

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

MINUTES

January 4, 2016

7:00 P.M.

Brooksville City Council met in regular session with Mayor Natalie Kahler, Vice Mayor, Robert Battista, and Council Members Frankie Burnett, Betty Erhard, and William Kemerer. Also present were Clifford A. Taylor, City Attorney; Jennifer Rey/Hogan Law Firm; T. Jennene Norman-Vacha, City Manager; Virginia Wright, City Clerk; Jennifer Battista; Acting Deputy Clerk; Mike Walker, Parks, Facilities & Recreation Director; Tannette Gayle, Director of Finance; Bill Geiger, Community Development Director; Richard Radacky, Public Works Director; and David Freda, Interim Fire Chief.

CALL TO ORDER: The meeting was called to order by Mayor Kahler at 7:01 p.m., followed by an Invocation and Pledge of Allegiance.

CERTIFICATES & PROCLAMATIONS:

Scott Renz, Beautification Board Chair announced the winners of the 2015 Holiday Lights/Best Christmas Decorations Contest and presented awards as follows:

Residential Awards/Most Festive:

Robert and Rita Miller

Commercial Awards/Most Festive:

Cloverleaf Mobile Home Park
Brooksville Healthcare Center

Residential Awards/Best Christmas Decorations:

1st Place - Joshua and Cori Salovsky
2nd Place – James M. Brown
3rd Place – Edward and Sheila Doyle

Commercial Awards/Best Christmas Decorations:

1st Place – American Gun and Pawn, Inc.
2nd Place – The Gallery of Arts and Antiques
3rd Place – Rising Sun Bistro and Market

Margaret R. Ghiotto Beautification Awards – Residential Award

1. Recognition of improvements to the property owned by Mark and Diane Justice, located at 396 North Avenue. Scott Renz, Beautification Board Chair, reviewed improvements to the property. Mr. Justice stated he worked very hard restoring the 100 year old home and was pleased to have received the recognition award.

2. **Margaret R. Ghiotto Beautification Awards – Commercial Award**

Recognition of improvements to the property owned by Jimmy Brown/Law Offices of Jimmy Brown located at 211 S. Main Street. Mr. Brown expressed his appreciation to have received the award of recognition.

PRESENTATIONS:

Mayor Kahler introduced Shawn Foster, Florida League of Cities. Mr. Foster provided an update of items coming before the legislature. He reported that 99% of legislative bills that would have had a negative impact on the City never had even made it to the legislature last year. For the upcoming legislative sessions, the Firefighter and Paramedic Cancer Disability Presumption bill will be brought before legislature. This would allow to provide health coverage for any condition that is caused by cancer; it does not have to be work related. The Florida League of Cities will be opposing the bill.

Mr. Foster reported the Communications Services Tax bill died last year. However, it will be presented to legislature this year. The bill reduces a portion of State tax by 2% which would have a negative impact, with funds lost to the City.

The Relocation Utilities bill will be presented to legislature with a “strike-all amendment.” The bill was re-written; this will reduce the impact to municipalities greatly.

Mr. Foster also reported on the Water Quality bills for improving health and springs; and the Public Private Partnerships. The Public-Private Partnerships, commonly referred to as P3s, are contractual agreements between public and private entities that provide for significant involvement of private entities in the delivery and financing of public buildings and infrastructure projects. Under such agreements, the private entity will assume the financing for the project and in turn be entitled to either revenue-generating, project-related activities or government payments based on performance. One of the major benefits of a P3 project is that it enables public entities to undertake projects they might otherwise postpone or ignore due to lack of funds.

Mr. Foster was happy to report Senator Wilton Simpson and Florida House of Representatives Blaise Ingoglia are supporting the Horse Lake Creek Dredging and Infrastructure Improvement Project; and the Liberty Street Storm Water Improvement Project. The projects were initially vetoed by the Governor. Both Senator Simpson and Representative Ingoglia have made visits to the proposed project sites.

Mr. Foster reported he recently assisted Michael Heard, Executive Director of the Florida Blueberry Festival with several items regarding the upcoming festival. In addition, Mr. Foster’s organization provided a donation of \$5,000 through Republic Bank.

Mr. Foster thanked the Council and the City Manager to allow him to represent the City.

CITIZENS INPUT:

Mayor Kahler requested citizen input.

Paul Douglas, President of the Hernando County NAACP provided information regarding the upcoming MLK parade.

