

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

MINUTES

August 3, 2015

7:00 P.M.

Brooksville City Council met in regular session with Frankie Burnett, Mayor, and Council Members Robert Battista, Betty Erhard and Natalie Kahler. Also present were Tom Hogan and Clifford A. Taylor, City Attorneys; T. Jennene Norman-Vacha, City Manager; Janice Peters, City Clerk, Janet Kato, Deputy City Clerk; Mike Walker, Director of Parks, Facilities & Recreation Director, Tannette Gayle, Director of Finance; Bill Geiger, Community Development Director and Tim Mossgrove, Fire Chief.

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

NEW COUNCIL MEMBER APPOINTMENT

Resolution No.: 2015-13 – Council Tie-Breaker Procedures

Consideration of resolution dictating procedures for breaking tie-votes of Council. City Attorney Taylor gave an overview of the Resolution.

Motion:

Motion by Council Member Battista, seconded by Council Member Kahler to adopt Resolution No. 2015-13, establishing Tie Breaker Procedures.

Council Member Erhard favored having a special election.

City Clerk Peters read Resolution No. 2015-13 by title as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BROOKSVILLE, FLORIDA, ESTABLISHING TIE-BREAKING
PROCEDURES FOR TIE VOTES OF THE CITY COUNCIL;
PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE
DATE.**

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

Council Member Kahler	Aye
Council Member Erhard	Nay
Council Member Battista	Aye
Mayor Burnett	Aye

**APPROVED BY BROOKSVILLE
CITY COUNCIL**
ON 9/24/15 INITIALS jk

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

Discussion and Appointment of Council Member to fill Seat #3

Selection and appointment of Council Member to the unexpired term.

City Clerk Peters distributed voting slips to Council. The ranking of votes was as follows:

William Kemerer	2
Pat Brayton	1
Ruby McGeehan	1

Resolution No.: 2015-14 – Designation of Council Member to fill Seat #3

Consideration of resolution filling the vacant Seat #3 until the next regular or special election.

City Attorney Taylor reviewed the resolution

Motion:

Motion by Council Member Battista, seconded by Council Member Kahler to adopt Resolution No. 2015-14, designating William Kemerer to fill the unexpired term for Council Member Seat #3.

City Clerk Peters read Resolution No. 2015-14 by title as follows:

A RESOLUTION OF THE CITY COUNCIL OF BROOKSVILLE, FLORIDA DESIGNATING THE APPOINTMENT TO VACANT CITY COUNCIL SEAT No.3, SPECIFYING THE TERM OF APPOINTMENT AND PROVIDING AN EFFECTIVE DATE.

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

Council Member Kahler	Aye
Council Member Erhard	Aye
Council Member Battista	Aye
Mayor Burnett	Aye

Swearing in of New Council Member

The Honorable Kurt Hitzemann, performed the Oath of Office to new Council Member, William Kemerer, for the remaining term of office for Seat #3 through December 2016.

Selection of Vice-Mayor

Council Member Erhard nominated Council Member Battista as Vice-Mayor.

Council Member Kemerer nominated Council Member Kahler.

Mayor Burnett polled Council. Those in favor of Council Member Battista for Vice-Mayor were Council Member Battista and Council Member Erhard.

Those in favor of Council Member Kahler were Council member Kemerer, Council Member Kahler and Mayor Burnett.

Council Member Kahler was appointed Vice-Mayor.

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

PRESENTATION & REQUESTS FOR WAIVERS

Fee Waiver Request - Veteran's Appreciation Parade

Consideration of request for fee waiver in the amount of \$513.24 for the annual Veteran's Appreciation Parade scheduled for November 14, 2015.

Discussion ensued.

Motion:

Motion by Council Member Erhard, seconded by Council Member Battista to approve the Fee Waiver for the Veteran's Appreciation Parade on November 14, 2015, in the amount of \$513.24. Motion carried 5-0.

Fee Waiver Request - The Dawn Center of Hernando County

Consideration of request for fee waiver in the amount of \$320 for use of Tom Varn Park and the Jimmy Brooks Pavilion for the "Dash for Dawn Center" 5k event on October 10, 2015.

Shannon Sokolowski gave a review of the event.

Motion:

Motion by Council Member Erhard, seconded by Council Member Battista to approve the Fee Waiver in the full amount of \$320 for the use of Tom Varn Park on October 10, 2015. Motion carried 5-0.

Fee Waiver Request - Hernando County Fine Arts Council

Consideration of request for fee waiver in the amount of \$475 and approval to sell beer and wine at their first annual "Hernando Music Fest" at Tom Varn Park on November 7-8, 2015.

