

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

**MINUTES**

**July 20, 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; Janet Kato, Deputy City Clerk; Mike Walker, Director of Parks, Facilities & Recreation Director, George Turner, Police Chief; Bill Geiger, Community Development Director; Steve Gouldman, City Planner; and Tim Mossgrove, Fire Chief.

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

**CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS**

**Margaret R. Ghiotto Improvement Award – Commercial Award**

Recognition of improvements to the owner of Great Stuff, Catherine Mercogliano, located at 503 South Main Street.

Scott Renz, Chairman of the Beautification Board reviewed improvements of the commercial property known as Great Stuff. Owner, Catherine Mercogliano was not in attendance.

**Margaret R. Ghiotto Improvement Award – Residential Award**

Recognition of improvements to the property owned by Donna Smith, 122 W. Fort Dade.

Cindy Renz presented a brief history of the property receiving the residential award, noting the vast improvements of a house that had once faced possible demolition. Donna Smith was present to accept her award.

**CITIZEN INPUT**

Mayor Burnett called for citizen input; there none.

**CONSENT AGENDA**

Council Member Erhard requested that Items 2 and 3 of the Consent Agenda be considered for approval separately.

**Minutes**

July 6, 2015 Regular Meeting

APPROVED BY BROOKSVILLE  
CITY COUNCIL  
ON 9/21/15 INITIALS JK

**Motion:**

Motion was made by Council Member Battista, seconded by Council Member Kahler for approval of the Regular Meeting Minutes of July 6, 2015. Motion carried 4-0.

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### **Parks, Facilities & Recreation Mower Purchase & Budget Amendment**

Consideration to approve the purchase of the 2015 Gravely Pro Turn 272 commercial mower, model number 992255 in the amount not to exceed \$6,375.50 from General Auto Parts (State Contract vendor) and Budget Amendment.

City Manager T. Jennene Norman-Vacha reported that this particular mower has a wider cut, saving mowing time by almost half. Director Mike Walker added that the mower being surplusd will help off-set the cost.

### **Motion:**

Motion was made by Council Member Kahler, seconded by Council Member Battista for approval to purchase the 2015 Gravely Pro Tune 272 commercial mower, model number 992255 in the amount not to exceed \$6,375. Motion carried 4-0.

### **Retainer Agreement with Sunrise Consulting**

Consideration of a six month Contract with Sunrise Consulting for lobbying services and representation for the City of Brooksville.

Council Member Erhard questioned the need to engage additional legislative representation to advocate for the City.

Mayor Burnett referenced the important headway achieved in Tallahassee on behalf of the City with the lobbying efforts made by Sunrise Consulting; such as the City's Alternative Plan for the Coast to Coast Trail connecting the Good Neighbor Trail and the city's water/wastewater/storm water projects.

City Manager T. Jennene Norman-Vacha stated that the \$24,000 per year cost of this contract will be split between the City, the Florida Blueberry Festival and the Florida Blueberry Growers Association. The City's portion of obligation for the six month period would be \$12,000, or \$2,000 per month.

Council Member Kahler stated the momentum on the Good Neighbor Trail is at a crucial point and could not see the advantage in postponing the engagement of a lobbyist.

Council Member Battista requested formal letters be obtained from the Florida Blueberry Festival and Florida Blueberry Association of their commitment to participate in this contract.

City Manager T. Jennene Norman-Vacha stated the commitment letters are forthcoming, and that Sunrise Consulting will be invoicing each entity separately.

Mayor Burnett directed Staff to forward documentation on this subject to Council as it evolves.

### **Motion:**

Motion was made by Council Member Kahler, seconded by Council Member Battista to approve the contract with Sunrise Consulting for a six (6) month representation period (July 20, 2015 through January 20, 2015) at \$4,000 per month, which will be split with the Florida

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Blueberry Festival and the Florida Blueberry Growers Association, with attributable costs not to exceed \$1,000, and a termination provision of 30 days written notice. Motion carried 4-0.

### PUBLIC HEARINGS

#### Noise Ordinance No. 730-C

Consideration of proposed ordinance amending Chapter 82 of the Code relating to Traffic and Vehicles, Article III, Noise from Vehicles.

Mayor Burnett called for proof of publication. The Deputy Clerk stated that Item F-1 of the Agenda was advertised in the Tampa Bay Times on Friday, July 10, 2015, a copy of which is on file as record in the Office of the City Clerk.

