

11/17/14

**CITY OF BROOKSVILLE**  
201 Howell Avenue  
Brooksville, FL 34601

**COUNCIL WORKSHOP**  
**MINUTES**

**September 9, 2014**

**6:00 P.M.**

Brooksville City Council met in workshop session with Mayor Kevin Hohn, Vice-Mayor Frankie Burnett, Council Members, Joe Bernardini, Lara Bradburn and Joseph E. Johnston, III present. Also present were Cliff Taylor, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Mike Walker, Parks, Facilities and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief.

The workshop was called to order by Mayor Hohn at 6:00 p.m., followed by an Invocation and Pledge of Allegiance.

**FEES AND FEE WAIVERS**

Discussion of Special Events/Fee Waiver Policy including Jerome Brown Center and Park Facilities Fees.

City Manager Norman-Vacha reviewed the packet provided which includes information that Council requested during the Budget Workshop on August 26<sup>th</sup>. She discussed an additional attachment providing policy samples from other areas that is for informational purposes and does not include any recommendation from staff. She pointed out a document related to fee waivers that Council Member Johnston prepared and asked to be distributed to Council.

Council Member Bernardini agreed with Council Member Johnston's recommendations. He commented about event security and feels that the sheriff should decide whether he wants to use off-duty or on-duty personnel. Referencing the other city policies, he was interested in their population and budget to know where the fee money is coming from. He agrees with the policies that waive the permit fees and labor cost fees. Referencing the Veteran's Parade, he believes in giving back the community with personal money, but not with taxpayer's ad valorem dollars. He pointed out that the opinion of a worthy cause may not be the same for every person. He suggested using money collected from people who do bad things in the City to offset these fees so it can be used to make the City better. He noted that the fines are collected per City Ordinance and the Ordinance can be changed to reflect how the money is spent.

City Manager Norman-Vacha stated that it is Fund 109 which is confiscated forfeiture property. She advised it is severely regulated by Florida Statutes and the money is not always kept by the City. Historically it has been used to offset costs for the Police Department and recently it has been used to replace computers which would have otherwise been a General Fund expenditure. Mayor Hohn asked if this money should be placed into a holding account until it's released. City Manager Norman-Vacha agreed and went on to review the current monies within the fund.

Vice-Mayor Burnett stated that he still believes waiving fees is an enhancement to the City. He recommends the application process so Council can determine what they can do during the budget process. He understands fiscal management but pointed out that they need to be flexible in this situation

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and continue to invest in the City. He feels the written policy should stay as is and things should be reviewed on a case by case basis.

Council Member Johnston stated that he formulated his suggestions after review of the information provided by staff. He commented that the \$7,000 to \$10,000 amount in budget would work if the costs were limited to 50% and if the applicant was involved in obtaining security for the events. He stated that he likes Vice-Mayor Burnett's application deadline date of March 31<sup>st</sup> but it may not include all events, so he proposed a split with some during the first half of year and others during the second half of the year. Referencing the application submission, he suggested starting that portion next Fiscal Year since there is not enough time to implement it now.

Council Member Bradburn agrees that there should be some investment by the applicant, be it cash, application fee or through other contribution. Referencing the examples of other fee waiver policies, she believes many cities used economic impact as a ranking priority. She agreed with the Kissimmee policy which awarded points based on organization experience, budget and economic impact, marketing and collaboration. She commented on Deland's application which she believed to be very detailed. She believes it will assist Council to make accurate decisions on the cost of events. She advised that she had a conversation with the Sheriff and he seemed supportive of providing assistance during City/County events. She disagrees with the 50% cost sharing suggestion because there are some events that offer a greater economic opportunity. Council Member Johnston clarified that those events usually have a higher contribution from the City which equals out to 50% and remains proportional. Council Member Bradburn stated she agrees with setting a deadline for applications on an annual basis but believes a loophole needs to be created to allow for extraordinary events. She suggested utilizing a super majority vote. Referencing event security, she thought that volunteers could assist with road closures in most cases.

Vice-Mayor Burnett, regarding sworn officers, felt they are needed from a liability standpoint.

Council Member Bradburn pointed out resources such as the Explorers and the CERT Team. She discussed the necessary precautions to be taken such as training exercises, background checks, communication devices and proper relief. She stated it involves careful planning and the application process will help in that regard.

