

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

February 7, 2011

7:00 P.M.

Brooksville City Council met in regular session with Mayor Frankie Burnett, Vice Mayor Joseph E. Johnston, III, Council Members, Joe Bernardini, Lara Bradburn and Emory Pierce present. Also present were Thomas S. Hogan, Jr., City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Interim Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. Members of the Hernando Today and Hernando Times were also present.

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

**CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS**

**Margaret R. Ghetto Beautification Award - Residential Award**

Recognition of improvements to the property located at 216 E. Liberty Street, previously owned by Mikel Hannigan and Christine Lawter.

Mayor Burnett reviewed the award. The recipients were not present so the award will be presented at the next Council meeting in March.

**New Business Welcome**

Recognition of new City of Brooksville businesses by City Council and the Ambassador of Commerce and Employment's Office.

Dennis Wilfong, Ambassador of Commerce and Employment, reviewed the new businesses to the City of Brooksville and updated Council on the progress of their efforts. He announced there have been twenty one (21) new businesses since he last reported to Council in excess of fifty (50) new jobs. He indicated welcome packages are delivered to new businesses and invited Council members to participate in the occasion. He shared a few stories of successful openings of new businesses in the City, giving credit to the friendly atmosphere of helpful citizens.

Council Member Bradburn commended and thanked Dr. Wilfong for his persistence on this project.

**Proclamation - Black History Month (February) Recognition**

Consideration of Proclamation to acknowledge the contributions of outstanding humanitarian deeds during the celebration of Black History Month.

Mayor Burnett read the proclamation in its entirety and presented it to Brother Henry Wright of the Elks Lodge. He also presented Certificates of Recognition to Henry Wright, Sonya Jackson, Joann Munford, former Mayor Luther Cason, James Hall, Brenda Mobley, Supervisor of Elections Annie Williams, School Board Chairman James Yant, Mae Lois Black-Hamilton, Martha Maner, Charles "Kojak" Burnett, Ella Mae Macaulay, George Foster of Creative Environmental Solutions and Cliff Manuel of Coastal Engineering for their contributions to the community.

*A 5-minute break was taken.*

APPROVED BY BROOKSVILLE  
CITY COUNCIL  
ON 9/16/13 INITIALS SL

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## Individual Proclamations

Doug Davis approached Council and encouraged all of Council, concerning their conscience when dealing with the business of the "people", to sign individual proclamations, which he read, asking God to judge their motives.

## Enrichment Center, Inc., Presentation

Update on progress of the Enrichment Center project.

Nick Morano introduced Debbie Druzbeck, Executive Director of the Enrichment Center. She thanked the Board of Directors of the Enrichment Center, Council and the Parks and Recreation Staff, the Mining Association and James Morris of Cemex and Cliff Manuel, of Coastal Engineering, Attorney Joe Mason, Bill Henry and Barry Morris of RGA Architects for their help and contributions. She, along with James Morris and Barry Morris, proceeded to review the final design via a PowerPoint presentation as documented in *Attachment A*.

She reviewed the additional costs as referenced in the packet. The fire line construction was briefly discussed. Mayor Burnett asked that a workshop be scheduled to discuss further, which will be Wednesday, February 9<sup>th</sup> at 6:00 p.m.

Council Member Pierce asked that a copy of the PowerPoint presentation be provided to him prior to the workshop.

Council Member Bradburn reviewed various changes in construction plans. She expressed her enthusiasm over such a high quality project and that the Mining Association's involvement will showcase history. She reflected on many years of discussions leading up to fruition and how to reach the goals set forth.

Mrs. Druzbeck clarified that everything is to be built to hurricane standards; she also indicated deletion of some drywall is to preserve the historical designation. The generator and water pump will be needed before an occupancy permit can be obtained as a Special Needs Shelter. Hurricane glass has been downsized and parts of the project have been adjusted to make it work.

City Manager Norman-Vacha asked for a review of the large costs incurred. Mrs. Druzbeck indicated the Impact Fees, utilities hookup, building permits and the plan review fees were budgeted at \$24,000 and \$46,922 was expended with a runoff deposit of \$5,200 that is refundable. The fire flow piping starts at US41 to the structure crossing Gary Grubbs Boulevard twice.

