

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on June 24, 2024 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (408) 650-3123 - Access Code: 835-642-549.

Council President Kenneth M. Burgess, Jr. called the meeting to order at 6:23 p.m.

Roll call was taken. Present were members Kenneth Burgess, Steven F. Spina, Ph.D., Lance A. Smith, Charles Proctor and Mayor Melonie Bahr Monson. Jodi Wilkeson was absent. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, CRA Director Gail Hamilton, Utility Director, IT Director Mike Panak, Public Information Officer Kevin Weiss, Historic Preservation Specialist / Community Planner Hunter Gearhart, Planning Director Todd Vande Berg, Code Enforcement Officer Joel Bacon, Enforcement Officer Mike Sutton, Principal Planner Rodney Corriveau, Airport Manager Nathan Coleman, Utilities Director John Bostic, Public Works Director Shane LeBlanc, Building Official Bill Burgess, HR Director Sandra Amerson, Deputy City Clerk Ricardo Quiñones and Airport Executive Assistant Lucy Huber.

Principal Planner Rodney Corriveau delivered the invocation. The Pledge of Allegiance followed.

1. CONSENT ITEMS

1.1 Approval of Agreement Extension With Vortex Services

1.2 Hazmat Mitigation Grant No. 24-24-05 - 10 Emergency Lift Station Generators

Steven Spina moved to approve all Consent Items. Seconded by Charlie Proctor. Motion passed unanimously, 4-0.

2. BUSINESS ITEMS/PUBLIC HEARING

2.1 AdventHealth Future Land Use and Rezoning

First Reading **ORDINANCE NO. 1480-24 - "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 P/SP (PUBLIC/SEMI-PUBLIC) AND MU (MIXED USE) TO RU (RESIDENTIAL URBAN); AND AMENDING THE CITY'S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM PUD (PLANNED UNITED DEVELOPMENT) AND OP (OFFICE PROFESSIONAL) TO PUD (PLANNED UNIT DEVELOPMENT), FOR A PORTION OF PARCEL 35-25-21001008500-0010; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1480-24 by title.

Planning Director Todd Vande Berg provided background for this item including conditions that will be added.

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

Discussion was had by Council about the project density and traffic issues that may be incurred.

Todd Vande Berg said a roundabout is planned for installation at the intersection of Pretty Pond and Wire Road.

City Manager William Poe added that the roundabout should be completed before construction on this project begins.

Steven Spina asked what we can do if the builder is not meeting the design standards set by the Council.

Todd Vande Berg responded that if the City meets with the builder and contractor early on then these conditions can be reiterated.

Steven Spina asked about the current policy on tree preservation and if the builder could put money into a fund, which was confirmed.

Discussion continued around the traffic study, tree preservation and conceptual design plans.

Steven Spina questioned the maximum number of units per acre.

Matthew Maggard clarified that the studies may show that the ponds may need to be bigger and with the mitigation of the trees the builder might lose some space as well, the total number of units might be lower than expected.

City Attorney Matthew Maggard also clarified that the Ordinance being considered has

language describing what conditions would be required for any potential buyer.

Lance Smith moved to approve Ordinance No. 1480-24 on the First Reading. Seconded by Kenneth Burgess after temporarily transferring his title to Charlie Proctor.

Joel Tew, land use consultant for Advent Health, spoke from the floor. He explained that the applicant has worked diligently for a year to ensure that this ordinance can move forward to allow them to bring the parcel back to market with the new zoning. This would allow the hospital to liquidate an asset and keep the funds in this community for capital improvements in the hospital.

Motion failed, 2-2 with Steven Spina and Charlie Proctor being opposed.

Joel Tew asked if the applicant can request that the Ordinance be brought back for first reading when all Council members are present. City Attorney Matthew Maggard confirmed that the applicant could. Joel Tew requested on behalf of the applicant that this be brought back with a full Council.

Discussion was had regarding the site plan, unit density, tree preservation and what conditions would be acceptable to move forward.

Council President Kenneth Burgess resumed meeting duties and asked City Attorney Matthew Maggard would this item be able to come back as a first reading.

Matthew Maggard confirmed that yes it would come need to come back as a first reading and clarified that any design plan at this point in the process would likely differ as the current plan is a conceptual possibility.

