

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE
BROOKSVILLE, FL 34601**

AGENDA

March 16, 2015

7:00 P.M.

Brooksville City Council met in regular session with Frankie Burnett, Mayor, Joseph E. Johnston, III, Vice-Mayor, and Council Members Robert Battista, Betty Erhard, and Natalie Kahler in attendance. Also present were Clifford A. Taylor, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice Peters, City Clerk; Bill Geiger, Community Development Director; Mike Walker, Director of Parks, Facilities & Recreation; and Tim Mossgrove, Fire Chief.

The meeting was called to order by Mayor Burnett followed by an Invocation and the Pledge of Allegiance.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret R. Ghiotto Improvement Award - Commercial Award

Recognition of improvements to the property owned by Dorothea Stevens, located at 103 Saxon Avenue d/b/a The Tilted Teacup Tea Room & Boutique, John and Aimee Gans Proprietors.

The recipients were not in attendance and the item was held over until the next meeting on April 6, 2015.

Proclamation - Children's Week - March 23 - 28, 2015

Proclamation supporting Children's Week.

The proclamation was read in its entirety by Council Member Kahler and presented to Janine Hammett, Program Manager for the Children's Advocacy Center of Hernando County who spoke of the programs happening at the Jerome Brown Center.

CITIZEN INPUT

Mayor Burnett called for citizen input, allotting 20 minutes. He also informed citizens of the various ways to contact Council. He also advised Council will be considering whether to write a letter to the Hernando County Board of County Commissioners in support or against the Cemex Mining issue, or to do nothing at all.

Mark Counihan, wanted to schedule an agenda item for May to discuss bringing a festival to Brooksville for the spring or fall of next year. It was Council consensus to refer him to speak with staff.

Those in attendance speaking in opposition of the Cemex Mining project were as follows:

- DeVon Quirolo
- Hamilton Hansen

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 4/6/15 INITIALS AP

REGULAR COUNCIL MEETING MINUTES– March 16, 2015

- Glen Bassett
- Joe Lemieu
- Anna Caleri

Issues stated were incompatibility with surrounding development patterns, health endangerment, the Spring Hill Cemetery, deterrent to economic growth, Brooksville's right of first refusal, silica dust, property rights and ecotourism.

Documents submitted to Council on this issue are on file in the Office of the City Clerk.

Robert Buckner, one of the owners of the Cemex property wanted to clear up information regarding the designated commercial area. He advised part of the change being requested is to reconfigure the commercial area to provide more frontage along Cortez Blvd./State Road 50. There is a 1000 ft. depth that is not part of the mining area which has been reserved exclusively for commercial development.

Joe Lemieux questioned why DeeVon Quirolo was denied her request to meet with each of Council on the issue, yet staff set up meetings for Council to meet individually with Cemex. He also stated the Spring Hill Cemetery is a historical cemetery where Veteran's are buried and felt the mining project would be a negative.

Mayor Burnett commented on Council's individual research on the subject and their individual meetings with Cemex to clarify questions on the subject. He advised that Council Members met individually with Cemex at his direction to the City Manager, not staff. He added that it is not City Council's decision to determine whether mining continues or not. It is Council's intention, based upon their research, to determine whether they will send a letter in favor of, against, or to send no letter at all.

Anna Caleri, asked about ownership of the 738 acre Cemex property as well as utilities, and the Spring Hill Cemetery.

Rick Ballou thanked Council for fixing the sidewalk at the library and being a veteran, spoke of the veterans in the cemetery that will be affected by Cemex project.

Jimmy Lodato thanked Council for allowing citizens to speak on their issues and encouraged Council to continue to improve the image of the City.

Shirley Miketinac spoke of her attendance at the Planning and Zoning Board Meeting and the issues discussed.

CONSENT AGENDA

Minutes

March 2, 2015 Regular Meeting

Motion:

Motion was made by Council Member Battista and seconded by Vice Mayor Johnston for approval of the consent agenda. Motion carried 5-0.

REGULAR COUNCIL MEETING MINUTES– March 16, 2015

PUBLIC HEARINGS

- Entry of Proof of Publication into the Record

Ordinance No. 758-B – Traffic Light Safety Amendment

Consideration of changes to Section 2(a) Definitions, defining careful and prudent.

Mayor Burnett called for proof of publication. City Clerk Peters advised the Item F-1 was published in the Friday, March 6th edition of the Tampa Bay Times and there is affidavit of publication on record in the office of the City Clerk.

City Attorney Taylor reviewed the second reading of the ordinance, advising it will take effect on March 24, 2015, at 12:01 a.m.

Mayor Burnett called for public input; there was none.

Motion:

Motion was made by Council Member Battista and seconded by Council Member Erhard approval of Ordinance No. 758-B.

Council Member Kahler spoke of potential confusion in making these changes to the right-on-red speed. City Attorney Taylor advised Florida Statutes require a stop before a right hand turn.

Council Member Erhard felt the Police Department is capable of enforcing the law.

City Clerk Peters read Ordinance No. 758-B by title as follows:

**AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA,
AMENDING ORDINANCE 758, SECTION 1 LEGISLATIVE FINDINGS
AND SECTION 2 DEFINITIONS RELATING TO CAREFUL AND
PRUDENT MANNER; PROVIDING FOR CODIFICATION,
CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

Motion carried 4-1 upon roll-call vote as follows:

Council Member Battista	Aye
Council Member Erhard	Aye
Council Member Kahler	Nay
Vice-Mayor Johnston	Aye
Mayor Burnett	Aye

City Manager Norman-Vacha clarified that this ordinance will go into effect on Tuesday, March 24, 2015, at 12:01 a.m.

