

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on October 11, 2021 at 5:55 p.m. in the Council Chambers of City Hall.

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

Staff present: Police Lieutenant Nathan Gardner, Public Works Director Shane LeBlanc, Finance Director Ted Beason, CRA Director Gail Hamilton, IT Director Mike Panak, Airport Manager Nathan Coleman, Senior Planner Rodney Corriveau and City Clerk Lori Hillman.

Pastor Russell Guynn of Family of God Church gave the Invocation. The Pledge of Allegiance followed.

City Manager Items were moved to this place on the agenda.

4. CITY MANAGER'S REPORT

4.1 Approval of Fee Proposal for Architectural Services – Design Services of SVB Phase II – Furr, Wegman & Banks Architects, P.A.

The City of Zephyrhills was awarded state appropriations funding in the amount of \$4,665,000 to construct a 22,000 sq. ft. multi-use facility with four hard courts. The City is utilizing Furr, Wegman & Banks Architects' services through a Professional Services Agreement to perform programming and schematic design along with construction documents, assist with bids, and perform construction administration along with substantial and final completion inspections for a cost of \$283,868.00 based on the State of Florida Department of Management Services (DMS) Fee Chart for an "average complexity" project. The estimated cost of construction for the multi-use facility is \$3,960,000.00. Funding of the \$283,868.00 for architectural services is provided by the State of Florida through the Department of Economic Opportunity. A letter received from Furr, Wegman & Banks Architects states their proposal is based on the assumption that the City of Zephyrhills will enter into a separate agreement with a (CM) Construction Manager at Risk. The letter will be attached to the proposal, if approved. Staff recommended Council's approval of the Fee Proposal for Architectural Services with Furr, Wegman & Banks Architects P.A. with authorization from Council for the City Manager's execution.

Councilwoman Wilkeson said the goal of a Construction Manager at Risk is to work side-by-side with the architect and assist with pricing. She referred to a line item that mentioned securing cost estimates and assumed meetings and hours will be allotted for the coordination but noted it is not spelled out in the contract. She concurred with the architectural fees based on the scope of work, the criteria set forth as it relates to a range of costs, past projects, and the percentage of the overall construction cost in relationship to complexity.

Public Works Director Shane LeBlanc said the RFP is currently being prepared and stated the Construction Manager will be involved with the entire design process and guaranteed maximum price (GMP).

Councilman Burgess thanked Councilwoman Wilkeson for her input and said he leans on her opinion due to her expertise in this area.

Lance Smith moved to approve Business Item 4.1 and authorized the City Manager to execute the Task Order. Seconded by Kenneth Burgess. Motion passed unanimously.

4.2 Approval of Task Assignment 18-07 – Engineering Design Services for SVB Phase II – Cornelison Engineering & Design, Inc.

City Manager William Poe said the City of Zephyrhills was awarded state appropriations funding in the amount of \$4,665,000.00 to construct a 22,000 sq. ft. multi-use facility with four hard courts. The City is utilizing Cornelison & Design's services through a Professional Services Agreement to perform construction plans, permitting, geotechnical engineering, surveying, landscape and irrigation design, and construction administration for a cost of \$58,772.00. The estimated cost of construction for the multi-use facility is \$3,960,000.00. Funding of the \$58,772.00 for engineering services is provided by the State of Florida through the Department of Economic Opportunity. Staff recommended Council's approval of TA 18-07 for Civil Engineering Services with authorization from Council for the City Manager's execution.

Lance Smith moved to approve Business Item 4.2 and authorized the City Manager to execute Task Assignment 18-07. Seconded by Jodi Wilkeson. Motion passed unanimously.

4.3 Approval of Piggyback Agreement No. 41-21-30 with North Star Branding & Marketing
City Manager William Poe requested Council's approval to utilize the City of New Port News, Virginia's contract with North Star Branding & Marketing. The branding and marketing study will allow the City of Zephyrhills to communicate a clear message and identity to attract investors, businesses, tourists and provide a consistent representation of the City. The contract amount is \$72,500.00 which includes a not to exceed travel allowance of \$4,500.00.

Spoke from the floor: Antwon Gildon – Main Street Board Member and Economic Vitality Committee Chair

Mr. Gildon said the benefit of hiring an outside company is gaining an outsider's vision with input into the final decision. He said the City needs feedback on what people are saying about Zephyrhills and the best way to gain information is to hire a marketing firm to conduct a survey.

Councilman Smith moved to table this item. Seconded by Charles Proctor.

Councilman Smith rescinded his motion and moved to deny Business Item 4.3 and move forward with a Request for Proposal (RFP) for a City Branding and Marketing Study. Seconded by Charles Proctor. Motion passed unanimously.

4.4 Discussion of the Greater Zephyrhills Chamber of Commerce's Proposal to Lease the Train Depot

City Manager William Poe pulled this item from the agenda for further discussion outside of a public meeting.

Council President Knight dismissed City Manager William Poe from the meeting at 6:22 p.m.

Mayor Items were moved to this place on the agenda.

1. **MAYOR**

1.1 Zephyrhills High School JROTC Presentation

Cadet First Sergeant Gonzalez presented the JROTC 2021-2022 Battalion events which included service projects, fundraisers and leadership experiences. Cadet Lieutenant Colonel Arnold invited Council members and the Mayor to attend their Service Learning Project in January 2022, the Spring Awards Event April 13th and Military Ball February 26th.

