



**Minutes of the
Crystal River City Council
Regular Council Meeting
Monday, March 26th, 2018 @ 7:00 p.m.
Council Chamber, City Hall**

1. CALL TO ORDER

Mayor Farley called the meeting to order at 7:00 p.m.

Council Present: Mayor Farley, Vice Mayor Brown, Council member Fitzpatrick, Council member Gudis, Council member Holmes

Council Absent: None

Staff Present: Finance Director Michelle Russell, City Attorney Jennifer Rey, City Clerk Fink, Public Works Director Beau Keene, Special Events Coordinator Leslie Bollin and Planning and Development Services Director Jackie Gorman.

Mayor Farley led in the Pledge of Allegiance and Council member Holmes led the invocation.

2. ADOPTION OF AGENDA

Motion to adopt the agenda was made by Vice Mayor Brown; seconded by Council member Gudis. Motion carried unanimously.

3. PRESENTATIONS

A. Water Conservation Month Proclamation.....Mary Kassebaum, SWFWMD
Mayor Farley presented the proclamation to Ms. Kassebaum who thanked Council for acknowledgment of April as water conservation month.

4. UNFINISHED BUSINESS

5. APPROVAL OF CONSENT AGENDA

A. Motion to approve minutes from the Regular City Council meeting held March 12, 2018

B. Motion to approve monthly departmental reports

C. Motion to approve the road closure, waiver of open container, and memorandum of understanding for the 2018 Kings Bay Pirate Fest

Background: [Agenda Sheet Requested Motion: Motion to approve the road closure, waiver of open container, and memorandum of understanding for the 2018 Kings Bay Pirate Fest.

Summary: The City special events department, along with Citrus Sertoma will once again be hosting the Kings Bay Pirate Fest on Saturday, May 19, 2018. The event will include: live music, arts and crafts, non-profits, kids areas, food trucks, beer and wine sales, The CR Raft Race, etc. They are requesting closure of Citrus Avenue from Highway 19 to NW 3rd Street and NE 5th Street from Citrus Avenue to NE1st Ave. and NW 3rd Street from Citrus Avenue and NW 5th Street from Citrus Avenue to NW 1st Avenue for the hours of 6:00am-12:00am. They are also asking for waiver of open container for the festival area from the hours of 10:00am-10:00pm. This year they will be working with Citrus Sertoma on the event and they will be selling the beer and wine. They will be working with the CCSO deputies for the event.

Staff Recommendation: Staff recommends approval

End of Agenda Sheet]

D. Motion to approve a special event permit and waiver of open container for the Kemper BBQ at Kings Bay Park
Background: [Agenda sheet **Requested Motion: Motion to approve a special event permit and waiver of open container for the Kemper BBQ at Kings Bay Park.**

Summary: The Kemper Group is requesting permission to use an area at Kings Bay Park for a BBQ on April 17th & 18th, 2018 from 3:00pm- Sunset. The group is holding their annual conference at the Plantation and wants to expand their event to another waterfront area of Crystal River. The group is requesting a waiver of open container to be able to bring in their own beer and wine for the event, there will be no sales of alcohol and a CCSO Deputy will be hired.

Staff Recommendation: Staff recommends approval.

End of Agenda Sheet]

Motion to approve the consent agenda was made by Vice Mayor Brown; seconded by Council member Holmes. Motion carried unanimously.

6. PUBLIC INPUT

(Time Limit of Three Minutes)

Jack Huegel- 743 SE 1st Court- Discussed upcoming Three Sisters Springs Refuge management decision, urging comparison of past actions of each managing entity, noting work done by staff, severability clause in existing contract and expressing concerns with certain provision of a draft USFWS management plan.

Guy Marwick- Executive Director- Felburn Foundation- Discussed upcoming Three Sisters Springs Refuge management decision, urging a partnership with USFWS, noting benefits including wildlife management expertise and available funding, and suggesting further discussion between City and USFWS.

Nathan Braugh- 8387 N. Marinazzo Terrace- Expressed concerns with roadside maintenance on Three Sisters Springs Trail and Refuge, offering to provide a higher quality of service through his current employer.

