

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

MINUTES

May 4, 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.

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Aquafina Major League Baseball Pitch, Hit and Run Competition Winners

Presentation of awards to the winners of the Pitch, Hit and Run Competition.

The Mission Statement of the Major League Baseball Pitch, Hit and Run event was read by Mike Walker, Director of Parks & Recreation. He and Mayor Bernardini presented the awards.

CITIZEN INPUT

Mayor Bernardini asked for citizen input.

Main Street Closure for Farmers Market

John Mason

He is a catering business owner on North Howell Avenue and expressed a concern over the downtown Farmers Market. He indicated the three (3) block closure a couple Saturdays was especially difficult as his box truck cannot maneuver on the side streets. He is in favor of the Farmers Market at another location.

Bonnie Anhalt

She and her husband own the "Shops at the Corner" located at Howell Avenue and US41 which includes an antique store, a craft store and a hairdresser. The other two (2) businesses renting from her at that location went out of business. She spoke in favor of not closing the downtown streets and felt her business has suffered as well and is in favor of relocating it.

Vasiliki Klonaridis

She is the owner of the Avenue Closeout Outlet on Howell Avenue and advised it is an inconvenience to detour around downtown for deliveries to her business.

Mayor Bernardini indicated City Manager Norman-Vacha is working on the issue and close to an amicable solution.

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 7/6/09 INITIALS JS

REGULAR COUNCIL MEETING MINUTES – MAY 4, 2009

CONSENT AGENDA

Minutes

January 5, 2009 Regular Meeting

Surplus – Fire Department

Authorization to surplus equipment.

Beautification Board Appointment

Consideration of appointment of Matthew Brian VonDohre to an unexpired 3-year term of office through December 31, 2010.

Surplus Vehicles

Consideration to declare surplus patrol, seized, and forfeited vehicles.

Motion:

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

PUBLIC HEARINGS

*Ordinance No. 768A – Small Scale Comprehensive Plan Amendments – Petitioner: Innovators Investment Group, LLC and Brooksville Hotel and Office Park, LLC

Consideration of a request for a change to the Future Land Use Map designation from Residential (County) to City Single-Family Residential for a 0.95 acre \pm parcel and from Residential (County) to City Commercial for a 4.81 acre \pm parcel. Both parcels are located on the North side of Cortez Blvd. (S.R. 50), west of Hale Avenue and east of Mildred Avenue.

Mayor Bernardini stated that this is a quasi-judicial hearing.

Those wishing to speak on the subject stood and were sworn by the Clerk. Mayor Bernardini stated that only competent, substantial, fact-based testimony or evidence will be considered by Council in deciding the quasi-judicial matters at hand. He also requested that those approaching the podium to speak on the matter state their name, address and whether they have been sworn.

Mayor Bernardini polled Council Members for ex-parte communications, whether written or verbal, related to the agenda item; there was none.

Steve Gouldman, Community Development Planner, reviewed the specifics of the property and the request of the petitioners, who were present. He requested the entire report be entered into the record as if it were read. (Attachment A)

Mike Gaylor, Gaylor Engineering of Lutz, having been sworn, asked if Council had any questions. For the record, Vice Mayor Bradburn asked for assurance that the Hogan property would remain residential and that there would be no through traffic on Mildred Avenue. Mr. Gaylor confirmed that to be the case.

Mayor Bernardini asked for public input; there was none.

REGULAR COUNCIL MEETING MINUTES – MAY 4, 2009

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval of Ordinance No. 768A.

City Clerk Peters read Ordinance 768-A by headnote as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, APPROVING AMENDMENTS TO THE FUTURE LAND USE MAP AND ELEMENT OF THE CITY OF BROOKSVILLE COMPREHENSIVE PLAN; PURSUANT TO PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

REGULAR AGENDA

Median Landscaping on US 41 & SR 50

Update of the design plans for median landscaping on U.S. 41 and State Road 50, provided by Bellomo-Herbert & Company.

Steve Gouldman, Community Development Planner, indicated this is a request for Council to review and provide comments and direction to staff regarding landscape plans for the medians located in the vicinity of Broad Street and Ponce De Leon Blvd. as well as those near Broad Street and Cortez. Also, staff requests authorization to advertise for bids if one of the options is selected by Council. He briefly reviewed the agreement with FDOT for improvements in the medians on U.S. 41 and new landscaping on Cortez, as well as the contract with Bellomo-Herbert to provide the landscaping design plans.

