

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

MINUTES

February 2, 2009

7:00 P.M.

Brooksville City Council met in regular session with Mayor Joe Bernardini, Vice Mayor Lara Bradburn and Council Members Joseph E. Johnston, III, Richard E. Lewis and David Pugh 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; Emory Pierce, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. A member of the St. Pete Times was also present.

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

REQUESTS FOR WAIVERS

25th Annual Hernando County Arts, Crafts and Music Festival

Consideration of \$125 waiver for meetings at Jerome Brown Community Center for the Hernando County Fine Arts Council's 25th Annual "Art in the Park" Festival.

Mary Jane Russell, Executive Director of the Fine Arts Council, indicated this is the 25th Annual Arts in the Park on May 2-3, 2009. Vice Mayor Bradburn asked that we promote the event on the website. Mary Jane will supply the information.

Motion:

Motion was made by Council Member Johnston and seconded by Council Member Lewis for approval of the waiver. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Mural Society Presentation

Presentation of a picture of the latest mural on Liberty Street by Ellen Snyder entitled "The Livery Stable".

Valdora Ward, member of the Mural Society, reviewed the society's functions. The sixth mural rendition was shown to Council and presented to Rhonda Hancock, Art Gallery Director.

Vice Mayor Bradburn thanked those members of the mural society who finished the project from the original artist.

Margaret R. Ghiotto Beautification Award - Residential Award

Recognition of improvements to the property of Machella Boyle and Douglas Helton located at 219 S. Broad Street.

Sally Sperling, Beautification Board Chair reviewed the award. The recipients were not present so the award will be delivered to them.

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 6/1/09 INITIALS [Signature]

REGULAR COUNCIL MEETING MINUTES – FEBRUARY 2, 2009

Margaret R. Ghiotto Beautification Award - Commercial Award

Recognition of improvements to the property owned by David and Cynthia Shrader located at 277 W. Jefferson Street, occupied by David and Lisa Peeler, dba/Allen's Divine Designs.

The award was reviewed by Board Chair Sperling and presented to the Peelers by Mayor Bernardini.

Award to the Men's Softball 2008 Winter Tournament Champions

Mayor Bernardini reviewed the presentation and presented the trophy to the team, sponsored by Coney Island and Pickett's Western Auto True Value.

Chris Parish advised he has been playing for twenty-five (25) years and hopes that as the community grows, involvement will grow as well. He indicated more coverage is needed from the City and thanked Council for the recognition.

Blair Hensley, sponsor and owner of Coney Island, commented on the event as well.

Presentation of Proclamation to the City of Brooksville

Marilyn Adams & Gary Schraut of the Hernando County Realtors asked that Chief Turner come forward. They presented him with a proclamation on behalf of the efforts by the Police Department with expedient justice for member Realtor Stephen Floyd Van Slyke. Ms. Adams read the proclamation in its entirety and Chief Turner accepted on behalf of the department.

Vice Mayor Bradburn thanked the Realty Association for their recognition and commended the Police Department.

Mayor Bernardini thanked Chief Turner for the department's efforts.

CITIZEN INPUT

Margaret Lagone

Weekly Farmers Market Road Closure

She presented Council with a petition concerning the closing of Main Street in front the Court House on Saturdays. She read the petition requesting the reopening of Main Street on Saturdays. She spoke on behalf of the business owners on Howell Avenue and Main Street. Mayor Bernardini directed staff to look into it and report back.

City Manager Norman-Vacha indicated she has met with the organizers of the event and will work on a better solution.

CONSENT AGENDA

Firefighters Pension Trust Fund (FFPTF) Board of Trustee Members

Ratification of appointments of Tim Mossgrove and Gerald Ward to the FFPTF for two-year terms of office through January 31, 2011, as recommended by the Pension Board at its meeting on December 23, 2008.

Beautification Board Appointment

Consideration of appointment of Tracy Frazier to a vacant 3-year term of office through December 31, 2011.

REGULAR COUNCIL MEETING MINUTES – FEBRUARY 2, 2009

Surplus Fire Truck

Consideration to declare Ford F350, ID #255-1986 pickup truck surplus.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Johnston for approval of the consent agenda. Motion carried 5-0.

PUBLIC HEARING

Alcoholic Beverage License

Consideration of Alcoholic Beverage License for property located at 7318 Broad Street.

