

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on August 12, 2024 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (646) 240-3212 - Access Code: 554-591-013.

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

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Finance Director Ted Beason, Public Information Officer Kevin Weiss, Airport Manager Nathan Coleman, HR Director Sandra Amerson, CRA Director Gail Hamilton, Utilities Director John Bostic, Deputy Building Official Calvin Switzer, Purchasing Agent Karen Miller, Principal Planner Rodney Corriveau, GIS/Community Planner Tommy-Lee Hunt, K-9 Officer Emile Limoges and Deputy City Clerk Ricardo Quiñones.

Airport Executive Assistant Lucy Huber delivered the invocation.

The Pledge of Allegiance followed.

Mayor Monson requested to add an emergency item to the agenda immediately after the consent items regarding the SVB indoor sports complex.

Jodi Wilkeson moved to accept the addition of the mayor's emergency item. Seconded by Lance Smith. Motion passed unanimously 4-0.

1. CONSENT ITEMS

1.1 Approval of July 8, 2024 Regular Meeting Minutes

1.2 Approval of June 24, 2024 Regular Meeting Minutes

1.3 Approval of Contract Amendment 41-24-19 for Odyssey Manufacturing Company

1.4 Approval of Kimley-Horn Professional Services Agreement 37-24-07

Second of 2 three (3) Year Extensions June 11, 2024 - June 10, 2027.

1.5 Approval of Cornelison Engineering Renewal Agreement 37-24-08

Second three (3) year Extension June 11, 2024 - June10, 2027.

1.6 Approval of Furr & Wegman Architects Renewal Agreement 37-21-02A

Second three (3) year Extension June 11, 2024 - June10, 2027.

Lance Smith moved to approve consent items as presented. Seconded by Jodi Wilkeson. Motion passed unanimously 4-0.

****EMERGENCY ITEM****

A.D. Morgan presented their Gross Maximum Price (GMP) review for SVB indoor sports complex with alternate options for Council to select from.

City Manager William Poe reminded Council that this project is funded by state appropriation and a developer who made contribution dollars that can only be spent on the tennis center. Discussion followed.

Lance Smith moved to accept staff recommendation of GMP base plus alternates 1 and 5. Seconded by Steven Spina. Motion passed, 3-1 opposed Jodi Wilkeson.

2. BUSINESS ITEMS/PUBLIC HEARINGS

2.1 AdventHealth Future Land Use and Rezoning

Second 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 PARCEL 35-25-21-0010-08500-0010 AND A PORTION OF PARCEL 35-25-21-0010-06900-0020; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

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

Council President Burgess opened a public hearing.

Planning Director Todd Vande Berg provided background to this item focusing on issues that have been discussed, such as the traffic study recommendation of one turn lane, the conditions that have been added to the ordinance tying a future builder to a tree preservation table, additional turn lanes and working with the grades of the parcel as much as possible. Staff will also review some architectural elements with a future builder.

Lance Smith asked what staff required for transportation improvements.

Todd said intersection improvements at Pretty Pond Wire Rd are in final design and Staff is reviewing. The Engineer will coordinate with Pasco County to get county right of way use permit. The additional turn lanes onto Pretty Pond and Wire Road will help keep traffic moving.

Steven Spina asked if the maximum number of units is 250 which Todd confirmed is true but after tree preservation and design engineering that will likely come down.

Council President Burgess said the applicant has committed to advising any perspective buyer of the conditions and concerns discussed by Council.

Lance Smith asked if architectural design and site plan approval was included in the conditions which Todd confirmed they were.

Council President Burgess closed the public hearing.

Lance Smith moved to approve Ordinance No. 1480-24 on the Second Reading. Seconded by Jodi Wilkeson. Motion passed unanimously, 4-0.

2.2 Providence Village Annexation

Second Reading **ORDINANCE NO. 1482-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO**

BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS 37518 GEIGER ROAD, ZEPHYRHILLS, FL 33542 ZEPHYRHILLS, FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED."

City Attorney Matthew Maggard read Ordinance No. 1482-24 by title.

Council President Burgess opened a public hearing.

Planning Director Todd Vande Berg provided background to this item including steps that have been taken to address the transportation and geological concerns.

Council President Burgess said this is a project that has had a lot of discussion with concerns that Council has asked the petitioner to be cognizant of.

Discussion followed regarding tree restrictions, environmental reports, water use clause and Geiger Road improvements.

***Norman Scheuerman – 37604 Geiger Road - spoke from the floor -

Mr. Scheuerman said in addition to his water, geological and traffic concerns, if the property is sold, the new owner cannot be held to the agreements made today. With the addition of homes and people that these projects will bring it, it will impact the traffic. Mr. Scheuerman also said he did not trust geological consultants paid for by a developer as that might influence their results. Mr. Scheuerman ended by encouraging Council to make a decision they are willing to live with.