REGULAR AGENDA

Code Enforcement Lien Foreclosure

Consideration to proceed with foreclosure of liens for unpaid property maintenance costs.

REGULAR COUNCIL MEETING MINUTES– March 16, 2015

City Attorney Taylor reviewed the history of the foreclosure in question and update on the current status.

Council Member Erhard asked the cost of proceeding with the foreclosure. City Attorney Taylor advised the costs would be between \$2,500 and \$3,500.

Council Member Kahler felt policy needs to be followed consistently.

Council Member Battista advised the property is in compliance at this time. He did not want to see the issue of foreclosure pursued but to leave the recorded lien on the property.

Vice Mayor Johnston agreed that the lesser valued properties are not worth pursuing. The liens are good for 20 years and will be paid, with interest, if the property is sold. Council Member Erhard concurred with leaving the liens stand.

Council consensus was to leave the liens on the property and to not proceed with foreclosure.

Cemex Mining Project

Discussion of Council.

Mayor asked for Council discussion and direction on the issue, advising that the question at hand is whether to write the County Commission a letter in favor of the mining project, not in favor of the mining project, or to not write a letter at all.

Council Member Erhard advised the County has not completed their study. She asked of Robert Buckner, one of the land owners present, if any of the land owners live in proximity of the property and will they be affected. No answer was given. She reminded Council that they work for and are accountable to the people. She was in favor of no mining.

Council Member Kahler advised she attended the Hernando County Board of County Commissioners meeting in December. She felt Council's only ability to weigh in on the issue is based on the first right of refusal. She reiterated that this is a County issue and because the City's waterlines run in the part of the Commercial property that will be untouched, it is not the City's issue. She was in favor of not writing a letter.

Council Member Battista advised that subsequent to meetings with Cemex and the County, he personally doesn't think the project is at the point where Council should vote either way. He felt staff should become involved with Hernando County staff to stay informed on the issue and to keep Council informed.

Vice Mayor Johnston agreed with Council Member Battista for staff to continue to monitor the issue. He stated that the interest of the City of Brooksville, economically, is covered by the preservation of the commercial area with the first right to refuse.

Council consensus was to not send a letter at this time but for staff to stay on top of the issue and should things progress to a point where Council feels it necessary to weigh in they will reconsider at that time.

REGULAR COUNCIL MEETING MINUTES– March 16, 2015

City Manager Contract

Review and renewal of City Manager Contract.

Council Member Battista advised they are already within the 90-day period to cancel, so no motion is needed to renew, since it automatically renews. He asked that next year the process be backed up for 120 days.

Vice Mayor Johnston explained the reasoning behind his ratings.

Council Member Erhard felt any evaluation should include a review of the employees personnel file.

Mayor Burnett advised a workshop will be scheduled to amend the policy. He congratulated the City Manager, advising she received a score of 4.52 overall. She was commended on her handling of city issues and staff.

CITIZEN INPUT

Mayor Burnett called for citizen input.

Pat Miketinac stated he did not agree with Council limiting speakers during citizen input.

Cynthia Dietrich gave Council an update on the statistics of illnesses in Hernando County and asked Council to consider the health of its citizens in relation to the Cemex Mining issue.

Jose Lugo spoke in opposition to the mining project as well. He presented Council with a map.

Mayor Burnett advised that if the Cemex Mining issue was decision that the City had a say in, he would let everyone in attendance have their say.

Rose Marie Grubba felt Council should weigh in on the issue to the Board of County Commissioners.

Jill Braddy spoke in opposition of the Cemex Mining issue.

Mayor Burnett stated he has been involved in the issue and makes any decisions on personal experience, not on research.

All materials submitted to Council pertaining to the mining is available in the office of the City Clerk.

ITEMS BY COUNCIL

T. Jennene Norman-Vacha, City Manager

She thanked Council for their support of her contract.

REGULAR COUNCIL MEETING MINUTES– March 16, 2015

Robert Battista, Council Member

Recycling

Council Member Battista reminded all of recycling on Wednesday.

Natalie Kahler, Council Member

Brooksville Fact

Council Member Kahler referenced when Brooksville first got lights. She advised gas lights were introduced in 1904 and quickly replaced by electric lights.

Brooksville Nights

She encouraged all to attend the Brooksville Nights event on Saturday.

Autism Awareness Month

She indicated April is Autism Awareness Month.

Betty Erhard, Council Member

Council Member Erhard thanked all who came to the meeting and Council for working together to make decisions that are not always easy.

City Manager

She thanked City Manager Norman-Vacha for doing a great job.

Frankie Burnett, Mayor

Bike to Work

Mayor Burnett advised that on March 20th the Bike to Work with the Mayor event will take place. The riders will meet at the Good Neighbor Trailhead at 7:30 a.m. Director Geiger confirmed and added that refreshments will be served.

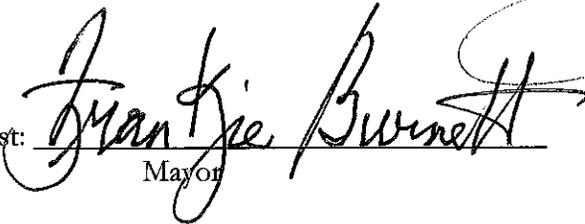
Easter

He wished an early Happy Easter to everyone, encouraging all to remember the resurrection.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:30 p.m.

Attest:


Mayor


City Clerk