Police Chief, George Turner presented the request for amending Chapter 82 of the Code relating to noise from vehicles.

Mayor Burnett called for public input. There was none.

Mayor Burnett requested the Ordinance to provide allowance of road closings in lieu of special events, and that the public be issued warnings for a thirty day grace period.

#### Motion:

Motion was made by Council Member Erhard, seconded by Council Member Battista to adopt Noise Ordinance No. 730-C, allowing for the exception to road closings in lieu of special events, and to issue warnings for a thirty day grace period.

The Deputy Clerk read Ordinance No. 730-C by title as follows:

**AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA,  
AMENDING THE CODE OF ORDINANCES OF THE CITY OF  
BROOKSVILLE, FLORIDA, ARTICLE III, CHAPTER 82, “NOISE  
FROM VEHICLES”, SECTION 82-52 PROVIDING FOR CONFLICT  
AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND  
PROVIDING FOR 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

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## REGULAR AGENDA

### Resolution No. 2015-11 - 2015 Local Mitigation Strategy (LMS) Plan Update

Consideration of resolution updating the LMS Plan as required every 5-years.

Bill Geiger presented the advantages in updating the LMS Plan as is required every 5-years.

Cecelia Patella, Director of Emergency Management with the Hernando County Sheriff's office, offered further explanation of the program. The plan will be posted on the County website.

### Motion:

Motion was made by Council Member Erhard, seconded by Council Member Battista to adopt Resolution No. 2015-11, 2015 Local Mitigation Strategy (LMS) Plan Update.

The Deputy Clerk read Resolution No. 2015-11 by title as follows:

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA; ADOPTING THE HERNANDO COUNTY LOCAL MITIGATION STRATEGY PLAN 2015 UPDATE, AS DEVELOPED BY THE HERNANDO COUNTY LOCAL MITIGATION STRATEGY WORKGROUP; AUTHORIZING HERNANDO COUNTY STAFF TO TRANSMIT SAID PLAN TO THE APPROPRIATE STATE AND FEDERAL AGENCIES; 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

### Resolution No. 2015-12 Deeds Dedicating City Property for use as Good Neighbor Trail Right-of-Way

Consideration of Resolution dedicating city property for use as GNT right-of-way and acceptance of Quitclaim Deeds.

City Attorney Clifford Taylor reviewed the resolution, which, along with the two quit claim deeds attached, would act to dedicate City property to be used as right-of-way for the Good Neighbor Trail. This dedication/reclassification would allow the FDOT to consider the use of these lands as a portion of the corridor for the Good Neighbor Trail.

Mayor Burnett directed Staff to compose a letter of gratitude to Mr. Joseph Mason, Jr. for his donation of these parcels of property to the City.

Mr. Hogan verified that the quit claim deeds from Mr. Mason names the City of Brooksville as Grantee.

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### Motion:

Motion was made by Council Member Battista and seconded by Council Member Kahler for approval of Resolution 2015-12.

The Deputy Clerk read Resolution No. 2015-12 by title as follows:

**A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA;  
DEDICATING CERTAIN LANDS IN AND ADJACENT TO TOM VARN  
PARK TO BE USED BY THE PUBLIC AS RIGHT-OF-WAY FOR THE  
GOOD NEIGHBOR TRAIL PROJECT; PROVIDING FOR CONFLICTS  
AND SEVERABILITY; 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

### Welcome Monuments - Private Interest Proposal

Consideration of proposal for the location of the first Welcome Monument as well as review and approval of subsequent monuments administratively.

Steve Gouldman presented the proposal for the location of the Welcome Monuments and introduced resident/business owner, Mr. Blair Hensley.

Blair Hensley gave a summary of his conceptualization of silos as a sign monument project benefitting the City. He stated that twenty-six individuals and businesses have donated approximately \$54,000 toward this project. The first location will be East Jefferson Street and East Martin Luther King Boulevard. Existing buildings there will be demolished, an Environmental Site Assessment performed and appropriate landscaping provided after the monuments installation. Future sites will be identified, leased, and developed by the Brooksville Silo Project Company and then assigned/donated to the City after completion. He hopes to have the project completed in six to eight months, and requested Council's approval of this project.

Council Member Battista inquired as to how the silos would be painted and/or repaired. He expressed the need for the public to have more time to offer comments on the project to Council.