Mary Morgan- 431 NE 13th & 124 N. Citrus Ave.- Expressed concern with cost of projects proposed in the city's draft management plan for Three Sister Springs Refuge, noting the expense of existing city projects including Riverwalk and City Hall, and concern with lack of detail as to how free days would be managed. w cost of all these projects on page 9 and 10...of the 3SSR Management Plan - added up to nearly a million dollars- 3000 residents- City walk and Bay Walk and new city hall- don't want city to find itself. Concerned... bottom of page 2- it's discussed managing ... people on free days- no mention of negative impacts- it's a lot of people but how was it handled?

Mayor Farley noted City's ability to maintain low tax rates.

Diane Oestreich- Birds Underwater- Spoke in favor of USFWS oversight for Three Sisters Springs Refuge management plan decision and expressed concerns with city's proposal to allow access for swimming and launching, including impact on local businesses.

City Manager Burnell clarified those provisions, intended for summer months, would be omitted.

James Greene- Homosassa- Discussed upcoming Three Sisters Springs Refuge management decision and article by former City Manager Andy Houston, noting past collaborative efforts between both entities and former Council view to put USFWS as the managing entity due to cost and personnel concerns and additional burden.

Mike Engiles- Crystal River Watersports- Discussed upcoming Three Sisters Springs Refuge management decision and letter from META expressing concerns including lack of ability to review draft plans, proposed in water access from the property, and uncertainty of future under Council authority, noting USFWS plan's inclusion of joint mechanism for management authority.

City Manager Burnell clarified that any future plan or change of plan would require FCT and SWFWMD approval.

7. PUBLIC HEARING

8. CITY ATTORNEY

City Attorney Angeliadis provided an update regarding an upcoming abatement code modification to allow for special assessments and provided clarification for Council that when a lien is in place a homesteaded property cannot be foreclosed upon.

9. CITY MANAGER

- A. Motion to approve a piggyback contract off Citrus County with Tolle Roads, LLC for roadway thermoplastic striping and marking in a not-to-exceed amount of \$50,000.00CRA Annual Report

Background: [Agenda Sheet **Requested Motion: Motion to approve a piggyback contract off Citrus County with Tolle Roads, LLC for roadway thermoplastic striping and marking in a not to exceed amount of \$50,000.00.**

Summary: With reference to the attached exhibits, numerous locations throughout the city --- especially in the school zone areas --- are in need of pavement striping and marking rehabilitation.

Staff also recommends updating the existing Crosstown Trail crossings to meet FDOT's special emphasis criteria to enhance safety.

Consistent with direction from the CRA at its May 8, 2017 hearing, bike sharrows ("share the road") are also proposed along NE 3rd St., Citrus Ave, and Crystal Street to provide a designated bicycle route which would link both sides of the Crosstown Trail across US-19.

Staff proposes to piggyback Citrus County's contract with Tolle Roads, LLC who was the low bidder in response to Citrus County Bid No. 006-11 for thermoplastic traffic striping; that contract is valid through 6/28/2019.

Tolle Roads, LLC has provided an estimate in the amount of \$45,860.00. Payment will be made based on the actual final quantities and Staff is requesting a not-to-exceed amount of \$50,000.00 to provide for an allowance.

The County's Road Maintenance Director stated Tolle's work has been acceptable.

Staff Recommendation: Approve a piggyback contract off Citrus County with Tolle Roads, LLC for roadway thermoplastic striping and marking in a not-to-exceed amount of \$50,000.00
End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item and Council member Gudis noted the benefits of utilizing piggyback contracts.

Motion to approve a piggyback contract off Citrus County with Tolle Roads, LLC for roadway thermoplastic striping and marking in a not to exceed amount of \$50,000.00 Council member Gudis; seconded by Council member Holmes. Motion carried unanimously.

B. Status of FEMA Reimbursements related to Hurricane Hermine and Hurricane Irma

Background: [Agenda Sheet **Requested Motion: Information only- Status on FEMA reimbursements related to Hurricane Hermine and Hurricane Irma.**

Summary: The grant funding reimbursement can often be a lengthy process which can takes years to complete. FEMA claims for both Hurricane Hermine and Hurricane Irma the applications have been completed and submitted for payment. This required City Staff spending many hours of document preparation to make both claims and it appears the review process and payments are no exception. To date we have had no rejections related to claims as it relates to the processes followed during the cleanup.