Director Geiger reviewed the application for the property located at 7318 South Broad Street and the proposed business similar to a sports bar. It meets all zoning requirements for permitting and recommended approval.

Jack Solomon & Chris McConnell briefly reviewed their proposed business.

Vice Mayor Bradburn asked the petitioner to elaborate more on the type of business. Chris McConnell indicated that the evenings will be geared more toward the adult crowd with Karaoke, pool and other events, but it will not be a restaurant at this time.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Bradburn for approval. Council clarified the License was for only that section of plaza. Motion carried 5-0.

REGULAR AGENDA

University of Florida Interlocal Agreement for Services

Consideration of Interlocal Agreement for Services between the University of Florida and the City of Brooksville.

Gene Boles and Gail Easley addressed Council concerning the agreement for assessment of the City's Comprehensive Plan and gave an overview. He indicated there are a lot of positive things going on in Brooksville and for the future. They will be the project managers with four (4) graduate students helping with the background information.

The tasks they intend to undertake will be to talk to people involved in the development and growth of Brooksville as well as assessment tools, which the students will help with. The final document will answer the questions of where they are leading Brooksville and to provide a set of recommendations of what needs to happen and suggested modifications to the plans.

Mayor Bernardini mentioned that Ron Pianta, Hernando County Planning Director is present and they fully support the effort and will do everything they can to assist in the City's efforts. Director Pianta spoke on behalf of County Administrator David Hamilton who offered his staff's assistance.

Mr. Boles felt the job could be finished within 6-months and they do not submit change orders.

REGULAR COUNCIL MEETING MINUTES -- FEBRUARY 2, 2009

Council Member Lewis commented that over the years there has never been a "putting it all together" plan and he looks forward to seeing their recommendations.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval of the agreement with funds to come from the Contingency Fund. Motion carried 5-0.

CITIZEN INPUT

Pierre Desjardins

He asked if the City is paying for the study, City Manager Norman-Vacha indicated yes. He felt if the City follows the revitalization plan the community will change and he did not feel the need to spend money on another study.

City Manager Norman-Vacha indicated the study will include review of the Revitalization Plan, Zoning Codes, Enterprise Zone, Comprehensive Plan and other documents and we will be able to solidify some of the plans being made with the County and State.

Pierre asked if the County would be willing to contribute to the cost. City Manager Norman-Vacha indicated the County has offered to contribute staff time and resources.

Council Member Pugh indicated it is important in alleviating the tension between the City and County, who will be on the same page for annexations and development.

Pierre indicated he is excited for the project but he just does not want to see the money spent without positive results.

Richard Howell

He wanted to know if the community will be involved in the process. City Manager Norman-Vacha indicated citizens as well as businesses will be involved.

City Manager Norman-Vacha explained that this deals with the City's planning documents, which will include the enterprise zone and sees this as a first step to revitalization.

Resolution No. 2009-03 - Identity Theft & Prevention

Consideration of resolution adopting a written statement on identity theft prevention; authorizing the City Manager to promulgate operating procedures and establish practices to implement the prevention program.

Steve Baumgartner, Director of Finance reviewed the resolution which deals with the prevention of identity fraud.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval of Resolution No. 2009-03.

Mayor Bernardini asked for public input; there was none.

City Clerk Peters read Resolution No. 2009-03 by title, as follows:

REGULAR COUNCIL MEETING MINUTES – FEBRUARY 2, 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ADOPTING A WRITTEN STATEMENT ON IDENTITY THEFT PREVENTION; AUTHORIZING THE CITY MANAGER TO PROMULGATE OPERATING PROCEDURES AND ESTABLISH PRACTICES TO IMPLEMENT THE PREVENTION PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Johnston asked if the customers would be notified in their utility bills. City Attorney Rey replied consumers will receive notice with details which the City will do but it is still to be worked out.

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

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

Public Schools Facilities Element Interlocal Agreement

Consideration of approval of the revised Public School Facility Planning and School Concurrency Interlocal Agreement between Hernando County Board of County Commissioners, the City of Brooksville City Council and the School Board of Hernando County.

Bill Geiger, Director of Community Development reviewed the amendments to the agreement entered into in 2003 and updated in 2006, with current changes in underline/strikethrough format. A remedial amendment and compliance agreement, to update the Comprehensive Plan, will also be brought to Council. He introduced Amber Wheeler, the new School Planner. Discussion followed.