Discuss followed regarding zoning and the conditions within the ordinance.

***Bryan Dion – 400 N Ashton Street, Tampa FL - spoke from the floor -

Mr. Dion said he was present on behalf of the applicant. He said the applicant is requesting a lower density not higher and that they will be contributing to the sidewalk development. Mr. Dion said that if the applicant wants to put more properties on the land they will need to return before Council and answer why they are asking for more.

Discuss followed regarding density on the property.

***Tina Smith – 5945 Plaza View Dr. - spoke from the floor -

Mrs. Smith echoed Mr. Scheuerman's concerns about the safety of Geiger Road. Mrs. Smith said she added bushes to the side of her property after being shown tire tracks coming off the road. Mrs. Smith shared a story of a neighbor who tripped and fell avoiding a car on Geiger. She said Geiger has not been paved in over 20 years but fears that drivers will go faster if it is paved. She is concerned that with more homes bringing more drivers this road will become more dangerous. Mrs. Smith said she is considering moving if conditions do not improve.

Council President Burgess closed the public hearing.

Discussion followed regarding placing safety features on Geiger Road, the developer assisting with putting a sidewalk in, the proximity of this development to schools and Councils attempt to address concerns while respecting private property rights.

Steven Spina said that these projects are affecting the makeup of the community and he asked for a visioning session to address the moratorium until the City's water use permit is in place.

Discussion continued regarding how the City will be affected by projects within our boundaries and projects in Pasco County who share our roads and how Council can be more mindful of resident needs with its decisions where the County may not be as aware. It was noted the City does not have a timeframe on the update to the water use permit but it is being worked on.

Lance Smith moved to approve Ordinance No. 1482-24 on the Second Reading. Seconded by Jodi Wilkeson. Motion passed unanimously, 4-0.

2.3 Providence Village Future Land Use and Rezoning

Second Reading **ORDINANCE NO. 1483-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENTS TO THE FUTURE LAND USE MAP CHANGING FROM PASCO COUNTY RES-9 TO RS (RESIDENTIAL SUBURBAN) AND THE ZONING DESIGNATION FROM PASCO COUNTY R-4 TO CITY R-3 (MEDIUM DENSITY RESIDENTIAL) DESCRIBED AS 37518 GEIGER ROAD, ZEPHYRHILLS, FL 33542, PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1483-24 by title.

Council President Burgess opened a public hearing.

Norman Scheuerman carries over his comments from item 2.2.

Council President Burgess closed the public hearing.

Lance Smith moved to approve Ordinance No. 1483-24 on the Second Reading. Seconded by Jodi Wilkeson. Motion passed unanimously, 4-0.

2.4 Black Marlin Annexation

Second Reading **ORDINANCE NO. 1485-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBER 03-26-21-0010-11700-0020 ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED."**

City Attorney Matthew Maggard read Ordinance No. 1485-24 by title.

Council President Burgess opened a public hearing.

Principal Planner Rodney Corriveau gave background on this project. Rodney said that many of the same issues from item 2.2 & 2.3 are also applicable to item 2.4. Rodney noted that the WaterStar Certification is built into the Land Development Code.

***Tina Smith – 5945 Plaza View Dr. - spoke from the floor -

Mrs. Smith said regarding water us that her home and driveway have shifted in the last several years due to the lack of ground water. She borrowed her neighbor's hose, connected to City water so she didn't have to use her well. Mrs. Smith said that she is very concerned about the amount of units being proposed to be built in the small amount of space.

Council President Burgess closed the public hearing.

Discussion followed. It was noted that Geiger Road is a County Road and was not slated for improvement for at least 5 years until Council and Staff pressed the need for improvements which should be done within a year.

Jodi Wilkeson moved to approve Ordinance No. 1485-24 on the Second Reading. Seconded by Lance Smith. Motion passed unanimously, 4-0.

2.5 Black Marlin Future Land Use and Rezoning

Second Reading **ORDINANCE NO. 1486-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENTS TO THE FUTURE LAND USE MAP CHANGING FROM R-1 MH (PASCO COUNTY) TO RS (RESIDENTIAL SUBURBAN) AND THE ZONING DESIGNATION FROM PASCO COUNTY RMH TO CITY R-3 (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.155 ACRES OF REAL PROPERTY HAVING PARCEL NUMBER 03-26-21-0010-11700-0020, PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1486-24 by title.

Council President Burgess opened a public hearing.

***Norman Scheuerman – 37604 Geiger Road - spoke from the floor -

Mr. Scheuerman said that that he believes this item will pass and he wants Council to act on the desire to measure the growth responsibly without delay.

Council President Burgess said that he appreciates Mr. Scheuerman and Mrs. Smith coming out to speak, many meetings go by with no comments from the citizens.

Council President Burgess closed the public hearing.

Lance Smith moved to approve Ordinance No. 1486-24 on the Second Reading. Seconded by Jodi Wilkeson. Motion passed unanimously, 4-0.