Hermine: Staff submitted requests for reimbursement for costs associated with Hurricane Hermine related to the City's cost for debris clean-up and removal, protective measures, and repairs and replacement of damaged or destroyed city assets/buildings. The City has been reimbursed for a small portion of the expenses incurred thus far and reimbursement for debris removal is outstanding. The requested reimbursement is all related to debris removal is approximately \$198,900.00. Staff requested a closeout on the reimbursement of for the debris removal in May 2017 and it is currently being processed by the State. Staff continues to work with both State and Federal agencies to secure total reimbursement for the expenses incurred during Hermine.

Irma: Staff has been working with FEMA to secure reimbursement for expenses incurred by the City during Hurricane Irma. The process for reimbursement was revamped and streamlined between Hurricane Hermine and Hurricane Irma. The state level of the process was removed to expedite the process. The State still pays its share but local governments now deal only with FEMA for final payment. The City request for of reimbursement is \$135,943.00 for eligible expenses. Staff has been told it is likely the City will see final payments for Irma before the final payments for Hermine are received based on the revised process.

Current total City funds expensed and not reimbursed is \$334,844.00. City Council authorized utilizing funds set aside for catastrophic events which had been set aside in a Money Market Account. Finance took steps and avoided drawing funds from the actual account by managing operating fund cash flow which has avoided account penalties and loss of interest income.

Staff Recommendation: N/A

End of Agenda Sheet]

City Manager Burnell provided a status update regarding outstanding FEMA funding reimbursements. He also addressed questions regarding the funding status for other communities, noting past assurances made by legislative representatives that reimbursement could be anticipated soon.

C. Discussion on the viability of continuing tent sales on commercial property

Background: [Agenda Sheet **Requested Motion: No motion. Discussion on the viability of continuing tent sales on commercial property.**

Summary: The City’s Code of Ordinances addresses Tent Sales under Chapter 23-Special Events, which is attached for review.

This section of the code was developed in order secure the beneficial interests and purposes thereof which include public safety, health and general welfare through structural strength, stability, sanitation and safety to life and property from fire and other hazards incidental to congregation of persons at special events.

Tent Sales is listed in the ordinance as an acceptable activity under certain conditions. The conditions are based on the purpose and requirements which vary based on a number of conditions within the code.

Staff Recommendation: N/A

End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item and presented members with a provision from the Citrus County LDC (ATTACHMENT A), noting that staff was requesting input to move forward with drafting an ordinance revision to current code regulating the issue. City Attorney Angeliadis also provided clarification regarding existing city code noting the opportunity to revise and clarify.

Council discussion was held during which concerns were expressed regarding an automobile tent sale held over the previous weekend, benefits of utilizing the county’s LDC provisions and exceptions as a model and staff was requested to prepare and present options. City Manager Burnell also noted that he would be working with the Inverness City Manager.

- D. Motion to approve an Interlocal Agreement between the City of Crystal River, the City of Inverness, and Citrus County, Florida for Airport Protection Zoning Regulation in Citrus County Chapter 333, Florida Statutes

Background: [Agenda Sheet **Requested Motion: Motion to approve an Interlocal Agreement between the City of Crystal River, the City of Inverness, and Citrus County, Florida for Airport Protection Zoning Regulation in Citrus County Chapter 333, Florida Statutes.**

Summary: This Interlocal Agreement requires the City to amend the Land Development Code airspace protection standards as needed to comply with the recently amended standards as required to ensure compliance with the recently amended State standards of Chapter 333, Airport Zoning, and Florida Statutes. The City will also be required to amend any related ordinances. These standards include the criteria for an Airspace Height Notification Zone and a Notice of Potential Obstruction. Those applicants affected by a Notice of Potential Obstruction will be required to apply for a Construction/Use Permit determined and issued by the County.

Staff Recommendation: In order to ensure continued federal and state funding for Crystal River Airport this agreement must be in place.

End of Agenda Sheet]

City Manager Burnell introduced the item to Council, offering to address any questions.

Motion to approve an Interlocal Agreement between the City of Crystal River, the City of Inverness, and Citrus County, Florida for Airport Protection Zoning Regulation in Citrus County Chapter 333, Florida Statutes was made by Council member Fitzpatrick; seconded by Vice Mayor Brown. Motion carried unanimously.