Plans approved by FDOT, after meeting with the Garden Club, Staff and Vice Mayor Bradburn, were provided to Council. After further discussions between Mr. Herbert and Vice Mayor Bradburn, alternative plans were designed and included in Council Packet but not reviewed by FDOT as of this point.

Staff recommended Council review all designs and determine a course of action. Should City Council approve the FDOT approved plans, staff recommended Council also authorize staff to solicit bids for the purchase, installation and one year maintenance of the landscaping material. If Council prefers the alternative design, it is recommended Council direct staff to ensure that the alternative designs are submitted to FDOT.

Glenn Herbert, of Bellomo-Herbert & Company, added that the plans have not been officially been approved by FDOT but would be pleased to proceed at Council's desire.

REGULAR COUNCIL MEETING MINUTES – MAY 4, 2009

Mr. Herbert stated Bulbine is a succulent grass that looks like Society Garlic with a yellow-orange flower. The medians are fairly narrow with site triangles all over so there are very few places to use anything higher than eighteen (18) inches. Knock Out roses are hearty except after the hurricanes in 2004 there was a Chilean threat that caused problems in some areas. There are very few plants are maintenance free but try to pick the ones that do most good and maintain under less than desirable conditions. Knock Out roses give a good splash of color. They bloom during the warm months and drop off during the winter but remain with green leaves.

Vice Mayor Bradburn stated she is partial to Daylilies. She and Mike Hughes, the new landscape person, visited with an extension office to determine which plants would thrive in conditions like that. She advised Society Garlic, Liriope and Bulbine are easier to care for and Daylilies will do extremely well in limited sets.

Mr. Herbert stated different varieties of Daylilies bloom at different times with different types of flowers and will use the evergreen variety. He has used them for forty (40) years with great success blooming for a month or two (2) and they are pretty tough too.

Mayor Bernardini asked about flowering peanut grass. Mr. Herbert replied FDOT stated that Brooksville gets colder than anyplace else and it won't grow well. He was in Palm Coast a couple days ago and they have them in all the medians.

Vice Mayor Bradburn stated she took a trip to Naples noting along US 41 there were full grown Oak trees and quite extensive landscaping in the medians. There were different perennials and annuals to year-round evergreens. During a meeting with DOT representatives last week, they stated they did not like the Counties either but loved the Knock Outs and everything else on the new list. She suggested the list be narrowed down further tonight and give DOT the choice to say yes or no. Discussion continued of planting possibilities. Mayor Bernardini's choices were the Knock Out Roses, Oleanders and Plumbagos.

Council Member Pugh stated he is not a big fan of dealing with landscaping plans. If it works somewhere else it does not necessarily work well here. He asked if there are irrigation systems in the area. Mr. Herbert replied he is also concerned since there are only irrigation systems in two (2) of the areas. Roses, Oleanders and Plumbago are more drought-tolerant. Liriope is a great plant but if you do not water it will not do well. Council Member Pugh stated his concerns and would recommend something more drought-tolerant.

Council Member Pugh was concerned with maintenance as far as having someone out there every week to maintain. Plumbago grows pretty fast and gets thick and drips over and if it can't be maintained without shutting down a road that could be a problem. Another concern is from a personal safety point of view where drivers are gazing at the pretty flowers. He is also concerned with spending money on planting again but he does not have a problem with whatever DOT will do and will not circumvent the process. He is in favor of trying to get everyone into the picture. Reviewers have guidelines and to go around them is not helpful.

Mr. Herbert felt very comfortable with the initial set of drawings submitted to DOT but there are other plants that could be used. One of the areas to use the Knock Out Roses was medians with the irrigation and he is less comfortable with Highway 50 because it is barren.

Council Member Johnston stated he prefers Roses and Plumbago in wider areas.

REGULAR COUNCIL MEETING MINUTES – MAY 4, 2009

Council Member Pugh would like to submit in writing a list of plants to the City Manager and move forward. The Vice Mayor has some good input as to what she wants to see.

Vice Mayor Bradburn stated this is a vast improvement from a couple weeks ago. FDOT reps were happy with some of the pictures and she is confident they will agree with the choices.

Council Member Lewis stated it does not matter to him what particular plant but it has to be hearty, low maintenance and drought-tolerant.

Council Member Pugh would like a memo with the final decision and to let the City Manager know if there is a problem. This is to streamline the process and get the landscape architect to submit plans to DOT.