Steven Spina expressed a desire to see a site plan with more clarity on how the trees would be preserved. He stated too many developers have torn down trees, planted some great myrtles and put money into a tree fund. This changes the character of the natural attributes of the community. Spina continued, that he can live with the turn lanes and roundabouts as a solution to traffic concerns, but we (the city) need to start holding our ground on how we want things to look.

Joel Tew responded that the City Council has site plan control and can work with the proposed buyer or developer to customize the final look but expressed his confusion as to why City Council wants the applicant to provide those details now when there is not buyer or developer at this time.

Discussion was had around the unit density that would be allowed if this ordinance passed, versus what the current zoning allows and tree preservation.

Todd Vande Berg stated that once a builder is selected, during the pre-application meeting we can inform them that we will not be able to move forward until we see engineering reports and a preliminary final development plan that shows where the trees and buildings will be located. If the Council is not satisfied with what the builder or developer presents, they can request changes be made.

William Poe added, reading from the ordinance that the max units allowed is 252. They will not be able to exceed that amount.

Matthew Maggard added that council concern where considered and specific language was added to the ordinance to address tree preservation and unit density.

Steven Spina said his concern was the parcel's character, taking into consideration the trees and slope of the land. He does not want it to end up looking like the project on 8th Street. He stated that the property had many trees on it and that in that project the builder removed all the trees. Similarly, builders on Pretty Pond and 301 also removed all the original trees.

Matthew Maggard responded that the ordinance specifically states that any developer will need to follow the city's tree preservation and mitigation ordinance.

Steve Spina said he will get staff to fast track the tree ordinance to ensure we have stronger tree regulations in place.

Discussion was had which concluded in recognizing the motion had failed but that the applicant would bring this back after concerns brought up by council were addressed.

Council President Kenneth Burgess thanked Council for their comments and those in attendance for their patience as they discussed this item.

2.2 Live Local Act Property Tax Exemption - Electing To Not Exempt Property Under Section 196.1978(3)(d)1.a., Florida Statutes

First Reading **RESOLUTION NO. 824-24 - "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, PURSUANT TO SECTION 196.1978(3)(o), FLORIDA STATUTES, ELECTING TO NOT EXEMPT PROPERTY UNDER SECTION 196.1978(3)(d)1.a., FLORIDA STATUTES,**

COMMONLY KNOWN AS THE “LIVE LOCAL ACT PROPERTY TAX EXEMPTION.”

City Attorney Matthew Maggard read Resolution No. 824-24 by title. A public hearing was held and there were no comments from the floor.

William Poe summarized the memo attached to resolution No. 824-24 and discussion was had.

Lance Smith moved to approve Resolution No. 824-24 on the First Reading. Seconded by Charlie Proctor. Motion passed unanimously, 4-0.

3. AIRPORT MANAGER'S REPORT

Airport Manager Nathan Coleman provided an update to the City Council on current airport projects including;

- Construction of Taxiway Foxtrot
- Runway 119 rehabilitation
- Construction of two new Box Hangers

Discussion was had regarding the demand for additional hangers and the phasing out due to funding availability for the projects.

Council gave consensus to proceed.

4. CITY MANAGER'S REPORT

1.1 ZEDC Update - Dr. Randy Stovall

Dr. Randy Stovall spoke from the floor and gave an update for this quarter to the city council.

1.2 Code Enforcement Update

Building Official Bill Burgess introduced the update that will present statics on Zephyrhills Code Enforcement activities.

Code Enforcement Officer Joel Bacon narrated the status report presentation. During the section of the presentation regarding unlicensed fences City Manager William Poe asked Building Official Bill Burgess if we are the only entity in Pasco County that issues a permit for fences.

Bill Burgess stated that Pasco County does not issue permits for fences. The County does not have any building standards for fences, so it is considered a zoning issue.

1.3 Krusen Park Bleacher Cover

City Manager William Poe summarized the scope of work for the Bleacher Cover and estimates received \$194,359.33 234 from the time of notice to proceed. Staff recommend approving the work order and moving forward.

Steven Spina asked if the work covered extended area for picnic tables.