Council Member Bernardini asked where the generator will be located. Barry Morris indicated the fuel tank will be above ground with the generator on top of it.

## **CITIZEN INPUT**

Mayor Burnett asked for public input.

Dan Patrick commented on the golf course funding when it was built and offered to give a large donation to the Enrichment Center.

Doug Davis expressed his concern for the generator being on top of the fuel tank. He recommended propane or natural gas.

Cecil Davis expressed the concern for money donations to be within the City's current budget.

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Marjorie Weyhrauch and Gwen Collins asked that residents support the resolution supporting hospital patient protection. Discussion of the Bill, sponsors and the importance of Registered Nurses ensued. Council agreed to support the resolution by adding it to the next meeting agenda of City Council.

### CONSENT AGENDA

#### Minutes

August 16, 2010	Regular Meeting
August 24, 2010	Budget Workshop
September 22, 2010	Final Budget Hearing

#### Regional Medical Center's Renewal Application for Certificate of Public Convenience & Necessity (COPCN)

Consideration for Council to recommend that Hernando County Board of County Commissioners grant renewal of COPCN for HCA Health Services of Florida, Inc., d/b/a Regional Medical Center, Bayonet Point, for the period of February 5, 2011 through February 5, 2014.

#### Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Pierce for approval of Consent Agenda. Motion carried 5-0.

### REGULAR AGENDA

#### Sewer System Rehabilitation – Phase III - Change Orders 10-13 and Amendment to Cardno/TBE Contract

Consideration of approval for adjustment of quantities and time for final change orders for the Sewer System Rehabilitation Phase III Project.

Director of Public Works Richard Radacky introduced Alan Schaefer, Project Manager; David O'Connor, P.E. Engineer for the project; and Dorian Majesky, Director of Water and Wastewater in Clearwater of Cardno/TBE, who reviewed the complete project via PowerPoint as documented in *Attachment B*.

Project Engineer David O'Connor explained the purpose of the project is to replace the City's sewer system with cured-in-place pipe. He next reviewed Inflow and Infiltration; Project Funding and ARRA Compliance; and Project Approach.

Project Manager Alan Schaefer reviewed Project Construction Contract Structure along with the contractors used, their project roles and accomplishments; Reynolds Inliner, LLC, Sanitary Sewer System Evaluation with Closed-Circuit Television; W. Clyde Daniels Construction, Inc., Excavated Point Repairs; American Infrastructure, Cured-in-Place Pipe Mainline Lining; LMK Pipe Renewal LLC, Sectional and Lateral Lining; Paints and Coatings, Inc., Manhole Repairs and dollar amount spent. He further reviewed project challenges, selected typical defects and gave a project summary.

Council Member Pierce indicated the project was broken up to include as many local contractors as possible. He advised Cardno/TBE has done a wonderful job.

Utility Superintendent Will Smith reviewed the Rehabilitation Cost History as documented in *Attachment B*.

Richard Radacky followed up by reviewing project benefits.

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Council Member Bernardini asked if the thirty percent (30%) rehabilitation was in the worst areas and if the system will be reassessed. Director Radacky affirmed it will be reassessed.

Council Member Bernardini asked when the Department of Environmental Protection capacity rating occurs. Council Member Pierce replied the capacity of the plant is currently set at 1.9 million gallons per day and The Department of Environmental Protection will allow more connections by reducing inflows but will not re-rate until a larger structure is rebuilt. He also pointed out the three (3) Sewer Rehabilitation projects have reduced flow rate from 1.2 to .8 and there should be an even further reduction once this last project is complete.

Council Member Bernardini asked about the contractor that went out of business. Mr. Schaefer indicated Love Construction went out of business on an insurance technicality.

Council Member Bradburn, referring to the project summary, pointed out an enormous amount of work has been done on this project. She commended Cardno/TBE for their work in overseeing the project.

### **Motion:**

Motion was made by Council Member Bradburn and seconded by Council Member Pierce for approval.

Council Member Johnston asked if the adjustment for Cardno/TBE for \$10,000 was up or down. Public Works Director Radacky clarified that it is an additional \$10,000.

