

## **REGULAR COUNCIL MEETING**

A Regular Council Meeting was held on January 8, 2018 at 6:00 p.m. in the meeting room of the Zephyrhills Library.

President Knight called the meeting to order. Roll call was taken. Present were members Ken Burgess, Kenneth Compton, Alan Knight, Charlie Proctor, Lance Smith, and Mayor Whitfield. City Manager Steve Spina and City Attorney Matthew Maggard were also present.

Staff present: Police Acting Lieutenant Ailisa Starnes, Fire Chief Brian Swartout, Utilities Director John Bostic, Building Official Bill Burgess, Finance Director Brian Williams, IT Director Mike Panak, Director of Planning Todd Vande Berg, Airport Manager Nathan Coleman, CRA Director Gail Hamilton, Assistant City Clerk Jessica Carter and City Clerk Lori Hillman.

Council President Knight gave the Invocation. The Pledge of Allegiance followed. Charlie Proctor moved the minutes of the December 11, 2017 Regular Meeting be approved. Seconded by Ken Burgess. Motion passed unanimously.

### **MAYOR**

#### **Arbor Day Proclamation**

Mayor Whitfield announced the Arbor Day Proclamation will be presented on Arbor Day, Friday, January 19, 2018 at 2:00 p.m. in Zephyr Park.

#### **Ryman Construction Recognition**

Dr. Spina explained an incident that occurred at the home of a Zephyrhills Police Department officer when he and his family were shot at while sleeping. He said following the incident, the officer was contacted by Ryman Construction who evaluated the damage to the house and on Saturday, December 2<sup>nd</sup> Grant Woods with Ryman Construction replaced windows, vinyl siding and installed a new door at no cost to the officer and his family. Council and the Zephyrhills Police Department recognized Ryman Construction for their gracious and generous gesture. Dr. Spina stated community partners like Ryman Construction contribute to making our community great.

Charlie Proctor moved to place Business Item 6 at this location on the agenda. Seconded by Ken Burgess. Motion passed unanimously. Business Item 6 was moved to this location on the agenda.

#### **6. Public-Private Partnership with Nestle Waters**

Dr. Spina stated the City of Zephyrhills' Utilities Department seeks Council concurrence to enter into a five year public-private partnership with Nestle Waters (d/b/a Zephyrhills® Brand 100% Natural Spring Water). Zephyrhills® Brand is the City's largest water and utility customer, the community's largest employer, and the City's largest single taxpayer. He said Nestle Waters has proposed a partnership to assist with City Capital Projects that will benefit City water services and the aquifer to begin in 2018. Dr. Spina read a list of capital projects which totaled \$405,000 for FY17/18, assuming all monies are received from DEP. Nestle Waters is recommending a 2018 contribution to the list of capital projects in the amount of \$125,000.

Dr. Spina stated over the past 25 years, the water company has partnered and supported numerous City projects including contributions to the East Pasco YMCA, Main Street Zephyrhills Streetscape, the Splash Water Park at Zephyr Park and contributes annually to community athletic leagues, local charitable organizations and civic groups.

Spoke from the floor: Kent Koptiuch, Florida Natural Resource Manager, Nestle Waters

Mr. Koptiuch said he is the Natural Resource Manager for Nestle Waters in Florida and a hydrogeologist. He said Nestle Waters feels the creation of a public-private partnership is a way to create shared value between Nestle and the City. He said Nestle is pledging \$651,000 to the City over the next five years to improve the City's water and wastewater infrastructure.

Councilman Smith said he is glad to have Nestle Waters within the community and is happy they chose Zephyrhills as their brand name.

Lance Smith moved to approve the five year public-private partnership between the City of Zephyrhills and Nestle Waters. Seconded by Kenneth Compton. Motion passed unanimously.

### **CONSENT**

1. Piggyback Agreement with Pasco County and VacVision Environmental for Manhole & Pump Station Lining, Joint Testing and Grouting Services.
2. Fire Station 1 Roof Replacement
3. Piggyback with City of Clermont and Utility Technicians, Inc. for Sanitary Sewer Manhole and Lift Station Rehabilitation Services.
4. Tyco Agreement for Police Department Security System  
Dr. Spina stated item 1 is \$350,000 and is budgeted, Item 2 City Attorney recommends Council approve the bid and he has a contract that he would like to bring back... he would like to tweak two things in the contract but would like Council to accept the bid in the amount of \$108,383, Item 3 is 1/2M and is budgeted, and Item 4 was presented and approved by Council December 11, 2017.

Lance Smith moved to approve the consent items. Seconded by Kenneth Compton. Motion passed unanimously.