1.2 Century Boats Proclamation

City Clerk Lori Hillman read aloud the Century Boats Proclamation that was presented to CEO Skip Sorenson by Mayor Whitfield.

Mr. Sorenson said he has the honor of leading a team of 60 employees in Zephyrhills and Palmetto. The company has been in business since 1926 and has an outstanding backlog that has been built over the last year and a half in upwards of \$20M. Century Boats has just acquired three companies over the last 18 months and are in the process of acquiring a fourth company. They have tripled their dealers and workforce and are proud to be in Zephyrhills.

1.3 See, Click, Fix – Non-Emergency Request and Work Management Software Application Presentation

IT Director Michael Panak presented a See, Click, Fix app accessible by cell phone to report concerns for Public Works, Water Utilities, Wastewater Utilities and Code Enforcement with the ability to add additional departments. He explained the process of submitting a request. All personal information entered to file a request will not be displayed publicly.

Consent Items were moved to this place on the agenda.

2. **CONSENT ITEMS**

2.1 Approval of Grant Agreement No. 24-21-08 – Competitive Florida Partnership Grant – State of Florida Department of Economic Opportunity

2.2 Approval of Agreement No. 41-21-29 – Statewide Mutual Aid Agreement – Florida Division of Emergency Management

2.3 First Reading of Resolution No. 783-21 Amending Resolution 578-07 Establishing Compensation for the Mayor and City Council Members

Kenneth Burgess moved to approve the Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

Public Hearing Items were moved to this place on the agenda.

BUSINESS ITEMS

3. PUBLIC HEARING

3.1 Second Reading of **ORDINANCE NO. 1421-21 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY’S COMPREHENSIVE PLAN, SPECIFICALLY ADDING A PROPERTY RIGHTS ELEMENT (CHAPTER 11) FOR TRANSMITTAL AND AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Ordinance No. 1421-21 by title. A public hearing was held and there were no comments from the audience.

Jodi Wilkeson moved to approve Ordinance No. 1421-21 on the Second Reading. Seconded by Lance Smith. Motion passed unanimously.

3.2 Second Reading of **ORDINANCE NO. 1428-21 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT FROM COUNTY RES-6 TO CITY RU (RESIDENTIAL URBAN), AND AMENDING THE ZONING FROM COUNTY AC TO CITY PUD (PLANNED UNIT DEVELOPMENT), FOR PARCEL 04-26-21-0000-00200-0000 PROVIDING FOR TRANSMITTAL AND AN EFFECTIVE DATE.**

City Attorney Matthew Maggard read Ordinance No. 1428-21 by title. A public hearing was held and there were no comments from the audience.

Councilman Smith said he is the Real Estate Broker for the Simons Family and recused himself from voting.

Kenneth Burgess moved to approve Ordinance No. 1428-21 on the Second Reading. Seconded by Charles Proctor. Motion passed unanimously, 4-0.

Councilman Smith returned to the dias.

CITIZEN COMMENTS

Spoke from the floor: CEO Melonie Monson with the Greater Zephyrhills Chamber of Commerce

Ms. Monson reminded Council of the Zephyrhills Economic Summit on Wednesday, October 13, 2021 from 9:00 a.m. to 12:00 p.m. at City Hall. She said amazing speakers are scheduled to showcase the City of Zephyrhills and all the work completed this year by the Zephyrhills Economic Development Coalition, Main Street Zephyrhills, City of Zephyrhills and Pasco County Economic Development Council.

MAYOR ANNOUNCEMENTS – N/A

CITY MANAGER ANNOUNCEMENTS – N/A

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Burgess said Sergeant Smith and 1st Sergeant McAuley at Zephyrhills High School have done a great job with the ROTC program for many years. He said the ROTC’s presence is at every event that happens in Zephyrhills.

Councilman Smith said ROTC is a great program. He requested a list of the Battalion Event dates for council member attendance. He said everyone who worked the ZHS concession stand last Friday night had a great time.

Regular Council Meeting
October 11, 2021
Page Four

Councilman Proctor said he missed working the concession stand due to a family emergency but is glad to be home.

Vice President Councilwoman Wilkeson said she is a member of the Daughters of the American Revolution (DAR) and every year DAR gives a scholarship to a deserving JROTC Cadet. She thanked the JROTC for their commitment to the annual work at Oakside Cemetery. She said she is sorry she missed working the concession stand and shared her deepest condolences with the Swetland and Craig families on the passing of Bobbie Swetland.

Council President Knight said Council is proud of the Cadets and said they are the strength of our nation.

Meeting adjourned: 6:58 p.m.
Submitted by Lori L. Hillman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Smith, Lance Alan		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City Council, City of Zephyrhills	
MAILING ADDRESS 6426 Huntington Dr.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Zephyrhills	COUNTY Pasco	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 10/11/2021		NAME OF POLITICAL SUBDIVISION: City of Zephyrhills	
		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lance Alan Smith, hereby disclose that on 10/11, 20 21

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am the real estate agent for the Marianne Simons Trust and have a pending sale on the property being annexed and re-zoned.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

November 1, 2021

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.