Council Member Bernardini asked if the change orders have already been completed. Director Radacky affirmed that they have and clarified project budgeting and completion times. Council Member Bernardini and Mayor Burnett both did not agree that change orders come to Council after the work has been completed and does not want to set precedent with future projects.

Motion carried 5-0.

### **Green Burial Business Proposal**

Consideration of the Green Burial concept at the Brooksville Cemetery.

Director of Parks, Facilities and Recreation Mike Walker reviewed the concept as documented in *Attachment C*. He indicated changes from original presentation such as being "More Green"; no concrete vault; section of cemetery being utilized is better laid out to define the area of the northeast corner; and there will be sixty-nine (69) plotted spaces utilized to implement this plan.

The cost of a 10x10 plot is \$2,800 and gives the families different burial options including a headstone with additional use fees. Site preparations will include digging of the burial location to preserve the natural beauty. A scattering garden of cremains has also been created with a \$50 scattering fee. The Cemetery Advisory Board has taken on the task of fundraising for a proposal to have a Memorial Wall surround this location. He pointed out the potential income of approximately \$61,000 for those plots at the cost of \$600. He indicated Florida Department of Environmental Protection has been contacted and they have no concerns with the concept. The Department of Health indicated they have no authority other than the 150-foot setback from any public wells.

City Attorney Rey indicated she has been in contact with Mr. Tim Wheaton of the Division of Funeral Services and they have yet to document any rules regarding green burials.

Council Member Johnston pointed out the numbering is incorrect on the plots.

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Council Member Bernardini questioned \$125 to dig a hole for a cremation urn. Director Walker indicated that is the typical rate at surrounding locations. Mayor Burnett indicated the Cemetery Board has carefully reviewed the established fees.

Mr. Brewer explained that this is a new concept and reviewed the costs as well.

Council Member Bradburn asked for clarification that these services will be open to all funeral homes and the holes will be dug by private contractors. Rich Howard, Cemetery Sexton clarified that for cremations the hole can be dug by staff, family or a contractor. She asked about the 10x10 size which Director Walker addressed. He also confirmed that the wall is to memorialize a family member other than by the headstone, which was discussed, as well as costs. City Manager Norman-Vacha further elaborated that the memorial wall is a fundraiser and offers an alternative to family members no longer in the area to honor their loved ones who have been cremated and it will add to the landscaping.

Director Walker and Mr. Howard confirmed the cost of pricing of all the plots are below market value. Vice Mayor Johnston supports the premium rates for a unique service.

For the record, Council Member Bradburn wanted it noted that the wetlands are not being disturbed with this design.

### **Motion:**

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

City Manager Norman-Vacha stated staff will come back to Council concerning Code at a later date.

### **Ordinance No. 816 – Water Restrictions**

Consideration of ordinance to amend Charter Section 90 and repeal Resolution 2007-03.

Director of Community Development Bill Geiger reviewed the proposed ordinance addressing year-round water conservation measures, advising it integrates the administrative code into the ordinance, and also provides for the once-a-week watering restrictions to go into effect permanently.

Referring to Section 90-33, Council Member Johnston asked if this is in the current code. Code Enforcement Officer Mark Caskie explained that the Florida Administrative Code allows for a longer watering period for larger properties.

Director Geiger indicated the ordinance was submitted to review changes by Hernando County, who have given their approval and Southwest Florida Water Management District, with no feedback as of yet.

Council Member Bernardini stated his concern that new customers be notified of the restrictions and Mark Caskie stated he would create a water restriction brochure for new customers. Mr. Caskie clarified that the previous ordinance was only in effect should Southwest Florida Water Management District declare a water shortage.

Council Member Bradburn asked if the ordinance addresses new lawns and vegetation requirements. Director Geiger pointed out it is addressed in the Administrative Code Standard which is adopted as part of the ordinance. City Attorney Rey further elaborated that this particular ordinance addresses the existing lawn and landscape requirement with a defined term for purposes of applying these requirements, just as it is promulgated under the Florida Administrative Code.

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## Motion:

Motion was made by Council Member Johnston and seconded by Council Member Pierce for approval.

