor, Kenneth Burgess, Jodi Wilkeson, Steven F. Spina, Ph.D., and Mayor Melonie Bahr Monson. City Manager William Poe was present. City Attorney Matthew Maggard arrived at 6:12 p.m.

Staff present: Police Lieutenant Nathan Gardner, Police Lieutenant Matthew Hillen, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Utility Director John Bostic, IT Director Michael Panak, Public Information Officer Kevin Weiss, CRA Director Gail Hamilton, Building Official Bill Burgess, Airport Manager Nathan Coleman, Water Superintendent C.J. Funnell, Principal Planner Rodney Corriveau, Water Treatment Plant Operator Eric Martin and City Clerk Lori Hillman.

Principal Planner Rodney Corriveau delivered the invocation. The Pledge of Allegiance followed. Mayor Melonie Bahr Monson asked everyone to keep the son of past Councilman Alan Knight, Joey Knight, in their prayers as he battles health issues. She sent wishes to the family to find strength during this difficult time.

1. MAYOR

1.1 American Water Works Association (AWWA) Florida Section Best Tasting Drinking Water Award

State Chair of the Florida Section of the American Water Works Association Marjorie Craig congratulated the City of Zephyrhills for bringing home the regional and state trophies for the best tasting tap water.

Utility Director John Bostic said staff will travel to Anaheim, CA to compete nationally at the American Water Works Association ACE conference June 10, 2024. He acknowledged the dedication of the City's water operators.

1.2 Award Winners of Photo Contest

CRA Director Gail Hamilton announced the top three winners beginning with 1st Place, Raymond Lester Adams - \$300 (Skydivers), 2nd Place, Pasco County Public Transportation - \$200 (Clock Plaza in Downtown Zephyrhills), and 3rd Place, Michael Claudy - \$100 (Ducks in Zephyr Park). The winning photo will be submitted to the Florida County City Managers Association (FCCMA) for an opportunity to appear on the front cover of the (FCCMA's) Magazine through voting. A link to voting will be available on the City's website.

2. CONSENT ITEMS

- 2.1 Approval of January 22, 2024 Meeting Minutes
- 2.2 Approval of January 8, 2024 Meeting Minutes
- 2.3 Approval of December 11, 2023 Density Workshop Minutes
- 2.4 Approval of December 11, 2023 Meeting Minutes
- 2.5 Approval of November 27, 2023 Density Workshop Minutes
- 2.6 Vortex Task Assignment for Lining of 15,000 Feet of Gravity Sewer Mains
- 2.7 Appointment of Robert Page to the Airport Authority Board
- 2.8 Approval of Task Assignment's with Jones Edmunds for the Water, Wastewater, and Reclaim Water Master Plans and Updates
- 2.9 Duke Energy Electric Vehicle (EV) Agreement No. 41-24-02

Steve Spina moved to approve all Consent Items. Seconded by Jodi Wilkeson. Motion passed unanimously.

3. UNFINISHED BUSINESS ITEMS/PUBLIC HEARING

3.1 Text Amendment to Turning Lane Standards

First Reading **ORDINANCE NO. 1474-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS CODE OF ORDINANCES SECTION 150.01; AND AMENDING TABLE 1 OF SECTION 7.003.01 (SECTION 1) AMENDING THE EXISTING DE MINIMUS AND**

TRAFFIC IMPACT ANALYSIS TRAFFIC STUDY REQUIREMENTS AND (SECTION 10) AMENDING THE TRANSPORTATION MITIGATION (TURN LANE CRITERIA) AND ROADWAY AND INTERSECTION IMPROVEMENTS CRITERIA; PROVIDING FOR REPEALER, CODIFICATION AND AN EFFECTIVE DATE."

City Attorney Matthew Maggard stated in reviewing Ordinance No. 1474-24, two sections of the Land Development Code (LDC) were specifically addressed for amendments to avoid contradictory sections. He requested Council pull this item from the agenda to allow staff additional time and the opportunity to amend the appropriate sections within the LDC.

Jodi Wilkeson moved to remove Business Item 3.1 Text Amendment to Turning Lane Standards from the agenda. Seconded by Charles Proctor. Motion passed unanimously.

