

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on May 14, 2018 at 6:00 p.m. in the meeting room of the Zephyrhills Library.

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, Public Works Director Shane LeBlanc, Finance Director Brian Williams, CRA Director Gail Hamilton, IT Director Mike Panak, Airport Manager Nathan Coleman, Historic Preservation Officer Audrey McGuire, Main Street Coordinator Anna Struziem, Assistant Planner Rodney Corriveau, Assistant City Clerk Jessica Carter and City Clerk Lori Hillman.

Nick Deford from the First Church of the Nazarene gave the Invocation. The Pledge of Allegiance followed. Charlie Proctor moved the minutes of the April 23, 2018 Regular Meeting be approved. Seconded by Ken Burgess. Motion passed unanimously.

MAYOR

Public Works Proclamation

Mayor Whitfield welcomed Public Works Director Shane LeBlanc and his employees to the front as City Clerk Lori Hillman read the Public Works Proclamation. Mayor Whitfield presented the Proclamation to the Public Works Department. Mr. LeBlanc said the Public Works Department consists of 35 dedicated men and women who provide essential services to the citizens of Zephyrhills.

CONSENT ITEM

1. Vendor Selection for the Purchase of City Hall Furniture

Charlie Proctor moved to approve Consent Item 1. Seconded by Alan Knight. Motion passed unanimously.

BUSINESS ITEMS **PUBLIC HEARING**

1. First Reading **ORDINANCE NO. 1365-18 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, APPROVING A LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY’S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM COUNTY N/A TO CITY RESIDENTIAL ESTATE, AND AMENDING THE ZONING FROM COUNTY R1 TO CITY ER, FOR PARCELS (EXHIBIT A); PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.”**

Ordinance 1365-18 was read by title. City Manager Steve Spina stated these two vacant properties are located off Sunshine Road. A public hearing was held and there were no comments from the audience. Ken Burgess moved to approve Ordinance 1365-18. Seconded by Alan Knight. Motion passed unanimously on the first reading.

CITY MANAGER’S REPORT

2. MPO Transportation Survey

City Manager Steve Spina introduced Casey Cursey, consultant to the Pasco County MPO. Ms. Cursey stated she is conducting public outreach for the Pasco County Metropolitan Planning Organization to kick off long range transportation plans. Ms. Cursey navigated through an online survey tool located on the City’s website demonstrating the opportunity for citizen participation by completing a Transportation Survey. She said a social media push was conducted on April 17th and to date over 1,500 surveys have been completed with 2,000 comments.

3. Hawk Aircraft Painting, Inc. AeroCenter Lease

City Manager Steve Spina said the City advertised in February 2018 for businesses to lease the AeroCenter and one response was received. On March 26th, City Council directed the Airport

Manager, City Manager, and City Attorney to negotiate a contract with Mr. Dinolfo of Hawk Aircraft Painting, Inc. Staff proposed a 20-year lease with two, five year renewal periods to begin October 1, 2018. A rate of \$3,000 a month for the first three years is being proposed, with an increase to \$4,700 a month beginning the fourth to sixth years with an increase to \$5,500 thereafter. The lease provides for provisions outlined in the lease, annual increases in the CPI, and the tenant will pay property taxes and utilities.

Charlie Proctor moved to approve Business Item 3. Seconded by Alan Knight. Motion passed unanimously.

4. Cancel May 28th Meeting

Dr. Spina requested City Council cancel the May 28, 2018 Regular Council Meeting in recognition of Memorial Day. He requested City Council schedule a Special Meeting for Monday, May 21, 2018 for a second reading of the Zephyr Lakes PUD Amendment and a proposed agreement with Florida Medical Clinic.

Alan Knight moved to cancel the Regular Council Meeting on May 28, 2018 and hold a Special Meeting on May 21, 2018. Seconded by Ken Burgess. Motion passed unanimously.