Council Member Erhard requested Mr. Douglas share the date and time of MLK parade. Mr. Douglas stated he believes the parade will take place on January 16; he indicated approximately nine (9) bands will be participating in the event this year. Mr. Douglas stated he is very proud to hold the parade in the City of Brooksville. Council Member Burnett requested confirmation of the date and time for the MKL Parade. Mr. Douglas will provide a confirmed date and time as soon as possible.

Mr. Douglas thanked Council Member Burnett for his continued community involvement. He also reported on behalf of the NAACP, they are very appreciative of Chief Turner.

Mr. Douglas stated the Hernando County Commission has agreed to allow the NAACP to erect a statute memorializing citizens within the county. The memorial will be in the center of the administration building and courthouse. The NAACP is in the process of raising money for the statute.

CONSENT AGENDA:

Consideration to place an order for purchase of Fire Department Engine/Pumper Truck utilizing Florida Sheriff's Association State Bid Contract for the not-to-exceed amount of \$467,153.31 with the surplus of existing 1999 American LaFrance Engine/Pumper Truck to be used for purchase.

Mayor Kahler requested a motion to approve the Consent Agenda.

Motion:

Motion by Council Member Burnett and seconded by Council Member Kemerer for approval. Motion carried 5-0.

REGULAR AGENDA

Veterans Avenue Adjustment of Quantities

Consideration to approve the increased cost of \$82,676.58 for the Veterans Avenue Road and Sidewalk Reconstruction Project.

Public works Director Richard Radacky provided a detailed presentation regarding the Veterans Avenue cost overage. Contractor Daniel Goodwin, president of Goodwin Construction was present. Mr. Radacky stated none of Goodwin projects have had cost overages. Over the years, the road became heavily damaged due to the fire, rescue, construction and garbage trucks driving on the road. There was unforeseen, unsuitable materials/buried debris that was uncovered, once the road/sidewalks were excavated and exposed. Therefore the road has been reinforced with 3" asphalt rather than the standard 2" asphalt for better endurance and sustainability. In addition, the sidewalks

had drainage issues from the original installation that was done sometime in the 1970's.

Mr. Radacky introduced Brett Bennett, Project Manager for Greenman-Pedersen, Incorporated, (GPI, Inc.) Construction and Engineering Services. Mr. Radacky provided a PowerPoint presentation noting the unforeseen problem areas.

Vice Mayor Battista stated in the future he would like Council to be apprised in advance of any overage costs that may be incurred on projects. City Manager Norman-Vacha stated in the future she would provide necessary updates to Council.

Mayor Kahler requested a motion to approve the Veterans Avenue Adjustment of Quantities.

Motion:

Motion by Vice Mayor Battista and seconded by Council Member Burnett for approval. Motion carried 5-0.

Budget Amendments for Funds 128 and 308 FY 2016

Consideration to approve the outlined fiscal year 2016 budget amendments and appropriate signatures on the attached Budget Amendment Forms related to operations and distribution of funds due to the continuance of the Red Light Camera Program.

Finance Director Tannette Gayle referenced the three (3) budget amendment forms contained in the Council Packet. The budget amendment forms are for the following requested amendments:

Amend the Red Light Camera Fund - 128 in the amount of \$770,000 for increases in revenues and expenses due to extending the program through the end of the current fiscal year.

Amend the Transportation Capital Fund - 308 in the amount of \$140,091.67 for increases in revenues and expenses due to extending the program through the end of the current fiscal year.

City Manager Norman-Vacha explained the request for the fund transfer and informed the Council that funds cannot be expended until Council approves the funds for projects. Council Member Kemerer referenced the budget amendment forms and asked for clarification, in which City Manager Norman-Vacha complied.

Mayor Kahler requested a motion to approve the Budget Amendments with two of the three budget amendments approved by Council; budget amendment number three (3) unapproved; funds are to remain in Fund 128.

Motion:

Motion was made by Council Member Burnett and seconded by Council Member Erhard for approval. Motion carried 5-0.

3. Advisory Board Appointments

Appointment of Advisory Board Members replacing those whose terms expire December 31, 2015.

City Manager Norman-Vacha presented advisory board vacancies and requested consideration for board appointments and reappointments as follows:

Beautification Board

Angie McMorrow – Term: 12-31-2015 to 12-31-2018

Cindy Renz – Term: 12-31-2015 to 12-31-2019

Roger Sherman – Term: 12-31-2015 to 12-31-2019

Ronette Snyder – Term: 12-31-2015 to 12-31-2019

Mayor Kahler requested a motion to approve the Beautification Board appointments.