4. BUSINESS ITEMS/PUBLIC HEARING

4.1 Amend R4 Zoning Density from 20 units per acre to 14 units per acre

Second Reading **ORDINANCE NO. 1475-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS CODE OF ORDINANCES SECTION 150.01; AND AMENDING SUB-SECTIONS: 2.01.03.06 AMENDING THE MAXIMUM DENSITY IN MULTI-FAMILY RESIDENTIAL (R-4) ZONING FROM 20 TO 14 UNITS PER ACRE; AND TABLE 7.01.01 (DENSITY, AREA, HEIGHT AND BULK REQUIREMENTS) MULTI-FAMILY RESIDENTIAL (R-4) MAXIMUM DENSITY FROM 20 TO 14 UNITS PER ACRE; PROVIDING FOR REPEALER, CODIFICATION AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1475-24 by title. Council President Smith said this ordinance reduces the R4 zoning density from 20 units per acre to 14.

Planning Director Todd Vande Berg said staff is not prohibited from rezoning a piece of property PUD but would not circumvent the straight zoning of R4 and the intent of this ordinance. He said there are two Planned Unit Development (PUD) projects that have submitted preliminary master plans addressing density; Gateway and Eiland and Fort King. He said AdventHealth submitted an application without a site plan, prior to the moratorium, that is in Q. He referred to Abbott Square on Simmons Road as an example of a traditional PUD with a mix of single family, villas and townhomes with a small amount of 40' wide lots.

City Attorney Matthew Maggard said a pending PUD without an approved site plan will come before Council with the density determined at their discretion.

City Manager William Poe referred to a listing he distributed to Council of eleven (11) R4 projects in Q depicted on a map with a proposed number of units.

A public hearing was held and there were no comments from the floor.

Steve Spina moved to approve Ordinance No. 1475-24 on the Second Reading. Seconded by Charles Proctor. Motion passed unanimously.

5. CITY MANAGER'S REPORT

5.1 Chamber of Commerce Grant Agreement No. 41-24-04

City Manager William Poe said the City has collaborated with the Zephyrhills Chamber of Commerce on economic development issues and strategies for a number of years and highlighted the proposed three year agreement's scope of work encompassing short and long-term goals. Staff recommended approval of Chamber of Commerce Agreement No. 41-24-04 for the Zephyrhills Economic Development Coalition.

A conversation ensued around what is happening in local schools that is not reflected in the schools' grades. Zephyrhills High School produced three (3) state legislators; Randy Maggard, Danny Burgess, and Tommy Gregory. The 2024 Teacher of the Year for the entire district was from Zephyrhills High School, Leanne Johns. There are success stories with good things happening in Zephyrhills.

Spoke from the floor: Chairman of the Board Randy Stovall – Zephyrhills Chamber of Commerce and Zephyrhills Economic Development Coalition

Dr. Stovall said a concerted effort was made to add a section on schools to the ZEDC's marketing webpage, Clearly Zephyrhills. The next step will be the addition of trade schools, specifically Kirkland Ranch Academy. He said Kirkland Ranch Academy will be hosting a Job Fair in April with an opportunity for the City of Zephyrhills to participate. He is hopeful local recruitment for employees with the expansion of Professional Hair Labs and the addition of Bauducco Foods will provide motivation for people to stay in the area. ZEDC is currently working with AMSKILLS on an economically viable partnership for recruitment in manufacturing jobs.

Councilman Spina requested the economic branch of the chamber stay uniquely Zephyrhills when the merger with the Dade City Chamber occurs in the summer of 2024.

Kenneth Burgess moved to approve the Chamber of Commerce Grant Agreement No. 41-24-04. Seconded by Jodi Wilkeson. Motion passed unanimously.

5.2 Update on Transportation, Park, Public Safety Impact Fees and Water Use Permit

City Manager William Poe provided an update on the transportation, park, and public safety impact fees. He said the transportation portion of the fees is lower than what is currently charged and a meeting has been scheduled on February 16th to discuss. He presented an update on the modification to the City's water use permit stating a meeting is scheduled for February 19, 2024 between staff and SWFWMD to clarify SWFWMD's request for additional information (RAI) prior to the City's formal submittal.

A discussion ensued regarding lengthy response times to the water use permit modification. Concerns were voiced to hold consultants accountable for the City's looming moratorium deadline and Council's expectations. There was a consensus among Council to invite consultants to the next meeting to present an update. A suggestion was proposed to host a workshop to explain in detail the entire optics of permitting and how it impacts the City.