CITY ATTORNEY'S REPORT

5. First Reading **ORDINANCE NO. 1360-18 – “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 MAP DESIGNATION FROM COUNTY RES-9 TO CITY MIXED USED, AND AMENDING THE ZONING FROM COUNTY C3 TO CITY C3, FOR PARCELS (EXHIBIT A); PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.”**

Ordinance 1360-18 was read by title. City Manager Steve Spina stated these properties are located at 37100 and 37042 Geiger Road.

Ken Burgess moved to approve Ordinance 1360-18. Seconded by Charlie Proctor. Motion passed unanimously on the first reading.

6. First Reading **ORDINANCE NO. 1361-18- “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 MAP DESIGNATION FROM COUNTY RES-9 TO CITY MIXED USED, AND AMENDING THE ZONING FROM COUNTY C3 TO CITY C3, FOR PARCELS (EXHIBIT A); PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.”**

Ordinance 1361-18 was read by title. City Manager Steve Spina stated this property is located at 7201 Ash Street off Sunshine Road.

Ken Burgess moved to approve Business Item 6. Seconded by Charlie Proctor. Motion passed unanimously on the first reading.

7. First Reading **ORDINANCE NO. 1362-18 – “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 MAP DESIGNATION FROM COUNTY N/A TO CITY RESIDENTIAL ESTATE, AND AMENDING THE ZONING FROM COUNTY R1 TO CITY ER, FOR PARCELS 33-25-21-0000-02500-0010; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.”**

Ordinance 1362-18 was read by title. City Manager Steve Spina said this is vacant land located on Austin Smith Road off Fort King Highway.

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

8. First Reading **ORDINANCE NO. 1363-18 - "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 MAP DESIGNATION FROM COUNTY RES-6 TO CITY RESIDENTIAL SUBURBAN, AND AMENDING THE ZONING FROM COUNTY R2 TO CITY R2, FOR PARCELS 02-26-21-0010-00400-0035; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE."**

Ordinance 1363-18 was read by title. City Manager Steve Spina stated this property is located at 6922 Wire Road.

Ken Burgess moved to approve Business Item 8. Seconded by Charlie Proctor. Motion passed unanimously on the first reading.

9. First Reading **ORDINANCE NO. 1364-18 - "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 MAP DESIGNATION FROM COUNTY RES-4 TO CITY RESIDENTIAL SUBURBAN, AND AMENDING THE ZONING FROM COUNTY R2 TO CITY R2, FOR PARCELS 13-26-21-0000-00200-0020; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE."**

Ordinance 1364-18 was read by title. City Manager Steve Spina stated this property is located at 39849 Tucker Road.

Alan Knight moved to approve Business Item 9. Seconded by Charlie Proctor. Motion passed unanimously on the first reading.

10. First Reading **ORDINANCE NO.: 1366-18 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA AMENDING ORDINANCE NO. 1223-14 AND 948-06; AMENDMENT TO THE ZEPHYR LAKES PRELIMINARY DEVELOPMENT PLAN; AMENDMENT OF ZEPHYR LAKES FINAL DEVELOPMENT PLAN AND APPROVAL OF RESIDENTIAL DESIGN GUIDELINES IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT SEVERABILITY, AND AN EFFECTIVE DATE. (ZEPHYR LAKES)."**

Ordinance 1366-18 was read by title.

Assistant City Planner Rodney Corriveau stated Metro Development is planning the design and building of Kossik Road in Phases IV and V of the project but the Planning Board has requested transportation impact fee credits be used for the design and building of Kossik Road at an earlier phase. He said staff is not in support of using transportation impact fee credits that are earmarked for other uses.

City Attorney Matthew Maggard said the plan will not require the developer to finish Kossik Road in earlier phases; Kossik Road will be completed in Phases IV and V.

Spoke from the floor: Mike Lawson, Director of Operations for Metro Development Group – 2502 N. Rocky Point Drive, Suite 1050 – Tampa, Florida 33607

Mr. Lawson said the internal phase development of Kossik Road will occur heading north. He said permits will be secured within six-to-eight months, roadway construction will follow within six-to-eight months, and within an additional 18 months, housing construction will begin and move quickly. He said the construction of Kossik Road will begin within three years.

