

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on January 28, 2019 at 6:00 p.m. in the Council Chambers of City Hall.

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

Staff present: Police Chief Derek Brewer, Fire Chief Brian Swartout, Building Official Bill Burgess, HR Director Sandra Amerson, Director of Planning Todd Vande Berg, IT Director Mike Panak, Airport Manager Nathan Coleman, CRA Director Gail Hamilton, Assistant Planning Director Rodney Corriveau, Historic Preservation Officer Audrey McGuire, CIS Technician Kevie DeFranc, Assistant City Clerk Jessica Carter and City Clerk Lori Hillman.

Alan Knight gave the Invocation and requested a moment of silence on behalf of the Arnot Family. The Pledge of Allegiance followed. Charlie Proctor moved the minutes of the January 14, 2019 Regular Council Meeting be approved. Seconded by Alan Knight. Motion passed unanimously.

CONSENT ITEMS

1. Infotect Piggyback Agreement
2. C.W. Roberts Runway 1-19 Change Order

Alan Knight moved to approve the Consent Items. Seconded by Jodi Wilkeson. Motion passed unanimously.

BUSINESS ITEMS PUBLIC HEARING

1. Second Reading of **ORDINANCE NO. 1376-19 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING A 12 MONTH MORATORIUM ON RECEIVING AND PROCESSING PERMIT APPLICATIONS FOR CARGO CONTAINERS AND CARGO-LIKE (CONEX) CONTAINERS FOR RESIDENTIAL PURPOSES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.”**

Ordinance No. 1376-19 was read by title.

Assistant Planner Rodney Corriveau said this resolution stems from the City not currently having land development regulations guiding growth and development with cargo containers as residential units. Staff has scheduled a tour of a cargo container manufacturing facility in Tampa for January 31st at 2:00 p.m.

A public hearing was held and there were no comments from the audience. Charlie Proctor moved Ordinance 1376-19 be passed on the second reading. Seconded by Ken Burgess. Motion passed unanimously.

2. First Reading of **RESOLUTION NO. 757-19 – “A RESOLUTION RELATING TO ZONING; APPROVING A CONDITIONAL USE TO ALLOW AN ELECTRICAL SUBSTATION FACILITY TO BE LOCATED ON PROPERTY ZONED R-4, RESIDENTIAL; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.”**

Resolution No. 757-19 was read by title.

Planning Director Todd Vande Berg said Duke Energy submitted a Conditional Use Petition with a concept site plan for a new electrical substation to be located at the northwest corner of Daughtery and Wire Roads. Staff presented the information to the Site Plan Review Committee who made a recommendation to the Planning Commission Board. Staff and the Planning Commission recommend approval of the Conditional Use Petition for use of the property. The resolution was advertised and the property was noticed. If this resolution is approved, staff will work with Duke Energy on opportunities for screening, preservation of trees, increasing the landscape buffer along Daughtery and Wire Roads, a sidewalk on Daughtery Road, and a continuation of the 10' multi-purpose trail on Wire Road. He said as staff moves forward with the site plan they will involve interested residents.

Mr. Vande Berg said there is a need for additional substations to meet the demand with the growth the City is experiencing that cannot be supplied by the existing sites. Staff has

accompanied Duke Energy Representatives on site visits of two existing sites (one across the street from the subject property and one on SR 54 west of Zephyr Park) to discuss possible opportunities for property improvements such as screening and buffering. Attorneys for the City and Duke Energy are working on a Memorandum of Understanding (MOU). Staff has addressed the lack of maintenance on existing properties and Duke Energy representatives feel confident they can add standard language in the MOU to address the continued upkeep of existing properties.

A public hearing was held.

Spoke from the floor: Susan Boucher – 6932 Wire Road – Zephyrhills, FL 33542
Ms. Boucher said she lives on Wire Road across from the current substation and is requesting a sidewalk on Daughtery Road from Wire Road to Dairy Road.

Spoke from the Floor: David Moyer – 7232 Omega Court – Zephyrhills, FL 33542
Mr. Moyer stated he is speaking on behalf of the Elks Lodge and said Duke has always been a good neighbor. He thanked Duke for their work in cleaning up their site which looks very nice and appreciates their efforts.