City Manager William Poe said staff have discussed purchasing capacity from owners of agriculture wells as additional wells will not be permitted within the Hillsborough River Basin. He stated the City is not running out of water, the City is running out of cheap water options. The capacity requested through the modified water use permit covers residential development with additional capacity for industrial use and commercial development. If the City continues providing water within the Utility Service Area, other options for capacity need to be explored.

Spoke from the floor: Utility Director John Bostic – City of Zephyrhills

Mr. Bostic addressed the timing of consultant Jones Edmunds' work stating there is a large amount of information collected from the City and SWFWMD that has to be assimilated and reviewed for accuracy.

6. **CITY ATTORNEY'S REPORT**

6.1 Forest Lake Estates Expansion Utility Service Agreement No. 41-24-03 – Equity Lifestyles/Frontier

City Attorney Matthew Maggard provided a brief synopsis of this property stating utility service discussions began in 2019. A modification to the agreement was made, subsequent to the moratorium, to add language that if the developer prepays 50% of the connection fees, the City will reserve water capacity for five years. If the utilities are constructed to City specifications, and the Utility Department certifies the utility system has been built to City standards, the system will be turned over to the City to provide water and wastewater services. He reminded Council of their decision to approve projects in the works prior to the moratorium, and said this project was in the works and has been included in the modified water use permit.

Spoke from the floor: Attorney Clarke Hobby, Applicant's Representative – Hobby and Hobby PA – 109 N. Brush Street – Tampa, Florida

Attorney Hobby said this project has been in Q for two plus years and is on Jones Edmunds' tracking chart. He said the delay on the project's permitting stems from working with Pasco County on CR-54 permitting and drainage issues.

Kenneth Burgess moved to approve Utility Service Agreement No. 41-24-03. Seconded by Steve Spina. Motion passed, 4-1 opposed Charles Proctor.

7. DEPARTMENT UPDATE

7.1 Utility Department Update John Bostic

Utility Director John Bostic presented a list of Utility Projects greater than \$100,000, costs associated with the department that have increased two-fold over the past five years, personnel costs, and operational costs. The department contributes \$1M annually to the general fund. He said the Wastewater treatment facility has been staffed by two (2) out of five (5) state certified operators needed since August 2022. Since the end of 2019, the WWTP has not been fully staffed and has the potential of becoming a huge problem. He said the last salary survey brought operators up to the area standard in pay. He said he requested and received a reduction in staffing when submitting the last permit renewal from 7 days a week, 16 hours a day to 7 days a week, 12 hours a day. Currently, a salaried employee supplements time to cover employees who call in sick and schedule vacation. A SCADA and Chief Operator position have been open for over a year with no viable applicants applying. The wastewater collection system, water treatment division, and distribution center employees have all taken on a larger service area with additional duties and their time is stretched. As of July 1, 2023, Utility Department employees are classified as First Responders per Florida Statute 403.865. If there is major disaster, hurricane, etc. these employees will be working as essential employees. The Utility Department employees are a great group of people who work every day without recognition.

A conversation ensued around employee qualifications, certifications, cross over skills, on the job training, competitive salary and benefits, and the need to include municipal positions at local Job Fairs.

8. CITIZEN COMMENTS

Spoke from the floor: Kim Earle – 37741 Phelps Road – Zephyrhills, FL

Ms. Earle provided an update to Council on Trotter's Crossing stating she had her water tested and the levels have all risen and was advised to purchase a water filtration system. She said her attorney sent a letter to AMI developers addressing needed repairs and the construction of a swale to divert water that is continuing to drain through the back of her property and she received an 11 page settlement to sign. She said her neighbor's to the east have received an 8' fence paid for by the developer and is not sure why since they received no property damage. She said Joe with AMI told Council that the buildings would go vertical in January, this is February, and they haven't poured a footer or foundation.

City Manager William Poe said Mr. Earle's neighbors to the east negotiated with the developer as part of the rezoning of the property prior to construction. He said the planning department is currently in the process of reviewing the plat for Trotter's Crossing which has to be approved before they can go vertical.

City Attorney Matthew Maggard said water issues fall under the jurisdiction of the Southwest Florida Water Management District (SWFWMD). SWFWMD is fine with the construction and design of mitigation for water leaving the property. He said negotiations between AMI and Ms. Earle are private and the City does not have an opinion.