Council Member Bernardini does not think a sworn officer is needed to stop drivers from going around a barricade if placed on a one way street such as Cherry Street. He pointed out that the Hernando County School System allows people who are not certified law enforcement officers to guard our children at street crossings. He does not think a certified police officer is needed on every road. He questioned the City's liability related to the roads. He feels that they should take advantage of the trained auxiliaries and reserves to save taxpayer dollars on things that affect the whole county.

Council Member Johnston, referencing security for events, pointed out only five major events currently require police presence.

Mayor Hohn asked about the insurance requirements for security.

City Manager reviewed traffic control versus police presence along with volunteer training and reliability. Mayor Hohn suggested making a requirement that all volunteers be trained. He stated if they are not trained the City would assign a law enforcement officer and the group would have to pay for it. Council Member Johnston felt the organizers need to investigate outside sources, and if unable to fill all positions, they would submit a plan showing where traffic control or security is needed. He does not think the application should be approved if the organizer cannot identify and provide the necessary amount of security.

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Council Member Bernardini clarified that he is not referring to regular volunteers. He stated there are organizations that have volunteers within their groups such as the Sheriff's Department, Highway Patrol and Game and Fish. They would be certified people who are part of a volunteer organization that usually have to commit a certain number of volunteer hours to remain part of the organization. City Manager Norman-Vacha advised that those organizations have not been contacted for event volunteers.

Vice-Mayor Burnett stated that organizers of events, especially parades, have to submit their routes to the Chief of Police and they coordinate together. He does not think that is the problem. He thinks the problem is how to handle the cost and how much Council wants to pay.

Council Member Bradburn expressed concern about who would contact the auxiliaries and what protocol would be in place so the groups have the necessary information.

Mayor Hohn felt the organizer should have a plan in place before submitting their application to the City. He suggested a cover sheet for the application with instructions for the organizer.

Council Member Johnston, referring to the 50% cost share, pointed out that staff time is being expended in some event preparation that is not currently recouped. He believes there should be a procedure in place that would shift some responsibility off the City staff and back onto the organizer.

City Manager Norman-Vacha suggested a new requirement for the City to be a sponsor listed on their event advertising. Council Member Johnston asked if fair labor standard practices would be affected by the City being listed as a co-sponsor. City Manager Norman-Vacha advised contributing to the event would not mean the City becomes the employer event hires.

Discussion continued about the 50% cost share and the possibility of a tier system.

Council consensus included:

- A cover sheet with instructions
- Require a map with locations of needed traffic control/security
- Deadline for the applications (two per year)
- Maximum waiver 50% subject to supermajority vote
- Due diligence to see if other avenues for volunteers were addressed
- Organizers must recycle

Mayor Hohn, referring to the Jerome Brown Center, noted that we account for fee waivers as if it is lost revenue. He stated the only expense is electricity and water. He felt we should be booking the actual cost. City Manager stated she can estimate the actual expenditure so they can compare both.

City Manager Norman-Vacha confirmed there is a line item for the Blueberry Festival this year and explained the costs allocation.

Council Member Johnston recommended event organizers who receive waivers be required to donate volunteer time to other city events/cleanup. City Manager Norman-Vacha suggested, for administrative purposes, not tying volunteer clean up for the Jerome Brown Center to a specific event.

Mayor Hohn asked for public input.

Natalie Kahler expressed concern that Council is getting tied down in details without mapping out what it's trying to accomplish. She stated she liked the idea of the City being a sponsor, but feels the City should be careful attaching their name to events if people cannot carry out their ideas. Discussion continued about when in the application process the City would decide to become a Co-Sponsor.

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Council Member Johnston believes that Council's philosophy is to make available to the public through its organizations and citizens the resources and facilities of the City of Brooksville. He advised Council allows events to occur in the City through the use of its facilities to promote the good of the City, economic benefit and name recognition. He pointed out that Council also needs to ensure that the burden of the events don't fall entirely on the City.

Mayor Hohn commented about the difficulty of codifying a philosophy amongst several people especially when you want to support something as a person but may not be able to as a City Councilman. He added that it may cause problems if Council only supports certain types of groups. City Manager Norman-Vacha advised the current policy address some of those things.

Butch Battista, regarding the 50% waiver, felt it should be a 100% vote of Council if making a decision that changes policy. Mayor Hohn disagreed because decisions can be based on philosophical differences. Discussion continued about Council's historical way of voting.

Council agreed to begin the application deadline for July 1, 2015 and to implement the 50% cost share immediately.

Discussion continued about upcoming events.

### ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:53 p.m.

  
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City Clerk

Attest:   
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Mayor