Spoke from the floor: Clarke Hobby – 109 N. Brush Street, Suite 250 – Tampa, FL 33602

Mr. Hobby addressed Council and stated this project has been on hold for 12-to-13 years and is an important project to the City. He presented the condition of 40' lots in one Phase of the project in exchange for a series of design changes. He said the developer has agreed to specified

entry monumentation, changes to house fronts located on 40' lots, and a design standards package. He highlighted conditions to include the site data table, clarifying wording, amending 20' internal streets to 24', 40' and 50' comingled lots, one-for-one exchange, and aesthetic and design features.

City Attorney Matthew Maggard said the City will amend the ordinance for the second reading to include 40', 50', and 60' lots with one-for-one as recommended by the Planning Department staff and agreed to by the developer. He also requested that the comingled language be clarified.

Mr. Clarke Hobby proposed the following language, "notwithstanding any other condition if 40' wide lots are comingled with 50' wide lots in Phase IV and do not exceed a total of 70, 40' wide lots then the one-for-one match under condition 3b3 shall not be required." He said this language covers the intent and he and the City Attorney can massage the language.

Jodi Wilkeson moved to approve Business Item 10. Seconded by Charlie Proctor.

Council President Smith stated Council is approving the conditions as highlighted and read into record by Attorney Clarke Hobby and documented by City Attorney Matthew Maggard.

Spoke from the floor: Ella Cochrane – 38822 Whisperwood Drive – Zephyrhills, FL 33540

Ms. Cochrane expressed her concerns of flooding in the low lying area of the proposed project from a long time resident's point of view. She said despite Pasco County installing a retention pond, the area continues to flood. She said she has never seen the existing pond in the pasture any fuller than it is now even though it has been an extremely dry season. She said the pasture is the lowest area from the west, south and east and surmises development in the area is responsible for the pond being full.

Motion passed unanimously on the first reading.

11. First Reading ORDINANCE NO. 1367-18 – "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDED THE LAND DEVELOPMENT CODE TO ACCOUNT FOR MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES; ADOPTING FINDINGS OF FACT; PROVIDING DEFINITIONS; AMENDING THE ALLOWABLE USES IN ZONING DISTRICTS TABLE AND CREATING SECTION 2.02.08 OF THE LAND DEVELOPMENT CODE ; PROVIDING FOR, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE."

Ordinance 1367-18 was read by title. City Manager Steve Spina said the state of Florida approved the dispensing of medical marijuana in municipalities and counties and they were given two options; to allow dispensing centers within their jurisdiction in zoning districts where regular pharmacies are allowed or to deny them in their entirety. Staff recommends the City provide provisions for Medical Marijuana Dispensing Centers within zoning districts as allowed by code.

Charlie Proctor moved to approve Business Item 11. Seconded by Jodi Wilkeson. Motion passed unanimously on the first reading.

12. Interlocal Airport Zoning Agreement

City Attorney Maggard said an Airport Zoning Ordinance was passed by Council on April 23, 2018. Pursuant to Florida Statute 333.03, the City is required to enter into an Interlocal Agreement with Pasco County for properties surrounding the airport. He said requirements extend beyond the City limit boundaries, 10 miles from the runway going in each direction. He said Pasco County will uphold all requirements in the City's Airport Zoning Ordinances for the areas impacted that fall within Pasco County. He said the agreement has been approved by the Pasco County Attorney's Office and, if approved by City Council, will go before Pasco County's Board of County Commissioners for approval.

Ken Burgess moved to approve Business Item 12. Seconded by Charlie Proctor. Motion passed unanimously on the first reading.

13. Culver's Sign Variance Agreement

Mr. Maggard said the CRA Commission voted to approve a Variance Agreement between the City of Zephyrhills and S&L Properties Zephyrhills, LLC, d/b/a Culver's. He said staff recommends approval of this agreement which was a compromise.

