

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE
BROOKSVILLE, FL34601**

MINUTES

May 19, 2014

7:00 P.M.

Brooksville City Council met in regular session with Mayor Kevin Hohn, Vice-Mayor Frankie Burnett, Council Members Joe Bernardini and Lara Bradburn. Also present were Clifford Taylor, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Bill Geiger, Community Development Director; Richard Radacky, Director of Public Works; Tim Mossgrove, Fire Chief and George Turner, Police Chief. A reporter from the Hernando Times was also present.

The meeting was called to order at 7:02 p.m. by Mayor Hohn followed by an Invocation and Pledge of Allegiance.

PRESENTATION & REQUESTS FOR FEE WAIVERS

Brown Family Gathering - JBCC Fee Waiver Request

Consideration of request for fee waiver in the amount of \$265 for their event held on May, 3, 2014, at the Jerome Brown Center honoring Willie Brown, father of Jerome Brown.

Dianna Yoder of the Jerome Brown Youth Foundation reviewed the event.

Motion:

Motion was made by Vice-Mayor Burnett and seconded by Council Member Bernardini for approval of the waiver of fees in the amount of \$265. Motion carried 4-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Law Enforcement Awareness Month Proclamation

The Proclamation was read in its entirety by Mayor Hohn and presented by Council to Officers and representatives of the Brooksville Police Department, Hernando County Sheriff's Office, Florida Highway Patrol and Florida Department of Law Enforcement.

Council Member Bradburn expressed appreciation to the various branches for the partnership provided to the City of Brooksville.

Mayor Hohn commented on his law enforcement experience and expressed his gratitude to those who serve.

Council Member Bernardini expressed appreciation, and gave special thanks to the auxiliaries and reserves that come and do their job for little or no pay.

CITIZEN INPUT

Mayor Hohn called for public input.

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 10/20/14 INITIALS JL

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Hamilton Hanson spoke about the Constitution of the United States Analysis and Interpretation, citing Amendment 4 and others.

Pat Miketinac reviewed and commented on the National Motor Associations' analysis of increased collisions at intersections with red light cameras.

CONSENT AGENDA

Minutes

August 19, 2013 Regular Meeting

Revised FDOT Traffic Signal Maintenance and Compensation Agreement

Consideration of revised agreement effective July 1, 2014 through June 30, 2015.

Parks & Recreation Mower Surplus and Purchase

Consideration to surplus two mowers and purchase one from Fund 503 Equipment Replacement in the amount of \$4,608 from General Auto and approval of Budget Amendment.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice-Mayor Burnett for approval of Consent Agenda. Motion carried 4-0.

Council Member Bernardini asked if anyone had found out if red light camera violations affect the insurance of violators. Council Member Bradburn has been told it has no affect on the insurance.

PUBLIC HEARINGS (*Board Sitting in its Legislative Capacity*)

- Entry of Proof of Publication into the Record

Mayor Hohn advised for the following Public Notice, Council will be sitting in its Legislative Capacity instead of the Quasi-Judicial Capacity for this Vacation of Right-of-Way.

Mayor Hohn called for proof of publication. City Clerk Peters advised the hearing had been published on Friday, May 2, 2013, in the Hernando Times and there is a copy on file for the record.

Resolution No. 2014-06 - Vacation of Right-of-Way - Luigi's Pizza

Consideration of petition from Luigi's Pizza for vacation of right-of way for Luigi's parking lot and street alignment, at a portion of Lot 10 and 12, and all of Lot 11 of Halemont Addition, Block 10.

City Planner, Steve Gouldman, reviewed the request. He stated he received responses from Public Works and Bright House. In response, he conditioned the resolution to require the City to maintain an easement over the entire parcel. He also added the business would be responsible for any facility relocation related to property improvements. He advised that staff recommended approval of the vacation request at the April 9th Planning and Zoning hearing.

Council Member Bradburn asked about the location and age of the utility line. Referencing potential redevelopment on adjacent property, she felt the better solution would be to grant the petitioner development use while still retaining ownership. The city would be need to also be held legally harmless. She feels the sewer line would need to be retrofitted prior to any changes.

Director Geiger advised the petitioner had been informed of all options. They reviewed a right-of-way use agreement, but the applicant wants to own the property, allowing long-term security for his property investments. Director Geiger advised if utilities need to be relocated there would be a place to put them.

