

CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE

AGENDA

August 4, 2008

7:00 P.M.

Brooksville City Council met in regular session with Mayor David Pugh, Vice Mayor Frankie Burnett and Council Members Joe Bernardini, Lara Bradburn and Richard E. Lewis present. Also present was George G. Angeliadis and Jennifer Rey, City Attorneys; T. Jennene Norman-Vacha, City Manager; Karen M. Phillips, City Clerk/Director of Administration; Janice L. Peters, Deputy City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. A representative of Hernando Today was also present.

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

CONSENT AGENDA

Minutes

- June 2, 2008 Regular Meeting
- June 16, 2008 Regular Meeting

Public Nuisance Liens

Consideration of recording liens for expenses incurred for the cleanup of properties in violation of the City's code.

- a. Manuel Long & Robert Long, 46 Irene St. \$276.14
- b. Anthony Mucci, 501 Howell Avenue \$201.14

Debris Removal

Consideration of Piggybacking on updated/current versions of Hernando County Debris Removal and Debris Removal Monitoring Contracts.

Brooksville Water System Improvement Project

Consideration of Council approval for the City Manager to execute Amendment No. 1 to the agreement between the Florida Department of Environmental Protection (FDEP) and the City of Brooksville providing additional grant funding in the amount of \$190,000 for City drinking water.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for removal of Items C-3 and C-4 for discussion and separate votes. Motion carried 5-0.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for approval of Items C-1 and C-2 of the consent agenda. Motion carried 5-0.

Debris Removal

Consideration of Piggybacking on updated/current versions of Hernando County Debris Removal and Debris Removal Monitoring Contracts.

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 10/6/08 INITIALS AP

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Council Member Bradburn asked for an explanation of private road cleanup, which Emory Pierce, Director of Public Works explained. Discussion followed in which legal counsel pointed out that FEMA does not reimburse for services to privately maintained roads. Council consensus was to look into drawing up agreements with the private property owners for reimbursement of services supplied during a disaster. Discussion continued.

Council Member Bradburn recommended an EOC Policy to utilize a three-prong tree recovery system to harvest logs for market instead of adding to the land field.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Lewis for approval as discussed. Motion carried 5-0.

Brooksville Water System Improvement Project

Consideration of Council approval for the City Manager to execute Amendment No. 1 to the agreement between the Florida Department of Environmental Protection (FDEP) and the City of Brooksville providing additional grant funding in the amount of \$190,000 for City drinking water.

Council Member Bradburn reviewed possible uses for the grant money. She advised that corrections to the project description were needed as follows: Second page, attachment A-1, on the grant work plan, last paragraph, third to last line, where it talks about the watermain to be upsized from 2" to 6", the fire code calls for 8"; and the second part is that Natalie, according to the County's GIS System, is actually 460' long, not 512'.

A brief discussion of the project followed.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval with the upsizing of the watermain from 2-8".

Discussion continued in which Vice Mayor Burnett requested a copy of the identified low-flow fire hydrants.

Motion carried 5-0.

Council Member Bradburn indicated a few homeowners have expressed an interest in connecting to the new water lines and that contact be made with effected property owners. City Manager Norman-Vacha advised that would be taken care of.

REGULAR AGENDA

Ordinance No. 761 - Municipal Elections Code

Consideration of ordinance containing revisions to the City's election code.

City Manager Norman-Vacha indicated "City Clerk" is being replaced with "designated elections officer". Brief discussion followed during which Council Member Bradburn again stated her desire to turn the elections over to the Supervisor of Elections office.

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Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett for approval of Ordinance 761.

City Clerk Phillips read Ordinance No. 761 by title, as follows:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BROOKSVILLE, FLORIDA, CHAPTER 30, "ELECTIONS;" AMENDING VARIOUS PROVISIONS BY SUBSTITUTING THE TERM "DESIGNATED ELECTION OFFICIAL" IN PLACE OF THE TERM "CITY CLERK;" PROVIDING FOR CODIFICATION, CONFLICTS AND REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Pugh asked for public input; there was none.