## CITIZEN INPUT

Mayor Burnett asked for public input; there was none.

City Clerk Peters read Ordinance No. 816 by title, as follows:

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF BROOKSVILLE, FLORIDA, CHAPTER 90, "WATER RESOURCES," AMENDING ARTICLE I AND ARTICLE II; PROVIDING FOR CODIFICATION, CONFLICTS, REPEALING, SEVERABILITY AND AN EFFECTIVE DATE.**

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

Council Member Bernardini	Aye
Council Member Bradburn	Aye
Council Member Pierce	Aye
Vice Mayor Johnston	Aye
Mayor Burnett	Aye

## Energy Systems Group - Investment Grade Audit

Consideration of selection of ESG for Investment Grade Audit Services.

City Manager Norman-Vacha indicated Chris Summers with Energy Systems Group is present and asked for Council approval of piggy-backing on the City of Ocala for selection of Energy Systems Group.

## Motion:

Motion was made by Council Member Johnston and seconded by Council Member Bradburn for approval to begin negotiations for a contract.

Council Member Bernardini felt the City should conduct its own bid process since it is a \$3 million dollar project.

Motion carried 4-1, with Council Member Bernardini voting in opposition.

Council Member Bradburn asked if Mr. Summers has had a chance to speak with Tampa Utilities in regard to their water bill issues. Mr. Summers indicated they have not but has done extensive water research and there have been issues localized to several different communities, which were associated with leaks, but not in all cases, some were due to rate changes. Council Member Bradburn asked that by the time the contract is before Council she would like more detailed answers.

## Interlocal Agreement - Transportation Enhancement Projects

Consideration to renew the three-year Transportation Enhancement Projects Interlocal Agreement between the Hernando County Board of County Commissioners, the City of Brooksville and Metropolitan Planning Organization.

Director of Community Development Bill Geiger reviewed the agreement. He stated it is a renewal of an existing interlocal agreement that has been in place since 2008 without any problems. It is a statement of good faith and intent of responsibilities of entities involved.

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## Motion:

Motion was made by Council Member Johnston and seconded by Council Member Bradburn for approval.

## Advisory Board Appointments

Appointment of Advisory Board Members whose terms expire December 31, 2010.

### Beautification Board

One (1) Vacant Student Representative Position to fill a 1-year term of office (per Policy 4-2008) through February 29, 2012.

Tiffany Rose Lufcy      New Applicant

## Motion:

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

Council Member Bernardini suggested the procedure to fill the student representative position be readdressed at a later date and changed from a 1-year to up to a 3-year term of office. Council Member Bradburn disagreed and felt a 3-year term of office is a big commitment from a teenager. Mayor Burnett agreed that all board procedures need to be readdressed as he is in favor of consideration of new applicants over a member who has served for at least two (2) consecutive terms of office. He asked the City Manager to schedule this for discussion on a workshop.

One (1) Vacant Full-Time Board Position to fill a 4-year term of office through December 11, 2011. No applications were received

### Planning & Zoning Commission

One (1) Full-Time Board Position to fill a 4-year term of office through December 31, 2014. City residency is required.

George H. Rodriguez Reapplying (Expiring Term)  
Richard E. Lewis New Applicant  
Cecil Davis, IV New Applicant

Council Member Bradburn nominated Mr. Rodriguez for reappointment and she explained that she had asked this to be postponed from a previous meeting since she was lead to believe he had no desire to continue to serve on the commission.

Council agreed to fill the position by vote instead of motion.

Council votes were in favor of George H. Rodriguez with three (3) votes and one vote for each of Richard E. Lewis and Cecil Davis, IV.

Mayor Burnett thanked all applicants for their interest in serving on an advisory board.

## **CITIZEN INPUT**

Mayor Burnett asked for public input.

Cecil Davis asked to be considered for the vacancy on the Beautification Board.

Kojak Burnett thanked Council for their efforts to recognize Black History Month.

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## ITEMS BY COUNCIL

### T. Jennene Norman-Vacha, City Manager

#### Workshop Reminders

City Manager Norman-Vacha wanted to remind Council there is a workshop for the Enrichment Center project this Wednesday the 9<sup>th</sup> and a Financial Workshop on Tuesday, February 22<sup>nd</sup> both at 6:00 p.m.