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Mayor Hohn confirmed that the City has a utility easement within this request. Mr. Gouldman clarified that if the City has to tear something up, the City will pay for it. If improvements are made requiring utility relocation, Mr. Gouldman said it will be at his cost.

Council Member Bradburn requested the age of the pipe and what it would cost to upgrade. Mr. Gouldman did not have that information available, but stated most of the pipe has been smoke tested.

Motion:

Motion was made by Council Member Bradburn to delay until the age and condition of the utility can be confirmed. Motion died for lack of a second.

Council Member Bradburn expressed her concern about not receiving Bright House's approval in writing. She talked about their common goal for allowing property improvement, but believes better planning is needed to reserve our rights.

Vice-Mayor Burnett felt the resolution covers Council Member Bradburn's concerns.

Mayor Hohn called for public input.

Petitioners George and Gregory Kirshy reviewed their plan for the property. Council discussion continued.

Council Member Bradburn asked why Mr. Gouldman is in favor of this particular vacation. He advised he is in favor because it conforms to the grid system; it does not create an interruption.

Motion:

Motion was made by Vice-Mayor Burnett and seconded by Council Member Bernardini for approval of Resolution No. 2014-06.

City Clerk Peters read Resolution No. 2014-06 by title, as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BROOKSVILLE, HERNANDO COUNTY, FLORIDA, CLOSING
AND VACATING A PORTION OF LOT 12, BLOCK 10, SECTION
2 OF THE HALEMONT ADDITION; RESERVING AN
EASEMENT FOR PUBLIC/PRIVATE UTILITIES; AND
PROVIDING FOR AN EFFECTIVE DATE**

Motion carried 3-1 upon roll call vote as follows:

Council Member Bradburn	Nay
Council Member Bernardini	Aye
Vice-Mayor Burnett	Aye
Mayor Hohn	Aye
Council Member Johnston	Absent

Council Member Bradburn advised she does not oppose their use of the land, she opposes the vacation of the right-of-way in lieu of other options.

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REGULAR AGENDA

Hernando/Citrus Metropolitan Planning Organization (MPO) Merger Interlocal Agreement

Consideration to approve the Interlocal Agreement creating the Hernando/Citrus MPO and appointment of a City Council representative and alternate to the MPO Board.

Bill Geiger, Director of Community Development, reviewed the agreement.

Council Member Bradburn asked the Council to consider what will become of staff. On several occasions it was agreed that the new MPO will put out a request for application on an independent director. There still remains disagreement on operating management.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice-Mayor Burnett for approval of the MPO Merger Interlocal Agreement. Motion carried 4-0.

Council consensus was to have Council Member Bradburn continue as the City Council Representative for the board and Council Member Joe Johnston to continue as alternate until December.

Accounting Resolutions

Consideration to approve Resolutions designating a specific purpose/use for special revenue funds and restricting expenditures.

City Manager Norman-Vacha reviewed the resolutions, advising auditors Clifton Larsen Allen indicated GASB 54 identified several special funds that have ongoing funding sources, which require restrictions on expenditures to be set by resolution or ordinance. She stated that Council can change designations of funds if necessary. She advised if the resolutions were not adopted, those monies would go to the General Fund.

Council Member Bradburn asked if the special revenue funds can be designated as anything else and retain a separate line item. City Manager Norman-Vacha advised no, and that an emphasis of the GASB has been to eliminate special funds and the holding of monies on the side. Other related funds are the Storm Readiness Fund, Good Neighbor Trail, and the Tree and Streetscaping Fund. She will be coming back with additional information so that money is reported appropriately. Council Member Bradburn spoke of the possible need to have an ordinance or policy in place to make sure the monies are used for their intended purpose.

Council Member Bernardini asked about the operating expenses listed in the resolution regarding the red light camera safety program. City Manager Norman-Vacha went over the additional expenses related to the program. Council Member Bernardini pointed out that there are no education expenditures set aside. He advised he cannot support the resolution without designations for safety education. Vice-Mayor Burnett and Mayor Hohn believe the current language should allow for these expenses. City Manager Norman-Vacha suggested adding “other safety related expenditures, including public safety education programs” in the language for the heading, recital, and section 4.

Council concurred.

Resolution No. 2014-07 - Red Light Camera Funds

A resolution directing red light camera funds to be deposited into a special revenue fund and restricting the expenditures of said monies for capital improvements of the city streets, city sidewalks, city culverts, city lighting or other safety related expenditures, as well as related operating expenditures.