### **BUSINESS ITEMS** **PUBLIC HEARING**

**1. Second Reading ORDINANCE NO. 1355-18 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING RULES AND REGULATIONS FOR THE OPERATION OF THE CITY’S CEMETERY; THE CONDUCT OF PERSONS THEREIN; THE CONSTRUCTION OF VAULTS, MEMORIALS AND MAUSOLEUMS; AND PROVIDING A PENALTY FOR THE VIOLATION OF ITS TERMS.”**

Ordinance #1355-18 was read by title. A public hearing was held and there were no comments from the audience. Ken Burgess moved Ordinance No. 1355-18 be passed on the second reading. Seconded by Charlie Proctor. Motion passed unanimously.

**2. Second Reading ORDINANCE NO. 1356-18 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA AMENDING ORDINANCE NO. 1329-17 TO CHANGE THE CALENDAR YEAR FOR THE BOARD OF ADJUSTMENT, CODE ENFORCEMENT, AND APPEALS TO BE CONSISTENT WITH OTHER CITY OF ZEPHYRHILLS BOARDS AND COMMISSIONS; AND PROVIDING FOR AN EFFECTIVE DATE.”**

Ordinance #1356-18 was read by title. A public hearing was held and there were no comments from the audience. Ken Burgess moved Ordinance No. 1356-18 be passed on the second reading. Seconded by Charlie Proctor. Motion passed unanimously.

**3. Second Reading ORDINANCE NO. 1357-18 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA AMENDING THE PREAMBLE TO PART 7.09.00 OF THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE, SUPPLEMENTAL STANDARDS FOR SPECIAL USES; AND AMENDING §7.09.01 OF THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE, ACCESSORY USES AND STRUCTURES; AND PROVIDING FOR AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard requested Ordinance No. 1357-18 be withdrawn from the agenda.

Charlie Proctor moved to withdraw Ordinance 1357-18 on the second reading from the agenda. Seconded by Ken Burgess. Motion passed unanimously.

City Attorney Maggard said the City received public input and a request for additional time to meet with City staff.

Spoke from the floor: Andrew McMillan – 39 Cohen Road – Brooksville, Florida (Wal-Mart Zephyrhills Co-Manager)

Mr. McMillan said he was in attendance representing the Wal-Mart store on Gall Blvd. and proceeded to read aloud a letter which outlined Wal-Mart's concern with the potential impact Ordinance No. 1357-18 would have on the operations in Zephyrhills; specifically, cargo containers. He requested the opportunity for Wal-Mart representatives to meet with City officials to discuss concerns and expressed a desire to defer the second reading of Ordinance No. 1357-18 for 60 days.

Council Vice President Smith stated 60 days is adequate time for staff and Wal-Mart representatives to meet and discuss Ordinance No. 1357-18. He asked Mr. McMillan to share ideas Wal-Mart has incurred involving similar situations in other communities to curb this type of issue.

Council concurred to defer the second reading of Ordinance 1357-18 for 60 days.

#### **CITY MANAGER'S REPORT**

##### 4. Citizen Academy Dates and Agendas

Dr. Spina said the Citizen Academy (Government 101) meetings will be held from 6:00 p.m. to 8:00 p.m. at the Zephyrhills Public Library located at 5347 8<sup>th</sup> Street on Thursday, January 11, 2018 (Government Finances and Budgeting); Monday, January 29, 2018 (City Departments); and Tuesday, February 13, 2018 (Fire, Police, and Code Enforcement – Public Safety Issues).

##### 5. Affordable Housing Certificate Moratorium

Dr. Spina said it is not uncommon for residential property developers (and property owners) to request the City approve applications for federal financing of residential projects designed for affordable income housing credits. He said the investors (property owners) may earn tax credits by making an upfront equity investment to build affordable residential housing units and agreeing to restrict the minimum number of units for residents having no more than 60% of the median income adjusted for household size. He said applications to the City of Zephyrhills have been for development of new affordable housing, not rehabilitation.

Dr. Spina said there are positive attributes to residential developments such as new, well maintained apartment complexes that add to the City's ad valorem tax revenues; however, over time, these properties often decrease in value and create long term maintenance issues. He said it is staff's opinion that there is sufficient affordable housing available in Zephyrhills and recommends Council consider a one year moratorium on tax credits while the City complete the comprehensive plan and conduct a housing study to assess the housing needs in Zephyrhills.

Dr. Spina said the Chamber of Commerce conducted a Medical Industry Survey and the results indicated respondents are seeking diversified housing options, larger lots, and larger homes. He said it is self-defeating for the City to approve additional lower income residential units as new development given 40% of the City's housing is affordable rental property.

CRA Director Gail Hamilton stated federally funded projects within the City are chosen on a scale. She said developers are allocated points for their projects and since the existing low income rentals within the City are at 40%, developers receive points toward their project which raise them on the scale to develop additional low income rentals. She said she supports a moratorium to allow staff to assess the housing needs in the City.