Director Walker presented the Fee Waiver request for the Dash for Dawn event scheduled for October 10, 2015.

Motion:

Motion by Council Member Kahler, seconded by Council Member Battista to approve the Fee Waiver in the amount of \$237.50 and the selling of beer and wine at the first annual "Hernando Music Fest" at Tom Barn Park on November 7-8, 2015. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Florida Water Professionals Month Proclamation

Consideration of a Proclamation proclaiming August 2015 as Florida Water Professionals Month.

Vice-Mayor Kahler read the proclamation in its entirety, which was presented to Chris Zajac of the Southwest Florida Water Management District.

CITIZEN INPUT

Mayor Burnett called for citizen input.

Pat Miketinac read from a report on Florida by the *National Motors Association* stating that the

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

majority of cities and counties with red-light cameras reported crashes at monitored intersections have either held steady or increased since the installation of cameras. As court cases throughout Florida are testing the validity of the use of the cameras, Mr. Miketinac hopes the Council will stand by its decision to not renew the contract.

Shirley Miketinac commented on the interest shown from six candidates in filling the vacant Council seat on Council and hopes that the same interest is shown in the November 2016 election.

Jimmy Lodato informed the Council of the Hernando County School sponsored Penny for Projects, which will be voted by special election on September 8th. He requested the City Council's approval of a Resolution in support of the issue.

Mayor Burnett invited Council to comment. Council Member Erhard advised that the Project is on the ballot for September 8th and favors letting the people decide. Council Member Kemerer concurred.

CONSENT AGENDA

Minutes

July 20, 2015 Regular Meeting

Motion:

Motion by Council Member Erhard to amend the minutes of July 20, 2015 and to have verbatim minutes. Motion failed with no second.

Council Member Battista recommended that minutes needing amending such as corrections or insertions be pulled from the Agenda and reviewed by individual Council Members, City Manager and Clerk.

City Manager T. Jennene Norman-Vacha stated any changes to the minutes, such as insertions may be included so long as it is part of record. Also, she advised that it is not typical or appropriate to have verbatim minutes. Most county governments and city municipalities are going to motion and action, leaving the audio, which is available to the public, to reflect meeting occurrences.

Motion:

Motion by Council Member Battista to accept G2,G3, and G4 as the Consent Agenda. Motion failed with no second.

Amended Motion:

Council Member Erhard amended her previous motion to remove Minutes dated July 20, 2015 from the Consent Agenda, Council Member Kemerer seconded the amended motion. Motion carried 5-0.

Bid Award - Bid No. UD2015-07 Pre-Engineered Storage Building

Consideration of award of bid to TCM Building, Inc., for the not-to-exceed amount of \$29,800.

Council Member Erhard inquired if the building should be stored if needing replaced. Superintendent of Utilities, William Smith, stated the building being replaced is ten years old

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

and degrading, but still useable.

Motion:

Motion by Vice-Mayor Kahler, seconded by Council Member Erhard to approve the bid award in the amount of \$29,800 to TCM Building, Inc. Motion carried 5-0.

Bid Award - Bid No. UD2015-08 Potable Water Pumping Equipment

Consideration of award of bid to Pope's Water Systems, Inc. in the amount of \$49,999.

Council Member Erhard requested verification that this item was properly bid. City Manager T. Jennene Norman-Vacha confirmed it was, with Pope's Water System being the lowest bid, and that it was part of the adopted capital plan for the 2015 budget.

Motion:

Motion by Vice-Mayor Kahler, seconded by Council member Kemerer to approve the bid award of Pope's Water Systems, Inc. in the amount of \$49,999. Motion carried 5-0.

Wright Express Financial Services Corporation

Consideration to continue to purchase fuel under their contract with Florida Department of Management Services.

Council Member Erhard inquired whether the five year contract would keep Council from shopping for other providers.

City Manager Norman-Vacha stated this is part of a piggy-back contract with the County for which the City may opt out if less expensive ways to purchase fuel should be found.

Motion:

Motion by Council Member Erhard, seconded by Council Member Battista to approve the renewal of the Wright Express Financial Services Corporation contract with the Florida Department of Management Services. Motion carried 5-0.

REGULAR AGENDA

Resolution No. 2015-15 – Florida Department of Transportation (FDOT) – Annual Veteran's Appreciation Parade Route.

Consideration of approval of Resolution supporting the Annual Veteran's Appreciation Parade route and closing of State Road 50/Jefferson Street and U.S. Highway 41/Broad Street on November 14, 2015.

City Clerk Peters reviewed the item.

Motion:

Motion by Council Member Erhard, seconded by Council Member Battista to adopt Resolution No. 2015-15, Florida Department of Transportation (FDOT) Annual Veteran's Appreciation Parade Route.