Ken Burgess moved Resolution 757-19 be passed on the first reading. Seconded by Charlie Proctor. Motion passed unanimously.

FIRE CHIEF'S REPORT

3. ZFR Dispatch Proposal

Fire Chief Brian Swartout stated Zephyrhills Fire Rescue responds with Pasco County Fire Rescue 90% to 95% of the time to EMS calls which are currently dispatched through two different dispatch centers. He explained calls made by a land line are received by Zephyrhills Dispatch who transfer the call to Pasco County to dispatch Pasco County units. Calls made by cell phones (90% of all calls) are received by Pasco County Dispatch who dispatch Pasco County units followed by transferring the call to Zephyrhills dispatch who then dispatch the call to Zephyrhills units which creates a delay in response.

Chief Swartout stated Pasco County is in the process of finalizing a new P25 Radio System and believes this is an opportunity for the City to enter into an agreement with Pasco County to consolidate fire dispatch services and join the system on the front end. If Council is inclined to move in this direction, Pasco County has requested the City fund one position, a new radio system, alerting equipment and software for a cost of approximately \$83,000 initially (first year). Reoccurring costs for one position and annual maintenance of equipment would be approximately \$62,000.

Chief Swartout said his main concern is safety since Zephyrhills and Pasco County are unable to communicate with each other while on scene. He explained if Zephyrhills needs to relay information to Pasco units they have to contact Zephyrhills dispatch to contact Pasco County dispatch who contacts the Pasco County Rescue unit to relay needs or pertinent information and Pasco County dispatch then contacts Zephyrhills dispatch to confirm the Pasco County unit has received the information and then they relay the response to Zephyrhills units. He said on scene communication is important and this is not the way to operate.

Chief Swartout said Pasco County has entered into a \$1.6M contract with "Purvis Systems" for station alerting systems with an implementation date of April 2020. Alerting software and equipment can be purchased ala carte and believes the City can purchase the basic installation package for \$30,000 and build the system over time.

Spoke from the floor: Police Chief Derek Brewer – City of Zephyrhills
Police Chief Brewer said based on fire receiving 3,400 calls annually versus police receiving 50,000 calls annually, he does not believe the number of dispatchers will change based on volume.

Conversations ensued regarding Zephyrhills non-transport units; safety issues; county-wide communications system; addition of nine communication towers in Pasco County; dedicated fire dispatcher in previous years to dispatchers who juggle police/fire currently; possibility of a Pasco County unit locally in the future; City's IT department to verify reasonable reoccurring costs; retention of current dispatch personnel; Pasco and Zephyrhills units dispatched at the same time with no delay; pro-rata share of call volume versus full-time dispatch position; address rationale for dispatch position; visit dispatch to listen to calls and/or ride along with rescue units; and the possibility of an east/west side dispatch with growth.

Council concurred to direct Fire Chief Swartout to negotiate the costs and staffing with Pasco County.

4. Fire Engine Financial Plan

Fire Chief Brian Swartout presented two proposals to Council for a new Pierce Saber FR Pumper. The first proposal outlined the \$516,607.00 purchase with \$100,000 down (funding from contingency) and a 3% discount of \$3,000. The second proposal outlines the \$516,607.00 purchase with \$250,000 down and a 3% discount of \$8,000.

Dr. Spina recommended the City proceed with the purchase of a new fire truck, moving \$150,000 from Fire Impact Fees to allow \$250,000 down.

City Attorney Matthew Maggard stated the current price is a piggyback on the Florida Sheriff's Association contract which expires at the end of January 2019 and suggested the City move forward to lock in the price.

Alan Knight moved to approve the purchase of a new fire truck with \$250,000 down. Seconded by Jodi Wilkeson. Motion passed unanimously.

CITY MANAGER'S REPORT

5. Tyler Munis Update

Dr. Spina said the City began the Tyler Munis two to three year implementation process in 2017. The process includes four phases; Phase 1 – Financials (complete), Phase 2 - EnerGov Permitting & Inspections (in progress), Phase 3 - Payroll, Human Resources (in progress), and Phase 4 - Inventory, Fixed Assets, Work Orders, Fleet and Facilities (scheduled to begin the first week of February 2019). Tyler 311 (scheduled to begin in July 2019). A Munis software upgrade to 2018.1 will go live February 4, 2019.

