

## SPECIAL MEETING

A Special Meeting was held on May 21, 2018 at 6:00 p.m. in the meeting room of the Zephyrhills Library.

Vice President Burgess called the meeting to order. Roll call was taken. Present were members Ken Burgess, Jodi Wilkeson, Alan Knight, Charlie Proctor, Alan Knight, and Mayor Whitfield. City Manager Steve Spina and City Attorney Matthew Maggard were also present. Lance Smith arrived at 6:30 p.m.

Staff present: Police Chief Derek Brewer, Fire Chief Brian Swartout, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Building Official Bill Burgess, Airport Manager Nathan Coleman, HR Director Sandra Amerson, and City Clerk Lori Hillman.

### BUSINESS ITEMS PUBLIC HEARING

1. Second 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. A public hearing was held.

City Attorney Matthew Maggard stated he and Planning Director Todd Vande Berg, Attorney Clark Hobby, Director of Operations for Metro Development Mike Lawson, and City Manager Steve Spina met following the first reading of the Zephyr Lakes Ordinance on May 14<sup>th</sup> to negotiate changes.

Planning Director Todd Vande Berg highlighted negotiated conditions to include additional standards built in to stagger front yard setbacks and monotony controls; maximum of 70, 40' lots; added ponds and water features at the entrances; no updated traffic study required unless there is an increase in units; developer responsible to add one turn lane on Kossik Road; time certain date of December 31, 2022 for Kossik Road to Wire Road completion by developer; and developer shall not be entitled to transportation impact fees for right-of-way conveyance or roadway construction.

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

Mr. Mike Lawson said Metro Development Group's first order of business is securing construction plans. He said he directed his engineer to proceed a month ago, taking a risk to accelerate the six-to-eight month approval process for City and SWFWMD permits to begin construction immediately.

Jodi Wilkeson moved to approve Ordinance 1366-18. Seconded by Charlie Proctor. Motion passed unanimously on the second reading.

2. Florida Medical Clinic Development Agreement

Dr. Spina said the City took right-of-way ownership of Simons Road late last year from Pasco County. He said during this time, Florida Medical Clinic submitted a site plan for a Medical Facility on the corner of Eiland Blvd. and Simons Road. Pasco County initially approved a rural egress plan from the north boundary of the property's parking area south to Eiland Blvd. The City is currently in the process of finalizing the design engineering and permitting of Simons Road. The original site plan for Florida Medical Clinic has expired. Due to the fact Florida Medical Clinic had an approved plan, the City entered into a Development Agreement where Florida Medical Clinic will pay the City for the cost of construction for Simons Road and the trail on their property and the City will pay the entire construction cost as one piece by April 1, 2019.

Spoke from the floor: Chad Eichel, Associate Director, Florida Medical Clinic – 2502 Brownwood Drive – Mulberry, FL 33860

Mr. Eichel said he has received a cost estimate of \$140,000 for Simons Road.

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Dr. Spina said the plan is to go out for bid to construct Simons Road. He said the City will receive money from Florida Medical Clinic for the cost of construction and the developer of the Waronker property will pay for the engineering, design and permitting. Mr. Waronker will also contribute \$1,000 per unit of the Links project. He said the City will repay themselves from impact fees from property on the west side of Simons Road, \$1.8M approximately based on the number of units.

Charlie Proctor moved to approve the Florida Medical Center Development Agreement. Seconded by Alan Knight. Motion passed unanimously.

### 3. Pasco County's Urban CDBG Program

Dr. Spina said Pasco County invited the City to join the Pasco County Community Development Block Grant Entitlement Program that is issued through the federal government. He said since 1999, the City has participated in the Small Cities Community Development Block Grant Program which is a competitive process but the City is eligible for \$750,000 per project. In the past, the City has received several million dollars at a time. He said the total county allocation is \$2.9M and Zephyrhills' portion would be \$100,000 a year, approximately. Dr. Spina recommended the City remain in the Small Cities Program.

Alan Knight moved to approve the City remain with the Small Cities Community Development Block Grant Program. Seconded by Charlie Proctor. Motion passed unanimously.

Council President Smith arrived at 6:30 p.m.

Mayor Whitfield requested an emergency item be added to the agenda.

Alan Knight moved to add the Mayor's emergency item to the agenda. Seconded by Charlie Proctor. Motion passed unanimously.

City Attorney Matthew Maggard stated he has been employed with Hersch and Maggard, Attorneys at Law, and plans to leave the firm to establish his own practice. Mr. Maggard said the Florida Bar Association requires the City to make a determination to continue the services of Hersch and Maggard, under the auspices of Larry Hersch, or retain the services of Matthew Maggard under the auspices of Matthew Maggard, Esquire.

Dr. Spina said technically the City of Zephyrhills entered into an agreement with Matthew E. Maggard. Because Mr. Maggard is employed at Hersch and Maggard, the Florida Bar requires the City to advise both parties of their determination of Legal Counsel for the City. Council's options are: 1). I wish my file to stay with Larry S. Hersch, Esq., P.A. d/b/d Hersch & Maggard, P.A., 2). I wish my file and trust account balance to be transferred to Matthew E. Maggard. Please send my file to Matthew E. Maggard at 13134 U.S. Highway 301, Dade City, Florida, or 3). I will retain new counsel and have them contact Larry S. Hersch, Esq., P.A. d/b/a Hersch & Maggard, P.A. He said the Florida Bar is very clear, it is up to the client as to who they wish to retain as legal counsel so he is asking for a written statement be sent to the firm as a matter of record.

Charlie Proctor moved to approve option 2. Seconded by Ken Burgess. Motion passed unanimously.

Dr. Spina announced Police Chief Brewer made a decision last week to place officers in the two elementary schools within the City limits for the last week of school following the wake of the Santa Fe High School shooting in Texas. The Pasco County School Board has been notified.

Council Vice President Burgess thanked Sandra Amerson and the Family Fiesta Committee for a great picnic with good food and cool games.

Councilman Knight thanked Fire Chief Swartout for the tour of the fire engine and said FireMedic Billy Jeffries did an excellent job of showcasing the engine.

Dr. Spina said he and Airport Manager Nathan Coleman will visit the FAA on Friday in Orlando with Mohsen Mohammadi, one of the Airport's two consultants, to begin preparations to receive State Appropriation funding for the runway extension.

Meeting adjourned 6:40 p.m.