Spoke from the floor: Building Official Bill Burgess – City of Zephyrhills

Mr. Burgess said typically the silt is cleaned out of the pond at the end of the project to enable the pond to operate as designed. He said 25% of the water will drain around the property (historic flow) and the engineer will sign off on the stormwater upon completion.

Spoke from the floor: CEO Chamber of Commerce Vicki Wiggins – 38550 5th Avenue – Zephyrhills, FL

Ms. Wiggins thanked Council for their support of the Pigz in Z'hills and the approval of the ZEDC agreement. She congratulated Councilman Proctor for his win in the hog calling contest. Councilman Proctor challenged Vicki Wiggins to a hog calling contest next year.

MAYOR ANNOUNCEMENTS – Mayor Melonie Bahr Monson acknowledged the police department staff and Lieutenant Hillen and Lieutenant Gardner personally for their recognition and respect for Sergeant Dixon. She said the honor guard representation was touching. She thanked the judges of the Kids Grilling Competition, Public Works Department for the event cleanup and the police department for being on site to ensure safety.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe thanked City personnel for their assistance with the BBQ & Blues event and reminded those in attendance of the renaming of Ellis Harrold Park on Wednesday, February 14, 2024 at 12:15 p.m. There was a consensus among Council to hold a Mayor's Caucus on Tuesday, February 20, 2024, 5:30 p.m. to accept candidate petitions. Mr. Poe distributed four renderings and a floor plan dimension for the Sarah Vande Berg Indoor Tennis Center. He provided a brief history stating the design has changed three or four different times and the contractor has cost priced the project several different times. He said a block building cannot be built and no one wants a dome building so a pre-engineered metal building will be purchased. He referred to the two additional courts and said a bid alternate would be prepared for the court only surface to be paved, another bid alternate would be prepared for the court to be covered, and another bid alternate would be prepared for four additional hard courts to be placed on the northern side of the complex.

A conversation ensued around the orientation of the building in relation to Simmons Road, the height of the building, preservation of existing trees, time and money constraints, lack of parking, building facade, building location, removal of four tennis courts, cost of metal building, design the building to add a facade at a later date, estimated cost based on rendering, square footage and the possibility of approving something that could have unintended circumstances.

Spoke from the Floor: Public Works Director Shane LeBlanc – City of Zephyrhills

Mr. LeBlanc said the City has received a one year extension from the state to complete the indoor tennis center and said the City is working one year behind. He said the pre-engineered metal building has a long lead-time of about six months from the time the building is ordered which increases the time-line. He said if the site is moved, the stormwater will have to be assessed by a Civil Engineer because the site, where the four future courts are slated, is part of SWFWMD's permit for impervious surface. He added the building pad was also built up will fill instead of being exported.

City Manager William Poe recommended Council place the building on the piece of land negotiated with the Lovinger Group and place the four additional hard courts on the northern piece of property. He requested a consensus from Council to approve the design to move forward to meet the state appropriations deadline of June 30, 2025 and requested a consensus from Council to enclose one court.

A consensus was reached among Council to move forward with the 11,000 sq. ft. building and have future conversations on the location, parking and elevation, not to exceed the budget.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Council Vice President Burgess said Sergeant Dixon's funeral was very touching and moving.

Councilwoman Wilkeson said Sergeant Dixon's funeral was moving with the motorcade. She said every motorcycle was parked perfectly with helmets ready to take him to his permanent resting place. She thanked the Pasco County Sheriff's Office who took Police Chief Brewer and his team's vision to fruition. She thanked the team who put together Pigz in Z'hills that was a great success.

Councilman Proctor thanked the police department and public works department for their efforts with the Pigs in Z'hills event and said everything was nice and clean the next morning.

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Councilman Spina spoke about leadership in the Police Department. He said the police department is a paramilitary organization and he was moved to see the compassionate side of the Police Chief and police officers. Police Chief Brewer was the conduit for Peggy Dixon, Sergeant Dixon's wife; Lt. Gardner worked with the Honor Guard and Lt. Hillen held it together while delivering a speech about a friend he loved. The department relied on each other and pulled together.

Council President Smith said the ceremony and memorial was very respectful and healing. He met with staff and representatives from the University of Florida to discuss ways to conserve irrigation water. He said young people today are looking for work at home jobs, it's a changing job world.

Meeting Adjourned: 8:42 p.m.
Submitted by Lori L. Hillman