Discussions ensued relating to on line permitting; comprehensive property file to include permits, code violations, and grant incentives; interdepartmental coordination for improved communications between code enforcement and police departments to eliminate duplication of citations; staff and employee training; and Accela permitting software.

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

Mr. Burgess said staff will be working on the conversion process over the next three weeks. The initial set-up will be time consuming but will save time in the long run.

Spoke from the Floor: IT Director Mike Panak – City of Zephyrhills

Mr. Panak said the City has transitioned from IMS to Springbrook to Tyler Munis. He said Accela is owned by venture capitalists and will be bought, possibly by Tyler. He said the City chose a company that buys other companies.

Councilman Burgess said speaking from experience, navigating in Accela is horrible. He used Tyler Munis through the school board and said the employee self-service aspect is fantastic.

Councilman Smith said the City has invested money in Tyler Munis and instructed staff to ensure there is funding in the budget for continued training of employees.

6. Update on Finance Director

Dr. Spina stated five Finance Director candidates were interviewed on January 17th by a committee comprised of Sandra Amerson, Kristen Labbe, Billy Poe and the City Manager. An

offer was presented to Ted Beason who is currently a Finance Director in Quincy with 30 years of experience in local government. The paygrade for the Finance Director is 129 ranging from \$70,468 to \$108,000. The City typically hires at the beginning of the grade and the City Manager has the authorization to add 10%. Dr. Spina requested Council approve 15% over the entry level pay grade for a salary of \$81,000.

Alan Knight moved to approve the salary recommended by staff. Seconded by Ken Burgess. Motion passed unanimously.

7. Proposed Budget Adjustments

Dr. Spina stated during the budget process, staff did not budget for improvements and changes while awaiting the results of the FYE 17 audit for actual numbers. The General Fund Reserves are \$4.8M, Transportation Impact Fees are \$1.7M, Fire Impact Fees are \$173,000 and the Police Impact Fees are \$53,000. He recommended Council consider the following adjustments:

ADJUSTMENTS:

- \$150,000 – Additional funding for new fire engine purchase /down payment – Fire Impact Fee.
 - \$150,000 – Restoration of the Jeffries House Carriage House – Design and Construction – General Fund Reserves
 - \$100,000 – Airport Venue stage improvements and building construction – General Fund Reserves.
 - \$100,000 – Hercules Park improvements (architectural/engineer services/pool removal) – General Fund Reserves.
 - \$35,000 – Funds for ZPD air conditioning replacement/trigger replacements (\$30,000/\$5,000) – Police Impact Fees.
 - \$15,000 – Oral history project – African American History of Zephyrhills – General Fund Reserves.
 - \$2,500 – HR shredder (carry over from 2018 FY) – General Fund Reserves.
 - \$3,532 – HR intern at an hourly rate of \$10 from November/December 2018 to July 2019 – General Fund Reserves.
- Pretty Pond Road/301 traffic light – \$60,000 was budgeted for the engineering of the signal relocation at Pretty Pond. An additional \$1,600,000 is needed for additional design costs and actual construction which will be funded from Transportation Impact Fees which has a balance of \$1,775,000. The City will seek a CDBG Economic Development Grant that will range from \$700,000 to \$1,000,000; a contribution of \$90,000 from the Aldi developer, and impact fee collections from numerous projects to include Zephyr Lakes (128 residential units), Aldi Development, Chick-Fil- A, and the storage unit project.
- Utility Division – Transfer of truck purchases from FY 2018 – WWTP ordered two trucks, one at \$23,000 and one at \$54,000 in FY 2018 that arrived in FY 2019; add \$77,000 for this fiscal year.

Dr. Spina said staff has discussed cleaning up Lake Necessity to install new fencing and improve the submergible pump house. The amount of \$35,000 has been budgeted in retention pond fencing replacement and recommended adding \$40,000 from the Gas Tax Reserves. The idea is to put some rod iron fencing around the pond similar to the fencing that is on the fixtures and structures of City Hall. Pump house improvements will include adding aluminum fencing around the structure and replacing the roof to blend into the architecture of City Hall.