10. CITY COUNCIL

11. COMMITTEE REPORTS

A. Mayor Farley

- *Waterfronts Advisory Board*

B. Vice Mayor Brown

- *Withlacoochee Regional Water Supply Authority* – Reported on a failed motion made by Citrus County representation to transfer ownership of a well back to Citrus County.
- *Crystal River Main Street*- Reported that the restoration grant for the pump house grant was funded.

C. Council member Fitzpatrick

- *Metropolitan Planning Organization*- Reported on upcoming inclusion of a red light at the traffic signal located at Seven Rivers Hospital, with pedestrian crossing to added, upcoming restoration of the red light at Highway 488, and current review of concerns related to the intersection of Highway 19 and Highway 44.

Vice Mayor Brown inquired about modifying the signalization at Crystal Park Plaza and City Manager Burnell confirmed that staff was working on the request, noting that completion of the requested turning signal at highway 19 and Kings Bay Drive would occur within thirty days.

Council member Gudis reported on a recent meeting held with Crystal River Village residents on golf carts during which discussion on traffic modifications in the area was held.

D. Council member Gudis

- *Tourist Development Council*- Reported on ongoing efforts to identify ways to attract tourism.
- *Library Governing Advisory Board*
- *Florida League of Cities*
- *Citrus County Community Charitable Foundation Board*- Discussed recent effort to address an inconsistency between the by-laws and charter regarding eligibility of projects. He also addressed Mayor Farley's questions regarding funding of a mental health crisis facility by confirming that no proposals had been received for such a project, and noting that effort would likely be a multi-organizational one.

E. Council member Holmes

- *Keep Citrus County Beautiful*- City Clerk Fink reported on recent signing of Resolutions, facilitating dissolution of Citrus 20/20 and retention of Save Our Waters Week Committee, reported on upcoming clean-up by Chassahowitzka Riverkeepers, and upcoming Earth Day/Adopt a Highway Clean-up Blitz.
- *Springs Coast Steering Committee*

12. COMMUNICATIONS

Mayor Farley reported on calls received regarding the previously discussed auto tent sale, Vice Mayor Brown reported on calls received regarding parking issues in the area around Hunter Springs Park and a stop made in response. City Manager Burnell confirmed there was an upcoming meeting with residents in that area to discuss solutions.

13. COUNCIL MEMBER REPORTS

- A. Mayor Farley
- B. Vice Mayor Brown
- C. Council member Fitzpatrick
- D. Council member Gudis- Remarked on the difficulty of the upcoming Three Sisters Springs management plan decision.
- E. Council member Holmes

14. PUBLIC INPUT

(Five Minute Time Limit)

Glen Robertson-Citrus Springs- Reported on concerns with ads distributed via mail by Bonita Springs Mitsubishi for the recent auto tent sale, including misleading prize offerings and lack of accountability.

Peter Weber-Crystal River- Expressed concerns regarding City Attorney's update on special assessments (eligibility of homesteaded properties) and continued assessment of fines. Discussion was held during which the City Attorney provided clarification regarding special assessments and the abatement process, confirming it was not code enforcement related.

Phillis Rosetti- 209 SE Paradise Pt Road- Commended City Manager and Council for addressing difficult items and making progress.

Phil Jannarone-1405 SE 5th Avenue- Commented on the recent auto tent sale and impact to local businesses, inquired about any deed restrictions associated with the current city hall property and inquired about feasibility of adding a second floor. City Attorney Angeliadis confirmed there were no deed restrictions and City Manager Burnell clarified that feasibility had not yet been determined.

Ron Ross- Gulf Coast Expeditions- Discussed upcoming Three Sisters Springs Refuge management decision and preference for USFWS to continue management due to uncertainty of future Council decisions.

Jack Huegel-743 SE 1st Court- Discussed upcoming Three Sisters Springs Refuge management decision, speaking in favor of city as managing entity, and outlined past challenges with the management partnership, citing unmet obligations, negative statements made by volunteers and potential federal funding shortfalls.

Nathan Brough- 8387 N. Marinazzo Terrace- Spoke in reference to statements made during previous Council meeting regarding school safety and gun control, addressing Vice Mayor Brown, and the ability for the city to take actions to address related issues. He also suggested reconsideration of code enforcement liens and seizure of private property, and encouraged Council to look beyond addressing opioid issues to include other substances, and commented on litter issues observed throughout the city.

Vice Mayor Brown clarified that responses to previous comments regarding school safety and gun control were related to jurisdiction, noting that Citrus County School Board and Citrus County Sheriff's Office were working closely to ensure school safety and decisions regarding gun control are made at the State level.