Public Works Director Shane LeBlanc responded that this unit is just for the bleacher area. It is a design build project that would not have vertical columns blocking the audience's view or presenting a hazard for the football players who may impact the columns.

Steven Spina asked if this project would be completed by February of 2025.

Shane LeBlanc said they would try to speed up the project by working during the winter in the off season. He also added that 10% should be added to the contract price as a contingency for unforeseen conditions.

Steven Spina moved to approve the contract with Centennial Contractors Enterprises.

Seconded by Lance Smith.

Motion passed unanimously, 4-0.

1.4 Discussion on moratorium on medical marijuana dispensaries and car washes.

Staff will work with the City Attorney to bring back a moratorium on those uses for the City Council to vote on with justification.

Steven Spina expressed interest in seeing the justification for a moratorium on these uses. He said he was hesitant to go all in on those, as there are some of these facilities currently operating.

City Attorney Matthew Maggard clarified that the moratorium would be to put a hold on them so that staff can put in stricter requirements or limiting locations or prohibiting completely. The hold would allow space to look at the long-term direction the city would like to go with these industries.

Discussion was had.

City Council gave consensus to move forward.

2. CITIZEN COMMENTS - None

CITY COUNCIL COMMENTS -

Steven Spina presented an email from Pasco about the Urban County Community Development Block Grant program that could be a funding source and open the door to additional programs such as allowing city residents to apply for grants for home improvements based on income. Due to enrollment deadlines, it would require immediate action.

Discussion was had about the merits of this new program and how it compared to the program the City was currently enrolled in. No action was taken due to the deadlines and lack of information.

MAYOR ANNOUNCEMENTS

Mayor Monson asked the council to turn in their City Manager review, so she has time to sit with the HR Director Sandra Amerson and go over them for the formal review. JROTC of Zephyrhills Highschool Battalion sent a token of appreciation for her support. William Poe said that it can be displayed on the second floor.

CITY MANAGER ANNOUNCEMENTS

City Manager William Poe introduced the new Deputy City Clerk Ricardo Quiñones. The appraisal returned for the property at Pretty Pond and Wire Road with Council to consider purchase for park property or the owner will continue with their development. Summerfest, the 4th of July event at Zephyr Park, will be on the 29th of June from 12:00pm to 9:30pm with fireworks around 9:00pm. City Manager will be on vacation from July 8th through July 11th.

Ongoing meetings with Jones Edmond regarding water use permit, the most recent one today. The final draft response to the R.A.I. is in the works with help from Doug Manson. Doug is speaking with Darren, the bureau chief of permitting. Doug represents Evans and Oars Development, the ag wells we are looking to acquire. Partner with City Attorney for language regarding environmental management plan (EMP) location. The wetland levels must be monitored to ensure we do not draw down too far. There is a pond on the Valley Oaks Golf Course. We will put language in the agreement that they will provide us with an easement at the time of approval. They have requested we have a conversation before submitting.

The permit being worked on covers the currently known development. Soon a workshop will be needed to come up with options and alternatives going forward.

Council President Kenneth Burgess requested to have all interested parties attend the next meeting to avoid sending things back and forth three months at a time. William Poe agreed.

CITY ATTORNEY ANNOUNCEMENTS - None

CITY COUNCIL COMMENTS

Steven Spina asked about the impact fees study as he felt it was an important matter. William Poe said that after reviewing the Impact Fees study that was provided, he was concerned that it did not include everything and asked for it to be revised. It should be on the July 8th agenda. Clancey sent a new email

Charles Proctor thanked Code Enforcement for their good work and Airport Manager Nathan Coleman for his hard work. He thanked all the Department Heads and employees that the City has.

Lance Smith said that Nathan Coleman did a great job with his public speaking tonight.

Kenneth Burgess thanked Staff and those in the audience for attending tonight. He said it was a spirit and long meeting tonight. He welcomed Deputy City Clerk Ricardo Quiñones onboard, then apologized that he would have to walk home in the dark.

Mayor Monson said that a member of the community was lost. Johnny "Chief" Harold, Elis Harold's son, passed away. Funeral service will be held on Saturday and viewing on Friday night.

3. NOTED ITEMS - None

Meeting Adjourned: 8:34 p.m.
Submitted by Ricardo Quiñones