City Clerk Peters read Resolution No. 2015-15 by title as follows:

**A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA
SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET AND
BROAD STREET BETWEEN ORANGE STREET AND MAGNOLIA**

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

AVENUE IN DOWNTOWN BROOKSVILLE ON SATURDAY, NOVEMBER 14, 2015; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Motion carried 5-0 upon roll-call votes as follows:

Council Member Battista	Aye
Council Member Erhard	Aye
Council Member Kemerer	Aye
Vice-Mayor Kahler	Aye
Mayor Burnett	Aye

Adoption of Current Year Proposed Millage rate for FY2016 Budget

Announcement of existing rate and establish the budget hearings for September 9 and 16, 2015, at 6:30 p.m.

Finance Director Tannette Gayle presented the item, reviewing the proposed millage of 6.6962 and setting the budget hearings for September 9, and September 16, 2015.

Motion:

Motion by Council Member Erhard, seconded by Council Member Battista to adopt the current year proposed millage rate of 6.6962.

Discussion ensued regarding setting the millage of 7%.

Council Member Battista asked the City Manager if there were any reservations in keeping the millage rate at 6.692%. She stated that as this was a proposed rate, staff was comfortable with it at 6.692, understanding the pitfalls of unknown variables such as the possible increase in health care benefits in the amount of 12-15%. However, with another month before final adoption this should give staff time to project, review and adjust for any final changes the Council should desire.

Council member Kemerer requested the record to reflect that he was present during budget workshop discussions and is familiar with the budget. Knowing the unpredictability of the health care insurance markets, he recommended setting the millage at 7% to allow for unpredictable events that may arise between the present day and the finalization of the budget.

Motion failed 3-2 on adopting the current millage rate as 6.692 with Council Member Battista and Council Member Erhard voting Aye and Council Member Kemerer, Vice-Mayor Kahler and Mayor Burnett voting Nay.

Motion:

Motion by Vice-Mayor Kahler, seconded by Council member Kemerer to set the tentative millage at 7%. Motion carried 4-1 with Council Member Erhard voting Nay.

City Manager Norman-Vacha to give direction on setting dates for the budget hearings date.

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

Motion:

Motion by Council Member Battista, seconded by Council Member Kemerer to set the First Public Budget Hearing Dates for September 9, 2015 at 7:00p.m.

Discussion.

Council Member Battista amended his motion to set the First Public Budget Hearing Date for Wednesday, September 9, 2015 at 5:01p.m. Mr. Kemerer seconded the amended motion. Motion carried 5-0.

CITIZEN INPUT

Mayor Burnett called for citizen input.

Jimmy Lodato stated he was disappointed that Council declined to participate in support of the ½ cent initiative and requested their reconsideration.

Kojack Burnett congratulated the Council on their appointments of William Kemerer as Council Member and Natalie Kahler as Vice-Mayor. He recognized Fire Chief Mossgrove for his involvement in the races in Daytona.

ITEMS BY COUNCIL

Tom Hogan and Cliff Taylor, City Attorneys

Nothing to report.

T. Jennene Norman-Vacha, City Manager

She reminded Council of the budget workshop on August 10th.

Betty Erhard, Council Member

She thanked all who expressed interest in the vacant Council seat and encouraged the applicants to keep trying. She noted that Brooksville was rated sixth on Road Trip's article, "Twenty-one Small Towns to be Sure to Visit."

William Kemerer, Council Member

He stated that he appreciated his opportunity to protect the historical character and nature of our city, but to also facilitate in its growth. He welcomed citizens to feel free to contact him.

Robert Battista, Council Member

He reminded everyone that Wednesday is the day for recycling. He congratulated Council Member Kemerer for his appointment and thanked those who showed interest in filling the vacate seat. He also thanked the public for their input at meetings.

Vice Mayor, Natalie Kahler

She stated that she enjoyed visiting each of the departments, being especially impressed by the Public Works' water sewage treatment plant. She hoped that the public would make an informed vote on the Penny for Projects taking place on September 8th. She stated that the fundamental basis for her selection of the candidate was based on the special skill set each one presented, their experience, and moral character. She encouraged them to run in 2016.

AMENDED REGULAR COUNCIL MEETING MINUTES – August 3, 2015

Frankie Burnett, Mayor

The Mayor stated that the appointment of a candidate has provided a learning opportunity for the Council to agree to disagree, and for each member to fight for what they believe, on a professional basis, in making the best choices for the City.

ADJOURNMENT

There being no further business, the Council Meeting adjourned at 8:30 p.m.

Attest: 
Mayor


Deputy City Clerk

CORRESPONDENCE TO NOTE

There was none.