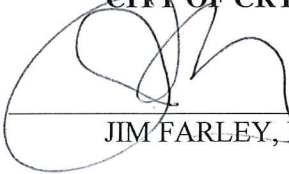
Ms. Sandra Engiles-Crystal River Watersports- Spoke in favor of USFWS management of Three Sisters Springs Refuge through a city partnership, noting the tourism-related benefits of operating within a National Wildlife Refuge, continuity of rules and volunteer force and workload for of city staff. She also expressed

concerns regarding competition with local businesses and uncertainty regarding springs closures referenced in the City's draft management plan and urged an ongoing partnership.

15. ADJOURNMENT

Mayor Farley adjourned the meeting at 8:28 p.m.

CITY OF CRYSTAL RIVER



JIM FARLEY, MAYOR

ATTEST:



MIA FINK, CITY CLERK



ATTACHMENT A

- E. The roadside produce stand may have only one sign visible from each direction, which sign may not exceed 30 inches in height and 12 square feet in total size.
- F. A site development permit is not required for a roadside produce stand, but must meet all the requirements of this section.

3140. TEMPORARY USES

Temporary uses of land may be permitted in designated land use districts by the issuance of a Temporary Use Permit, subject to the provisions of the Land Development Code, and shall meet all the requirements of this section.

An Application for a Temporary Use Permit shall be filed with the Director of the [Land Development Division](#). The Application shall include:

A site plan showing the location of the Temporary Use on the property, and the written approval of the ownership or management of the shopping center, if such Use is to be conducted within a shopping center, or written approval of the owner of the property.

Tents are allowed to remain for a period of no more than sixty (60) days. Tents shall comply with the provisions of the [Florida Building Code](#).

TABLE 3-1
TEMPORARY USES THAT REQUIRE APPROVAL OF A
PERMIT PRIOR TO EACH OCCURRENCE

A site plan depicting the proposed use in relation to the overall parcel shall include how the use will provide for the following requirements.

- Driveway access
- Off-street parking
- Covered trash or garbage receptacle
- Adequate restroom facilities are available

TEMPORARY USE OR STRUCTURE	ALLOWABLE TIME FRAME
Temporary Office Facilities (including Real Estate Sales Offices)	1-year with up to two 1-year extensions.
Outdoor Retail Sales Events* for the same merchandise that is sold within a permitted established use on the same property.	4 days per sale with a maximum of 4 occurrences per parcel per calendar year.
Seasonal Sales* (Christmas Trees, Halloween Pumpkins, or similar uses)	90 days per calendar year with no more than 30 days per occurrence, or 3 occurrences per parcel per year.
Seasonal Sales (Fireworks)	Governed by State Law.
Special Events (Fairs, Festivals, Arts & Craft Shows, Exhibits, and Similar Outdoor Events)	4 days per event with a maximum of 3 occurrences per parcel per year.

* Outdoor Retail Sales Events and Seasonal Sales shall only be allowed on non-residential designated properties located along arterial and major collector roadways, and where otherwise authorized as provided by the [Florida Right to Farm Act](#).

TABLE 3-2
TEMPORARY USES THAT CAN OCCUR WITHOUT A PERMIT

TEMPORARY USE OR STRUCTURE	ALLOWABLE TIME FRAME
Garage Sales, Yard Sales, Estate Sales	2 consecutive days per use. No more than 4 occurrences per parcel per year.
Temporary Vehicle Washes by Civic and Nonprofit Organizations, or by middle and secondary groups	2 consecutive days per use. No more than 4 occurrences per parcel per year.
Sidewalk Sales: Civic and Nonprofit Organizations	4 days per calendar year per occurrence. No more than 4 occurrences per parcel per year.
Temporary Uses on County Property	Approval by the BCC required.
Temporary Parking for Special Events	4 days per event. Maximum of 3 occurrences per parcel per year.
Construction-related Activities (including Construction Trailers, Portable Storage Units (POD), and employee parking)	1-year with up to two 1-year extensions (with an active building permit).
Portable Storage Units (POD) on-site (when not associated with construction-related Activity)	2 occurrences per address per year. Maximum of 14 days per occurrence.
Temporary Occupancy of a Recreational Vehicle on improved property	2 weeks per address per year.