Motion carried 5-0 upon roll call vote, as follows:

Council Member Bernardini	AYE
Council Member Bradburn	AYE
Council Member Lewis	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

Ordinance No. 762 -- Adult Entertainment Ordinance

Consideration of revisions to the ordinance regulating adult entertainment businesses.

City Attorney Rey reviewed the changes, which pertain to adjusting a geographical requirement from 1500-2500" from schools and secondary education institutions as well as licensing and application requirement on the facility design and layout.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for approval of Ordinance 762.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Ordinance No. 762 by title, as follows:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BROOKSVILLE, FLORIDA, CHAPTER 10, "AMUSEMENTS AND ENTERTAINMENTS," ARTICLE II, "ADULT AND SEXUALLY ORIENTED BUSINESSES;" AMENDING LICENSE APPLICATION REQUIREMENTS; AMENDING LOCATION RESTRICTIONS; PROVIDING FOR CODIFICATION, CONFLICTS AND REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

Motion carried 5-0 upon roll call vote, as follows:

Council Member Bradburn	AYE
Council Member Lewis	AYE
Council Member Bernardini	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

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Resolution No. 2008-16 Public Records Management Resolution

Consideration of resolution setting the standards that the City follows for records management as promulgated by the State of Florida.

City Clerk Phillips reviewed the resolution, advising that it sets the structure for the City to follow standards of records management as promulgated by State Statutes. The City Manager will be adopting a policy and staff will go forward with procedures for full staff implementation.

Council Member Bradburn indicated it is her understanding that the policy will be finalized by the City Manager with the intent to standardize the City's record-keeping procedures according to State law.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett for approval of Resolution 2008-16.

Council Member Bernardini asked if the resolution reflects statutes that were just recently adopted. City Clerk Phillips indicated there have always been rules in place, which were followed, but official policy had not been set. The process will be standardized so that all departments will be on the same page and records will be better organized.

City Manager Norman-Vacha added that she would like to see a user group made up of a record keeper from each department with guidelines and forms that everyone utilizes.

Council Member Lewis requested a copy of the final resolution along with the retention schedules.

Council Member Bradburn expressed thanks to Karen Nicolai and some of her staff that has provided some insight and some assistance, even voluntarily on their own time, to help bring us up to date as well.

in reorganizing the City's filing system and purging process.

City Clerk Phillips read Resolution No. 2008-16 by title, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ADOPTING THE STANDARDS OF RECORDS MANAGEMENT AS PROMULGATED BY FLORIDA STATUTES AND FLORIDA ADMINISTRATIVE CODE; AUTHORIZING THE CITY MANAGER TO ADOPT STANDARD RECORDS MANAGEMENT POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pugh asked for public input; there was none.

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

Council Member Lewis	Aye
Council Member Bernardini	Aye
Council Member Bradburn	Aye
Vice Mayor Burnett	Aye
Mayor Pugh	Aye

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Resolution No. 2008-17 USDA Loan

Consideration of approving Rural Utility Service RUS Loan Resolution for the not-to-exceed amount of \$1.48 million.

Director Pierce reviewed the loan for USDA funding, which does not obligate the City to borrow the money, it just keeps things moving along for the radio read meter project, which will be bid out shortly.

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Burnett for approval of Resolution 2008-17.

Council Member Bradburn asked if the project would still be implemented in phases. City Manager Norman-Vacha indicated it will.

City Clerk Phillips read Resolution No. 2008-17 by title, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WATER FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

Mayor Pugh asked for public input; there was none.

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

Council Member Bernardini	Aye
Council Member Bradburn	Aye
Council Member Lewis	Aye
Vice Mayor Burnett	Aye
Mayor Pugh	Aye

Florida League of Cities (FLC) Committees

Consideration of Council Member representation on FLC Legislative Committee(s).

City Clerk Phillips asked for Council interest.