Personnel Policy Amendments

Consideration of updates to the Personnel Policy.

a) ***Section 3.00 Recruitment***

Attorney Rey indicated this is a replacement policy with respect to filling vacancies and veteran's preference.

Council Member Johnston suggested Item 3-D should read "will be".

City Manager Norman-Vacha stated on Item 3-F that Human Resources will run concurrent "postings", both for internal and external candidates. Attorney Rey suggested removing "Human Resources" and should read "Job postings for internal and external candidates will occur simultaneously or concurrently".

Motion:

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

b) ***Section 3.06 Employment of Family Members***

Attorney Rey indicated this section replaces current policy. The proposed policy is adopted in accordance with Florida Statutes with respect to both public officials and employment of relatives within city employment. It provides a specific definition for a family member and procedures to account for if or when someone becomes a family member while employed by the City or is a family member upon application.

Council Member Johnston indicated grandchildren should be included and "current" before parents should be removed. Changes are not retroactively effective and will not apply to employees in collective bargaining units.

City Attorney Rey clarified the definition of "Family Members" as it relates to this section as defined by Florida Statutes. City Manager Norman-Vacha clarified that family members cannot supervise other family members.

REGULAR COUNCIL MEETING MINUTES – MAY 4, 2009

Motion:

Motion was made by Council Member Johnston and seconded by Council Member Lewis for approval with noted changes. Motion carried 5-0.

c) *Section 3.09 Equal Employment Opportunity*

Attorney Rey indicated this section replaces section 3e of the existing manual. This is based on both State and Federal Statute and defines an equal opportunity statement and provides for a reasonable accommodation and complaint mechanism.

Motion:

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

CITIZEN INPUT

Mayor Bernardini asked for citizen input; there was none.

ITEMS BY COUNCIL

David Pugh, Jr., Council Member

Main Street Closures

Council Member Pugh reviewed that the same businesses in opposition of the closure are the ones that asked Council for help in improving the downtown area in years past. He is in favor of finding another location to have the market and suggested the City's parking lot.

Joe Johnston, Council Member

Street Paving

Council Member Johnston asked Director Pierce for a priority list of roads to be paved.

Red Light Tickets

He asked for clarification from Police Chief Turner as to when red light tickets violations occur. Police Chief Turner clarified that if your vehicle is past the white line after the light turns red, you will be issued a citation.

Water Tower Drainage

Council Member Johnston asked if the water can be used rather than wasted in the street. Director Pierce indicated it only happens when there is a defect and is not a scheduled thing.

One-Way Pairs

Council Member Johnston indicated that even though he was in opposition of the one-way pairs they do come in handy when one lane is closed down.

T. Jennene Norman-Vacha, City Manager

Budget & Workshop Schedule

City Manager Norman-Vacha indicated she will be submitting to Council schedules for budget and workshops.

REGULAR COUNCIL MEETING MINUTES – MAY 4, 2009

Joe Bernardini, Mayor

Arbor Day Event

Mayor Bernardini recognized contributors to the event: Mike Counihan of Greenline Company donated an oak tree; Hernando County Cooperative Extension Service; Division of Forestry with Smokey the Bear; Progress Energy made a donation to purchase powerline-friendly trees to give out to participants of the event; and Stewart Tree Service donated the holly tree that was planted in front of City Hall. The essay winners of Mrs. Frye's Fifth Grade Class at Hernando Christian Academy were present.

Downtown Block Party

He indicated the City will sponsor a downtown block party on Thursday, May 14th from 5:30 to 7:30 on the west courthouse lawn.

Arts in the Park

Mayor Bernardini indicated the Arts in the Park this past weekend was a great success with good attendance.

Red Light Camera

Police Chief Turner clarified that in the right lane, if the first car makes a right on red, the next car has to come to a complete stop before making the right turn on red.

Gold Shield 1st Annual Scott Bierwiler Golf Tournament

Council Member Pugh mentioned that the tournament is coming up on May 21st at the Brooksville Country Club.

Farmers Market

Mayor Bernardini suggested everyone try to work together on the issue. He feels the few hours the street is shut down are prosperous for the downtown area.

Richard Lewis, Council Member

Farmers Market

He suggested the market be moved to Russell Street Park. It would be an ideal location with the opening of the trailhead and the railroad museum.

ADJOURNMENT

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

Attest:



Mayor



City Clerk