Councilwoman Wilkeson said what is important to realize is that the Carriage House structure is fragile and it will continue to deteriorate and become more expensive over time. She said the City needs to continue improving the Airport Venue to host large events.

Councilman Proctor questioned the money being spent on the carriage house and asked staff what the City plans to use the structure for following restoration.

Spoke from the floor: CRA Director Gail Hamilton – City of Zephyrhills

Ms. Hamilton said the City will go out for Request for Proposals (RFP). The upstairs will be residential with the possibility of offering the unit to a police officer for police presence in the downtown core and the bottom floor will be used for a business. The building is a historical asset and the City would like to use the Carriage House as an example on how to restore a building with the proper siding and windows. This is an old building and \$30,000 has been budgeted for contingency.

Ken Burgess moved to approve Business Item 7. Seconded by Alan Knight. Motion passed unanimously.

8. Request to Seek Request For Proposals for City Auditors

Dr. Spina stated the City is required by law to conduct an audit each year which is due to state agencies and the Florida Auditor General by June 30th. The City's current auditor's contract expired in fiscal year 2017. He requested Council consider going out for Request for Proposals for City auditors.

Alan Knight moved to approve Business Item 8. Seconded by Jodi Wilkeson. Motion passed unanimously.

9. T-Hanger Meeting

Dr. Spina said T-hanger tenants addressed Council at the December 10th Council meeting to express their unhappiness with policy changes at the airport relating to renting and leasing hangers. An Airport Authority Board Meeting was held on January 22nd to vote on one of four options and the board approved Option 4 reducing the \$75.00 fee to \$35.00, "Continue to allow one additional aircraft to be stored at \$35 but restrict use to aircraft owned by the same individual (no subleasing). In this instance, the airport could consider an additional fee of \$35 (similar to tie-down fees) due to same owner/operator use in lieu of the \$75 fee". The vote was 5 to 1.

CITIZENS COMMENTS

Wet Zone at Pauly Palooza - Paul Correia – 37608 Sky Ridge Circle – Dade City, FL

Mr. Correia said Pauly Palooza is a fundraiser which began in 2012 to raise money for Gulfside Hospice. The event brings in anywhere between 800 and 1,200 people from primarily senior communities. Mr. Correia would like to request a Wet Zone Permit for the Zephyrhills Brewing Company and Manolo's Italian Restaurant to sell beer and wine to customers who could carry the product from their establishments within the Wet Zone area. The event will be held on February 23rd from 12:00 p.m. to 8:00 p.m.

Ken Burgess moved to approve the Wet Zone area for Pauly Palooza. Seconded by Charlie Proctor. Motion passed unanimously.

Library Parking Lot and Lighting – Sheila Cyr – 5350 8th Street – Zephyrhills, Florida

Ms. Cyr said she lives adjacent to the ongoing construction project which is becoming a blight and neighbors are concerned. The dirt is running from the hills down into the parking lot and it affects property values. She said people from the American Legion are cutting across her yard and stated the sidewalks need to be completed. Ms. Cyr is concerned with the five high lumen lights being proposed that would shine into her home. She requested less lighting in the parking lot using softer yellow lights. Ms. Cyr wants this project done.

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

Mr. LeBlanc advised the electrical contractor is in the process of installing conduit in the bases of the poles in the parking lot and upon completion, the landscaping will be finished. He said the sidewalk has been delayed due to the original pavers being discontinued. A new lot of pavers are being manufactured specific to the project. He said a photometric survey was

completed when the parking lot was engineered to assure the appropriate lighting for pedestrian and motorist safety. He said five fixtures will be installed with only one that is adjacent to Ms. Cyr's property on the south side. The parking lot lights are on a photo cell which will be connected to the 8th Street lights which will burn from dusk to dawn on the same controller.

Dr. Spina said the DAV is active, lights are required in the parking lot for staff at night, and if all lights are shut off at 8:00 p.m., the area is subject to loitering.

Councilwoman Wilkeson suggested meeting minimum requirements of the photometric survey with an alternative light source. She said LED lighting is energy efficient as are metal halide and sodium vapor lights. She suggested installing a hedge to block some of the light.