City Manager Norman-Vacha thanked staff of the Community Development Department along with the County Planning Department and the School Board for their work.

Motion:

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

Personnel Policy Amendments

Consideration of updates and adoption of the following Personnel Policies:

a) Drug Free Workplace Policy

City Attorney Rey reviewed the proposed amendments.

Page 15, Section N

Council Member Lewis recommended the removal of "or may not" in the first sentence to be fair and impartial. After brief discussion Council concurred.

Page 3, Item C

Mayor Bernardini asked about prescription drugs, related to having to carry the original prescription container. City Attorney Rey recommended the verbiage because if you are observed taking medications during the work day you should be able to produce the prescription.

REGULAR COUNCIL MEETING MINUTES – FEBRUARY 2, 2009

Discussion followed as to possible alternative language.

City Manager Norman-Vacha suggested the following language at the second sentence of section C "Prescription drugs must be kept in original container or employee must produce documentation of legal prescription if such medication is taken during working hours or on city property within a reasonable period of time". Council concurred.

Motion:

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

b) Bereavement Leave

Vice Mayor Bradburn asked about leave for part-time employees and suggested one (1) day of pay based on their average number of hours worked daily. City Manager Norman-Vacha advised part-time employees receive no benefits. Discussion continued. City Attorney Rey clarified this is paid time to supplement regular earnings in lieu of tapping into leave. A part-time person would put in a request and may be granted leave whether paid or not paid. City Manager Norman-Vacha suggested instead of using "average" it would be more appropriate to use "usual regular working hours ratio". Council concurred.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval as amended to include one (1) day of pay for part-time employees based on their usual regular working hours ratio. Motion carried 3-2 with Council Members Pugh and Johnston voting in opposition.

c) Civil Leave & Jury Duty

Motion:

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

d) Family & Medical Leave

Motion:

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

e) Military Leave

On Page 4, Item E, Council Member Johnston asked why the serve times are different for reemployment. City Attorney Rey clarified that this deals with active reserve and National Guard which is based on length of service.

Motion:

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

ITEMS BY COUNCIL

David Pugh, Jr., Council Member

He wanted to send his prayers and condolences to the family of Mr. Osborne, a long time local surveyor who passed away last Friday.

REGULAR COUNCIL MEETING MINUTES – FEBRUARY 2, 2009

He is sitting on the building committee for the Hope Center and he wanted to be clear as to what he can and cannot discuss should any item be coming to Council. City Manager Norman-Vacha will meet with the City Attorney tomorrow to discuss items that would come before Council such as use and operation and partnership of the building once it is built.

Lara Bradburn, Vice Mayor

Fire flow water pressure lines

Work will be beginning on installing the fire flow water pressure lines loop around Howell Avenue and Bell and while it will be an inconvenience, it will be a great asset very soon.

Groundhog Day

Today being Groundhog Day, she wanted everyone to know that Punxsutawney Phil was named by a Brooksvillian.

Richard E. Lewis, Council Member

Preservation of bricks

He wanted to be sure Director Pierce has spoken with contractors regarding the preservation of bricks that are replaced on the brick streets that they are not thrown away, damaged or lost.

Joe Bernardini, Mayor

Ambassador of Commerce and Employment

He introduced Dr. Dennis Wilfong who was appointed on the 21st of January as Ambassador of Commerce and Employment and who is volunteering his time. Dr. Wilfong appreciates the opportunity and has had an overwhelming number of help and suggestions from people to make the City better. He met with realtors and several business people who gave ideas of what they like and want to see changed. Two (2) businesses from out-of-state are looking to locate to Brooksville and he has provided them with information.

As-builts on Quarry Golf Course

He inspected the golf course with Emory Pierce and Alan Garman and identified several areas to be corrected with about twenty (20) working days for Public Works to complete the project.

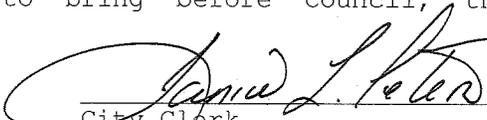
CITIZEN INPUT

Kojack Burnett

He wanted to announce that February is Black History Month.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:00 p.m.


City Clerk

Attest:


Mayor