2.6 Gagne PUD Indoor Storage with Mixed Use Development

Second Reading **ORDINANCE NO. 1489-24 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, APPROVING A REZONING - PUD (PLANNED UNIT DEVELOPMENT) MASTER PLAN AMENDMENT TO THE GAGNE – CHANCEY ROAD PLANNED UNIT DEVELOPMENT FOR THE PROPERTY**

IDENTIFIED AS 3356 PAUL S BUCHMAN HIGHWAY, ZEPHYRHILLS, FL 33540; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE."

City Attorney Matthew Maggard read Ordinance No. 1489-24 by title.

Council President Burgess opened a public hearing.

Todd VandeBerg provided background to this item. Todd stated that if Council approved the PUD masterplan amendment, then the applicant would return with an engineered site plan along with landscape and irrigation plans.

Council President Burgess closed the public hearing.

Steven Spina moved to approve Ordinance No. 1489-24 on the Second Reading. Seconded by Jodi Wilkeson. Motion passed unanimously, 4-0.

3. PLANNING DIRECTOR'S REPORT

3.1 Bauducco Foods Conditional Use

Planning Director Todd VandeBerg presented the Bauducco Foods Conditional Use submittal for approval to change maximum allowable building height.

Greg Crawford with Florida Engineering Group presented the site plan for the Bauducco Foods factory.

Toby Walker, President of Walker Design and architect of record for Bauducco Foods, presented to Council the architecture design plans for the new building.

Discussion followed. Council was please with the design presented and positive impact it will have on the industrial corridor and City.

Todd said in closing that Staff did recommend the approval of the conditional use. Bauducco will bring 500 jobs, and the proposed residential projects will provide housing for the employees because we want them to live and work in the City, not to commute from surrounding areas.

Lance Smith moved to approve Bauducco Foods Conditional Use. Seconded by Jodi Wilkeson. Motion passed unanimously, 4-0.

3.2 5L Property Annexation, FLUMA

Principal Planner Rodney Corriveau presented the proposed annexation and future land use of the 5L Property. Staff requested consensus to move forward and direct the City Attorney to write the ordinance.

Council gave unanimous consensus for 5L Property Annexation and FLUMA, 4-0.

CITIZEN COMMENTS

*** Kyle Salvato with Skydive City – spoke from the floor -
Mr. Salvato provided an update on Skydive City and its Skydive First Project.

*** Kim Earle – 37741 Phelps Road - spoke from the floor -
Mrs. Earle spoke regarding flooding in her neighborhood from Trotters Crossing. Mrs. Earle said the retention pond flooded into her property again. She asked if the engineer or builder messed up and why does it keeps happening.
Council and Staff discussed with Mrs. Earle about her flood concerns and the upcoming meeting that is scheduled for Monday.

MAYOR ANNOUNCEMENTS – NONE

CITY MANAGER ANNOUNCEMENTS

City Manager William Poe gave an update on the flooding situation in Abbott Square and Lennar's commitment to correct it.

Discussion followed.

Jodi Wilkeson said we are counting on our developer partners to do what they say they are going to do and if they do not, we should say they do not get another chance.

Mike Almeida – 36500 Smith Feild Lane - spoke from the floor to this topic -
Mr. Almeida said that he is a licensed civil engineer with expertise in drainage and stormwater ponds. Mr. Almeida said that according to the engineers' report, the ponds are working as designed, with tests run for a 100-year storm for 120 hours. Mr. Almeida does not believe this is accurate as four of the six ponds discharged during a tropical storm. There is also water intrusion into backyard patios.

Discussion followed with Amber Smith, Public Affairs Manager from SWFWMD, commenting as well.

Mr. Almeida also expressed concerns about a 12-foot hole that was added later and not part of the original plans as well as the CDD's unwillingness to act on repairs and fixes that need to be done.

City Attorney Matthew Maggard agreed to reach out to the CDD lawyer regarding ownership, responsibility and performance bond.

City Manager William Poe said the City is still working on the Water Use Permit response. On September 10th there is a Pasco Eastside Joint Conference. Regarding park dollars there is \$50,000 left of \$300,000 that was encumbered this year.

CITY ATTORNEY ANNOUNCEMENTS - NONE

CITY COUNCIL COMMENTS

-Lance Smith - Thanked Karen for the food, recognized Clyde Bracknell for being in the audience and suggested that Citizen Comments be first on the agenda not last. Lance said that we have had a lot of rain this year and feels that we will see more during this hurricane season and that we need to prepare as best we can.

-Jodi Wilkeson - NONE

-Steven Spina – Steven said that he will speak with the City Manager about further discussions regarding growth planning.

-Ken Burgess - Thanked staff for their great work

4. NOTED ITEMS - **NONE**

Adjoined at 8:59 pm

Submitted By Ricardo Quiñones