Mr. Hensley stated the silos are approximately 30' high, in good shape, and will keep their patina finish. They will be installed and reinforced to meet high wind code.

### Motion:

Motion was made by Council Member Kahler, seconded by Council Member Erhard to support Mr. Hensley in his silo monument project, providing that the Council be regularly updated as the project progresses. Motion carried 3-1, with Council Member Battista voting in opposition.

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### Adoption of Tentative Fire Assessment Rate for FY2016 Budget Adoption

Adoption of the FY2016 Fire Assessment rates and establishment of the Public Hearing for September 9, 2015, at 5:01 p.m.

Fire Chief Mossgrove presented the FY2016 Tentative Fire Assessment which utilizes the “readiness to serve”, two-tiered approach of funding. He stated that the continuing efforts to shift costs of fire/rescue service delivery funding through the Assessment Program, lessens the burden on ad valorem and other General Fund revenues. This Tentative Fire Assessment proposes a .08 per unit rate for Tier 1 and a \$20 increase, per parcel, from \$80 to \$100 for Tier 2. He requested Council to adopt the tentative fire assessment rates as mentioned and approve a Public Budget Hearing date of September 9, 2015 at 5:01 p.m.

Following discussion City Manager Norman-Vacha stated that this assessment meets the goals of Council to be fair and equitable to all citizens. Properties that typically use these services are not typically properties that contribute to the per parcel average cost. Once in the budget process, the assessment rate may only be lowered to fit budgetary needs that may arise.

Council Member Erhard stated she opposed the increased tax rate.

Council Member Kahler stated that she has not received complaints from citizens regarding Tier 1 rates, but has received complaints on Tier 2.

Council Member Erhard invited citizens to offer their opinions on this matter.

Mr. Pat Braden, who is opposed to increased in taxes, stated that in setting the temporary Fire Assessment at the rate recommended by Fire Chief Mossgrove, that the budgetary process could allow it to be decreased.

Council Member Battista asked to confirm that

Fire Chief Mossgrove approached the Council as both the Chief and a resident, stating that of the 4,014 parcels in the city, everyone is paying something, which is shifting the burden of higher taxes from business. To give the best service and staffing efficiencies. It is not an exuberant increase. Assessed value is \$80,000

Council Member Battista motioned to adopt the Fire Assessment rate as outlined in the proposal and to approve the Public Hearing date for September 9, 2015. Mr. Battista withdrew the motion.

Council Member Kahler suggested the possible consideration of raising Tier 1.

Discussion ensued regarding raising Tier 1 to .09 per unit rate only.

### Motion:

Motion made by Council Member Battista, seconded by Council Member Kahler for adoption of the Tentative FY2016 Fire Assessment rates as with the Tier 1 per unit rate of 0.85 and Tier 2 rate of \$100 per parcel; and setting the Public Budget Hearing date for September 9, 2015 at 5:01 p.m.. Motion passed 3-1 with Council Member Erhard voting in opposition. Motion carries 3-1.

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Mayor Burnett advised Council Members to contact either the City Manager or Fire Chief for information regarding this matter in anticipation of citizen inquiries.

### **Discussion of City Council Group Seat 3**

City Manager Norman-Vacha stated that with the recent passing of Council Member Johnston, Seat #3 is now vacant. The City's current code adopted in 2010 states that the Council would, by Resolution, select an eligible person to fill the vacancy until the next regular municipal election or County wide non-primary election, whichever comes first. In the past, Council has given direction to advertise for those interested to submit their letter of interest which would be brought to Council for review. She requested direction from Council as to how to proceed.

Council Member Battista stated that with only one publication now serving the area, a seven day published announcement may not be enough notice for citizens to reply.

Discussion by Council brought about recommendations such as; informing the public via the website and a press release; requesting respondents to include a resume along with their letter of interest, and that candidates' applications be submitted to the City Clerk's office by noon on Friday, July 31, 2015.

Mayor Burnett addressed the process the Board would like to follow in case of a tie vote between Council Members in electing a candidate.

After discussion, the Council established that in case of a tie vote the municipal election will be decided by lot in which the name of each candidate who has tied shall be placed on a separate piece of paper of equal size and color and placed in a container so that candidate names are not noticeable. A member of the canvassing Board designated by the City Council will select one piece of paper from the container. The candidate whose name appears upon the piece of paper shall be declared elected by the City Council.