Jodi Wilkeson said she appreciates CRA Director Hamilton and her efforts to make this palatable for all parties. She said this was an oversight on the part of the plans reviewers.

Charlie Proctor moved to approve Business Item 13. Seconded by Jodi Wilkeson. Motion passed unanimously.

CITIZEN COMMENTS

This item was moved to this place on the agenda.

Heather Mooney – 5309 Beltram Avenue – American Mini Pig

Spoke from the floor: Heather Mooney – 5309 Beltram Avenue – Zephyrhills, FL

Ms. Mooney requested Council add mini pigs to the list of domesticated animals that can be kept as pets in Zephyrhills. Ms. Mooney said she was not aware pigs were not allowed in the City until she received a violation notice. She said her pig is a registered emotional support animal and referred Council to a letter from her psychiatrist.

Councilman Burgess said all pets are therapy for people because people get pets for comfort and companionship. Nobody gets a pet because they want another mouth to feed and work to do.

Spoke from the floor: Alana Rogers – 1622 Bondurant Way – Brandon, FL

Ms. Rogers said she works with the Pig Advocate's League and stated most pigs are hypoallergenic. She said she lives in Hillsborough County where pigs are defined as a companion animal. Ms. Rogers said mini pigs were never bred for meat, they came to the United States to be placed in zoos. She said mini pigs are a popular domestic pet and help kids with autism, they can predict seizures, and help people with anxiety. Ms. Rogers encouraged Council to look at the City's ordinance.

Spoke from the floor: Jeffrey Estevez – 123 W. Bloomingdale Ave., Ste 221 – Valrico, FL

Mr. Estevez said his grandfather was a hog farmer who stopped farming hogs due to the nature of the animal and the ability to bond with them. He said a mini pig is different than a hog, very small. He said he thinks it will be easy to find all of the changes that have been made very recently in many cities across the United States with the mini pig movement.

Council President Smith said the consensus is Council will review the ordinance. Alan Knight moved to discuss the animal ordinance at a future date. Seconded by Jodi Wilkeson. Lance Smith amendment the motion to include a moratorium on enforcement. Motion passed unanimously.

Main Street – Permission to Host Music & Motorcycles September 2018.

Main Street Coordinator Anna Struziem said on behalf of the Main Street Board Members, Downtown Merchants and Business Members, she filed a special event permit for the 14th annual Music and Motorcycles event to be held September 15, 2018 from 4:00 p.m. to 9:00 p.m. She requested approval to sell alcohol at the event.

Charlie Proctor moved to approve the sale of alcohol. Seconded by Jodi Wilkeson. Motion passed unanimously.

MAYOR ANNOUNCEMENTS – N/A

CITY MANAGER ANNOUNCEMENTS – City Manager Dr. Spina reminded everyone of the Family Fiesta Saturday, May 19th for all City employees and their families at the Zephyrhills Depot from 11:00 a.m. to 2:00 p.m. He said the 2018 Fire Engine has arrived and Fire Chief Swartout will bring the engine early to the Monday, May 21st Special Meeting for viewing.

CITY ATTORNEY ANNOUNCEMENTS – Attorney Maggard said having a mini pig as a pet versus a livestock pig is a big difference.

CITY COUNCIL COMMENTS – Councilwoman Wilkeson said she regrets that she will be unable to attend the Family Fiesta but has committed to the last Rotary event as the outgoing President.

Councilman Knight asked Police Chief Brewer to send Council's congratulations to Captain Roberts on finishing his schoolwork.

Councilman Burgess stated he, Dr. Spina, Police Chief Brewer, Police Captain Roberts, State Representative Danny Burgess, Sheriff Nocco, and four of his command staff members had a productive meeting assessing the safety of City Police Officers and the services Pasco County can provide to the citizens of the City.

Councilman Proctor thanked Main Street for all they do for the City.

Spoke from the floor: Warren Earle – 3822 Florida Ranch Blvd. – Zephyrhills, FL

Mr. Earle said the Zephyrhills Spring Concert is Thursday May 17th.

Meeting adjourned 8:11 p.m.