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Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval, as amended, of Resolution No. 2014-07.

City Clerk Peters read Resolution No. 2014-07 by title, as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA; DIRECTING RED LIGHT CAMERA FUNDS TO BE DEPOSITED INTO A SPECIAL REVENUE FUND AND RESTRICTING THE EXPENDITURES OF SAID MONIES FOR CAPITAL IMPROVEMENTS OF THE CITY STREETS, CITY SIDEWALKS, CITY CULVERTS, CITY LIGHTING OR OTHER SAFETY RELATED EXPENDITURES, INCLUDING PUBLIC SAFETY EDUCATION PROGRAMS, AS WELL AS RELATED OPERATING EXPENDITURES; PROVIDING FOR A RETROACTIVE EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE AS FOLLOWS:

Motion carried 4-0 upon roll call vote as follows:

Council Member Bernardini	Aye
Council Member Bradburn	Aye
Vice-Mayor Burnett	Aye
Mayor Hohn	Aye
Council Member Johnston	Absent

Resolution No. 2014-08 - The First Tee

Consideration of a resolution directing The First Tee Program funds to be deposited into a special revenue fund and restricting the expenditures of said monies to operating expenditures related to the project.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice-Mayor Burnett for approval of Resolution No. 2014-08 as corrected.

City Clerk Peters read Resolution No. 2014-08 by title, as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA; DIRECTING THE FIRST TEE PROGRAM FUNDS TO BE DEPOSITED INTO A SPECIAL REVENUE FUND AND RESTRICTING THE EXPENDITURES OF SAID MONIES TO OPERATING EXPENDITURES RELATED TO THE PROJECT; PROVIDING FOR A RETROACTIVE EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE AS FOLLOWS:

Motion carried 4-0 upon roll call vote as follows:

Council Member Bradburn	Aye
Council Member Bernardini	Aye
Vice-Mayor Burnett	Aye
Mayor Hohn	Aye
Council Member Johnston	Absent

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CITIZEN INPUT

Mayor Hohn called for public input.

Vi Coogler wished everyone a safe Memorial Day.

ITEMS BY COUNCIL

Lara Bradburn, Council Member

Road List

Council Member Bradburn thanked staff for including the road list on the agenda. She asked about Brooksville Avenue. City Manager Norman-Vacha advised she will get her the information.

First Tee

Referencing the Correspondence-to-Note, she pointed out that there is matching grant money for First Tee and congratulated the Mayor for generating money for the program.

Mosquito Control

Council Member Bradburn asked if the Mayor would provide an update. Mayor Hohn advised he and the City Manager met with Jim Kimbrough, along with County Commissioner Wayne Dukes and County Administrator Len Sossamon. The County expressed concern about lack of payment on four items, one being Mosquito Control. Mayor Hohn advised the City doesn't owe the County any of those monies and all were in agreement after discussion. Payment of the Technology Services Agreement was delayed because of outstanding negotiations, which were resolved this week. City Manager Norman-Vacha stated that conversations will continue with the County on the future of Mosquito Control.

Joe Bernardini, Council Member

Council Member Bernardini stated that Wednesday is recycling day and wished everyone a happy Memorial Day.

Frankie Burnett, Vice-Mayor

Vice-Mayor Burnett congratulated his brother, Charles "Kojack" Burnett, for becoming the President of the Blue Collar Union of the Hernando County School Board.

He referenced the "Our Father" prayer and the how to find the correct recital.

Vice-Mayor Burnett thanked the City Manager and staff for their continuous good work.

T. Jennene Norman-Vacha, City Manager

City Manager Norman-Vacha reminded Council that May 30th is the Chocachatti historical marker unveiling and dedication ceremony.

Kevin Hohn, Mayor

First Tee

Mayor Hohn advised that The Kiwanis Club of Spring Hill has announced the First Tee of Brooksville will be the primary recipient of funds from this year's charity golf tournament on September 27th.

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City Hall Art Exhibit

He commented on the great job done by the kids.

Accreditation

The Police Department received the highest marks for their accreditation efforts this year.

Council Member Bradburn pointed out that the Fire Department received the best ISO rating in City history.

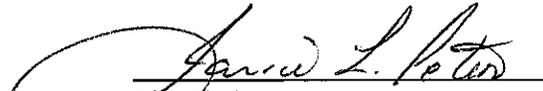
ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:47 p.m.

Attest:



Mayor



City Clerk