Motion:

Motion by Council Member Burnett and seconded by Council Member Erhard for approval. Motion carried 5-0.

Cemetery Advisory Board

Kathleen Hudak – Term: 12-31-2015 to 12-31-2019

Mayor Kahler requested a motion to approve the Cemetery Advisory Board appointment.

Motion:

Motion by Council Member Erhard and seconded by Council Member Kemerer for approval. Motion carried 5-0.

Great Brooksvillian Screening Committee

Roger Sherman – Term: 12-31-2015 to 12-31-2016

Julia Jinkens – Term: 12-31-2015 to 12-31-2016

Susan Loveday – 12/31/2015 to 12-31-2016

Gail Samples – 12-31-2015 to 12-31-2016

Mayor Kahler requested a motion to approve the Great Brooksvillian Screening Committee appointments.

Motion:

Motion by Council Member Burnett and seconded by Council Member Kemerer for approval. Motion carried 5-0.

Parks & Recreation Advisory Board

Roger Sherman – Term: 12-31-2015 to 12-31-2019

Kelly Lagedrost – Term: 12-31-2015 to 12-31-2019

Mayor Kahler requested a motion to approve the Parks & Recreation Advisory appointments.

Motion:

Motion by Council Member Battista and seconded by Council Member Kemerer for approval. Motion carried 5-0.

Planning & Zoning Commission

Elmer Korbus – Term: 12-31-2015 to 12-31-2019

George Rodriguez – Term: 12-31-2015 to 12-31-2019

Mayor Kahler requested a motion to approve the Planning & Zoning Commission appointments.

Motion:

Motion by Council Member Burnett and seconded by Council Member Kemerer for approval. Motion carried 5-0.

Council Member Burnett suggested Council to consider new applicants to allow for the opportunity to serve on the advisory boards, rather than to reappoint board members year after year. Council Member Battista suggested it may be good to have term limits; such as two 4-year consecutive terms. Council Member Burnett concurred.

Intergovernmental Board Assignments and Organizations - City Council Appointments to various Boards and Committees

Mayor Kahler announced it was time for Council to fill the following seats on the External Committees/Boards: Hernando County Anti-Drug Coalition; Withlacoochee Regional Water Supply Authority, and Youth and Family Alternatives.

Council Member Kemerer will serve on the Hernando County Anti-Drug Coalition; and the Youth and Family Alternatives Committee, and the Withlacoochee Regional Water Supply Authority.

Objection to City of Brooksville Annexations

Mayor Kahler reported the City received a letter from Hernando County objecting to the annexations, ordinance numbers 854, 855, 857, 859 and 862. City Attorney Cliff Taylor reported on Hernando County's objection to the said annexations. He introduced Attorney Jennifer Rey with Hogan's Law Firm who provided an overview of the timeline and critical dates. Notice of ordinances numbers 854 (Grace World Outreach Church property), 855 (Saint Anthony's Catholic Church property), 857 (Griffin Property) and 859 (Hernando County Housing Authority Properties) was provided to Hernando County November 9, 2016. Ordinance number 862 (Brooksville Christian Church), Hernando County received notice on November 24, 2016. Attorney Taylor stated according to the letter received from the County with the objections, no reason was given for the objections. His recommendation is to proceed with moving forward to file suit with the Hernando County.

Council Member Battista requested the City Manager and City Attorney work together to compose a courtesy letter of response to Hernando County. Council Member Kemerer concurred.

Mayor Kahler requested a motion to send a courtesy letter of response to Hernando County.

Motion:

Motion by Council Member Burnett, seconded by Vice Mayor Battista.
Motion carried 5-0.

Citizen Input:

Kojack Burnett addressed the Council indicating they are doing a good job. He noted the upcoming MLK parade celebration.

ITEMS BY COUNCIL

Cliff Taylor, City Attorney

City Attorney Taylor requested an Executive Session prior to the February 1, 2016 Regular Council Meeting. The Executive Session will begin at 5:45 p.m.

City Attorney Taylor reported the City filed an appeal for Red light Camera on Mr. Kirshey; there were two (2) other cases as well, which the City won the appeal. Attorney Taylor will be meeting with Judge Hitzemann and opposing counsel Peyton Hyslop this Wednesday to discuss how to handle future cases as such. In addition, the City filed a Code Enforcement appeal and won the case.

T. Jennene Norman-Vacha, City Manager

City Manager Norman-Vacha reminded Council of the Monday January 11th Business Development Workshop scheduled for 3:00 p.m. A Special Meeting will take place prior to the Business Development Workshop. During the Special Meeting a proclamation will be presented in celebration of Martin Luther King Jr. Day.