Council Member Bradburn indicated she has spoken with Lynn Tipton with the League and her thoughts are that since Council has appointed her to the delegate for the Annual League of Cities Conference she will check them out while she is there. At this time she is not ready to commit to a committee.

Vice Mayor Burnett expressed interest in serving on the Intergovernmental Committee.

Council Member Bradburn stated that serving on a committee is not a prerequisite to being able to attend any of the committee meetings or to lobby the legislature or federal government on behalf of the league or individual cities.

Council Member Bernardini committed to serve on the Energy & Environmental Quality Committee.

Mayor Pugh committed to serve on the Finance & Taxation Committee with Council Member Bradburn to serve on the Growth Management & Transportation as well as the Urban Administration Committee.

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United Way Grant Agreement

Consideration of (a) approval to accept United Way Grant Agreement in the amount of \$10,000; and (b) discussion of Liability Issue.

Mike Walker, Director of Parks & Recreation, reviewed the grant and asked Council to accept the grant. He asked for direction on the Liability issue.

City Attorney Rey indicated the liability issue is in direct conflict with the City code. Discussion followed. Council consensus was to discuss the issue with United Way.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bradburn for approval as recommended by legal counsel and to schedule a meeting with United Way to discuss the liability issue.

Mayor Pugh asked for public input; there was none.

Motion carried 5-0.

Great Brooksvillian Screening Committee Member

Consideration of appointing Ron Daniel as the remaining Screening Committee Member.

City Clerk Phillips reviewed the issue.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval.

Mayor Pugh asked for public input; there was none.

Motion carried 5-0.

ITEMS BY COUNCIL

Lara Bradburn, Council Member

Impact Fee Reduction

Council Member Bradburn advised that the Hernando County Board of County Commissioners will be deliberating tomorrow concerning the State's program to reduce impact fees. She asked what the impact to the City would be if the County reduces their fees.

Director Geiger explained that the City has opted into the County's fee structure and the city's fees would change at the same rate, per the Interlocal Agreement. The fee reduction would be temporary for 18 months in order for the County to apply for SHIP funds, which is only available to those counties who opt-in to the reduction program.

Mayor Pugh asked for the agreement to be pulled. Director Geiger advised that the only option the City has is to have its own fees in place or opt in to the County's ordinance. Discussion continued.

It was the consensus of Council to send a note to the County Administrator that Council opposes the reduction of impact fees.

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Elections Process

It was her hope that a decision would be made tonight and agreed for it to be added to the workshop. City Manager Norman-Vacha indicated it will be included in the second workshop on August 12th.

Richard E. Lewis, Council Member

Stuff the Bus Event

Council Member Lewis thanked Vice Mayor Burnett and the City Clerk for their participation in the event with United Way.

Frankie Burnett, Vice Mayor

Stuff the Bus Event

Vice Mayor Burnett thanked the rest of staff who volunteered their spare time to help in stuffing the bus with school supplies for the Hernando County teachers and students.

Karen M. Phillips, City Clerk

Stuff the Bus Event

She, on behalf of United Way, reiterated Vice Mayor Burnett and Council Member Lewis's sentiments, adding thanks to the High School band students who worked on Friday. She added that Vice Mayor Burnett serves on sub-committees for United Way and took this event on as his personal goal and did a great job.

David Pugh, Mayor

City Manager Evaluation

Mayor Pugh indicated the evaluation process ongoing and urged Council to get their evaluations submitted as soon as possible.

CITIZENS INPUT

Cecil Davis

Debris Removal

He advised that in the event of a hurricane the National Guard Corp of Engineers will offer services to clean up roadways at the expense of the state.

Tim Mossgrove, Fire Chief

Debris Removal

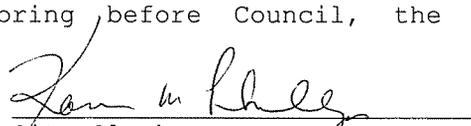
Chief Mossgrove advised that all emergency response vehicles have chainsaws and trained individuals.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:45 p.m.

Attest:

Mayor



City Clerk