Council concurred to install the lights and reevaluate.

Elks Lodge Variance for Additional RV Parking

Cliff McDuffie – 6130 17th Street – Zephyrhills, Florida

Mr. McDuffie advised the Elks Lodge discovered they have additional paperwork to complete and will not be pursuing a variance. He thanked the City on behalf of the Elks Lodge for the police and fire first responder's involvement and support of Elks Lodge events.

Councilman Smith thanked the Elks Lodge for all they do for the community.

Junior ROTC Project Patriotism

ROTC Lieutenant Commander Josie Wedge – Zephyrhills High School Junior ROTC

ROTC Lieutenant Commander Josie Wedge requested permission from City Council to host the Junior ROTC's Project Patriotism 2.0 which is tentatively scheduled for February 16th from 2 p.m. to 5 p.m. in Oakside Cemetery. Master of Ceremony Lieutenant Carmelo Mendoza said Project Patriotism is a way to bring awareness to the community on the proper way to retire a flag and encouraged citizens to attend the upcoming event. Master of Ceremony Captain Josiah Cagle advised he is in charge of cleaning stones and their purpose is to show Veterans and their families that their loved ones have not been forgotten.

Lt. Commander Josie Wedge closed by advising Council that ROTC Cadets will take great care in cleaning the headstones. She said the cleaning of headstones came about through placing flags on Veterans' graves on Memorial Day. She said when laying down flags, she could hardly see if they were a Veteran or if they served our country. She said grass, dirt, and mud covered the headstone and she found this very disrespectful. Ms. Wedge wants to make sure when citizens are driving through our community, they see how well we take care of our veterans even after they pass away.

The ROTC members received a standing ovation. Dr. Spina said the Public Works Director will coordinate this event with ROTC to assist with set-up, a City vehicle, and supplies. The City will sponsor the event and fund \$250.00 toward flags, supplies to clean headstones, and refreshments and food for the ROTC Cadets.

Councilman Smith said ROTC Cadets are fine young people and Council is proud of them.

Drug Issues on Wisteria Drive

Ms. Lori Cutkomp addressed Council and explained the issues in her neighborhood have been going on since 2013. She said she has security cameras and concrete evidence of what is happening in front of her house. She said when the police department is called, the complaints are re-categorized as a disturbance. She said the property near her home has a high volume of traffic and said the majority of the people associated with this house are convicted offenders. She said she wants the drug deals in her neighborhood to stop. Ms. Cutkomp said she hand-delivered a CD to Captain Roberts of the video footage that occurred on January 5th and 16th.

Spoke from the floor: Brenda K. Milligan – 4709 Wisteria Drive – Zephyrhills, Florida

Ms. Milligan said her husband works nights and she is home alone. She said people come to her home during the night and rattle her front door, her son's tools and tree trimming chain saws were stolen out of her garage that was locked, and she has heard someone yelling

outside her house saying they were going to blow someone's head off. People on Wisteria Drive do not feel safe.

Spoke from the floor: Police Chief Brewer – City of Zephyrhills

Police Chief Brewer said this house has been a challenge for several years. He said since 2013, police units have responded 224 times generating over 70 reports and 9 arrests. He said the department has an intelligence report on the property and they are working within the confines of the law toward a resolution.

Conversations took place between Council, City Attorney and staff regarding owner's responsibility for tenants, criminal activity in and around a residence, use of property pursuant to a crime, excessive trips to a residence, and establishing a neighborhood watch.

Councilman Smith said he is sure there is a municipality out there that has encountered the same issue. He asked staff to bring back an update at the next meeting to find a way to help these citizens feel safe in their neighborhood.

MAYOR ANNOUNCEMENTS – N/A

CITY MANAGER ANNOUNCEMENTS – N/A

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Proctor - N/A

Councilman Knight – N/A

Council Vice President Burgess – N/A

Councilwoman Wilkeson – N/A

Council President Smith reminded everyone to attend Project Patriotism, February 16th at Oakside Cemetery from 2 p.m. to 5 p.m.

Meeting adjourned 8:18 p.m.