City Manager Norman-Vacha reported that she received a telephone call this morning from Mr. Paul Douglas indicating he would like a street closure application in celebration of a MLK Parade. City Manager Norman-Vacha stated Mr. Douglas is requesting a fee waiver as well. City Manager Norman-Vacha stated the street closure application is being expedited. These requests will be presented to Council for approval at the Special Meeting on January 11th at 2:30 p.m.

Mayor Kahler requested that Marty send out an email to Council as a reminder of the 2:30 p.m. Special Meeting. City Manager indicated she will have packet and time change emailed to Council.

William Kemerer, Council Member

Council Member Kemerer stated with the Red Light Camera Program coming to an end the revenue will be gone. He suggested a workshop later in the Spring to pursue road projects; evaluate alternatives water sewer roads and drainage, to fund these projects. Mayor Kahler concurred Council should take the opportunity hold a workshop to include discussion of sidewalks. The City Manager suggested an April 11th workshop to discuss pavement management and sidewalk funding mechanisms. The Mayor and Vice Mayor requested a representative from the Florida League of Cities to be present at the workshop. The City Manager will contact the Florida League of Cities and get back to Council with a set time.

Frankie Burnett, Council Member

Council Member Burnett commented regarding his concerns about the Red Light Camera funds going away at the end of October 2016, emphasizing the roads and sidewalks projects that will need to be funded. He stated Council needs to review options for revenue to fund these projects.

Council Member Burnett stated he was very pleased with Mr. Foster's presentation and efforts as he lobbies on behalf of the City for particular legislative bills, etc. He reported Mr. Foster may also be able to assist the City to possibly obtain funding for the roads and sidewalk projects, including the maintenance thereof.

Council Member Burnett thanked all who participated in providing donations for the Christmas dinners and toys. From those donations, thirty-five (35) people were assisted.

Council Member Burnett commended the City Manager and staff for a job well done. He also stated he appreciates the Council working together.

Betty Erhard, Council Member

Council Member Erhard thanked everyone for attending the Council Meeting. She also thanked the volunteers serving on the advisory boards.

Council Member Erhard congratulated the winners of the Holiday Lights/Best Christmas Decorations Contest.

Robert Battista, Vice Mayor

Vice Mayor Battista reminded all recycling is on Wednesday.

Vice Mayor Battista addressed City Attorney Taylor stating the Red Light Camera settlement agreement required the City to file a document effectuating dismissal of the case; Vice Mayor Battista asked if this had yet been completed. City Attorney Taylor confirmed it has been completed; the case has been dismissed. Vice Mayor Battista asked if the transcripts from the Executive Session are now public record. City Manager Norman-Vacha reported that she believes there is one final step, as a final document to be signed; thereafter the transcripts will be presented to Council for approval and will become public record.

Vice Mayor Battista referenced an article published in Tampa Bay Times regarding funding for projects. In particular the County was asked by our legislative delegation to provide a *wish list* wherein funding may be provided for these projects. Vice Mayor Battista feels the City should look into this funding as well, and have Mr. Foster assist with checking into this for the City. City Manager reported that she has been diligent seeking project funding. She has met with both Representative Ingoglia and Mr. Foster to discuss project funding options; as well as applying for various loans/grants.

Natalie Kahler, Mayor

Mayor Kahler recognized Julia Jinkens and Jan Knowles, both who are past winners chosen to represent the City as the Great Brooksvillian. She thanked them for their dedicated community service.

Mayor Kahler asked Council to inform the City Manager if they would be attending the MLK Parade.

Mayor Kahler stated she was recently interviewed by the Hernando Sun. She was asked what her visionary plans are for the City. Mayor Kahler requested Council to provide an idea or suggestion of something they would like accomplished this year, and to bring their suggestions to the February 1, 2016 Council Meeting.

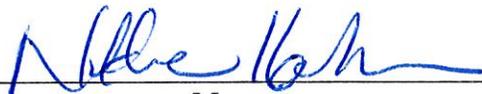
ADJOURNMENT

There being no further business to bring before Council the meeting adjourned at 9:39 p.m.



City Clerk

Attest:



Mayor



CORRESPONDENCE TO NOTE

1. Letter from Kevin Wever
2. Letter from Florida Department of Economic Opportunity
3. Letter from Florida Department of Economic Opportunity
4. Letter from Florida Department of Economic Opportunity
5. Memorandum from Firefighters' Pension Trust Fund