#### Fire Chief Tim Mossgrove

She announced Chief Mossgrove's mother was in the hospital having heart by-pass surgery and to keep them both in prayers.

### Joe Bernardini, Council Member

#### Enrichment Center, Inc.

Council Member Bernardini stated he felt the Beautification Board should have been consulted for consistency with other signs throughout the City.

He was surprised to hear staff was not aware that there needs to be a fire line to the Enrichment Center along with the calculated fees. He asked for a copy of the contract before the workshop meeting on Wednesday. He also stated his concern for the location of the generator.

#### Street Lines Painting

He thanked Public Works staff for painting the stop strips on the service road in front of AT&T and asked when the other side of the road near Winn-Dixie would be done. Public Works Director Radacky stated it was not done because that is on private property but will contact the owner of the shopping center to have them mark the two (2) lanes facing Dunkin' Donuts.

Council Member Bernardini asked if there are any plans to re-stripe roads within the City. Public Works Director Radacky stated an inventory will need to be done and put on a cyclical maintenance program for thermo-plastic painting.

#### Saturday at the Market

He noticed the event was well attended Saturday night when he drove by about 6:30 p.m. City Manager Norman-Vacha stated, in conjunction with Tourist Development Council, the Motor Coach Association participated in the event along with the Flatlanders Challenge Race.

### Lara Bradburn, Council Member

#### Vendapin

Council Member Bradburn asked about the activity in the yellow building on Jefferson Street. Director Geiger stated there is a new business moving into that location that is an assembly-type business called Vendapin that was referenced earlier this evening by Mr. Wilfong. There will be approximately five (5) to eight (8) employees earning more than minimum wage.

#### Enrichment Center

She agreed with Council Member Bernardini's comments and added her concerns over plan design.

#### Improving Swales

She asked about the plan for improving swales to provide better drainage by previously identifying roads with issues. Director Radacky indicated Martin Luther King Boulevard was done first. The cave-ins are being jacked up and the county comes in to remove the siltation adjacent to the culvert.

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The plan is to address the problems by quadrants and he will get back to her with specifics on major roadways.

### Pothole Maintenance

She stated there is a pothole near the east entrance by the Christmas House that needs to be addressed.

### Chemical Spraying

She asked that employees be cross-trained in chemical spraying so that they can address issues as they come upon them when they are working out in the field. She also asked that as employees are driving around the City and see a maintenance issue it should be reported so it can be addressed. Public Works Director Radacky confirmed that procedure is currently in place and pointed out a major problem on Main Street near Martin Luther King Boulevard with accumulation of shopping carts.

### Emory Pierce, Vice Mayor

#### Enrichment Center Water Line

Council Member Pierce asked Director Radacky to come up with a cost for the City to install the line.

### Joe Johnston, Vice Mayor

#### Picture Maintenance

Vice Mayor Johnston mentioned the picture in Council Chambers is still crooked. City Manager Norman-Vacha will have the art gallery curator re-string the picture so that it hangs straight.

#### Applebees

He stated they are dumping detergent water out the backdoor and it is running into the elevated drain which collects and gets tracked into the plaza located behind the restaurant.

### Frankie Burnett, Mayor

#### Hernando County Health Department

Mayor Burnett recognized Shonda Ellison for the recent HIV and Aids Awareness Workshop.

#### Walk with the Mayor

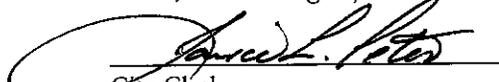
He requested the City Manager meet with staff to organize the event to take place on October 15<sup>th</sup>. Council Member Bradburn would like to limit staff involvement and to utilize volunteers for this event.

#### Commendations

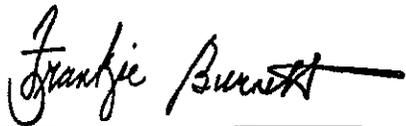
He thanked the City Manager and staff for continuing to move the city in a positive direction.

## ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 10:50 p.m.

  
City Clerk

Attest: \_\_\_\_\_

  
Mayor