### **Motion:**

Motion was made by Council Member Erhard, seconded by Council Member Battista directing Staff to inform the public of the Council's desire to seek a candidate for Seat #3 by publishing a notice in the *Tampa Bay Times*, doing a press release, posting on the website, and requesting that those interested in serving to submit a letter of interest, along with a resume listing qualifications, to the City Clerk's office by noon on Friday, July 31, 2015. Motion carried 4-0.

Mayor Burnett directed Staff to prepare Tally sheets of interested candidates for Council's meeting on August 3, 2015.

### **2015 Great Brooksvillian Selection**

Review of Screening Committee recommendations and selection of the 2015 Great Brooksvillian recipient.

Screening Committee Chairman, Michelle Thompson, addressed the Council, acknowledging Committee Member, Julia Jinkens, who was also in attendance. Three nominations were received Steve Manuel, Joseph M. Mason, Jr. and E.E. "Ernie" Wever, Jr.. Previous nominations were reviewed. Their recommendation to the Council was to appoint

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E. E. "Ernie" Wever, Jr. as the 2015 Great Brooksvillian.

### **Motion:**

Motion was made by Council Member Battista, seconded by Council Member Kahler to appoint E. E. "Ernie" Wever, Jr. as the Great Brooksvillian. Motion carried 4-0

### **CITIZEN INPUT**

Mayor Burnett called for citizen input.

Mr. Pat Miketinac recommended keeping the old mower inventoried and regularly repaired.

Mr. Fraizer Mountain stated that the web may provide a better way to advertise open job positions than the newspaper or the City's website.

Ruby McGeehan submitted a letter of interest and brief resume for Seat #3 to the City Manager. She thanked the City on the resolve of Bell Avenue.

Shirley Miketinac congratulated the Council on working well together, and noted the two individuals who have given property to the City.

Kojack Burnett commended Mr. Hensley on his vision for the City.

### **ITEMS BY COUNCIL**

#### **Tom Hogan, City Attorney**

Mr. Hogan requested that an Executive Session with Council be held on August 17, 2015, and that any items of concern by Council Members be individually discussed with him prior to the session.

Mayor Burnett directed the City Manager to meet with Mr. Hogan prior to the August 17, 2015, Executive Session.

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

City Manager Norman-Vacha reminded the Council of the upcoming Budget Workshop on Monday, July, 27<sup>th</sup> in preparation of the first Budget Hearing scheduled September 9, 2015. She presented an overview of the past and present economic climates that have shaped the City's present budget, losing revenue and still maintaining the community's desire to maintain services. She stated that the critical aspect for the City is in growth which is currently at 3%. As packets are distributed for the Workshop, she is available to answer questions and concerns any Council Members may have.

#### **Natalie Kahler, Council Member**

Council Member Kahler expressed appreciation for the work done by Fire Chief Mossgrove and his Department.

She gave a historical review of Ernie Wever, 2015 Great Brooksvillian Award recipient.

#### **Betty Erhard, Council Member**

Council Member Erhard thanked everyone for coming to the meeting. She requested from City Counsel the status of the response from Sensys and if a meeting had been scheduled.

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Attorney Hogan recommended that this item be discussed in Executive Session, as the City is currently involved in litigation. He invited Council Members with concerns about this item, or any other legal matter concerning the City, to coordinate with the City Manager in scheduling time with his firm to have questions answered.

Mr. Hogan advised the question be asked during the Executive Session.

Council Member Battista concurred to preserve discussion of the matter for Executive Session.

Mayor Burnett advised council members to contact the City Manager and City Attorneys with questions at any time.

### **Robert Battista, Council Member**

Council Member Battista requested to be provided an index of City Policies. He proposed considering that the Council Chambers be dedicated to Council Member Joseph E. Johnston, and for Staff to create an appropriate Resolution of designation with plaque.

### **Frankie Burnett, Mayor**

Mayor Burnett thanked Mr. Hensley for his hard work on the proposed signage project for the City, and that it be presented to the Council as it evolves. He commended all the organizations who offer charitable levels of support to the City. He thanked the Hogan Law Firm for its dedication of representation to the City, and also City Staff.

## ADJOURNMENT

There being no further business, the Council Meeting adjourned at 10:02 p.m.

Attest:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Deputy City Clerk