Councilman Compton directed Ms. Hamilton to bring back low income rental property percentage information from surrounding municipalities in Pasco County to present to Council.

Dr. Spina said the rental percentage within the City is a reflection of the changing demographics and the context of a community that has been historically seasonal.

Planning Director Todd Vande Berg said the Planning Department supports the moratorium. He requested staff be given the opportunity to investigate opportunities to improve the demographics within the community to provide value and diversity in residential housing choices to employees of local businesses.

Councilman Compton moved to approve Option 1, The City will provide a one year moratorium to fully assess the housing stock and needs of the community as part of the Comprehensive Plan process (currently underway). This will allow the City to fully determine the housing needs in the City of Zephyrhills, types of housing and update demographics in terms of population and housing stock. Seconded by Ken Burgess. Motion passed unanimously.

Dr. Spina explained the City would require developers to have a percentage of market value housing in Option 2 which was not chosen.

**MAYOR ANNOUNCEMENTS** – Mayor Whitfield said the City experienced a great year last year and said this year will be better. He asked everyone to continue to work together and stressed teamwork. He said he is excited about the upcoming year.

**CITY MANAGER ANNOUNCEMENTS** – Dr. Spina reminded everyone of the Chili cook off on Saturday, January 13<sup>th</sup> at 11:00 a.m. at the Florida Pioneer Museum. He said the City of Zephyrhills is competing against the City of Dade City. Dr. Spina said Mike Barnes will be the City's chili maker which is an ace in his pocket.

**CITY ATTORNEY ANNOUNCEMENTS** – Mr. Maggard said he has been meeting with the Building Department and Code Enforcement to amend the City's Nuisance Ordinance to include information from the building code.

**CITY COUNCIL COMMENTS** – Council Vice President Smith thanked IT Director Mike Panak for the sound system and said the City's website looks great. Council Vice President Smith said he spoke with a resident from Wesley Chapel and asked why he chose Wesley Chapel to live. He said the gentleman replied by stating the schools are better. He said this year we need to reach out to the Pasco County School Board to make a concerted effort to improve our school system. He added he and his family traveled to North Carolina during one of the worst storms and said that is why people come to Florida, to avoid the winter weather. He said people will come to Florida and we have to entice them to relocate in Zephyrhills.

Councilman Burgess thanked Mayor Whitfield for his encouraging words and emails to employees and City staff. He said he toured the City Hall construction site last week and the contractors are staying ahead of schedule as work progresses.

Councilman Proctor said he is excited about the upcoming BBQ and Blues Event.

Council President Knight thanked Councilmen for filling in for him at the last meeting. He recognized Pasco County Commissioner Ron Oakley for his efforts on the east side of the county and said Mr. Oakley is representing residents well. He asked those in attendance to thank Mr. Oakley when given the opportunity. He pointed out that he is seeing more and more homeless people in Zephyrhills.

Spoke from the floor: Zephyrhills Chamber of Commerce Executive Director Melonie Monson

Ms. Monson said this year, Dr. Stovall will work with the Zephyrhills Economic Development Coalition and the Pasco County School District to focus on schools and education.

Ms. Monson stated the Chamber of Commerce receives calls constantly from people looking for a place to rent in the City of Zephyrhills. She said the chamber is unable to refer an averaged income person to available rentals within the City. She said she has new staff who were unable to rent within the City and thanked Council for addressing the need for averaged income rentals.

Ms. Monson shared her excitement for the BBQ and Blues Event and said it is going to be an amazing event. She reminded Council that VIP passes were distributed to councilmen for access into the VIP tent and said there are 54 BBQ Teams competing, 20 vendors, 20 concessions, and a handful of retail vendors.

Spoke from the floor: Jodi Wilkeson – 5816 18<sup>th</sup> Street – Zephyrhills, Florida

Ms. Wilkeson said she is President of the Rotary Daybreak Club in Zephyrhills and on Tuesday, January 30, 6:30 p.m., the Rotary Club will be hosting a spaghetti dinner and literary event at Woodland Elementary School. She said the Rotary Club will give away books to approximately 100 children which are often the first books that these children will ever receive of their very own. She said this event is very moving and a rewarding experience.

Spoke from the floor: David T.K. Hayes – 38801 Feathering Way – Zephyrhills, Florida

Mr. Hayes said he is running for State Representative, District 38, in November 2018. He said he is an official candidate and will host a meet and greet kickoff at Alice Hall Friday, January 12<sup>th</sup> at 7:00 p.m. Mr. Hayes said he is a businessman in town who believes in civil rights, voting rights, and education. He said his campaign is open and would like to hear from everyone on their issues.

Meeting adjourned 6:59 p.m.